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SUPREME COURT
STATE OF WASHINGTON
2009 DEC 30 AM 7:59
BY RONALD R. CARPENTIER
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NO. 82600-5

WASHINGTON STATE
SUPREME COURT

STATE OF WASHINGTON,

Plaintiff,
Respondent,

vs.

MARK JOSEPH AFANA,

Defendant,
Appellant.

FOURTH ADDITIONAL STATEMENT OF AUTHORITIES

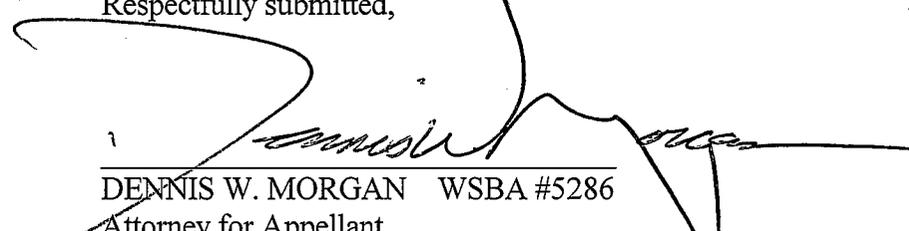
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COMES NOW, MARK JOSEPH AFANA, by and through the undersigned attorney, and requests the Court to consider the following Fourth Additional authorities in connection with his appeal:

State v. Buelna-Valdez, slip opinion 80091-0 (12/24/09) (Overruling the broad interpretation of the search incident to arrest exception adopted in *State v. Stroud*, 106 Wn.2d 144, 147, 151, 720 P.2d 436 (1986) and declaring that arrest of an occupant of a motor vehicle on an outstanding warrant does not establish a basis to conduct a search of the vehicle for evidence of the underlying crime.)

DATED this ^{7th} 25 day of December, 2009.

Respectfully submitted,



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