

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON)

Respondent,)

v.)

KIRBY CHRISTOPHER
(your name))

Appellant.)

No. 36959-1-11

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

FILED
COURT OF APPEALS
DIVISION TWO
08 JUN 24 PM 1:05
BY DEKUT

I, Kirby Christopher, 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

TAMPERING WITH EVIDENCE, ETC
WITH OUT ANY OBJECTION AT ALL FROM MR AUSTIN
ON TIMES DATES ETC.

Additional Ground 2

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

Date: 6/20/08

Signature: Kirby Christopher

6/20/08

Statement of Additional Grounds

I'm not going to write a book here, I believe that my lawyer covered, just, about everything in her brief.

Grounds ONE

PAGE 182 BOSHEARS/DIRECT/NELSON

This is on exhibit/NO*11 / 6.0 GRAMS. 15-25

PAGE 183 1-25.

PAGE 184 1-25.

PAGE 185 1-8.

NOW ON PAGE 184

16-18

16 Q. After you analyzed State's exhibit #11 and came to the conclusion that it was, in fact, cocaine, what did you do with that item?

19-22

19 A. I returned it to its original packages, sealed it with my evidence tape, put my initials on it, date on it, and then put it back and checked the bag into the evidence vault at work.

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1-2

1 Q. And is that item in the same or substantially the same or similar condition as when you tested it?

3

3 A. Except for my evidence tape, yes.

PAGE 185

MR NELSON, YOUR HONOR, MOVE TO ADMIT STATE'S
11 AND 7

MR AUSTIN; NO OBJECTION.

MR AUSTIN SHOULD HAVE OBJECTED TO EXHIBIT #11
ON THE GROUNDS THAT IT HAD BEEN TAMPER WITH.
MR BOSHEARS EVIDENCE TAPE ETC.

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BOSHEARS/CROSS/AUSTIN
15-25

NOW I WAS STOPPED ON JUNE 18, 2005. MR AUSTIN
DID HAVE ANYTHING TO SAY. WHEN IT CAME TO
WHY EXHIBIT #11 WAS JUST GETTING TO THE LABORATORY
SEPTEMBER 26 2006. NOW I WASN'T CHARGED WITH
ANYTHING UNTIL OCT 2005. NOW HOW COULD THAT BE
WHEN THE STATE DIDN'T KNOW WHAT WAS IN THAT
BAG. UNTIL A YEAR LATER.

MR AUSTIN SHOULD HAVE SAID SOMETHING ABOUT
DATES, TIMES, TAMPERING WITH EVIDENCE ETC. AT'S ALL
THERE IN BLACK & WHITE

THANK YOU
MR KURY CHRISTOPHER