

COURT OF APPEALS OF THE STATE OF WASHINGTON  
DIVISION I

IN RE PERSONAL  
RESTRAINT OF

No. 73994-8-I

PETITIONERS REPLY TO  
STATES RESPONSE

MARTIN PANG,  
Petitioner.

FILED  
APR 11 2018  
11:33 AM  
CLERK OF COURT  
STATE OF WASHINGTON

I. ISSUE PRESENTED

Is Petitioners personal restraint petition (PRP) untimely?

II. STATES ARGUMENT

The State argues that petitioners petition must be dismissed under In re Personal Restraint of Flippo, \_\_\_ Wn.App. \_\_\_ 362 P.3d 1011 (2015), and RCW 10.73.090(1), (3), (6). States Response, pages 4-6.

III. PETITIONERS REPLY/ARGUMENT

Although the State may be correct in their argument, petitioner asks this Court to consider RAP 2.5(a). "RAP 2.5(a) grants appellate courts discretion to accept review of claimed errors not appealed as a matter of right," State v. Blazina, 182 Wn.2d 827; State v. Russell, 171 Wn.2d 118, 249 P.3d 604 (2011).

In addition to RAP 2.5(a), petitioner asks this Court to consider RAP 1.2(a), which Supreme Court Judge Mary E. Fairhurst stated in her concurring opinion in Blazina, 182 Wn.2d at 841. 'While RAP 2.5(a) embodies the principle that errors not raised in the trial court may generally not be raised for the first time on appeal, RAP 1.2(a) mitigates the stringency of the rule, providing that the RAPs are to "be liberally interpreted to promote justice and facilitate the decision of cases on the merits."' State v. Robinson, 171 Wn.2d 292, 304, 253 P.3d 84 (2010).

As the Judges stated in Blazina, "...national and local cries for reform of broken LFO systems demand and reach the merits of this case."

#### IV. CONCLUSION

Based on the above reply/argument, to interpret the rules to promote justice and facilitate the decision of cases on the merits, petitioner asks this Court to accept his PRP.

DATED this 4 day of ~~JANUARY~~, 2016.  
FEBRUARY

Respectfully Submitted,

MARTIN PANG

MARTIN PANG, pro se #254392

WA St.Pent.  
Victor-B206  
1313 N. 13th  
Walla Walla, WA 99362

Certificate of Service by Mail

Today I deposited in the mail of the U.S.A., postage prepaid, directed to the Court of Appeals, Div-I, 600 University St., Seattle, WA 98101, the Petitioners Reply To States Response, In re PRP of Martin Pang, N. 73994-8-I, Court of Appeals, Div-I.

I certify under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

Dated this 4 day of ~~JANUARY~~, 2016.  
FEBRUARY

MARTIN PANG

MARTIN PANG

Done in Walla Walla, WA

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~~January~~  
~~January~~ 4, 2016

Mr. Richard D. Johnson - Court Administrator  
Court of Appeals Div-1  
600 University St.  
Seattle, WA 98101

RE: Case No. 73994-8-I  
PRP of Martin Pang

Dear Mr. Johnson:

Enclosed, please find Petitioners Response To States Reply.

Thank you,

Sincerely,

MARTIN PANG #254392  
WA ST PENT  
Victor-B206  
1313 N. 13th  
Walla Walla, WA 99362

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