

FILED  
OCT 22 2012  
COURT OF APPEALS  
DIVISION III  
SPokane, WA

COURT OF APPEALS, DIVISION III  
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,  
Respondent,

vs.

COREY J. MOMON,  
Appellant.

COA NO. 307379  
SUP. CRT. NO. 10-1-03359-0

---

APPELLANT'S OPENING BRIEF

---



CHRIS A. BUGBEE  
WSBA #25166  
Bugbee Law Office  
1312 N. Monroe  
Spokane, WA 99201  
Telephone: (509) 327-7277  
Facsimile: (509) 327-7768  
Email: [chrisbugbee@bugbeelaw.com](mailto:chrisbugbee@bugbeelaw.com)

OCT 22 2012

COURT OF APPEALS, DIVISION III  
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,  
Respondent,

vs.

COREY J. MOMON,  
Appellant.

COA NO. 307379

SUP. CRT. NO. 10-1-03359-0

APPELLANT'S OPENING BRIEF



CHRIS A. BUGBEE  
WSBA #25166  
Bugbee Law Office  
1312 N. Monroe  
Spokane, WA 99201  
Telephone: (509) 327-7277  
Facsimile: (509) 327-7768  
Email: [chrisbugbee@bugbeelaw.com](mailto:chrisbugbee@bugbeelaw.com)

**TABLE OF CONTENTS**

TABLE OF AUTHORITIES.....ii

I. INTRODUCTION ..... 1

II. ASSIGNMENTS OF ERROR..... 1

II. STATEMENT OF THE CASE..... 2

III. ARGUMENT ..... 7

    A. No testimony or evidence of any kind from the record support  
    a finding that Mr. Lee suffered any substantial disfigurement..8

    B. While Mr. Lee may have suffered a concussion, the trial  
    testimony and evidence do not support a finding that the  
    concussion caused the substantial or considerable loss or  
    impairment required by the statute.....10

    C. Mr. Lee did not suffer a fracture ..... 18

IV. CONCLUSION..... 19

**TABLE OF AUTHORITIES**

**WASHINGTON SUPREME COURT CASES**

State v. Green  
94 Wash.2d 216, 616 P.2d 628  
(1980).....7

State v. McKague  
172 Wn.2d 802, 262 P.3d 1225  
(2011).....8, 9, 13, 15

State v. Salinas  
119 Wash.2d 216, 829 P.2d 1068  
(1992).....7

**WASHINGTON COURT OF APPEALS CASES**

State v. Ashcraft  
71 Wash.App. 444, 859 P.2d 60  
(1993).....9

State v. Hovig  
149 Wash.App. 1, 202 P.3d 318  
(2009).....9

State v. McKague  
159 Wn.App. 489, 246 P.3d 558  
(2011).....7, 13-14, 15, 17

**STATUTES**

RCW 9A.04.110(4)(b) .....7, 9

RCW 9A.36.021(1)(a) .....7, 8, 13

COURT OF APPEALS, DIVISION III

STATE OF WASHINGTON

STATE OF WASHINGTON,	)	
	)	
Respondent,	)	
	)	No. 307379
v.	)	
	)	APPELLANT'S OPENING
COREY J. MOMON,	)	
	)	BRIEF
Appellant.	)	
	)	
	)	
	)	

INTRODUCTION

Defendant appeals his conviction for second degree assault, Count 2 of the Information, arguing that the evidence was insufficient to support the conviction. Defendant requests that this Court reverse his conviction on Count 2 and remand his case to the Superior Court for re-sentencing on Counts 1 and 3.

ASSIGNMENTS OF ERROR

Reference Count 2, the State failed to prove each element of the crime of second degree assault beyond a reasonable doubt; specifically, the evidence is not sufficient to support the jury's verdict, which necessarily found that Raymond B. Lee suffered (1) substantial

disfigurement, (2) substantial bodily harm, or (3) a fracture of any bodily part as a result of the assault.

#### STATEMENT OF THE CASE

On the evening of October 22, 2010, Raymond Lee and his girlfriend, Carissa Gonzales, met up with a group of friends in downtown Spokane to celebrate his girlfriend's birthday. They also intended the gathering as an enlistment party, as Lee intended to enlist in the U.S. Army within the next month. RP at 34-35.

