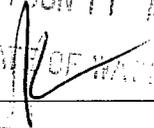


COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS
DIVISION II

2014 JUN 11 AM 11:31

STATE OF WASHINGTON
BY: 

STATE OF WASHINGTON)
)
 Respondent,)
)
 v.)
)
 TERRY L. JACOB,)
 (your name))
)
 Appellant.)

No. 45730-0-II

STATEMENT OF ADDITIONAL DEPUTY
GROUNDS FOR REVIEW

I, Terry Jacob, 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 letters.

Additional Ground 2

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

Date: 6/8/14

Signature: Terry Jacob

20 Court of Appeals Div II

6/8/14

Under guidance of my appellate Attorney Oliver Davis Div I, I wrote a letter to public defender Ron Sergio stating the reason and facts why I didn't want him to represent me on my resentencing. My appellate atly. Oliver Davis stated to me this resentencing was more than just showing up dotting the I's and crossing the T's. Mr Davis also wanted to speak to the attorney who was going to represent me on my resentencing, to bring out some arguementive points in my case. Enclosed is the reply letter from MR. Sergi that I recieved before my resentencing date. In Court at my resentencing I brought up points for him to argue, but he just ignored me.

Thank you for your Consideration

RECEIVED
JUN 11 2014

Lesly Jacob

CLERK OF COURT OF APPEALS DIV II
STATE OF WASHINGTON

November 5, 2013

Ronald E. Sergi
Attorney at Law
c/o Mason County Superior Court
Post Office Box X
Shelton, Washington 98584

Mr. Terry Jacob
DOC# 270926 Unit 10 L-30
Washington State Penitentiary
1313 North 13th Avenue
Walla Walla, Washington 99362

Dear Mr. Jacob:

This is to acknowledge receipt of your letter dated October 29, 2013.

First, I was the one who noted this up on the court docket so that your sentence could be corrected sooner than later in case if effected your release date. If I had waited for the court administration or the prosecutor's office to put your case on the calendar it is anybody's guess as to how long that would have taken. Your release date being potentially adjusted is of little concern to them. To me it was a concern. I can strike it and wait for either administration or the prosecutor's office to note this up, if I have "obviously" inadequately represented you. Just to prove to you how obviously, inadequately and how not really caring I can be in representing you.

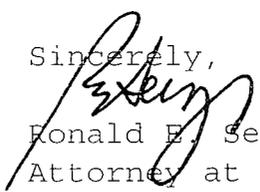
Second, I never told you that I did a inadequate job on your case, whether "obvious" or not. What I told you was that on the cases that go on to an appeal, one of the issues I always put in there is effective assistance of counsel. That does not mean I did not put on a adequate case for you, it means that I may have missed something or done something wrong. From what I did see from the Court of Appeals, ineffective assistance of counsel is not why your case is

coming back for re-sentencing. It is only to adjust your offender score and the community custody. Not for any other reason.

Third, regardless of how many points you think should be taken off your offender score, the Court of Appeals has already determined what is not to be counted. Maybe it is ~~more than one (1) point, I hope it is, in fact I hope it is~~ all nine (9) points, or however many you were sentenced with. That would be great. As I advised you, I have not been provided with a copy of the Court of Appeals decision, I will have that before the court date that I set for you.

Forth, I do not think, I may be wrong, that the court will provide you with another attorney. And if the court does appoint a new attorney, it would be a public defender. Sorry, but you are not entitled to demand a non public defender. The only time you get to dictate who your attorney is going to be, is if you retain a particular attorney. Other than that you are generally stuck with a public defender's office. Additionally, this will not be determined until you come to Mason County Superior Court. The re-sentencing may be seen as strictly an administrative matter and the court may simply amend the judgment and sentence without any input, the Court of Appeals is pretty clear on what it mandates.

Sincerely,


Ronald E. Sergi
Attorney at Law