FILED
SUPREME COURT
STATE OF WASHINGTON
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BY RONALD R. CARPENTER
CLERK

THE SUPREME COURT OF WASHINGTON

COUNTY OF THURSTON

STATE OF WASHINGTON Plaintiff, V. DEMAR RHOME, Defendant.	Case No. 83788-1 MOTION TO VACATE JUGEMENT

COMES NOW DEMAR RHOME, hereinafter as petitioner, by and thru pro se representation, submits his Motion TO VACATE JUGEMENT, for the court's consideration.

INFORMATION

On or about 11 / 23 / 03, petitioner was charged/ sentenced for "MURDER 2ND DAGREE, Case No. 03-1-09947-0 SEA and is currently serving a 371 month sentence from KING County Superior Court, his current release date is 11 / 20 / 2009.

GROUNDS

1. I DEMARE MURDER CONVICTION & SENTENCE TO BE INVALID / UNLAWFUL BECAUSE

ARGUMENT

my UNTREATED DEVELOPMENTAL DISORDER OF my LEARNING DISORDER & my UNTREATED DELUSIONAL DISORDER & my DIEGRESSIVE THINKING FROM my PSYCHOTIC DISORDER All PREVENTED me ON HOW TO INTELLEGENTLY & CORRECTLY PROCESS THE UNDERSTANDING ON how TO FILE & when TO FILE my MOTIONS A COUPLE YEARS EARLIER SEE KING COUNTY SUPIOR CART FILE/ RECORDS They PROVE I GOT LOW IQ (2) SERIS DEVELOPMENTAL DELAYS & GOT PSYCHOTIC & DELUSIONAL DISORDER & I WAS INFORMED THAT UNDER RCW 10.73.100 THAT I COULD SHOW GOOD CAUSE & THAT THERE IS EXCEPTIONS TO why THIS COURT SHOULD GRANT MOTION & ON A MOTION A SUPIOR COURT ON MOTION FROM THE DEFENDANT MAY GRANT A NEW TRAIL SEE CrR 7.5 IRREGULARITY IN THE PROCEEDING OF THE COURT. JURY OR PROSACUTION OR ANY ORDER OF COURT OR ABUSE OF DISCRETION by which THE DEFANDANT WAS PREVENTED FROM HAVING A FAIR TRAIL when ANY OF THESE ISSIVES ACCURE THEN A NEW TRAIL BY SUPIOR CART MAY BE GRANTED IN POST CONVICTION PROCEEDINGS SEE CrR 7.5(5) SEE CrR 7.8(a) RAP 7.2(e) SEE CrR 7.8(1)(5) SEE RCW 10.73 040 100 130 S 140 SEE RCW 10.73.100

ARGUMENT
CONTENUIED

UNDER CRR 7.5 (b)(5) ASK THIS COURT
UNDER RCW 10.73.100 TO GRANT MOTION
FOR POST JUGEMENT RELEIF & TO GRANT
NEW TRAIL BECOUSE THE ATTACHED COPY OF A
PERSONAL RESTRAINT PETITION AS A BREIF PROVES
THAT JURORS EVSPRESSED NAGATIVE COMMENTS
ABOUT ME IN VOIDE DOIRE LAW THEY COULD NOT
BE FAIR DUE PROCESS OF LAW IS DENIED IN
MY CASE DUE PROCESS GARANUTEES A N ACCUSED
THE RIGHT TO A FAIR TRAIL I WAS DENIED THAT
FEDERAL DUE PROCESS RIGHT MY MURDER CONVICTION
RESTS IN VIOLATION OF DUE PROCESS THUS VERIUS
OTHER GROUNDS AS ISSUES OF CONSTITUTIONAL
NATURE SHOWS MY CONVICTION IN MY CASE TO BE
CONSITUTIONALLY INVALID THUS ALSO NOW I
SHOULD NOT BE TIME BARRED UNDER RCW 10.73.100
BECOUSE MY LACK OF LEGAL ASSISANTANCE IN
GETTING THIS MOTION WITH THE FACTS OUT WITH
IN WAS DUE TO MY STAND BY COUNSEL MICHAEL
JANKO 206 623 4644 & FORMER APPEALATE
ATTORNEY GREGORY LINK 206 587 2711 ALL
IGNORED MY MAIL TO ADDRESS ALL THE ISSUES SO
THERE IS GOOD CAUSE SHOWN UNDER RCW 10.73.100
CRR 7.5(b)(5) FOR WHY THIS MOTION SHOULD BE
GRANTED THUS THIS COURT CAN HEAR MOTION & GRANT
RELEIF SEE CRR 7.8 IN SUPPLIOUS COURT & SEPRATE
COURT POST JUGEMENT RELIEF MOTIONS MAY BE FILED
SEE RAP 6.2 SEE RAP 2.4 NEITHER RULES RESTRICT
COURT FROM HEARING & GRANTING MOTION SEE RAP 6.2
[illegible] IF A COURT WAS HEARING & DEALING WITH A
PERSONAL RESTRAINT PETITION FILED BY MY LAWYER &
[illegible] MOTION & P.R.P CAN BE REVIEWED
[illegible] REVIEWS SEE RAP 3.3(b)
[illegible]

THERE IS ATTACHED BREIFS & ATTACHED P.R.P USED AS OTHER ISSUES ONLY IN MOTION FOR WHY THE COURT MUST VACATE MURDER CONVICTION NOW MORE OVER MY MURDER CONVICTION IS CONSITUTIONALLY INVALID SEE BREIFS THE TRAIL RECORD & PRP FOR PROOF

