

**STATE OF WASHINGTON  
OFFICE OF THE REPORTER OF DECISIONS  
Temple of Justice  
PO Box 40929  
Olympia, WA 98504-0929**

**REQUEST FOR PROPOSALS  
RFP 15-01**

**APPENDIX B  
INFORMATION AND SAMPLES**

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June 2011

STATE v. ESERJOSE  
171 Wn.2d 907, 259 P.3d 172

running head  
907  
case citation

[No. 82491-6. En Banc.]

Argued June 10, 2010. Decided June 30, 2011.

THE STATE OF WASHINGTON, Respondent, v. JAMES ROBERT  
ESERJOSE, Appellant.

case  
caption/title

[1] Criminal Law — Evidence — Suppression — Conclusions of  
Law — Review — Standard of Review. Conclusions of law  
relating to the suppression of evidence are reviewed de novo.

catchline  
headnote  
body

[2] Criminal Law — Evidence — Suppression — Findings of Fact  
— Failure To Assign Error — Effect. Unchallenged findings of  
fact entered by a trial court following an evidence suppression  
hearing are verities on appeal.

[3] Criminal Law — Confessions — Voluntariness — Review —  
Conclusions of Law — Standard of Review. Conclusions of law  
made by a trial court in support of a ruling to allow a criminal  
defendant's confession to be admitted in evidence is reviewed de  
novo.

[4] Criminal Law — Confessions — Voluntariness — Review —  
Findings of Fact — Failure To Assign Error — Effect. Unchal-  
lenged findings of fact made by a trial court in support of a ruling to  
allow a criminal defendant's confession to be admitted in evidence  
are verities on appeal.

[5] Criminal Law — Confessions — Admission as Evidence —  
Unlawful Entry To Arrest Suspect — Effect — Fourth Amend-  
ment. Under the Fourth Amendment, the unlawfulness of a police  
officer's entry into a private place to arrest a criminal suspect does  
not require suppression of the suspect's later confession while in  
police custody if the officer had probable cause to arrest the suspect  
before the unlawful entry was made.

[6] Searches and Seizures — Exclusionary Rule — Effect — State  
Constitution. The exclusionary rule in Washington generally is less  
permissive than its federal counterpart. It has been described as  
"nearly categorical." The rule is intended to protect individual  
privacy against unreasonable governmental intrusion, to deter po-  
lice from acting unlawfully, and to preserve the dignity of the  
judiciary by refusing to consider evidence that has been obtained  
through illegal means.

[7] Searches and Seizures — Exclusionary Rule — Purposes —  
State Constitution. The paramount concern of the exclusionary  
rule in Washington is protecting an individual's right of privacy. It  
accomplishes this by closing the courtroom door to evidence gathered  
through illegal means. By design, the rule is concerned with the way  
evidence is obtained, with the legality of each link in the causal  
chain, not merely the last.

[8] **Criminal Law — Confessions — Admission as Evidence — Unlawful Entry To Arrest Suspect — Effect — State Constitution — Determination — Factors.** For purposes of Const. art. I, § 7, whether the unlawfulness of a police officer's entry into a private place to arrest a criminal suspect requires suppression of the suspect's later confession while in police custody depends on the connection between the unlawful entry and the confession. The proper inquiry is whether the confession is sufficiently an act of free will to purge the primary taint of the unlawful entry; i.e., whether the connection between the unlawful entry and the confession is so attenuated as to dissipate the taint. In making this determination, a court should consider the temporal proximity of the unlawful entry and the confession, the presence of intervening circumstances, and the purpose and flagrancy of the official misconduct.

[9] **Criminal Law — Confessions — Admission as Evidence — Unlawful Entry To Arrest Suspect — Effect — Particular Circumstances.** The connection between a police officer's unlawful entry into a private residence to arrest a criminal suspect and the suspect's later confession while in police custody is sufficiently attenuated to dissipate the taint for purposes of the exclusionary rule under Const. art. I, § 7 if the suspect was not questioned in the residence, the suspect maintained his or her innocence until formal interrogation was conducted by police officers, the police department does not have a policy of making unlawful arrests before interrogating suspects, the residence was entered with consent, the unlawful entry was made by exceeding the scope of the consent given, the suspect was not viscerally impressed by the circumstances of the unlawful entry, and the ensuing custody of the suspect was lawful because the arresting officer had probable cause to believe that the suspect had committed a felony.

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[Note: Only 3 Justices concur in all of the above statements.]

FAIRHURST, J., concurs in the result only; MADSEN, C.J., concurs by separate opinion; C. JOHNSON, CHAMBERS, and OWENS, JJ., and SANDERS, J. PRO TEM., dissent by separate opinion; WIGGINS, J., did not participate in the disposition of this case.

**Nature of Action:** Prosecution for second degree burglary.  
**Superior Court:** After ruling that the defendant's postarrest confession to police officers was admissible notwithstanding the officers' unlawful entry into the defen-

majority opinion signature count

concurring/dissenting/nonparticipating Justices

summary paragraphs

↑ defendant's residence to make the arrest, the Superior Court for Kitsap County, No. 08-1-00972-4, Sally F. Olsen, J., on December 5, 2008, entered a judgment of guilty based on stipulated facts.

