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STATE OF WASHINGTON

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BY RONALD R. CARPENT
NO. 81068-1

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IN THE COURT OF APPEALS – STATE OF WASHINGTON
DIVISION ONE

STATE OF WASHINGTON
Respondent,

v.

JEREMY GRANDE,
Appellant.

ON APPEAL FROM THE SUPERIOR COURT OF THE
STATE OF WASHINGTON, FOR SKAGIT COUNTY

The Honorable, Judge

**STATEMENT OF ADDITIONAL AUTHORITIES
PURSUANT TO RAP 10.8**

SKAGIT COUNTY PROSECUTING ATTORNEY
RICHARD WEYRICH, PROSECUTOR

By: TONI G. MONTGOMERY, WSBA#36927
Deputy Prosecuting Attorney
Office Identification #91059

Courthouse Annex
605 South Third
Mount Vernon, WA 98273
Ph: (360) 336-9460

ORIGINAL

I. IDENTITY OF PARTY SUBMITTING AUTHORITY

COMES NOW the Respondent, State of Washington, by and through Toni G. Montgomery, Deputy Prosecutor for Skagit County and pursuant to RAP 10.8 submits the following additional authority, without argument.

II. STATEMENT OF ADDITIONAL AUTHORITY

The Respondent submits the following authority regarding the following issues:

- 1) The odor of marijuana alone emanating from a vehicle provided probable cause to search all occupants of the vehicle. *State v. Williams*, 967 So.2d 941 (2007)
- 2) The odor of cannabis emanating from a vehicle provided an officer probable cause to search the defendant passenger. *People v. Boyd*, 700 N.E.2d 444, 451 (1998).
- 3) The smell of marijuana or its smoke emanating from a vehicle provided an officer probable cause to arrest the occupants of the vehicle. *Brunson v. State*, 940 S.W.2d 440, 442 (1997).
- 4) The odor of burnt marijuana emanating from a vehicle gave the reasonable inference that marijuana had been smoked recently and that additional contraband existed within the vehicle. *State v. Judge*, 645 A.2d 1224, 1227 (1994).

RESPECTFULLY SUBMITTED this 14TH day of MARCH.

SKAGIT COUNTY PROSECUTING ATTORNEY

By:  Erik Pedersen S.R. DPA 20015
TONI G. MONTGOMERY, WSBA#36927
Deputy Prosecutor
Skagit County Prosecutor's Office #91059

DECLARATION OF DELIVERY

I, Karen Wallace, declare as follows:

I sent for delivery by; [] United States Postal Service; [] ABC Legal Messenger Service, a true and correct copy of the document to which this declaration is attached, to: David Zuckerman, addressed as David Zuckerman, 705 2nd Avenue, Ste 1300, Seattle WA, 98104-1797. I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. Executed at Mount Vernon, Washington this 14th day of March, 2008.


KAREN WALLACE, DECLARANT