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Washington Appellate Project

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON)
)
RESPONDENT,)
) NO. 47169-8-II
V.)
) STATEMENT OF ADDITIONAL
FREDRICK Detwiler) GROUNDS FOR REVIEW
(Your Name))
)
APPELLANT.)

I, FREDRICK DETWILER, have Recieved And REviewed The opening Brief Prepared By My Attorney. Summerized 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.

ADDITONAL GROUND 1

Permission Granted From Treatment Provider Dan Dewatsche For The use of Medical Cannibis. Facts Stating Why It would Be Legal Error For The Washington State Court of Appeals Devision Two, To Ignore And Disregard The Sentencing Guidlines set Forth In The SSosa Statute That Dictate The use And Abstainment of Cannibis, (only If!), It Was Recognized As A Precursor To The Crime I Committed By Psycho Sexual Evaluator Micheal Compte, Which, He Did Not!, And To Agree With The Sentencing Courts Decision To Revoke My SSosa Sentence When It IS Absolutely Obvious To Persons With Common Intelligence That The Sentencing Court Did! Abuse Its Responsibility Of Statutory Authority By Imposing A Sanctence That Conflicts with Washington State Law That IS set Forth In The SSosa Statute.

DATE: 8/19/15 Signature: Fred m. Detwiler

FORM 23

GROUND 1

As mentioned, Before I Even Sought To obtain A Medical Cannibis Lisense I Had Discussed And Gained Permission For The use of medical cannibis From my Community Therapist, Mr. Dan Dewalsche. Throughout our Discussion I Had Informed Mr. Dewalsche of The Insuries I Sustained As Result of The Accident I Was Involved In And How Those Insuries Effect My Daily Life. I Had Also Informed Him That my Primary Concerne And one of The more important Reasons For my Intention To use Medical Cannibis is Because I was Taking Tramidol, A Pharmaceutical Pain Medication, And Due To The Insufficiency of The Tramidol, My Primary Care Physician Was Going To Put Me on A Pain Management Program where I would Be Started on low Doses of Narcotic Pain Medication.

Because I Am Aware of The Dangers of Narcotic Medication And The Negative Effects Caused From The use of such medications, I Had Decided To Practice Caution And Responsibility By Choosing Not To Take Narcotic Pain Medication And To Seek Healthier And safer Alternatives. I Believed By Doing So I would Be Demonstrating My Desire To show The Court my Commitment To The Program And my Effort At Practicing Responsibility. After My Explanation, Mr. Dewalsche Told Me That He Had other People In Groupterapy with similar Circumstances And He Had No Problem with My use of Medical Cannibis As Long As I Have A Recomendation From A State Liscensed Practitioner And That I use The Cannibis Responsibly.

As My Therapist with Credentials In Psychotherapy And The Rehabilitation of Sex offenders, knowing what

IS Positive And What IS Negative For The Rehabilitation of Sex offender's Throughout The Treatment Process, would He Not Have Agreed To Allow Me To Use Medical Cannibis For Medical PurPoses Had He Felt It Would Cause Hindrance Throughout The Course of My Treatment?; As A Proffessional In His Field of Expertise For Countless years No Doubt, Could We Not Agree That He Knew What He Was Doing when He Agreed To Allow Me To Use Medical Cannibis?. As Defendant In This Case Granted The Privaledge of A SSOSA, would This Court Truly Believe That I would Be Foolish Enough To Violate The Conditions of My Suspended Sentence With The Severety of Facing 131.9 Month's To Life on An Indeterminent Sentence Had I Honestly Believed what I Was Doing Was Wrong?, That IS Not The Case In This Matter.

After Leaving Mr. Dewalsche's office I Had An Appointment Within The Same Week With A Practitioner Liscensed In The Field Concerning medical Cannibis. UPon Reviewing My Medical Records Concerning My Conditions, The Practitioner Agreed That The Use of Medical Cannibis IS Most Definatly A Safer And Healthier Alternative To Pharmaceutical Pain Medications And Thereby ISSued Me A Medical Cannibis Liseense. I would Like To Point out Briefly For The Court That A Medical Cannibis Liscense IS A Legal Document And The use of Medical Cannibis IS Permissable By Washington State Law For Patients With Debilitating And Chronic Conditions.

Because The Facility I chose IS under Direct Compliance of Washington state Law And Serves Only Medical Cannibis Patients With Documentation on File, Rendering The

Cannibis Regulated By That Facility, A Controlled Substance As Dictated By Washington State laws, And Leaving me In Complete Compliance with The Conditions Set Forth In Appendixes F, G, And H.

In Appendix G it states That That The Defendant IS To Comply With All Treatment Provider, CCO, And Requirements And Conditions set Forth By Micheal A. Compte's Evaluation. This Directive In Paticular IS Contradictive. When A Ssosa Is Reccomended By Both Parties To The Court, They Must First Have The Defendant Evaluated. In This Case They Chose Mr. Compte. At The End of The Evaluation Mr. Compte Sent His Report To Both Partles Recommending That I Not use Alchohol, Marijuana, or other Mind Mind Altering Substances. Does This Directive Abstain me From using The Psychoactive Medication's Prescribed By My Doctor To Stabilize my PSychological Health?, They TOO Are Mind Altering, But The Court Has no ISSue with using Them.

Mr. Compte IS Not my Treatment Provider And was only Authorized To Give His oppinnion. My Therapist, Mr. Dewalsche Felt Comfortable With My use of Medical Cannibis And Gave me Permission To use It And That Further Shows my Compliance. under Rcw 9.94A.670(3), Mr. Compte Can only Reccomend Prohibitions To Crime Related or Pracursor Activities That led To The offense That I Committed. Nowhere In my Psycho sexual Evaluation Did Mr. Compte Recognize Marijuana As A Precursor or Crime Related Activity. Did The Court Abuse Its Disgression By Imposing Directives Prohibiting My use of medical Cannibis obtained with A lawful Prescription?, According To The Ssosa Statute, They Did. Does A Court Abuse Its Authority By Revoking A

Ssosa Sentence For Holding A Defendant Responsible For Violating A Condition That Was Imposed outside The Sentencing Guidlines Set Forth By The Ssosa Statute?, Is It Common Practice of law For A Court To Impose Contradictory, And unconstitutionally vague Sentences And Then Hold Defendants Responsible For Legal Errors Conducted By The Court?

What I Did was wrong your Honor. The crime I Committed Should Have Never Happened And I wish I Could Change Things But The Harshness of Reality Dictates That we Cannot Change The Transgressions of our Past But A Man Has The Ability To Shape His Future. Had I Not Been Sincere In my Amenability To Confront And overcome This Program So That I Can Become A Responsible Member To Society, I would Not Have Passed The Polygraph Examination or Mr. Compte's Approval For The Treatment. I Beg This Court With Deepest Sincerety To Recognize The Legal Errors Conducted By The Court And To Realize My Honesty Because Truth IS Never Frail, And It IS The Most Powerful Reliance That We Can Depend on.

I Beseech A Reinstatement of my Ssosa, The chance I Deserve To Prove That I Can Succeed. This Declaration I Swear under Oath Before The Honor of The Laws of The State of Washington.

Signed This 19th Day of August, 2015

Frank M. Rutnick

Defendant/Appelant