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STATE OF WASHINGTON

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COURT OF APPEALS
OF THE STATE OF WASHINGTON
DIVISION 1

STATE OF WASHINGTON,)
)
Respondent,)
)
v.)
Gary Michael Streitler,)
)
Appellant.)

No 63243-4-I

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW
RAP 10 10

I, Gary M. Streitler, have received and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this Statement of Additional Grounds for Review when my appeal is considered on the merits.

Additional Ground 1

RCW 9A.52.010-[3] Does Not Provide that entry or remaining in a business that was open to the public, rendered unlawful. Proof of intent to commit a crime does not establish the other element of Unlawful entry (or) remaining State v. Miller 92 Wa App 720 954 P. 2d 925 (1998). The Defendant here contends that his remaining unlawfully means is not restricted to situations when an initially licensed entry is lawful. But only when a Defendants permission is revoked. State v. McDaniel 39 Wa App 236 (1984) And State v. Kutch 90 Wa App 244 And State v. Klimes 117 Wa App 758

Conclusion

Defendant Claims the States argument is not supported by Statute RCW 9A.52.010(3)

or by Case law. And would lead to results far outside the legislatures intent. Defendant is moving the Court of Appeals to Vacate the Burglary Conviction and Dismiss it With prejudice, in the best interest of Justice.

If there are additional grounds, a brief summary is attached to this statement.

Date: September 23 2009

Signature:

Jay M. Steinkamp