COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS
DIVISION II
08 SEP 29 AM 9: 13
STATE OF WASHINGTON
BY DEPUTY

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| STATE OF WASHINGTON<br><br>Respondent,<br><br>v.<br><br>Wendy L. Smotherman<br>(your name)<br><br>Appellant. | )<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>) | No. 37248-7-II<br><br>STATEMENT OF ADDITIONAL GROUNDS FOR REVIEW |

I, _____, 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

Please See attached pages

Additional Ground 2

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

Date: 9-3-08

Signature: Wendy L. S

Form 23

lets start with the fact I never invited officer Hartley into the house as he was asking he came in @ same time. when he asked me for I.D. I said wait here (in the Kitchen) when I came out he was in the living Room. as far as Kitchen being to dark when he entered he had one of those big Cop flash lights on so he should have + could have stayed in the Kitchen as requested. as far as the Second officer Knocking + Being invited in that is also a lie. He never ever Knocked the first officer said my Backup is Coming go let him in. So Wanting to Cooperate I did as he asked. Concerning the Couch I was never on the Couch I was on the love Seat where I was instructed to have a Seat they Stated that I had been sitting on the Couch in front of the Coffee table where the drugs were found but I wasn't + I was on the love Seat + I was only Sitting because they told me to Mr. Scudder was told all of this + every thing else I'll be writing down

and yet he really never mentioned any of it I asked about that & he said it really wasn't necessary.

As for the meth being near my pot pipes another lie they found it on the other side of table underneath some mail or something there was alot of crap on that table the house was a disaster area. I denied the meth was mine when asked the second officer asked if I would submit to a mouth swab Test Right now I said absolutley if I can have an attorney present. I told Mr. Scudder this in our first meeting he replied you said that I said yes I did this was never mentioned @ trial either.

pipes meth

@ the Suppression Hearing before trial when both officers testified when asked about my attitude or reaction they said I was fugety very upset & nervous @ trial I was pleasant & Cooperative

Day of trial During Jury Selection
when asking questions they @ this
one lady would you have any problems
w/ either of the officers & She said
yes that officer Hartley was her ex-
Brother Inlaw & wouldnt believe
a word that came out of his mouth
So She was excused. officer Sawyer
also made a unfair State ment during
the Surpression Hearing He said its
pretty much a guarantee if you live
in the highlands your a drug user.
Yes I do Smoke Pot I have
Chronic Neck & Back Pain from old
injuries 3 fractures of the Spine also
disk digeneration Sever Neck & Shoulder
Spasms to the Point of Migranes the
pot helps w/ all of my Symtoms & to
Sleep @ night. after the Verdict I was
extremly upset went Home told my
Boy friend It was Bull_____ I was
being Charged w/ a felony that wasnt
even mine. thats When he said
it was his & he would go to Mr.
Scudder & tell him the truth

So on Monday we did he said it was already to late & that they'd probably just charge us both so he said not good idea.

as far as me playing the game I dont live Never owned one played one not even for my daughter when She was a child total waste of money My Boyfriend always leaves his game on especially if he's @ a point that can't be saved So he will leave the machine on pause even when he goes to work he done it for days before

I was Sleeping that night the only drugs I was on that night were prescried to me By a Docter tone of them is a heavy sleep aid When I woke from the very loud Banging @ Backdoor @ first Since my Boyfriend wasnt in the living room I thought he locked himself out I dont know where he'd gone but he was there when I went to lay down

& he was still gone when they took me to jail.

Wendy L. Smithman
I can be contacted @
(360) 200-3451
(Boyfriends Cell #)

Why Would I answer the door after knowing it was the police if I had left meth + a meth pipe laying around I had used the pot pipes earlier that evening before I went to bed + had left them in the living Room

I really hope you grant this appeal so I can get a lawyer who will do there job + at least get all the facts to the jury at least, if I lost after that I'd still be upset but at least all of what I Had told or my side of the story would be heard. because if my lawyer or the prosecuter dont ask me or my witnesses those key questions then I dont get to explain my side + they may get all the facts they just hear what ever the attorneys want them to hear or dont want them to hear

I provided Mr. Scudder w/ the rental agreement that was signed only by My. Boy friend provided two witnesses that testified that I had been staying w/ them off & on. My Step Mother also provided a written statement that I had even stayed w/ her when I needed to. I also told Mr Scudder that around that time frame I had been given Random U.A.s @ the Family Health Center & peace Health & Never failed w/ a positive for meth I was being seen for my chronic back pain & they wouldnt have kept helping me if I would have had a U.A that was positive for meth. None of these things were even mentioned there are many of the thing of written down that I feel could have made a difference I hope you do also.

Thank You
Wendy L. Sutherman

My New Address is
1311 S. 3R Kelso Wa
98626