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SUPREME COURT
STATE OF WASHINGTON

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BY RONALD R. CARPENTER

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IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

CECIL DAVIS,

Appellant.

NO. 80209-2

STATEMENT OF ADDITIONAL
AUTHORITY

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

1. *State v. Tingdale*, 117 Wn.2d 595, 600, 817 P.2d 850 (1991)(where there has been substantial compliance with statutes governing excusal of venire person, defendant must show prejudice before any relief will be given).

2. *State v. Phillips*, 65 Wash. 324, 118 P.43 (1911)(defendant has no vested right in any particular juror; as long as jury is comprised of impartial, qualified jurors, defendant is not entitled to new trial for any error in dismissing juror for doubts as to his/her competency to serve).

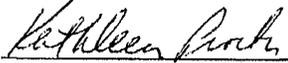
ORIGINAL

FILED AS ATTACHMENT TO BRIEF

1 3. *In re the Marriage of Meredith*, 148 Wn. App. 887, 201 P.3d 1056, review denied,
2 167 Wn.2d 1002 (2009)(standard of review for denial of a motion for recusal is abuse of
3 discretion).

4 Dated: February 9, 2011.

6 MARK LINDQUIST
7 Pierce County
8 Prosecuting Attorney

9 
10 KATHLEEN PROCTOR
11 Deputy Prosecuting Attorney
12 WSB # 14811

11 Certificate of Service:

12 The undersigned certifies that on this day she delivered by ~~U.S. mail or ABC-LMT~~ *we mailed to O.C.*
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 *2/9/11*
19 *J. Johnson*
20 Date Signature

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Rec'd 2/9/2011

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From: Heather Johnson [<mailto:hjohns2@co.pierce.wa.us>]

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Subject: State v. Cecil Davis--80209-2

Kathleen Proctor, WSB No. 14811

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Attached is the Statement of Additional Authority