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STATE OF WASHINGTON
BY CA
DEPUTY

IN THE COURT OF APPEALS
OF THE STATE OF WASHINGTON
DIVISION II

IN RE THE PERSONAL RESTRIANT
PETITION OF:

80070-7

NO. 35212-5-II

STATEMENT OF ADDITIONAL
AUTHORITY

THOMAS W.S. RICHEY,

Petitioner.

Pursuant to RAP 10.8, Respondent, State of Washington, respectfully submits the following as additional authority:

1. In re Stoudmire, 141 Wn.2d 342, 349, 5 P.3d 1240 (2000) (petition claiming exception to one year time bar under RCW 10.73.090 and also claiming ineffective assistance of counsel and no factual basis for underlying charge, which do not fall under either .090 nor .100, is considered a "mixed petition").
2. In re Hankerson, 149 Wn.2d 695, 700, 72 P.3d 703 (2003) (mixed petition claiming multiple grounds for relief filed after one-year period of RCW 10.73.090 expires,

1 where the court determines that at least one of the claims is time barred, the entire
2 petition must be dismissed).

3 Dated: March 21, 2007.

4 GERALD A. HORNE
5 Pierce County
6 Prosecuting Attorney

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8 P. GRACE KINGMAN
9 Deputy Prosecuting Attorney
10 WSB # 16717

11 Certificate of Service:

12 The undersigned certifies that on this day she delivered by *petitioner* U.S. mail or ABC-LMI
13 delivery to the attorney of record for the appellant and appellant c/o his or her attorney
14 or to the attorney of record for the respondent and respondent c/o his or her attorney true
15 and correct copies of the document to which this certificate is attached. This statement is
16 certified to be true and correct under penalty of perjury of the laws of the State of Washington.
17 Signed at Tacoma, Washington, on the date below.

18 3/21/07 Johanson
19 Date Signature