

COURT OF APPEALS  
DIVISION THREE  
OF THE STATE OF WASHINGTON

FILED  
OCT 14 2009  
COURT OF APPEALS  
DIVISION III  
STATE OF WASHINGTON  
By \_\_\_\_\_

STATE OF WASHINGTON )

Respondent, )

v. )

Robert A. Brown  
(your name) )

Appellant. )

83682-5

No. 275485

STATEMENT OF ADDITIONAL  
GROUND FOR REVIEW

I, Robert Brown, have received and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this Statement of Additional Grounds for Review when my appeal is considered on the merits.

Additional Ground 1

- ① I think there is ineffective assistance of counsel, and due to the insufficient investigation and lack of calling any defense witnesses along with the fact that the investigator that worked for my atty. (sent butcher) brought suit in Superior Court against myself and two witnesses before & during trial caused a conflict of interest.
- ② Also, Atty James Kirkham should not have done any investigation/Deportation of Amanda Brown. Due to conflict of interest. He was friends with the victim's wife & children. (Kirkham & his wife knew victim's wife & kids socially through school, ect children ect.) It was agreed Kirkham would NOT work on my case yet he still did witness interviews.
- ③ There was physical evidence that was directed to by myself that my counsel/investigators did not investigate. This could have very easily help the jury decision in my favor. (pictures showing other than what prosecution claimed)
- ④ I think that there was prosecutorial misconduct & misconduct by the prosecutor. (A) Prosecutor Sapala pointed hand like a gun, to each juror's head & said "Brown held the Victory At Gun Point" nobody ever said that except the prosecutor during closing statement. I think the jury instructions were misleading.

If there are additional grounds, a brief summary is attached to this statement.

Date: Oct. 7-09  
Form 23

Signature: Robert A. Brown