Lee and Gonzales met their friends, Joshua Peterson and his wife, Yuka Murotani, and Jeremy Roberts at a bar called Fast Eddie's. RP, 37-39; 65; 133. Afterwards, they went to the Baby Bar. RP, 39; 65; 133; 196. They ended the evening at another bar, the Lion's Lair. RP 39; 65; 133; 197. They testified that they had contact with the defendant – who they had not previously met – inside the Lion's Lair. The nature of the contact between the defendant and Lee's group was contested at trial. Lee and his group testified that the defendant consistently attempted to inject himself into their party. RP, 39-42; 134; 198-199. The defendant testified that he had no contact with Mr. Lee's group "until they tried to rob me outside". RP 248.

At closing time in the early morning hours of October 23, 2010, both parties left the bar. RP 83; 197. Following an argument between the

defendant and Lee's group (RP 45, 71-73; 138-139; 189; 190-191), Lee and his party testified that they began walking west, away from the defendant and the Lion's Lair. RP 73-74; 135, 136; 201. They said the defendant followed, ran up to Mr. Lee and hit him in the head and/or face. RP, 47-48; 73-74. After assaulting Mr. Lee, the defendant struck Mr. Roberts and Ms. Gonzales in the face. RP 50; 202-203. He then redirected his assault to Mr. Lee while Mr. Lee lay on the ground defenseless. RP 141; 203.

Mr. Momon testified that after leaving the bar he accidentally dropped a \$100 bill on the ground while reaching for his eyeglasses. RP 248. Before he could retrieve his money one of the males from Mr. Lee's group grabbed the bill off the ground. RP 249. When Mr. Momon demanded it back the male pushed him. RP 250. Mr. Momon pushed the male back and a fight broke out between Mr. Momon and Mr. Lee's group. RP 250. Mr. Momon did not deny hitting Mr. Lee, Mr. Roberts or Ms. Gonzales. He maintained, however, that he punched them because he was scared for his life. RP 251-252.

Mr. Roberts suffered three significant fractures to his face. RP 92-93. Doctors wired his jaw shut to stabilize the injuries. RP 207-208. He also suffered significant disfigurement to the appearance of his face. RP 209. Ms. Gonzales suffered a bloody nose and two fat lips. RP 77. The

assault rendered Mr. Lee unconscious for, possibly, approximately 4-1/2 to 5 minutes or more. RP 50; 79; 86. An ambulance transported Mr. Lee to the emergency room at Sacred Heart Medical Center where he chiefly complained of pain to his split lip (RP 123-124), but also complained of “a little bit of a headache”. RP 124. He was examined by Dr. Ryan Pursley and remained under Dr. Pursley’s care from approximately 2:00 a.m. on October 23 until being discharged at approximately 7:00 a.m. the same morning. RP 113. Dr. Pursley testified that a CT scan of Mr. Lee’s head and face was read as normal, with no injury, no hemorrhage, no fracture and no dislocation. RP 112. The CT scan also revealed no brain abnormalities. Id. At the same time, the CT scan revealed a prior, non-acute, zygomatic arch fracture. RP 126. This observation was consistent with Mr. Lee’s documented medical history, which Dr. Pursley testified included a prior concussion in addition to the prior facial fracture. RP 125. Mr. Lee testified that he had suffered “quite a few” prior concussions. RP 59-60.

Dr. Pursley testified, nevertheless, that – at the time of his examination – Mr. Lee had a current concussion. RP 113. Dr. Pursley testified that, “loosely defined” a concussion is “an alteration in your cerebral function after a blow or a force to the head.” RP 113. He added that a concussion, “does not require a loss of consciousness; but a loss of

consciousness is, you know, one of the factors that help determine if you've had a concussion. But you could also have many other symptoms that would classify you as having a concussion after a force or trauma to the head.” RP 113. He listed other symptoms as, “loss of consciousness; headache; dizziness; vertigo; lack of memory or decrease in memory, either short-term or long-term; cognitive ability; balance; amnesia; sleep.” RP 121. He also testified that, while not 100% complete, the above list is “actually pretty solid”. Id. When asked by the prosecutor if he could say when, following the trauma to the head, symptoms of a concussion would resolve, Dr. Pursley answered: “That's very hard to predict, especially early on in the course. There's a, you know -- you know, a -- a diagnosis of Post-Concussion Syndrome, which is when your symptoms persist after the initial blow or force to the head.” RP 121-122. When asked if he could make that diagnosis of Mr. Lee Dr. Pursley testified that he could not. RP 122. Following Dr. Pursley's initial examination, Mr. Lee remained under observation while he slept for a few hours in the ER. RP 126. When he awoke, he was noted to be clinically sober.<sup>1</sup> RP 127. At that time Dr. Pursley observed Mr. Lee to have “normal gate” and “lucid speech”. RP 127. He was not confused and had no other complaints. Id. He was discharged from the ER with instructions, including about under

