

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS

06 JUN 12 PM 12:11

STATE OF WASHINGTON)

Respondent,)

v.)

Rodi P. Yacopin
(your name))

Appellant.)

FILED
BY SW

No. 34021-6-11

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, Rodi P. Yacopin, 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

see attached sheets

Additional Ground 2

see attached sheets

CERTIFICATE OF SERVICE

I certify that I mailed

1 copies of SAG
to M. Bennis
& R. Jabbut

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

6/11/06 Date SW Signed

Date: June 07, 06

Signature: Rodi P. Yacopin

Pro Se Statement of Additional Grounds
for review;

I have yet to view legal documents pertaining to this case. I believe I have a right to see what was said by the accusers. Since neither of my attorneys have sent me any copies of the case transcripts, I am writing by memory.

Issue; That should have been raised at my trial.

During the arrest, my neighbor, Rhonda Durr, mentioned that Micheal James Kornell was saying to the sheriff that I was home alone all this time, while this was a false statement.

Issue; While being handcuffed, I had told the sheriff officer where my firearm was located in the house, and at no time was this an argument, I was in full cooperation with them. I have had a license for a concealed weapon permit for the firearm for a few years.

Issue; After emphasis that Micheal James Kornell had come at me with a hammer, after unsuccessfully pounding me on the head with his fist, I backed off to the living room in the house. (see floor plan of where I backed off)

The hammer was on top of his tool box which was red like the tool box, a ball pean hammer, the type a mechanic would use. At this time, while alert that he could hurt my children or me, I was in fear of that so, in defer I braced myself, but he jumped out of his bedroom window. During this time, I never had my firearm out at all.

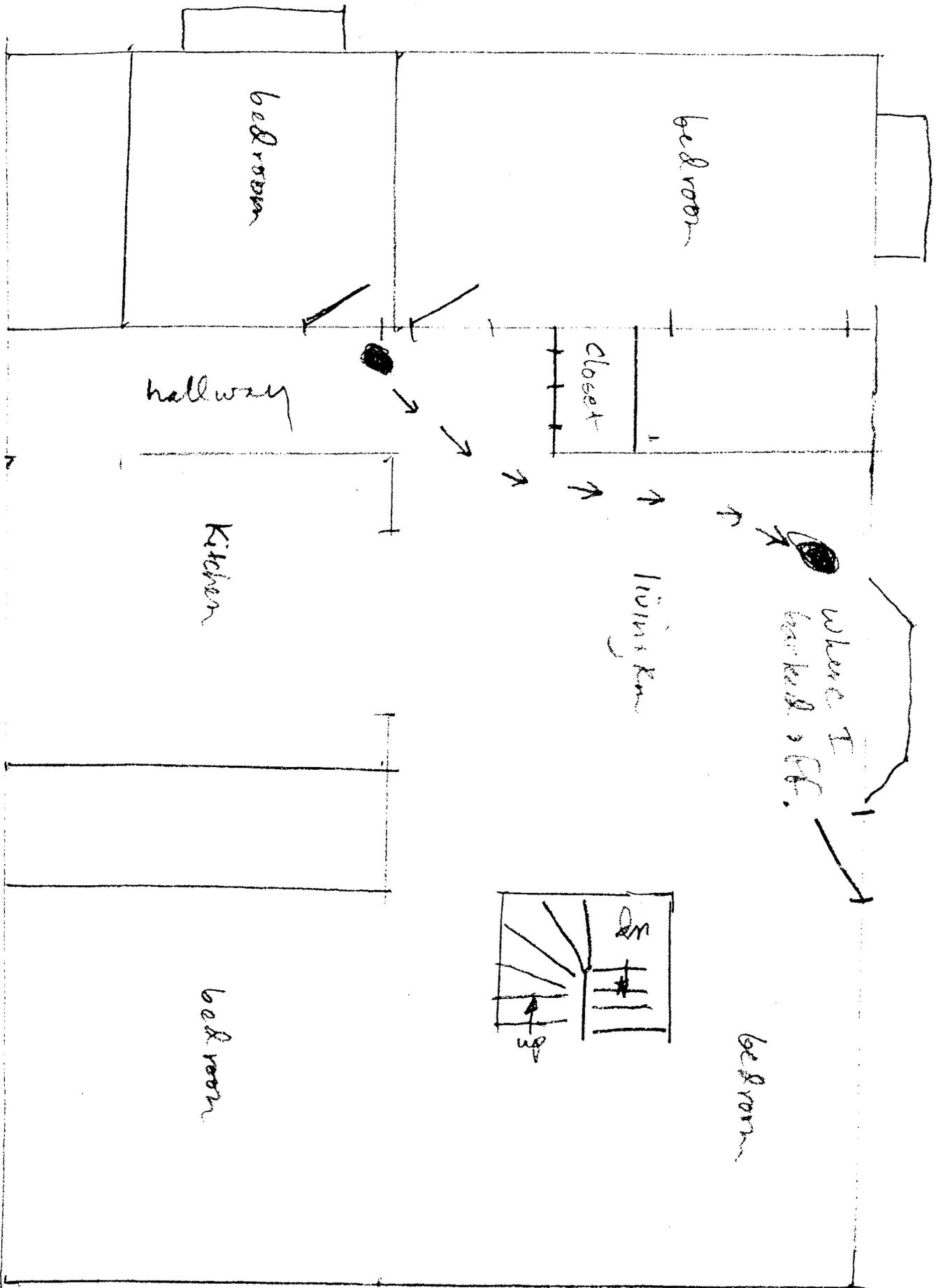
Issue; Assault 2 charge and weapons enhancement charge are not fact, All you hear is the false statements Micheal James Kornell is suggesting to the 911 operator that had happened.

