

RECEIVED
SUPREME COURT
STATE OF WASHINGTON

2007 MAY 16 2:55

BY: [Signature]

SUPREME COURT OF THE STATE OF WASHINGTON

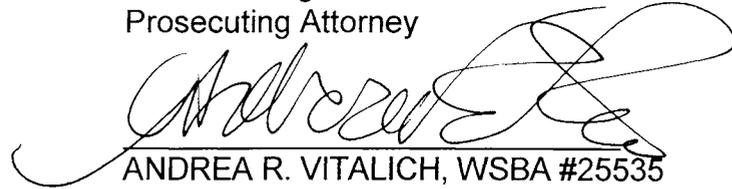
STATE OF WASHINGTON,)
)
 Respondent,) No. 77347-5 & 77360-2
) (consolidated)
 vs.)
)
 FELIPE RAMOS &) STATEMENT OF ADDITIONAL
 MARIO MEDINA,) AUTHORITY
)
 Appellants,)
)
)

Pursuant to RAP 10.8, The State respectfully cites the following as additional authority:

State v. Carissa Daniels, ___ Wn.2d ___, 2007 WL 1288781 (No. 76802-1, filed May 3, 2007), wherein this Court held: 1) that a blank verdict form coupled with the "unable to agree" concluding instruction establishes for the record that the jury could not agree on a verdict for the crime in question; and 2) that when a defendant has been found guilty of murder in the second degree by alternative means, and when one of those alternative means is invalid due to *In re Personal Restraint of Andress*, 147 Wn.2d 602, 56 P.3d 981 (2002), double jeopardy does not prevent the State from retrying the defendant on the remaining, valid alternative means.

Dated this 15th day of May, 2007.

Norm Maleng
Prosecuting Attorney

A handwritten signature in black ink, appearing to read "Andrea R. Vitalich", written over a horizontal line.

ANDREA R. VITALICH, WSBA #25535
Senior Deputy Prosecuting Attorney
Attorneys for Respondent

Certificate of Service by Mail

Today I deposited in the mail of the United States of America, postage prepaid, a properly stamped and addressed envelope directed to Thomas Kummerow, the attorney for appellant Ramos, at Washington Appellate Project, 701 Melbourne Tower, 1511 Third Avenue, Seattle, WA 98101, containing a copy of the Statement of Additional Authority, in STATE V. FELIPE RAMOS & MARIO MEDINA, Cause No. 77347-5 (consolidated with No. 77360-2), in the Supreme Court, for the State of Washington.

I certify under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

W Brame
Name
Done in Seattle, Washington

5/15/07
Date

RECEIVED
SUPREME COURT
STATE OF WASHINGTON

2007 MAY 16 P 2:55

Certificate of Service by Mail

Today I deposited in the mail of the United States of America, postage prepaid, a properly stamped and addressed envelope directed to Suzanne Lee Elliot, the attorney for appellant Medina, at 1300 Hoge Building, 705 Second Avenue, Seattle, WA 98104, containing a copy of the Statement of Additional Authority, in STATE V. FELIPE RAMOS & MARIO MEDINA, Cause No. 77347-5 (consolidated with No. 77360-2), in the Supreme Court, for the State of Washington.

I certify under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

U Brame

Name

Done in Seattle, Washington

5/15/07

Date