**Supreme Court:** Holding that the trial court did not err by ruling that the defendant's confession was admissible, the court affirms the judgment.

summary paragraphs

Thomas E. Weaver Jr., for appellant.  
Russell D. Hauge, Prosecuting Attorney, and Kevin M. Anderson and Jeremy A. Morris, Deputies, for respondent.

attorney listings

LexisNexis® Research References

Annotated Revised Code of Washington by LexisNexis

¶1 ALEXANDER, J. — We granted direct review of James Eserjose's conviction on a charge of second degree burglary. He assigns error to the trial court's conclusion that a confession he gave to a deputy sheriff was admissible at trial. We affirm the trial court.

I

¶2 In the early morning hours of August 29, 2008, the Latte On Your Way coffee shop in Kitsap County was burglarized. When Kitsap County Deputy Sheriff Heather Wright responded to the shop's burglar alarm, she discovered signs of forcible entry; however, aside from shards of broken glass on the floor and an opened cash register drawer and freezer door, the shop's interior appeared essentially undisturbed. The shop's manager soon arrived on the scene and discovered that approximately \$400 had been taken from a can in the freezer.

¶3 Later that day, a man identifying himself as James Kordell called 911 with information about the burglary. Kordell later met with Deputy Wright at the Poulsbo Police Department and informed her that he worked for the coffee

Official Advance Sheets  
**Washington Reports**

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169 Wn.2d 516-697, 1025, 1149-1202

No. 7

October 19, 2010

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Attorney Discipline

In re Disciplinary Proceeding Against Little ..... ff 1202

Notice of Amendment  
and  
Republication



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25c

Notice of Amendment  
and Republication

[No. 81873-8. Banc.]

Argued October 29, 2009. Decided April 15, 2010.

SANDRA LAKE, *Respondent*, v. WOODCREEK HOMEOWNERS  
ASSOCIATION ET AL., *Petitioners*.

By an order dated September 15, 2010, the Supreme Court modified the opinion in the above captioned case reported at 168 Wn.2d 694-713. The opinion is republished at 169 Wn.2d 516; it will be omitted from the permanent bound volume at 168 Wn.2d 694.

[No. 17688. En Banc. September 22, 2010.]

*In the Matter of the Disciplinary Proceeding Against*  
BRENDA J. LITTLE, *an Attorney at Law*.

By an order dated September 22, 2010, the Supreme Court, in accordance with ELC 7.2(a)(2), suspended the above named attorney from the practice of law on an interim basis effective immediately.

# Notices of Attorney Discipline

[No. 25846. En Banc. September 3, 2013.]

*In the Matter of the Disciplinary Proceeding Against  
MICHAEL JOSLIN DAVIS, an Attorney at Law.*

By an order dated September 3, 2013, the Supreme Court, in accordance with ELC 9.1(c)(2), 13.2, 13.7, and 13.9, suspended the above named attorney from the practice of law for four months, effective September 10, 2013.

[No. 28221. En Banc. September 3, 2013.]

*In the Matter of the Disciplinary Proceeding Against  
DOUGLAS ALLEN SAAR, an Attorney at Law.*

By an order dated September 3, 2013, the Supreme Court, in accordance with ELC 9.1(c)(2), 13.2, 13.7, and 13.9, disbarred the above named attorney, effective September 10, 2013.

[No. 32362. En Banc. September 3, 2013.]

*In the Matter of the Disciplinary Proceeding Against  
BELINDA ARMIJO, an Attorney at Law.*

By an order dated September 3, 2013, the Supreme Court, in accordance with ELC 9.1(c)(2), 13.2, 13.7, and 13.9, disbarred the above named attorney, effective September 10, 2013.

PROPOSED RULES OF COURT

(Published for comment *only*)

[Pursuant to an order of the Supreme Court dated July 10, 2013, and in accordance with GR 9(g), the following proposed changes to the Rules of Court are published for comment by any interested party. Comments should be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet e-mail no later than October 18, 2013. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, WA 98504-0929, or Denise.Foster@courts.wa.gov. Comments submitted by e-mail may not exceed 1,500 words.

The cover sheet information as to purpose required by GR 9(e) is included herein solely for information purposes.

Proposed *amendments* are: **RPC** 1.15A(a), (h)(5), and comments 16-17; and 1.15B(a)(8).

Proposed *adoption* is: **RPC** 1.15A(j).

Additions and deletions are indicated by underlining and lining out respectively, except where the entire rule is new.]

RPC 1.15A

SAFEGUARDING PROPERTY

(a) This Rule applies to (1) property of clients or third persons in a lawyer's possession in connection with a representation and (2) escrow and other funds held by a lawyer incident to the closing of any real estate or personal property transaction. ~~Additionally, for all transactions in which a lawyer has selected, prepared, or completed legal documents for use in the closing of any real estate or personal property transaction, the lawyer must ensure that all funds received or held by the Closing Firm incidental to the closing of the transaction, including advances for costs and ex-~~

# Adopted Rules of Court

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## AMENDMENT TO

## RULES OF COURT

[By an order dated January 10, 2013, the Supreme Court made the following changes to the Rules of Court, effective February 5, 2013.

*Amendment is:* **APR 11** Regulation 107(b).

Additions and deletions are indicated by underlining and lining out respectively, except where the entire rule is new or otherwise noted.]

### APR 11

#### CONTINUING LEGAL EDUCATION

#### REGULATION OF THE WASHINGTON STATE CONTINUING LEGAL EDUCATION BOARD

#### REGULATION 107

#### EXEMPTIONS, WAIVERS, MODIFICATIONS

(a) [Unchanged.]

