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January 10, 2007

Clerk of the Court  
Washington Supreme Court  
Temple of Justice  
P.O. Box 40929  
Olympia, WA 98504-0929

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SUPREME COURT  
STATE OF WASHINGTON  
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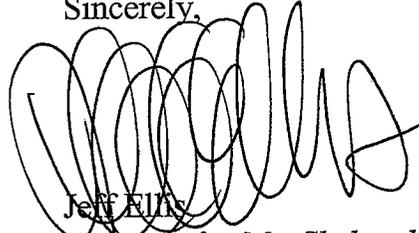
RE: *In re PRP of Scott W. Skylstad*—No. 78156-7  
Statement of Additional Authorities

Clerk of the Court:

Pursuant to RAP 10.8 and RAP 16.10, Petitioner submits the following additional authority in support of his Personal Restraint Petition:

*Burton v. Stewart*, \_\_\_ S.Ct. \_\_\_, 2007 WL 43832 (Jan, 7, 2007) (Burton finally contends that had he not filed the 1998 petition when he did, and instead waited until state review of his sentencing claims was complete, he risked losing the opportunity to challenge his conviction in federal court due to AEDPA's 1-year statute of limitations. But this argument misreads AEDPA, which states that the limitations period applicable to a person in custody pursuant to the judgment of a State court shall run from, as relevant here, the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review. Final judgment in a criminal case means sentence. The sentence is the judgment. Accordingly, Burton's limitations period did not begin until both his conviction *and* sentence became final by the conclusion of direct review or the expiration of the time for seeking such review--which occurred well *after* Burton filed his 1998 petition) (internal citations and quotations removed).

Sincerely,



Jeff Ellis  
*Attorney for Mr. Skylstad*

cc: Kevin Korsmo,  
Spokane County Prosecuting Attorney