

COURT OF APPEALS  
DIVISION TWO  
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON )

Respondent, )

v. )

James ERIN Reid  
(your name) )

Appellant. )

07/24/07

BY Chm

No. 35428-4-II

STATEMENT OF ADDITIONAL  
GROUNDS FOR REVIEW

I, James ERIN Reid, 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

"De facto Arrest" not Investigatory questioning.  
See California v. Hodari D., 499 U.S. 621, 113 L. Ed  
2d 6990, 111 S. Ct. 1547 (1991); Taft v. Vines, 70 F.3d 304  
(4th Cir. 1995); U.S. v. Lee, 73 F.3d 1034 (10th Cir. 1996);  
U.S. v. MEA, 62 F.3d 159 (6th Cir. 1995); U.S. Padilla,  
508 U.S. 77, 113 S. Ct. 1936, 123 L. Ed. 2d 635 (1993)  
U.S. v. Soto, 988 F.2d 1548 (10th Cir. 1993).

Additional Ground 2

"multiplicitous" Statutes on Complaint warrants - See  
U.S. v. Kimbrough, 69 F.3d 723 (5th Cir. 1995);  
United States v. Heath, 970 F.2d 1397, 1401 (5th Cir.  
1992); U.S. v. Wood, 57 F.3d 913 (9th Cir. 1995)

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

-> See Following  
Pages . . . =>

Date: 7-24-07

Signature: [Handwritten Signature]

### Additional Ground 3

"Exclusionary Rule" bars the State from introducing into evidence the Fruits of an unlawful search or seizure by the police; these "fruits" include not only tangible evidence seized, but also testimony as to matters observed in the course of a Fourth Amendment violation. U.S.C.A. Const. Amend. § 4; All State v. Badessy, 185 N.J. 303 (2005); State v. Evers, 175 N.J. 355, 376, 815 A.2d 432 (2003). Under the Rule, the State is barred from introducing into evidence the "fruits" of an unlawful search or seizure by police. Wong Sun v. United States, 371 U.S. 471, 485-83 S. Ct. 407, 416, 9 L. Ed. 2d 441, 454 (1963).

### Additional Ground 4

"deprivation of liberty without due process". U.S.C.A. Const. Amend. § 14. See Mooney v. Holohan, (U.S. Cal. 1935); Herbert v. Louisiana, 272 U.S. 312, 316, 317, ~~47~~ 47 S. Ct. 103, 71 L. Ed. 270, 48 A.L.R. 1102. Rest the obligation to guard and enforce every right secured by that Constitution. Robb v. Connolly, 111 U.S. 624, 637, 4 S. Ct. 544, 28 L. Ed. 542.

### Additional Ground 5

"Ex post facto violations". The Ex Post Facto Clause was designed as an additional bulwark in favor of the personal security of the subject, to protect against the favorite and most formidable instrument of tyranny that were often...

... used to effect the most detestable purposes.  
U.S.C.A Const. Art. 1 §10, cl. 1. Carmell v. Texas,  
120 S. Ct. 1620, 146 L. Ed. 2d 577 (U.S. 2000);  
State v. Cook, 83 Ohio St. 3d 404, 700 N.E. 2d  
570 (1998); People v. Hill, 267 Mich. App. 345,  
705 N.W. 2d 139 (2005), appeal denied, 474  
Mich. 1069. 711 N.W. 2d 327 (2006)

### Additional Ground 6

"Deprivation of fundamental and Constitutional Rights; miscarriage of justice [a] I have been violated my Rights under: International Covenant on civil & Political Rights, entry into Force March 23 1976, in accordance with Article 49 (O.H.C.H.R) the violations under its rights are found under it's: Article 2, Section 3(a)(b); Article 5 section 1, 2; Article 9 Section 1, 2, 3, 4, 5; Article 10 Section 1, 2"

### Additional Ground 7

"Deprivation of fundamental and Constitutional Rights; miscarriage of justice: Violation of Magna Carta (1215 A.D.) Clause 39; Violation of Geneva Convention relative to the protection of civilian person in time of war 1949; Malicious Prosecution;

### Additional Ground 8

"Deprivation of Fundamental and Constitutional Rights; miscarriage of justice Subject to State Actors Acting Under the Color of State..."

