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Nº. 31729-0-II
IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION II

STATE OF WASHINGTON
Respondent,

v.

MICHAEL J. BROCKOB,
Appellant.

APPELLANT'S STATEMENT OF ADDITIONAL AUTHORITIES

Appeal from the Superior Court of Pierce County,
Cause No. 04-1-00764-1
The Honorable Ronald E. Culpepper, Presiding Judge

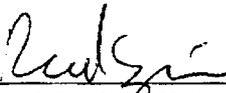
Reed Speir
WSBA No. 36270
Law Offices of Mary Kay High
Attorney for Appellant
917 Pacific Avenue, Suite 406
Tacoma, Washington 98402
(253) 572-6865

Appellant Michael J. Brockob hereby submits a Statement of Additional Authorities pursuant to RAP 10.8:

On December 28, 2005, three months after oral argument was heard in this case in the Court of Appeals, Division II of the Court of Appeals issued its opinion in State v. Whalen, 131 Wn.App. 58, 126 P.3d 55 (2005).

The Whalen court held that “bare possession of pseudoephedrine is not enough to prima facie establish the corpus delicti for an intent to manufacture conviction; at least one additional factor, suggestive of intent, must be present.” Whalen, 131 Wn.App. at 63, 126 P.3d 55 (2005).

Respectfully submitted this 8th day of June, 2006.



Reed Speir, WSBA No. 36270
Attorney for Appellant

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CERTIFICATE OF SERVICE
BY COURT REPORTER

Reed Speir hereby certifies under penalty of perjury under the laws of the State of Washington that on the 8th day of June, 2006, I delivered a true and correct copy of the Statement of Additional Authorities to which this certificate is attached via facsimile to:

Pierce County Prosecuting Attorney's Office
930 Tacoma Avenue South
Tacoma, WA 98402

Signed at Tacoma, Washington this 8th day of June, 2006.



Reed Speir, WSBA No. 36270
Associate, Law Offices of Mary Kay High