---

<sup>1</sup> On admission Dr. Pursley described Mr. Lee as “somewhat intoxicated”. RP 124.

what conditions he should follow up with his regular doctor or return to the emergency room. RP 127.

Mr. Lee testified that after his release from the hospital he did not “come to” until about three weeks later. RP 50; 52; 59. He told the jury that did not enlist in the army, as planned, “due to my injuries sustained that night, I am left with short-term memory loss which no longer allows me to serve in the armed forces.” RP 35. Although, he later told the jury that he had to “withdraw from going in the United States military.” RP 54. He also claimed that “my four years of schooling pretty much went away with it.” RP 54. Additionally, he testified that he had a tooth removed from his left side, “[d]ue to some of my injuries.” RP 53.

While Ms. Gonzales agreed that Mr. Lee has short-term memory loss, she testified that he cannot get into the military because he is “not physically able to be in the military ...” RP 80. She attributed his inability to work not to memory loss, but to “other things” that she did not specify – and which she did not in any way connect to the injuries suffered by Mr. Lee from the assault. RP 80.

Following trial, the jury returned verdicts convicting Mr. Momon for the second degree assault of Mr. Roberts in Count 1, the second degree assault of Mr. Lee in Count 2, and the fourth degree assault of Ms. Gonzales in Count 3. The defendant, herein, challenges only the jury’s

verdict convicting him for the second degree assault of Mr. Lee in Count 2.

### ARGUMENT

In considering a challenge to the sufficiency of the evidence, reviewing courts view the evidence in the light most favorable to the State and ask whether any rational trier of fact could have found guilt beyond a reasonable doubt. State v. Salinas, 119 Wash.2d 192, 201, 829 P.2d 1068 (1992) (citing State v. Green, 94 Wash.2d 216, 220-22, 616 P.2d 628 (1980)); State v. McKague, 159 Wn.App. 489, 501, 246 P.3d 558 (Wash.App. Div. 2 2011). A claim that the evidence was insufficient admits the truth of the State's evidence and all reasonable inferences drawn from that evidence. Salinas, 119 Wash.2d at 201, 829 P.2d 1068; McKague, 159 Wn.App. at 501.

A conviction for second degree assault requires the State to prove beyond a reasonable doubt that a defendant intentionally assaulted another and thereby recklessly inflicted substantial bodily harm. RCW 9A.36.021(1)(a). RCW 9A.04.110(4)(b) defines "substantial bodily harm" as: bodily injury which involves (1) a temporary but substantial disfigurement, or (2) which causes temporary but substantial loss or impairment of the function of any bodily part or organ, or (3) which causes a fracture of any bodily part.

"Substantial," as used in RCW 9A.36.021(1)(a), signifies a degree of harm that is considerable and necessarily requires a showing greater than an injury merely having some existence. State v. McKague, 172 Wn.2d 802, 806, 262 P.3d 1225 (Wash. 2011). To maintain a conviction for second degree assault under RCW 9A.36.021(1)(a), the degree of harm proved must be "considerable in amount, value, or worth." McKague, 172 Wn.2d at 806.

Mr. Momon maintains that the State failed to prove beyond a reasonable doubt any of these three possibilities of substantial bodily harm. Specifically, Mr. Momon contends:

A. No testimony or evidence of any kind from the record support a finding that Mr. Lee suffered any substantial disfigurement

The only truly visible injury suffered by Mr. Lee, as described during the trial, was a split lip. While the State went to some pains to elicit testimony by Mr. Lee and Ms. Gonzales that Mr. Lee took approximately 3 weeks to "come to", there was no testimony about other lingering visible or painful injuries. Relevant to the split lip, there is nothing in the record to establish whether it caused disfigurement of Mr. Lee and, if so, the degree of disfigurement and/or its duration.

