COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS
DIVISION II

2017 JAN 9 AM 9:37

STATE OF WASHINGTON
BY _____ DEPUTY

STATE OF WASHINGTON Respondent, v. Ray Charles Harris (your name) Appellant.	)	No. 48618-1 STATEMENT OF ADDITIONAL GROUNDS FOR REVIEW Clerk Action Required

I, Ray Charles Harris, ~~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

Prior to the arrest on September 7, 2015 the Appellant made no statement to Officer Beall about what happen at the apartment. The trial court erred when it admitted hearsay testimony as factual evidence.

Additional Ground 2

The state prosecutor clearly demonstrated prosecutorial misconduct by charging the Appellant with second degree assault. The medical reports stated, "no strangulation". The element needed to prove second degree assault was strangulation.

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

Date: 1/1/17

Signature: [signature]

Form 23

See: Attached Grounds

P/M: 1/4/17

Additional Ground 3

The State Prosecutor demonstrated retaliatory prosecution and scheduled a re-arraignment hearing for no contact orders violations that were already dismissed in 2010.

Additional Ground 4

On November 30, 2015 Judge Jack Nevin violated the Appellants Due Process Rights by entering a plea of not guilty on behalf of the Appellant yet against the Appellant consent. The trial court erred when it found the Appellant guilty of two no contact orders that allegedly occurred in 2010. The Appellant waived his rights to plea pending an investigation of the indictments. So, How can the Appellant be found guilty of an indictment without entering a plea to the charges?

Additional Ground 5

The State Prosecutor, out of retaliation for filing a Section 1983 Civil Rights complaint, charged the Appellant with two fraudulent convictions of no contact that allegedly occurred in 2010.

These charges were for no contact orders which were dismissed for the Appellant's compliancy with the court orders and not conviction as the indictment charged the Appellant.

Additional Ground 6

The trial court violated Appellant sixth Amendment Rights of the United States Constitution by denying the Appellants motions to dismiss under Crawford v. State of Washington and 3.5 motion to dismiss for lack of evidence. These motions were filed with merit.

Additional Ground 7

The Appellant challenged the identity and competency of the State witness Dr Scheer. The Prosecutor objects to this line of questioning on grounds of relevancy. The Appellant argues that the Prosecution raises her objection as a tactic of selective prosecution. The trial court erred when it sustain the objection
See: Exhibit 1

Additional Ground 8

Ineffective assistance of council by Appellate Attorney Marie Trombley by filing opening appellant brief which had no merits - Her brief lacks merits or legal standing and was done purposefully to minimize the appellants defense. Due to retaliation for filing a civil rights claim against her colleagues Attorney Robert M. Quillian, Barbara Corey and Mark Lindquist.

Additional Ground 9

The state prosecutor served the appellant a persistant offender notice. The appellant challenged the notice with a motion to withdraw a guilty plea that occurred in 1980 and 1984. The court erred when it denied the motion. The motion had merit.

EXHIBIT 1

GRIEVANCE AGAINST A LAWYER

Office of Disciplinary Counsel
Washington State Bar Association
1325 Fourth Avenue, Suite 600
Seattle, WA 98101-2539

GENERAL INSTRUCTIONS

- Read our information sheet *Lawyer Discipline in Washington* before you complete this form, particularly the section about consenting to disclosure of your grievance to the lawyer.
- If you have a disability or need assistance with filing a grievance, call us at (206) 727-8207. We will take reasonable steps to accommodate you.
- If you prefer to file online, visit http://www.wsba.org/public/complaints/.

INFORMATION ABOUT YOU

HARRIS, RAU C.
Last Name, First Name, Middle Initial

PO BOX 769: CA-13
Address

CONNELL, WA. 99326
City, State, and Zip Code

N/A
Phone Number

N/A
Alternate Address, City, State, and Zip Code

N/A
Alternate Phone Number

N/A
Email Address

INFORMATION ABOUT THE LAWYER

LINDQUIST, MARK
Last Name, First Name

930 TACOMA AVE SO
Address

TACOMA, WA. 98402
City, State, and Zip Code

N/A
Phone Number

25076
Bar Number (if known)

INFORMATION ABOUT YOUR GRIEVANCE

Describe your relationship to the lawyer who is the subject of your grievance:

I am a client
I am a former client
X I am an opposing party
I am an opposing lawyer
Other: _____

Is there a court case related to your grievance? ✓ YES _____ NO

If yes, what is the case name and file number?

