

COURT OF APPEALS  
DIVISION TWO  
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON )

Respondent, )

v. )

Michal Larisch )

(your name) )

Appellant. )

No. 46850-6-11

STATEMENT OF ADDITIONAL  
GROUNDS FOR REVIEW

I Michal Larisch 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

The state told the jury that I admitted to possessing the excavator. That is not true. I admitted to doing work on the machine. For Pierre Petrucci on his property. When machine was in his possession.

Additional Ground 2

I have read other cases of stolen equipment, none were called motor vehicles. I feel this was done to raise my points. It had a serial # not a vid #.

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

Date: 5-3-15

Signature: Michal Larisch

## APP. Grounds #1

1 It's important that -- you'll see that that to convict  
2 instruction is exactly identically worded to the next  
3 instruction, number 10, which deals with the truck, the GMC  
4 truck, but the only difference is they specify two  
5 different vehicles. So you have instruction number nine,  
6 it's about count one, that's about the excavator, and you  
7 have instruction number ten, that's about count three,  
8 which is about the truck.

9 I think.... The State's asking to you find that  
10 Mr. Larisch is the person who stole all that stuff on the  
11 one day. So he would have known that it was stolen because  
12 he himself took it. He isn't, however, charged with theft,  
13 per se. He's charged with possessing a stolen vehicle. So  
14 even if for whatever reason you decided he was not the  
15 person who actually did the taking, he sure had the  
16 excavator. He worked on it on Mr. Petrich's property and  
17 he traded ~~Mr. Petrich cars~~ in exchange for the use of the  
18 excavator and he admitted that he had done work on it and  
19 he was in possession of it even if he hadn't been the one  
20 who stole it. And in fact, ~~he was the one who stole it~~ so  
21 he knew it was stolen. Even if he weren't, I suppose, the  
22 excavator had this damage, it had this busted ignition.

23 I'm not entirely sure what the defense is going to argue  
24 to you about Mr. Petrich but sounds like they're going to  
25 be saying that he stole it. There is no reason to believe