... Law IN Violation to : Code of Conduct - International Association of Chief of Police 2003; Northwest Ordinance; ANNEX 11:5 Code of Conduct For Law Enforcement Officials adopted by general assembly resolution 34/169 of 17th of December 1979; And American Convention on Human Rights " Pact of San Jose, Costa Rica "-

### Additional Ground 9

"Evidence obtained by Search and Seizure" is in violation of the Fourth Amendment was inadmissible in State and Federal trials". MAPP v. Ohio, 367 U.S. 643 (1961)

### Additional Ground 10

"due process Right" violations : See Ex parte Zienowicz, 12 N.J. Super. 563, 79 A.2d 912 (Co. 1951); Dent v. West Virginia, 129 U.S. 114, 32 L.Ed. 623, 9 S.Ct. 231 (1889).

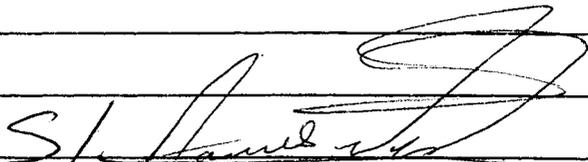
### Additional Ground 11

Subject TO the unconstitutional Search and Seizure that led to my Pre-trial detainee status while IN Carcerated EXposed me to PEONAGE in violation to 42 U.S.C. 1994. (See 18 U.S.C. 1581, 18 U.S.C 241, 242)  
> (Financial Slavery)

... →  
next

## Additional Ground 12

Subject to my arrest in May 2005 and trial in July 2006 (clearly present violations of Speedy Trial Act under 18 U.S.C. § 3161(c)(1)) requires that trial be held "within 70 days from Arrest". This was my right guaranteed by the Sixth Amendment extended to State Prisoners (dail) by way of the Fourteenth amendment due Process Clause. See Klopfer v. North Carolina, 386 U.S. 213, 87 S. Ct. 988, 18 L. Ed. 2d 1 (1967); Barker v. Wingo, 407 U.S. 514, 33 L. Ed. 2d 101, 92 S. Ct. 2183 (1973) - My sentence shall be dismissed for violation of Speedy trial Act, 18 U.S.C. § 3161. IF doubts exist remember the "Supremacy Clause" that all States must submit to.

  
Appellant

7-24-07

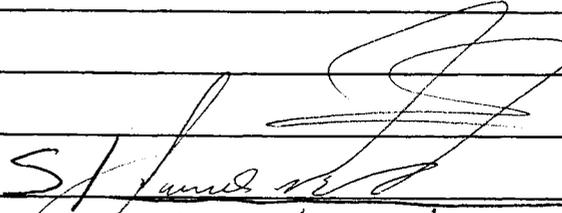
date

# Certificate of Service

Under penalty of Perjury under the Law of the State of New Jersey where I currently Geographically am, I hereby declare that I sent a true copy of the attached "Statement of Additional Grounds for Review" by depositing the same in the United States mail thru the Camden County Law Library, paid thru it's full postage & metered mail as follows:

1. TO: Ms. Kathleen Proctor, Esq., Pierce County Prosecutor's Office, 946 County City Building, 930 Tacoma Ave. S., Tacoma, WA 98402;
2. TO: Court of Appeals, Division II 950 Broadway, Suite 300 Tacoma, WA 98402-4454;
3. TO: Kathryn Russell Selk, No 23879  
Russell Selk Law Office  
1037 Northeast 65th Street, Box 135  
Seattle, Washington 98115

Dated this 24th day of July, 2007

  
St. James  
Appellant

RECEIVED  
JUL 30 2007

Camden County Correctional Facility

Inmate Correspondence

CLERK OF COURT OF APPEALS DIV II  
STATE OF WASHINGTON

Date: 7/24/07

Re: Response to attorney letter July 10 06 Brief

Inmate Commitment Number 04- 186939

Social Security Number: 136-76-1951

Your Honor,

My name is James Erin Reid. I am currently  
(Print full name)

incarcerated at the Camden County Correctional Facility.

I have open charges/warrants, and/or fine payments in,

Pierce County / Superior Court  
(Print County/Municipal Court)

"ON FILE"  
(Charges if known)

If possible, could you please schedule me for video court, "without delay" at your earliest convenience so that this matter can be resolved.

Thanking you in advance, for any and all consideration.

Respectfully,

James Reid