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STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

FILED
COURT OF APPEALS DIV 1
STATE OF WASHINGTON
2014 FEB 24 PM 12:02

STATE OF WASHINGTON)
)
Respondent,)
)
v.)
)
Daniel Bartels)
(your name))
)
Appellant.)

No. 70303-0-I

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, Daniel Bartels, 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

There was Insufficient Evidence to support a "Firearm Enhancement" in my case since there was no evidence that either I, and/or my alleged accomplices committed any charged offenses with an "operable firearm" to support my firearm sentence enhancement, notwithstanding my alleged accomplices decisions to plead guilty to offense(s) where they received no firearm sentence enhancements either. State v. Recuenco, 163 Wn.2d 428, 437, 180 P.3d 1276 (2008).

Additional Ground 2

It was Ineffective Assistance of Counsel for my trial attorney to agree to informing my jury about my alleged accomplices pleading guilty, and/or to the fact that I even had alleged accomplices, whereas this act essentially allowed the jury to find me guilty by association before the trial even started, and it relieved the State of its burden to prove that I even had co-defendants and/or accomplices, and/or to make them testify, prejudicing me with my firearm enhancement.
If there are additional grounds, a brief summary is attached to this statement.

Date: February 12, 2014

Signature: 

cc: Jared B. Steed (Attorney for Appellant)
King County Prosecutor (Appellate Division)

To further support my Additional Ground # 1:

According to the trial transcripts - Ref. to March 12, 2012
page 20 line 17: Q - I see. So what is the purpose
of probing in with the Q-Tip?

line 19: Answer - To see how deep the wound tracks.

page 21 line 16: Q - So you don't know whether or not
these are connected, do you?

line 18: Answer - I don't have a 100% percent certainty

page 22 line 10: Q - Did you see any powder residue
on the skin?

line 12: Answer - I don't recall

Dr. Lisa Cooper is operating under assumption that Keith
had a gunshot wound because that's what it "looked like".
There was no bullet found in Keith's head during cat scan
or while probing with a Q-tip. Therefore she "assumed"
it was an in and out wound. She never ran proper testing
to prove that a bullet entered, went all the way through,
and exited the scalp. We are not sure a projectile went
in and all the way out. She also does not recall any powder
residue on the skin. "Assumption" this was a gunshot
wound does not prove 100% beyond a reasonable doubt
that it in fact was one.

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There was never a gun recovered from anyone in this case besides Keith Blaisdell. There was never any bullets or shell casings recovered in this case except the ones fired from Keith Blaisdell's firearm.

To whom it may concern,

I wasn't sure what "proof of service" was, so I am sending this letter stating that I have mailed my Additional Grounds for Review to the court of appeals. I also sent a copy to the prosecutor as well as to my attorney.

Daniel Bartels



02/20/14

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