No 15-1-03573-0

Explain your grievance in **your own words**. Give all important dates, times, places, and court file numbers. Attach additional pages, if necessary. Attach **copies (not your originals)** of any relevant documents.

PROSECUTOR MARK LINDQUIST, IN COLLABORATION WITH ATTORNEYS BARBARA COREY AND ROBERT M. QUILLIAN PRESENTED TWO UNKNOWN PERSONS TO IMPERSONATE DR. DIANE SCHEER AND NURSE TERRI VILLANUEVA AT COMPLAINTANT'S JANUARY 11, 2016 TRIAL. THE TESTIMONY GIVEN BY THESE TWO UNKNOWN PERSONS, WHICH WAS MERELY READ OFF MEDICAL REPORTS, WAS INSTRUMENTAL IN MITIGATING THE ALLEGED GUILTY VERDICT. THE REAL DR. SCHEER AND NURSE VILLANUEVA WERE THE ACTUAL SIGNATORS ON THE MEDICAL REPORTS NOT THE INDIVIDUALS THAT SWORE UNDER OATH AT THE TRIAL. "UNDER AUTHORITY OF RPC 8.4 (a), (c)", MARK LINDQUIST

a.) VIOLATE OR ATTEMPT TO VIOLATE THE RULES OF PROFESSIONAL CONDUCT, KNOWINGLY ASSIST OR INDUCE ANOTHER TO DO SO, OR DO SO THROUGH THE ACTS OF ANOTHER;

c.) ENGAGE IN CONDUCT INVOLVING DISHONESTY, FRAUD, DECEIT OR MISREPRESENTATION;

AFFIRMATION

I affirm that the information I am providing is true and accurate to the best of my knowledge. I have read *Lawyer Discipline in Washington* and I understand that the content of my grievance can be disclosed to the lawyer.

Signature: _____ **Date:** 12/1/16

WSBA

OFFICE OF DISCIPLINARY COUNSEL

Felice P. Congalton
Associate Director

December 20, 2016

Mark Evans Lindquist
Pierce County Prosc Office
930 Tacoma Ave S Rm 946
Tacoma, WA 98402-2102

Re: ODC File: 16-01846
Grievance filed by Ray C. Harris

Dear Mr. Lindquist:

We received the enclosed information dated December 14, 2016 from the grievant disputing the dismissal of this grievance. Under Rule 5.7(b) of the Rules for Enforcement of Lawyer Conduct (ELC), we are referring this matter to a Review Committee of the Disciplinary Board for its consideration. In some situations, all of the information in a grievance file becomes public as a result of a Review Committee's decision. See ELC 3.1(b). The Review Committee will notify you and the grievant directly of its decision.

You may, but are not required to, respond to the grievant's allegations. If you or the grievant submit additional information and ask us to withhold any of it from the other, different procedures may apply. For more information, see our website wsba.org.

Sincerely,

Felice P. Congalton
Associate Director

Enclosure: grievant information

cc: Ray C. Harris (without enclosure)

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BY DEPUTY

DECLARATION OF MAILING

GR 3.1

I, RAY CHARLES HARRIS on the below date, placed in the U.S. Mail, postage prepaid, 2 envelope(s) addressed to the below listed individual(s):

MARIE J. TROMBLEY	COURT of APPEALS
ATTORNEY AT LAW	DIVISON II
PO BOX 829	950 BROADWAY, SUITE 300
GRAHAM, WA 98338	TACOMA, WA. 98402-4454

I am a prisoner confined in the Washington Department of Corrections ("DOC"), housed at the Coyote Ridge Correctional Complex ("CRCC"), 1301 N. Ephrata Avenue, Post Office Box 769, Connell, WA 99326-0769, where I mailed said envelope(s) in accordance with DOC and CRCC Policies 450.100 and 590.500. The said mailing was witnessed by one or more staff and contained the below-listed documents.

1. STATEMENT of ADDITIONAL GROUNDS No. 48618-1
2. GRIEVANCE AGAINST A LAWYER
3.
4.
5.
6.

I hereby invoke the "Mail Box Rule" set forth in General Rule ("GR") 3.1, and hereby declare under penalty of perjury under the laws of the State of Washington that the forgoing is true and correct.

DATED this JAN day of 3rd, 2017, at Connell WA.

Signature