While even mere bruising has been found sufficient to maintain a conviction for second degree assault under this prong of the statute, the

bruising in those cases was far more prominent in duration and appearance than Mr. Lee's split lip. See State v. Hovig, 149 Wash.App. 1, 5, 13, 202 P.3d 318, review denied, 166 Wash.2d 1020, 217 P.3d 335 (2009) ("serious" "red and violet teeth-mark" bruising that lasted for 7 to 14 days constituted "substantial bodily injury"); see also State v. Ashcraft, 71 Wash.App. 444, 455, 859 P.2d 60 (1993) (bruises that resulted from being hit by a shoe were "temporary but substantial disfigurement"); see also State v. McKague, 172 Wn.2d at 806-807 (facial bruising and swelling lasting several days, and lacerations to victim's face, the back of his head, and his arm were severe enough to allow the jury to find substantial but temporary disfigurement).

Here, the split lip itself is not even described as being very substantial or significant in any regard. While it was Mr. Lee's chief complaint upon his admission to the Sacred heart ER, his complaint was the pain associated with it. Pain, however, is no longer a part of the definition of "substantial bodily injury" under RCW 9A.04.110(4)(b). Even if, for the sake of our argument in the temporary impairment analysis, the change in statute does not preclude a finding that the pain associated with Mr. Lee's split lip caused some form of impairment, there is no evidence in the record to show that the pain associated with his split lip resulted in a substantial loss of the use of bodily part or function. To

the contrary, Mr. Lee was able to sleep soundly for several hours during his 5 hour stay in the ER. Furthermore, upon discharge, he showed no signs of experiencing any pain whatsoever, according to Dr. Pursley.

There being no evidence of substantial disfigurement of Mr. Lee, Mr. Momon's conviction cannot stand under this prong of the statute.

B. While Mr. Lee may have suffered a concussion, the trial testimony and evidence do not support a finding that the concussion caused the substantial or considerable loss or impairment required by the statute

Viewing the evidence in the light most favorable to the State, the trial testimony and evidence substantiates the following specific findings reference the consequence of the attack by Mr. Momon against Mr. Lee:

(a) Mr. Lee suffered a concussion from a blow or force to the head by Mr. Momon; (b) As a result, Mr. Lee was rendered unconscious for a period of possibly 4-1/2 to perhaps more than 5 minutes; (c) Mr. Lee suffered a split lip, which caused him to suffer insubstantial pain and little or no substantial disfigurement; (d) Mr. Lee suffered "a little bit of a headache" upon admission to the ER, but for a duration of no more than 5 hours; (e) Mr. Lee suffered no observable internal injuries to his head, face or brain; (f) Mr. Lee reports short-term memory loss, but there is no evidence of lingering issues related to long-term memory loss, dizziness, vertigo,

cognitive ability, balance, amnesia or sleep; (g) Dr. Pursley is unable to diagnose Mr. Lee as suffering from Post-Concussion Syndrome; (h) The State produced no medical evidence or expert opinion, whatsoever, to show that Mr. Lee suffers from Post-Concussion Syndrome; (i) Upon discharge, Dr. Pursley observed Mr. Lee to have “normal gait” and “lucid speech”; Mr. Lee was sober, not confused and had no other complaints; (j) While Mr. Lee testified of continuing issues with short-term memory, he offered no testimony that he has sought further medical or professional attention despite being instructed by Dr. Pursley upon discharge from the ER to follow up with his regular doctor; (k) The State offered no medical or expert testimony or other medical evidence substantiating Mr. Lee’s testimony that he experiences short-term memory loss that resulted from the assault or to establish the extent, degree, amount, or value of the loss; (l) While Mr. Lee and Ms. Gonzales said that Mr. Lee either decided not to enlist in the U.S. Military, or that he withdrew from consideration, nothing in the record substantiates or corroborates that he was or is ineligible to serve in the U.S. armed services as a result of his short-term memory loss (Ms. Gonzales actually testified, contrary to Mr. Lee, that Mr. Lee is “not *physically able* to be in the military”, not that his *memory loss* disqualified him) (emphasis added); (m) Significantly, there is no testimony to establish the degree of his memory loss in terms of the

amount, value or worth of the loss; rather, the State allowed the jury to infer that it is considerable based on the unsubstantiated claim that Mr. Lee is now unqualified for the U.S. military; (n) Mr. Lee has not worked since the assault, but his inability to work results from “other things” not related to the assault, according to Ms. Gonzales; (o) Mr. Lee had a tooth removed from his left side “as a result of [his] injuries”, but there is no evidence about when the tooth was removed, why it was removed, and what injury required its removal – strange, because there is no evidence of an injury in the current record that would necessitate removal of a tooth.