**(b) Judicial exemption.**

(1) Qualified WSBA Judicial members, except for administrative law judges, are exempt from the continuing legal education requirement established by APR 11.

~~(1) Full time. Full time judges, magistrates, court commissioners, administrative law judges, and the Washington State Supreme Court clerk or assistant clerk, who are prohibited by statute, code, regulation, or court rule from practicing law, are exempt from the continuing legal education requirement established by APR 11. The exemption ends when the full time judicial position ends, if the member is on active status with the WSBA.~~

~~(2) *Part time.* Part time or pro tem judges, magistrates, court commissioners, administrative law judges, and court clerks who are active members of the WSBA, are fully subject to the requirements of APR 11.~~

**(c)-(e)** [Unchanged.]

## ROLL OF ATTORNEYS

Admitted to Practice in the Supreme Court of Washington Between October 21,  
2011 and March 1, 2012

Abdur Raheem, Mubarak F.  
Adair, Camille R.  
Albright, Alan D.  
Alexander, Amy J.  
Allbee, Dannon G.  
Alldredge, Bonnie Lynn  
Allen-Grant, Kendra Nicole  
Allen, Mark Newton  
Alumbaugh, Marjorie Denise  
Ameah, Enuwa-Chloe Naomi  
Anderson, Jessica Francis  
Anderson, Mary Conception  
Anderson, Shane Christoph  
Ansay, Monica Diane  
Arefi-Afshar, Arezou  
Arnold, Lindsay H.  
Arwood, Elizabeth Annaliese  
Augenthaler, Brian  
Ayoub, Miriam Juliette

Badal, Jaclyne L.  
Bacant, Patrick Casey  
Baier, Alissa Noel  
Baier, Douglas Wade  
Bajwa, Vicky Kaur  
Baker, Jerry Todd  
Barbadillo, Stacy Paul  
Bardwell, Eric Richard  
Barringer, Christopher  
Barry, Katherine D.  
Barshis, Bradley G.  
Baskerville, Rashida  
Baum, Jonathan M.  
Bazan, Allyson Christine  
Beck, Jessica L.  
Beck, Jordan Dale  
Beem, Jacqueline  
Bell, Gregory Phillips  
Berg, Andrew  
Bergland, Kathleen E.  
Berinstein, Todd H.  
Beyzavi, Farinaz  
Bezu, Alex  
Billetdeaux, David  
Blackmon, Michelle Ann  
Blair, Christopher  
Blaisdell, Jesse  
Blam, Sarah T.  
Blewett, Ron T.

Bocanegra, Maria J.  
Boman, Jane Deborah  
Bordin-Wosk, Joshua  
Bowden, Brent Douglas  
Bowler, Jordan Jepson  
Brake, Adam Garrett  
Branham, Virginia Norling  
Breakstone, Elizabeth Raife  
Breeze, Samuel F.  
Brice, Emily Elisabeth  
Briggs, Jeff Lamont  
Brown, Jacob R.  
Brozik, Jenna Lynn  
Bulthuis, James M.  
Bunkley, Carrie Ann  
Burgett, Jamie Y.  
Burke, Kathryn Isabel  
Bussarakum, Isabel  
Butler, Kyle M.

Calkins, Erin Lindsay  
Calt, Shannon K.  
Campbell, Abigail V.  
Campbell, Caroline Jean  
Campbell, Matthew Allen  
Campbell, Megan Rebecca  
Campbell, Michael A.  
Cardenas, Amanda Christine  
Carr, Candice Natalya  
Carter, Jonathan Paul  
Carter, Miles Wilton  
Cartwright, P. Breckenridge  
Casey, Meghan Elizabeth  
Cashman, Patrick J.  
Castaneda, Marlene  
Cavazos, Guadalupe  
Cayce-Heathers, Grifan  
Chan, Christina Y.  
Chan, Michelle Siya  
Chang, Robert S.  
Charbonneau, Michael Robert  
Chemnick, William Neville  
Cheney, Gregory Scott  
Cheng, Brian Yee Keung  
Cheng, Yuk Man Maggie  
Cherin, Andrew Eugene  
Cheung, Anita  
Cheung, Yin  
Chibib, Michael

JUSTICES AND CHIEF JUSTICES OF THE  
SUPREME COURT OF WASHINGTON  
1889 to 2011

1. ABEL, DON G. — Term of Office: November 7, 1946 (temporary appointment pursuant to Laws of 1941, ch. 201, § 2) to September 10, 1947 (resigned).
2. ALEXANDER, GERRY L. — Term of Office: January 9, 1995 (elected) to (presently serving). Chief Justice: January 8, 2001 to January 11, 2010.
3. ANDERS, THOMAS J. — Term of Office: November 11, 1889 (elected) to January 10, 1905 (retired). Chief Justice: November 11, 1889 to January 9, 1893.
4. ANDERSEN, JAMES A. — Term of Office: July 24, 1984 (appointed) to January 6, 1995 (retired). Chief Justice: January 11, 1993 to January 6, 1995.
5. ASKREN, WILLIAM D. — Term of Office: January 12, 1925 (elected) to November 30, 1928 (resigned).
6. BAUSMAN, FREDERICK — Term of Office: October 26, 1915 (appointed) to November 20, 1916 (resigned).
7. BEALS, WALTER B. — Terms of Office: April 16, 1928 (appointed) to October 1, 1946 (war service); September 10, 1947 to September 10, 1951 (retired). Chief Justice: January 9, 1933 to January 14, 1935; January 8, 1945 to December 18, 1945; May 7, 1946 to October 1, 1946.
8. BEELER, ADAM — Term of Office: September 30, 1930 (appointed) to May 23, 1932 (resigned).
9. BLAKE, BRUCE — Term of Office: December 1, 1932 (elected) to August 31, 1946 (resigned). Chief Justice: January 9, 1939 to January 13, 1941.
10. BRACHTENBACH, ROBERT F. — Term of Office: November 20, 1972 (appointed) to January 6, 1995 (retired). Chief Justice: January 12, 1981 to January 10, 1983.
11. BRIDGE, BOBBE J. — Term of Office: January 5, 2000 (appointed) to December 31, 2007 (retired).
12. BRIDGES, JESSE B. — Term of Office: June 1, 1919 (appointed) to April 14, 1927 (died).