Issue; The prosecutors never had any solid evidence of his injurys, no photographs to the kicking, and punchings, to an assault 2 level, nor do the 911 tapes indicate in any way that the firearm was exposed to where he would jump out of a window in desperation, however, Micheal James Kornell suggest that on audio repeatedly, false statement again, to complete the act of fear he wanted to suggest to project, all this because, he was told early on that he would have to move out by me because he was a convicted felon from manufacturing and distrubution meth in Oregon, and I could not have two felons in the same address.

Issue; Standoff, I never refused to come out of the house, or the statement the Columbian wrote in their article, a gun was found, is false, I had told the sheriff officer in charge exactly where the firearm was located in the house. I had called the 911 operator for my safety, the sheriff had a small army out on the street, with swat teams and three sharpshooters, all this generated by Micheal James Kornell statements of false nature. The 911 operator was told that I was not alone in the house, so as the police now knew this I went out, after consulting with my children Jamie, 10, and Bryce, 13, so they were in the understanding that all would be alright, my neighbor, Rhonda Durr escorted my children so as they would not be intimidated by the sheriffs questions. My children were not hysterical or scared, because they had no idea of why they were being yanked out of the house, this should have been an indication that all the false statements that Michael James Kornell had told the sheriff officers were debateable, and false that he caused displacement and kaos.

Issue; Let it be noted, that through out the ownership of my firearm, I never ever fired it at any time since I purchased it at a Gun Show at the Oregon Convention Center, nor would I have purchased a firearm for this reason. I was trained with the U.S. Marines on fire arm protocol, and understand civilian firearm protocol, the pistol were to be used as a safety back up while out in the forest on hunting trips against unexpected bears or mountain lions and cougars.

Issue; Representation by my attorney was not there at all. She told me of the plea bargain the prosecutor had offered, no prison time, I get to keep my concealed weapons permit, but forfeit the firearm, with one year probation I rejected the offer because I sincerely believe with in my heart that I am totally INNOCENT of all the charges, the tenant was in retaliation, I think because I had ask both of them to move out, they could not be trusted to follow rules. We came to an agreement that they would move at the end of April 2005, but they had no real intentions to move at all, for they had to be evicted, and with a lawers help the eviction did not take place until three months later, at the end of July 2005. They both owe rent for those months.



Floor Plan

Continued;

While Micheal James Kornell and Kenneth Sucher, the other tenant who had recommended Micheal, stayed in my home unlawfully, they and their friends trashed my home, and burglarized my childrens toys video tapes destroyed personal family video tapes, and we are traumatized by this behavior. \$11,000 of tools household goods were taken. A detective Kevin Galderie of the Clark County sheriffs dept has taken a report and supposedly is on the case, but I have yet to hear of an arrest.

Issue; The prosecutors kept on making changes on charges, and at the sentencing, they made changes to accomodate prison guidelines. Also they used nonconviction accusations from over 25 years ago as ? I do not see any JUSTICE only an intention to damage and brutalize one who is accused of a crime with suggestive statements, as say the MACARTHY ERA, when people were slandered, and damaged for life?

Suzan Clarke, my appointed attorney, never returned my phone calls on May 2005, June 2005, July 2005, and August 2005, to discuss my strategy to my case, in short I was misrepresented. The trial was at September 26, 2005, and her performance lacked all the issues I have discussed. I only noted the objection to the 911 tapes at pre trial and the plea bargain she insisted I take, with profaine words to emphasize best offer? BOOMDOGGLE!

I love this country and I admire my parents desire to bring their children a better life, I swore to protect the Constitution of the United States, and I fear God, I believe in the common values and to always live faithfully, I love the Democratic system we follow, and respect the laws that govern the future. I have been a law biding citizen, and lived by the Honor of my ancestors and fellow Brothers and Sisters. Basically, a find CHARACTER is truth and, justice for common goodness is what I seek.