

December 5, 2023

**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON**

**DIVISION II**

STATE OF WASHINGTON,

Respondent,

v.

JESSE RAY LANDRUM,

Appellant.

No. 57364-4-II

UNPUBLISHED OPINION

LEE, J. — Jesse R. Landrum appeals the \$500 crime victim penalty assessment (CVPA) imposed as part of his sentence following his conviction for custodial assault. Because the legislature no longer authorizes the trial court to impose the CVPA against an indigent defendant, we reverse and remand for the trial court to strike the CVPA.

**FACTS**

On September 14, 2022, a jury found Landrum guilty of custodial assault. The trial court imposed a standard range sentence. The trial court also found Landrum indigent and imposed only the \$500 CVPA. Landrum appeals the imposition of the CVPA.

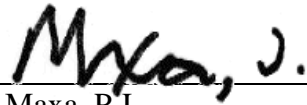
**ANALYSIS**

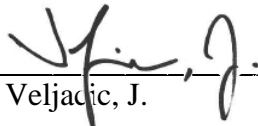
Effective July 1, 2023, the CVPA is no longer authorized for indigent defendants. LAWS OF 2023, ch. 449 § 1; RCW 7.68.035(4). And changes to the legislation governing legal financial obligations apply to cases on direct appeal when the change was enacted. *State v. Ramirez*, 191 Wn.2d 732, 749, 426 P.3d 714 (2018). Accordingly, we reverse and remand for the trial court to strike the CVPA.

A majority of the panel having determined that this opinion will not be printed in the Washington Appellate Reports, but will be filed for public record in accordance with RCW 2.06.040, it is so ordered.

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Lee J.

We concur:

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Maxa, P.J.

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Veljadic, J.