13. CALLOW, KEITH M. — Term of Office: January 2, 1985 (appointed) to January 14, 1991 (retired). Chief Justice: January 5, 1989 to January 14, 1991.
14. CHADWICK, STEPHEN J. — Term of Office: December 3, 1908 (appointed) to June 1, 1919 (resigned). Chief Justice: January 13, 1919 to June 1, 1919.
15. CHAMBERS, TOM — Term of Office: January 8, 2001 (elected) to (presently serving).
16. CONNELLY, EDWARD M. — Term of Office: April 22, 1946 (appointed) to January 13, 1947 (resigned).
17. CROW, HERMAN D. — Term of Office: January 19, 1905 (appointed pursuant to Laws of 1905, ch. 5, permanently increasing the number of justices) to October 22, 1915 (died). Chief Justice: January 13, 1913 to January 11, 1915.
18. DIMMICK, CAROLYN R. — Term of Office: January 2, 1981 (appointed) to January 14, 1985 (resigned).
19. DOLLIVER, JAMES M. — Term of Office: May 6, 1976 (appointed) to January 11, 1999 (retired). Chief Justice: January 14, 1985 to January 12, 1987.
20. DONWORTH, CHARLES T. — Term of Office: September 12, 1949 (appointed) to December 31, 1967 (retired). Chief Justice: July 6, 1956 to January 14, 1957.
21. DORE, FRED H. — Term of Office: January 2, 1981 (appointed) to January 10, 1993 (retired). Chief Justice: January 14, 1991 to January 8, 1993.
22. DRIVER, SAMUEL M. — Terms of Office: May 9, 1940 (appointed) to November 21, 1942 (war service); December 1, 1945 to April 22, 1946 (resigned). Chief Justice: December 18, 1945 to April 22, 1946.
23. DUNBAR, RALPH O. — Term of Office: November 11, 1889 (appointed) to September 19, 1912 (died). Chief Justice: January 9, 1893 to January 14, 1895; June 1, 1900 to January 14, 1901; January 9, 1911 to September 19, 1912.
24. DURHAM, BARBARA — Term of Office: January 14, 1985 (appointed) to September 30, 1999 (retired). Chief Justice: January 9, 1995 to January 11, 1999.

25. ELLIS, OVERTON G. — Term of Office: May 10, 1911 (appointed) to May 11, 1918 (resigned). Chief Justice: January 8, 1917 to May 11, 1918.
26. FAIRHURST, MARY E. — Term of Office: January 1, 2003 (elected) to (presently serving).
27. FINLEY, ROBERT C. — Term of Office: January 8, 1951 (elected) to March 23, 1976 (died). Chief Justice: January 9, 1961 to January 14, 1963; January 9, 1967 to January 13, 1969.
28. FOSTER, HARRY ELLSWORTH — Terms of Office: July 8, 1956 (appointed) to December 6, 1956; January 14, 1957 to December 5, 1962 (died).
29. FRENCH, WALTER M. — Term of Office: January 10, 1927 (elected) to September 13, 1930 (died).
30. FULLERTON, MARK A. — Term of Office: January 9, 1899 (elected) to September 21, 1931 (died). Chief Justice: January 12, 1903 to January 9, 1905; April 16, 1928 to January 14, 1929.
31. GERAGHTY, JAMES M. — Term of Office: August 15, 1933 (appointed) to April 29, 1940 (died).
32. GOODLOE, WILLIAM C. — Term of Office: January 14, 1985 (elected) to July 17, 1988 (resigned).
33. GORDON, MERRITT J. — Term of Office: January 14, 1895 (elected) to June 1, 1900 (resigned). Chief Justice: January 9, 1899 to June 1, 1900.
34. GOSE, MACK F. — Term of Office: January 11, 1909 (appointed) to January 11, 1915 (resigned).
35. GRADY, THOMAS E. — Terms of Office: November 25, 1942 (temporary appointment pursuant to Laws of 1941, ch. 201, § 2) to November 30, 1945; January 10, 1949 (elected) to January 10, 1955 (retired). Chief Justice: January 12, 1953 to January 10, 1955.
36. GUY, RICHARD P. — Term of Office: November 1, 1989 (appointed) to January 8, 2001 (retired). Chief Justice: January 11, 1999 to January 8, 2001.
37. HADLEY, HIRAM E. — Terms of Office: March 20, 1901 (temporary appointment pursuant to Act of March 18, 1901)