Assuming the verity of the above specific findings, this case can be fairly and reasonably summarized as follows: The defendant assaulted Mr. Lee, rendering him unconscious for a short period of time. Mr. Lee’s split lip and mild headache constituted the extent of his direct physical injuries resulting from the assault. Based on the evidence available in the trial record, the lost tooth can only be said to be a possible indirect loss resulting from an unspecified injury. There is no testimony from Mr. Lee about whether and how the lost tooth affected his life. Given the lack of evidence on that issue, we cannot quantify the degree of harm associated with its loss. Mr. Lee also suffered some short-term memory loss, the degree of which also remains unspecified and speculative in terms of its amount, value, or worth.

To repeat the Supreme Court's holding in State v. McKague, "substantial," as used in RCW 9A.36.021(1)(a), signifies a degree of harm that is *considerable* and necessarily requires a showing greater than an injury merely having some existence. 172 Wn.2d at 806. Thus, the State must prove beyond a reasonable doubt that the degree of harm caused by the injury was *considerable* in amount, value, or worth. A record lacking such evidence cannot support a jury's verdict convicting an individual of second degree assault under RCW 9A.36.021(1)(a).

In State v. McKague, 159 Wn.App. 489, 246 P.3d 558 (Wash.App.Div.2 2011) (hereinafter, "McKague I"), McKague stole a can of smoked oysters from Kee Ho Chang's grocery store in Olympia. When Chang tried to grab McKague in the store's parking lot, McKague repeatedly punched Chang, who fell to the ground. As Chang fell to the ground, McKague hit Chang several more times before jumping into a car and fleeing. When Chang tried to get up he got very dizzy, and for a while he could not get up. Eventually, Chang was able to stand up. Responding officers described the left side of Chang's face as "extremely puffy." He appeared injured on the left side of his face and on the back of his head.

An emergency room medical evaluation documented Chang's injuries, which included a concussion, a scalp contusion, and neck and shoulder pain. A CT scan showed a possible occult fracture of Chang's

facial bones. On the day of the incident, law enforcement officers took photographs of Chang that showed bruising and swelling around his left eye, redness and swelling of his left cheek, lacerations on his arm, a contusion on his head, and blood on his scalp. The emergency room physician prescribed Vicodin for the pain and cautioned Chang to limit his activities for the next two weeks. Chang's private physician prescribed Chang anti-inflammatory medication. Three days later, law enforcement officers took photographs of Chang's face that showed bruising remaining around Chang's left eye.

The Court of Appeals in McKague I affirmed the convictions in a split decision. Judge Armstrong dissented on the issue of the sufficiency of the evidence of "substantial bodily harm." He specifically disagreed with the lead opinion's citation to a dictionary definition of the term "substantial" as including "something having substance or actual existence." State v. McKague, 159 Wash.App. 489, 520-21, 246 P.3d 558 (2011) (Armstrong, J., dissenting in part and concurring in part). Judge Armstrong opined that under this definition, any cognizable injury would necessarily be "substantial." He would have held that the term "substantial" requires the harm to be considerable and that the State's evidence was insufficient to meet that standard.

The Supreme Court in State v. McKague, 172 Wn.2d 802, 805, 262 P.3d 1225 (Wash. 2011) (hereinafter, "McKague II"), agreed with Judge Armstrong that the majority in McKague I applied an erroneous definition of "substantial," but nonetheless affirmed McKague's conviction because it found that the evidence was sufficient to show that Chang's injuries were "substantial" under the proper definition. Id. The Court wrote:

“Applying the ‘considerable in amount, value, or worth’ definition, we hold that the evidence here was sufficient to meet that standard. As discussed, McKague punched Chang in the head several times and pushed him to the ground, causing his head to strike the pavement. Chang's resulting facial bruising and swelling lasting several days, and the lacerations to his face, the back of his head, and his arm were severe enough to allow the jury to find that the injuries constituted substantial but temporary disfigurement.”  
[Citations Omitted].