(1) THE STATE OR ATTORNEY GENERAL CAN NOT MAKE A SANIFICANT FACTUAL SHOWING & PROVING THAT NON OF THE ISSUES IN MY CASE DONT VIOLATE MY FEDERAL & STATE DUE PROCESS RIGHTS (2) THE STATE OR ATTORNEY GENERAL MAY CITE CASES & USE RULES TO GET MY MOTION DENIED BUT THE CASES ARE COURT RULES ARE NOT GREATER THEN SERVING ME JUSTICE WHEN ALL ISSUES IN MY CASE ARE NOT HARMLESS AND CASE OF DEFENDANTS DONT STOP THIS COURT FROM GRANTING THIS MOTION IN THE INTEREST OF JUSTICE & THE WASHINGTON STATE CONSITUTION DONT BAR THIS COURT & NO RULES OF APPEALATE PROCEEDURES BAR THIS COURT FROM GRANTING THIS MOTION UNDER RCW 10.73.100 OR UNDER CFR 7.5 (5)(6) CFR 7.8 (9) RCW 10.090.100.100.130 & 140 SEE WASHINGTON STATE LAW MY UNAWARENESS OF HOW TO FILE MOTIONS DUE TO UNTREATED MENTAL DISORDERS & ATTORNEYS REFUSING TO HELP ME IN PREPARING MOTIONS ETC BECAUSE THIS ALL TRULY HAPPEN DONT CONSITUTE VALID GROUNDS FOR THIS COURT TO DENY MY MOTION SO GRANT MOTION NOW

[illegible]

APPEAL LETTER

TO ATTORNEY MICHAEL FILIPOVIC
AT THE FEDERAL PUBLIC DEFENDERS 1601
5TH AVENUE SUITE 700 SEATTLE WA 98101
FILED A NEW PERSONAL RESTRAINT PETITION
UNDER RAP 16.4 AND THE COURT HAS NOT
RESPONDED TO THE P.R.P he FILED IN THIS COURT
BUT I RECOMMEND TO THIS COURT TO
GRANT THE P.R.P IN INTEREST OF JUSTICE
BUT my MOTIONS ARE BROUGHT UNDER RAP 17.4
RAP 17.4(b) AUTHORIZES SUPREME COURT OR LOWER
COURT TO GRANT EMERGENCY RELIEF WHEN GOOD CAUSE IS
SHOWN SEE P.R.P & EXHIBITS my CONVICTION IS SO
UNLAWFULL SO PLEASE VACATE MURDER CONVICTION NOW
THE COURT SHOULD HEAR my BRIEFS BECAUSE
IN P.R.PS PRO SE BRIEFS CAN BE FILED WITH
ACTUAL ATTORNEY BRIEFS SEE R.A.P 10.1(A)(b)
NOW NEXT I AM REQUESTING A NEW ATTORNEY
UNDER RAP 16.25 I ASK THIS COURT TO
RE-APPOINT DIFFERENT COUNSEL + THE 6TH
AMENDMENT STATES AN ACCUSE SHALL ENJOY THE
RIGHT TO COUNSEL & SEE R AP 16.25 SEE
I HAVE A DUE PROCESS RIGHT TO COUNSEL I DECLARE
I AM NOT COMPETENT TO HANDLE THIS CASE ON my
OWN I HAVE UNTREATED MENTAL & DEVELOPMENTAL
DISORDERS MICHAEL FILIPOVIC IS NOT PROPERLY
ADDRESSING ALL THE LEGAL ISSUES HE IS UN
TRUSTWORTHY I DO NOT BELIEVE HE WILL WIN THE
PERSONAL RESTRAINT PETITION & THUS HE DOESNT
CARE TO GET ME TRANSPORTED FOR A EVIDENTIARY
[illegible]

GROUNDS CONTINUED

THE PERSONAL RESTRAINT PETITION & EXHIBITS THAT WERE FILED ON OR ABOUT OCTOBER 20 2009 WITH MY PRO SE BRIEF SHOWS & PROVES THAT MY CONSTITUTIONAL RIGHTS ARE VIOLATED & BECAUSE MY MURDER CONVICTION IS PROVEN CONSTITUTIONALLY INVALID THIS COURT MUST VACATE MURDER CONVICTION

2. IN MY MOTION BROUGHT UNDER RAP 17.4(b) I SHOW ARGUMENTS & GROUNDS ETC FOR THIS COURT TO SEE MY MURDER CONVICTIONS SENTENCE TO BE UNLAWFULL

RELIEF SOUGHT

IN THE INTEREST OF JUSTICE THIS COURT NEEDS TO GRANT MOTION FOR MY MURDER CONVICTION TO BE VACATED & ASK THIS COURT TO VACATE MY MURDER CONVICTION & VACATE MY SENTENCE IN THE INTEREST OF JUSTICE BECAUSE P.R.P & EXHIBITS WITH IT & MY BRIEFS & MOTION SHOW MY CONVICTION & SENTENCE TO ME UNLAWFULL INVALID

DATED: 11 / 20 / 2009.

Respectfully submitted,

Demar Rhome

Petitioner

DEMAR RHOME DOC#838700 I MUNBARS

NAME /DOC#/UNIT/Cell

WASHINGTON CORRECTION CENTER

Institution

PO BOX 900 SHELTON WA 98584

ADDRESS/City/State/Zip