SUPREME COURT JUSTICES BY YEAR

25 x

	POSITION 1	POSITION 2	POSITION 3	POSITION 4	POSITION 5	POSITION 6	POSITION 7	POSITION 8	POSITION 9	
1889	Anders	Scott	Dunbar	Stiles	Hoyt					1889
1890	Anders	Scott	Dunbar	Stiles	Hoyt					1890
1891	Anders	Scott	Dunbar	Stiles	Hoyt					1891
1892	Anders	Scott	Dunbar	Stiles	Hoyt					1892
1893	Anders	Scott	Dunbar	Stiles	Hoyt					1893
1894	Anders	Scott	Dunbar	Stiles	Hoyt					1894
1895	Anders	Scott	Dunbar	Stiles/Gordon	Hoyt					1895
1896	Anders	Scott	Dunbar	Gordon	Hoyt					1896
1897	Anders	Scott	Dunbar	Gordon	Hoyt/Reavis					1897
1898	Anders	Scott	Dunbar	Gordon	Reavis					1898
1899	Anders	Scott	Dunbar	Gordon	Reavis					1899
1900	Anders	Scott/Fullerton	Dunbar	Gordon	Reavis					1900
1901	Anders	Fullerton	Dunbar	Gordon/White	Reavis	White	Hadley			1901
1902	Anders	Fullerton	Dunbar	White/Mount	Reavis	White	Hadley			1902
1903	Anders	Fullerton	Dunbar	Mount	Reavis					1903
1904	Anders	Fullerton	Dunbar	Mount	Reavis/Hadley					1904
1905	Anders/Rudkin	Fullerton	Dunbar	Mount	Hadley	Root	Crow			1905
1906	Rudkin	Fullerton	Dunbar	Mount	Hadley	Root	Crow			1906
1907	Rudkin	Fullerton	Dunbar	Mount	Hadley	Root	Crow			1907
1908	Rudkin	Fullerton	Dunbar	Mount	Hadley	Root/Chadwick	Crow			1908
1909	Rudkin	Fullerton	Dunbar	Mount	Hadley/Chadwick	Chadwick/Gose	Crow	Morris	Parker	1909
1910	Rudkin	Fullerton	Dunbar	Mount	Chadwick	Gose	Crow	Morris	Parker	1910
1911	Rudkin/Ellis	Fullerton	Dunbar	Mount	Chadwick	Gose	Crow	Morris	Parker	1911
1912	Ellis	Fullerton	Dunbar/Main	Mount	Chadwick	Gose	Crow	Morris	Parker	1912
1913	Ellis	Fullerton	Main	Mount	Chadwick	Gose	Crow	Morris	Parker	1913
1914	Ellis	Fullerton	Main	Mount	Chadwick	Gose	Crow	Morris	Parker	1914
1915	Ellis	Fullerton	Main	Mount	Chadwick	Gose/Holcomb	Crow/Bauman	Morris	Parker	1915
1916	Ellis	Fullerton	Main	Mount	Chadwick	Holcomb	Bauman/Webster	Morris	Parker	1916
1917	Ellis	Fullerton	Main	Mount	Chadwick	Holcomb	Webster	Morris	Parker	1917
1918	Ellis/Tolman	Fullerton	Main	Mount	Chadwick	Holcomb	Webster/Mitchell	Morris/Mackintosh	Parker	1918
1919	Tolman	Fullerton	Main	Mount	Chadwick/Bridges	Holcomb	Mitchell	Mackintosh	Parker	1919
1920	Tolman	Fullerton	Main	Mount	Bridges	Holcomb	Mitchell	Mackintosh	Parker	1920
1921	Tolman	Fullerton	Main	Mount/Hovey	Bridges	Holcomb	Mitchell	Mackintosh	Parker	1921
1922	Tolman	Fullerton	Main	Hovey	Bridges	Holcomb	Mitchell	Mackintosh	Parker	1922
1923	Tolman	Fullerton	Main	Hovey/Pemberton	Bridges	Holcomb	Mitchell	Mackintosh	Parker	1923
1924	Tolman	Fullerton	Main	Pemberton	Bridges	Holcomb	Mitchell	Mackintosh	Parker	1924
1925	Tolman	Fullerton	Main	Pemberton/Askren	Bridges	Holcomb	Mitchell	Mackintosh	Parker	1925
1926	Tolman	Fullerton	Main	Askren	Bridges	Holcomb	Mitchell	Mackintosh	Parker	1926
1927	Tolman	Fullerton	Main	Askren	Bridges/Holcomb	Holcomb/French	Mitchell	Mackintosh	Parker	1927
1928	Tolman	Fullerton	Main	Askren/Millard	Holcomb	French	Mitchell	Mackintosh/Bemis	Parker	1928

