

2007 MAY 14 P 2:07

SUPREME COURT OF THE STATE OF WASHINGTON

BY RONALD R. CARPENTERS STATE OF WASHINGTON,


Plaintiff/Respondent,

vs.

SCOTT CHAMBERLIN,

Defendant/Appellant.

NO. 79712-9

STATEMENT OF ADDITIONAL
AUTHORITIES
RAP 10.8

I. IDENTITY OF SUBMITTING PARTY

The State of Washington, Plaintiff/Respondent in the above-entitled appeal, by and through the Island County Prosecuting Attorney, submits the additional authorities, per RAP 10.8, designated in Paragraph II below. The Court has not filed a decision on the merits in this matter. Argument is set for Tuesday, May 15, 2007.

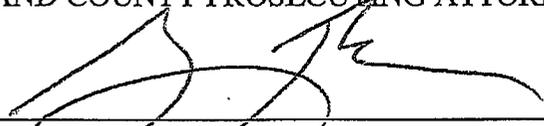
II. AUTHORITIES AND THE ISSUES FOR WHICH THEY ARE OFFERED

The State submits the case of In re Carlstad, 150 Wn.2d 583, 592, n.4, 80 P.3d 587 (2003) regarding the issue of the propriety of the Court creating rules via the rule-making process where interested parties participate in creating the rule, as opposed to creating rules by “judicial fiat,” and the potential unforeseen consequences that can result thereby.

The State submits SAR 23 regarding the issue of disqualification of Justices who did not participate in rendering an opinion from hearing a motion for reconsideration.

Respectfully submitted this 14th day of May, 2007.

GREGORY M. BANKS
ISLAND COUNTY PROSECUTING ATTORNEY

By: 

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WSBA # 22926
ATTORNEY FOR RESPONDENT

FILED AS ATTACHMENT
TO E-MAIL