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STATE OF WASHINGTON
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IN THE SUPREME COURT OF THE STATE OF WASHINGTON

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STATE OF WASHINGTON,)	
)	
Respondent,)	No. 80209-2
)	
vs.)	STATEMENT OF
)	ADDITIONAL
CECIL DAVIS,)	AUTHORITY
)	
Appellant.)	

Pursuant to RAP 10.8, appellant cites to the following additional authorities regarding prosecutorial misconduct at his trial:

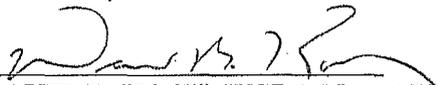
State v. Michael Pierce, ___ Wn. App. ___ (Slip op. filed 7/17/12) (two counts of first-degree murder reversed; misconduct for prosecutor to use emotionally charged, heart-wrenching, and largely speculative story during closing argument – appealing to jurors’ passions and prejudices – to describe possible dialogue between defendant and victims, including victims’ pleas for mercy);

Hawthorne v. U.S., 476 A.2d 164, 170-171 (D.C. 1984) (misconduct to use fictional statements and thoughts of murder victim during crime to portray defendant as particularly brutal and victim as kindly).

DATED this 17th day of July, 2012.

Respectfully submitted,

NIELSEN, BROMAN & KOCH


 DAVID B. KOCH, WSBA No. 23789
 Office ID No. 91051
 Attorneys for Appellant

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON)	
)	
Respondent,)	
)	
vs.)	NO. 80209-2
)	
CECIL DAVIS,)	
)	
Appellant.)	

DECLARATION OF SERVICE

I, PATRICK MAYOVSKY, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOLLOWING IS TRUE AND CORRECT:

THAT ON THE 17TH DAY OF JULY, 2012, I CAUSED A TRUE AND CORRECT COPY OF THE STATEMENT OF ADDITIONAL AUTHORITY TO BE SERVED ON THE PARTY / PARTIES DESIGNATED BELOW BY EMAIL.

[X] KATHLEEN PROCTOR
PIERCE COUNTY PROSECUTING ATTORNEY
930 TACOMA AVENUE SOUTH
ROOM 946
TACOMA, WA 98402
pccpatcecf@co.pierce.wa.us

SIGNED IN SEATTLE WASHINGTON, THIS 17TH DAY OF JULY, 2012.

x *Patrick Mayovsky*

OFFICE RECEPTIONIST, CLERK

To: Patrick Mayovsky
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Rec. 7-17-12

Please note that any pleading filed as an attachment to e-mail will be treated as the original. Therefore, if a filing is by e-mail attachment, it is not necessary to mail to the court the original of the document.

From: Patrick Mayovsky [<mailto:MayovskyP@nwattorney.net>]
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Attached for filing today is the Statement of Additional Authority in the case referenced below.

State v. Cecil Davis
No. 80209-2
Statement of Additional Authority

Filed By:
David Koch
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