Judicial History Table  
JUSTICES BY YEAR

	POSITION 1	POSITION 2	POSITION 3	POSITION 4	POSITION 5	POSITION 6	POSITION 7	POSITION 8	POSITION 9	
1929	Tolman	Fullerton	Main	Millard	Holcomb	French	Mitchell	Beals	Parker	1929
1930	Tolman	Fullerton	Main	Millard	Holcomb	French/Beeler	Mitchell	Beals	Parker	1930
1931	Tolman	Fullerton/Herman	Main	Millard	Holcomb	Beeler	Mitchell	Beals	Parker	1931
1932	Tolman	Herman/Blake	Main	Millard	Holcomb	Beeler/Steinert	Mitchell	Beals	Parker	1932
1933	Tolman	Blake	Main	Millard	Holcomb	Steinert	Mitchell	Beals	Parker/Geraghty	1933
1934	Tolman	Blake	Main	Millard	Holcomb	Steinert	Mitchell	Beals	Geraghty	1934
1935	Tolman	Blake	Main	Millard	Holcomb	Steinert	Mitchell	Beals	Geraghty	1935
1936	Tolman	Blake	Main	Millard	Holcomb	Steinert	Mitchell	Beals	Geraghty	1936
1937	Tolman/Simpson	Blake	Main	Millard	Holcomb	Steinert	Mitchell/Robinson	Beals	Geraghty	1937
1938	Simpson	Blake	Main	Millard	Holcomb	Steinert	Robinson	Beals	Geraghty	1938
1939	Simpson	Blake	Main	Millard	Holcomb/Jefferis	Steinert	Robinson	Beals	Geraghty	1939
1940	Simpson	Blake	Main	Millard	Jefferis	Steinert	Robinson	Beals	Geraghty/Driver	1940
1941	Simpson	Blake	Main	Millard	Jefferis	Steinert	Robinson	Beals	Driver	1941
1942	Simpson	Blake	Main/Mallery	Millard	Jefferis	Steinert	Robinson	Beals	Driver/Grady	1942
1943	Simpson	Blake	Mallery	Millard	Jefferis	Steinert	Robinson	Beals	Grady	1943
1944	Simpson	Blake	Mallery	Millard	Jefferis	Steinert	Robinson	Beals	Grady	1944
1945	Simpson	Blake	Mallery	Millard	Jefferis	Steinert	Robinson	Beals	Grady/Driver	1945
1946	Simpson	Blake/Schwellenbach	Mallery	Millard	Jefferis	Steinert	Robinson	Beals/Abel	Driver/Connelly	1946
1947	Simpson	Schwellenbach	Mallery	Millard	Jefferis	Steinert	Robinson	Abel/Beals	Connelly/Hill	1947
1948	Simpson	Schwellenbach	Mallery	Millard	Jefferis	Steinert	Robinson	Beals	Hill	1948
1949	Simpson	Schwellenbach	Mallery	Millard/Grady	Jefferis/Hamley	Steinert/Donworth	Robinson	Beals	Hill	1949
1950	Simpson	Schwellenbach	Mallery	Grady	Hamley	Donworth	Robinson	Beals	Hill	1950
1951	Simpson/Finley	Schwellenbach	Mallery	Grady	Hamley	Donworth	Robinson/Weaver	Beals/Olson	Hill	1951
1952	Finley	Schwellenbach	Mallery	Grady	Hamley	Donworth	Weaver	Olson	Hill	1952
1953	Finley	Schwellenbach	Mallery	Grady	Hamley	Donworth	Weaver	Olson	Hill	1953
1954	Finley	Schwellenbach	Mallery	Grady	Hamley	Donworth	Weaver	Olson	Hill	1954
1955	Finley	Schwellenbach	Mallery	Grady/Rosellini	Hamley	Donworth	Weaver	Olson/Ott	Hill	1955
1956	Finley	Schwellenbach	Mallery	Rosellini	Hamley/Foster/Millard	Donworth	Weaver	Ott	Hill	1956
1957	Finley	Schwellenbach/Hunter	Mallery	Rosellini	Foster/Millard	Donworth	Weaver	Ott	Hill	1957
1958	Finley	Hunter	Mallery	Rosellini	Foster	Donworth	Weaver	Ott	Hill	1958
1959	Finley	Hunter	Mallery	Rosellini	Foster	Donworth	Weaver	Ott	Hill	1959
1960	Finley	Hunter	Mallery	Rosellini	Foster	Donworth	Weaver	Ott	Hill	1960
1961	Finley	Hunter	Mallery	Rosellini	Foster	Donworth	Weaver	Ott	Hill	1961
1962	Finley	Hunter	Mallery/Hamilton	Rosellini	Foster	Donworth	Weaver	Ott	Hill	1962
1963	Finley	Hunter	Hamilton	Rosellini	Hale	Donworth	Weaver	Ott	Hill	1963
1964	Finley	Hunter	Hamilton	Rosellini	Hale	Donworth	Weaver	Ott	Hill	1964
1965	Finley	Hunter	Hamilton	Rosellini	Hale	Donworth	Weaver	Ott	Hill	1965
1966	Finley	Hunter	Hamilton	Rosellini	Hale	Donworth	Weaver	Ott	Hill	1966
1967	Finley	Hunter	Hamilton	Rosellini	Hale	Donworth	Weaver	Ott/Neil	Hill	1967
1968	Finley	Hunter	Hamilton	Rosellini	Hale	McGovern	Weaver	Neil	Hill	1968
1969	Finley	Hunter	Hamilton	Rosellini	Hale	McGovern	Weaver	Neil	Hill	1969