McKague II at 806-807. Of course, this finding was relevant to the temporary disfigurement prong of the statute, not the temporary impairment prong. Relevant to that prong, the Court continued:

“Chang's concussion, which caused him such dizziness that he was unable to stand for a time, was sufficient to allow the jury to find that he had suffered a temporary but substantial impairment of a body part or an organ's function.”

McKague II at 807. Thus, the holding in McKague II would appear to stand for the proposition that an individual commits the crime of second

degree assault any time he or she intentionally assaults another person, thereby recklessly rendering them unconscious for any period of time.

Defendant herein maintains that the Supreme Court could not have intended such a result. Rather, common sense and good judgment require that the jury consider the totality of the facts and circumstances pertinent to the degree of harm suffered by the victim of the assault. In a similar and related vein, Dr. Pursley testified that loss of consciousness is but one of the factors that help determine if an individual has suffered a concussion. RP 113.

Here, the evidence is that Mr. Lee suffered no observable injuries beyond a split lip. His short-term memory loss is undocumented and unsubstantiated by law enforcement and medical evidence, distinguishing this case from McKague. In McKague, Chang suffered observable, documented physical injuries. Unlike Mr. Lee, he left the hospital with a prescription for Vicodin – a pain medication. Similar to Mr. Lee, Mr. Chang also was limited in his activities for a period of several weeks – two, to be precise, compared to Lee’s three. Distinct from Mr. Lee, however, Mr. Chang followed his hospital care with a documented trip to his private physician, who prescribed him an anti-inflammatory medication. Three days after his discharge from the ER, law enforcement

officers took photographs of Chang's face that showed bruising remaining around Chang's left eye.

While medical testimony, corroboration and photographic evidence are not decisive, the complete lack of such evidence cannot be ignored. See McKague I at 523 (Armstrong, P.J., dissenting in part) (Highlighting the fact that in the cases relied on by the lead opinion, medical testimony helped in assessing the extent of harm done to the victim. [Citations Omitted]).

It is apparent that, lacking such evidence, the State's strategy to prove substantial impairment was to opine about the defendant's inability to enlist in the U.S. military. This testimony is wholly irrelevant to the magnitude and degree of harm suffered by Mr. Lee. His failure to enter the military says nothing about what happened to Mr. Lee physically or mentally from the assault. There is, in fact, no evidence whatsoever in the trial record to prove that one suffering from temporary or even permanent short-term memory loss would be ineligible to enlist in the U.S. armed services. In fact, Mr. Lee's girlfriend and the mother of his children, Ms. Gonzales testified that Mr. Lee was physically unable to enlist in the military. Did he fail a physical, is there a policy that forbids entry into the armed services by those suffering short-term memory loss, did he simply lose his motivation as a result of the stress of dealing with the assault, or

did something else prevent him from realizing his dream? The simple fact is we do not know. The State invited the jury to speculate, and by that speculation to infer that the injury must have been significant enough that the U.S. military was no longer interested in Mr. Lee. The simple fact is there was not sufficient evidence to justify the invitation.

Given the lack of evidence in the record, herein, to establish that Mr. Lee's memory loss was considerable in amount, value or worth, the State failed to prove beyond a reasonable doubt that the degree of harm caused by the injury was sufficient to constitute second degree assault.

C. Mr. Lee did not suffer a fracture

The record is clear from the testimony of Dr. Pursley, Mr. Lee and Ms. Gonzales that Mr. Lee did suffer no fracture of a bodily part from this attack. As a result, this prong of the statute cannot support the jury's verdict.

///

///

///

///

///

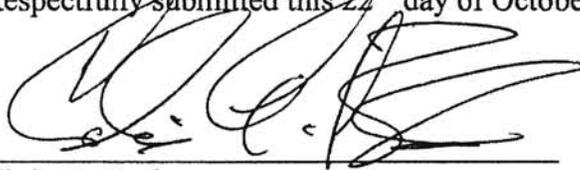
///

///

CONCLUSION

For the reasons stated, the defendant respectfully requests that this Court REVERSE and VACATE his conviction for second degree assault, as charged in Count 2 of the Information, and furthermore, that this Court REMAND this matter to the Superior Court for re-sentencing on Counts 1 and 3.

Respectfully submitted this 22<sup>nd</sup> day of October, 2012.

A handwritten signature in black ink, appearing to read "Chris A. Bugbee", written over a horizontal line.

Chris A. Bugbee  
Attorney for Appellant  
WSBA # 25166