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1970	Finley	Hunter	Hamilton	Rosellini	Hale	McGovern	Weaver/Sharp	Neil	Stafford	1970
1971	Finley	Hunter	Hamilton	Rosellini	Hale	McGovern/Sharp/Utter	Sharp/Wright	Neil	Stafford	1971
1972	Finley	Hunter	Hamilton	Rosellini	Hale	Utter	Wright	Neil/Brachtenbach	Stafford	1972
1973	Finley	Hunter	Hamilton	Rosellini	Hale	Utter	Wright	Brachtenbach	Stafford	1973
1974	Finley	Hunter	Hamilton	Rosellini	Hale	Utter	Wright	Brachtenbach	Stafford	1974
1975	Finley	Hunter	Hamilton	Rosellini	Hale/Horowitz	Utter	Wright	Brachtenbach	Stafford	1975
1976	Finley/Dolliver	Hunter	Hamilton	Rosellini	Horowitz	Utter	Wright	Brachtenbach	Stafford	1976
1977	Dolliver	Hunter/Hicks	Hamilton	Rosellini	Horowitz	Utter	Wright	Brachtenbach	Stafford	1977
1978	Dolliver	Hicks	Hamilton	Rosellini	Horowitz	Utter	Wright	Brachtenbach	Stafford	1978
1979	Dolliver	Hicks	Hamilton/Williams	Rosellini	Horowitz	Utter	Wright	Brachtenbach	Stafford	1979
1980	Dolliver	Hicks	Williams	Rosellini	Horowitz	Utter	Wright	Brachtenbach	Stafford	1980
1981	Dolliver	Hicks	Williams	Rosellini	Dore	Utter	Dimmick	Brachtenbach	Stafford	1981
1982	Dolliver	Hicks/Pearson	Williams	Rosellini	Dore	Utter	Dimmick	Brachtenbach	Stafford	1982
1983	Dolliver	Pearson	Williams	Rosellini	Dore	Utter	Dimmick	Brachtenbach	Stafford	1983
1984	Dolliver	Pearson	Williams	Rosellini	Dore	Utter	Dimmick	Brachtenbach	Stafford/Anderson	1984
1985	Dolliver	Pearson	Williams/Goodloe	Callow	Dore	Utter	Dimmick/Durham	Brachtenbach	Anderson	1985
1986	Dolliver	Pearson	Goodloe	Callow	Dore	Utter	Durham	Brachtenbach	Anderson	1986
1987	Dolliver	Pearson	Goodloe	Callow	Dore	Utter	Durham	Brachtenbach	Anderson	1987
1988	Dolliver	Pearson	Goodloe/Smith	Callow	Dore	Utter	Durham	Brachtenbach	Anderson	1988
1989	Dolliver	Pearson/Guy	Smith	Callow	Dore	Utter	Durham	Brachtenbach	Anderson	1989
1990	Dolliver	Guy	Smith	Callow	Dore	Utter	Durham	Brachtenbach	Anderson	1990
1991	Dolliver	Guy	Smith	Johnson, C.	Dore	Utter	Durham	Brachtenbach	Anderson	1991
1992	Dolliver	Guy	Smith	Johnson, C.	Dore	Utter	Durham	Brachtenbach	Anderson	1992
1993	Dolliver	Guy	Smith	Johnson, C.	Madsen	Utter	Durham	Brachtenbach	Anderson	1993
1994	Dolliver	Guy	Smith	Johnson, C.	Madsen	Utter	Durham	Brachtenbach	Anderson	1994
1995	Dolliver	Guy	Smith	Johnson, C.	Madsen	Utter/Alexis/Sanders	Durham	Alexander	Talmadge	1995
1996	Dolliver	Guy	Smith	Johnson, C.	Madsen	Sanders	Durham	Alexander	Talmadge	1996
1997	Dolliver	Guy	Smith	Johnson, C.	Madsen	Sanders	Durham	Alexander	Talmadge	1997
1998	Dolliver	Guy	Smith	Johnson, C.	Madsen	Sanders	Durham	Alexander	Talmadge	1998
1999	Ireland	Guy	Smith	Johnson, C.	Madsen	Sanders	Durham	Alexander	Talmadge	1999
2000	Ireland	Guy	Smith	Johnson, C.	Madsen	Sanders	Bridge	Alexander	Talmadge	2000
2001	Ireland	Owens	Smith	Johnson, C.	Madsen	Sanders	Bridge	Alexander	Chambers	2001
2003	Ireland	Owens	Fairhurst	Johnson, C.	Madsen	Sanders	Bridge	Alexander	Chambers	2003
2004	Ireland	Owens	Fairhurst	Johnson, C.	Madsen	Sanders	Bridge	Alexander	Chambers	2004
2005	Johnson, J.M.	Owens	Fairhurst	Johnson, C.	Madsen	Sanders	Bridge	Alexander	Chambers	2005
2006	Johnson, J.M.	Owens	Fairhurst	Johnson, C.	Madsen	Sanders	Bridge	Alexander	Chambers	2006
2007	Johnson, J.M.	Owens	Fairhurst	Johnson, C.	Madsen	Sanders	Bridge	Alexander	Chambers	2007
2008	Johnson, J.M.	Owens	Fairhurst	Johnson, C.	Madsen	Sanders	Stephens	Alexander	Chambers	2008
2009	Johnson, J.M.	Owens	Fairhurst	Johnson, C.	Madsen	Sanders	Stephens	Alexander	Chambers	2009
2010	Johnson, J.M.	Owens	Fairhurst	Johnson, C.	Madsen	Sanders	Stephens	Alexander	Chambers	2010
2011	Johnson, J.M.	Owens	Fairhurst	Johnson, C.	Madsen	Sanders/Wiggins	Stephens	Alexander	Chambers	2011

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PETITIONS FOR REVIEW<sup>†</sup>  
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MOTIONS FOR DISCRETIONARY REVIEW<sup>‡</sup>**

*State, Petitioner, v. Robinson, Respondent*, No. 87327-5. Petition for review of a decision of the Court of Appeals, No. 66057-8-I, March 19, 2012, 167 Wn. App. 1016. Review of issues raised by respondent *denied*, petition for review of petitioner *granted* and *remanded* to the Court of Appeals September 5, 2012.

*Sargent, Petitioner, v. Seattle Police Dep't, Respondent*, No. 87417-4. Petition for review of a decision of the Court of Appeals, No. 65896-4-I, September 19, 2011, 167 Wn. App. 1. *Granted* September 5, 2012.

*James, as Trustee, et al., Respondents, v. Momah, Petitioner*, No. 87214-7. Petition for review of a decision of the Court of Appeals, No. 61272-7-I, January 17, 2012, 165 Wn. App. 1025. *Denied* September 5, 2012.

*State, Respondent, v. Gibbs, Petitioner*, No. 87218-0. Petition for review of a decision of the Court of Appeals, No. 65605-8-I, March 5, 2012, 166 Wn. App. 1042. *Denied* September 5, 2012.

*State, Respondent, v. Knippling, Petitioner*, No. 87274-1. Petition for review of a decision of the Court of Appeals, No. 67566-4-I, January 17, 2012, 165 Wn. App. 1029. *Denied* September 5, 2012.

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<sup>†</sup>Orders disposing of petitions for review of Court of Appeals rulings for which the Court of Appeals did not write an opinion are identified by case names not in italic.

<sup>‡</sup>The following orders disposing of motions for discretionary review are reported: (1) all motions involving cases that were decided by a Court of Appeals published opinion and (2) all granted motions in cases that will be set for consideration on the merits.

NOTATIONS OF  
UNREPORTED OPINIONS

Each of the appeals listed below has been disposed of by formal written opinion in the manner indicated. While printed publication has been withheld pursuant to RCW 2.06.040, the opinions are on file as a public record in the office of the Clerk for the Division of the Court of Appeals concerned.

[No. 28599-5-III. Division Three. March 7, 2013.]

*In the Matter of the Marriage of IOULIA A. FRAZIER,  
Respondent, and DEAN J. FRAZIER, Appellant.*

Appeal from a judgment of the Superior Court for Spokane County, No. 08-3-01728-0, Salvatore F. Cozza, J., entered October 12, 2009. *Affirmed* by unpublished opinion per Brown, J., concurred in by Korsmo, C.J., and Kulik, J.

[No. 29961-9-III. Division Three. March 7, 2013.]

THE STATE OF WASHINGTON, *Respondent*, v. JOEL CHAVEZ,  
*Appellant.*

Appeal from a judgment of the Superior Court for Benton County, No. 09-1-00253-7, Cameron Mitchell, J., entered May 26, 2011. *Affirmed* by unpublished opinion per Korsmo, C.J., concurred in by Kulik and Siddoway, JJ.

[No. 30005-6-III. Division Three. March 7, 2013.]

THE STATE OF WASHINGTON, *Respondent*, v. DELONDE PLEASANT,  
*Appellant.*

Appeal from a judgment of the Superior Court for Franklin County, No. 02-1-50091-8, Cameron Mitchell, J., entered June 16, 2011. *Affirmed* by unpublished opinion per Brown J., concurred in by Korsmo, C.J., and Siddoway, J.

NOTATIONS OF  
UNREPORTED OPINIONS

[No. 30030-7-III. Division Three. March 7, 2013.]

THE STATE OF WASHINGTON, *Respondent*, v. RICHARD ARTHUR  
GUISASOLA, *Appellant*.

Appeal from a judgment of the Superior Court for Okanogan County, No. 10-1-00236-5, Jack Burchard, J., entered June 3, 2011. *Affirmed* by unpublished opinion per Korsmo, C.J., concurred in by Kulik and Siddoway, JJ.

[No. 67111-1-I. Division One. March 11, 2013.]

THE STATE OF WASHINGTON, *Respondent*, v. JOHN EDWARD  
BETTYS, *Appellant*.

Appeal from a judgment of the Superior Court for Skagit County, No. 10-1-00159-9, Dave Needy, J., entered March 25, 2011. *Reversed* by unpublished opinion per Grosse, J., concurred in by Cox and Lau, JJ.

[No. 67256-8-I. Division One. March 11, 2013.]

PAULINE B. SCHNEIDER, *Respondent*, v. JONATHAN P. ROSS,  
*Appellant*.

Appeal from a judgment of the Superior Court for King County, No. 11-2-13647-7, Sidney S. Royer, J. Pro Tem., entered May 10, 2011. *Affirmed* by unpublished opinion per Leach, C.J., concurred in by Appelwick and Lau, JJ.

[No. 67278-9-I. Division One. March 11, 2013.]

NORTHWEST PRODUCT DESIGN GROUP, LLC, ET AL., *Appellants*,  
v. HOMAX PRODUCTS, INC., ET AL., *Respondents*.

Appeal from a judgment of the Superior Court for Whatcom County, No. 07-2-00040-9, Steven J. Mura, J., entered May 13, 2011. *Affirmed* by unpublished opinion per Schindler, J., concurred in by Spearman, A.C.J., and Dwyer, J.

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