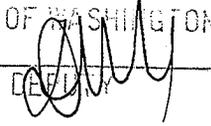


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COURT OF APPEALS
DIVISION II

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STATE OF WASHINGTON
BY 

84452-6

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION II

STATE OF WASHINGTON,
Appellant,

v.

RICHARD TRACER,
Respondent.

NOS. 37812-4-II
37892-2-II
37939-2-II

STATEMENT OF ADDITIONAL
AUTHORITIES

STATE OF WASHINGTON,
Appellant,

v.

RICHARD TRACER,
Respondent,

NOAH HARRISON,
Real Party in Interest.

COMES NOW the appellant, State of Washington, by and through its attorney, Pamela B. Loginsky, Special Deputy Prosecuting Attorney for Jefferson County, to respectfully request that the Court consider the following additional authority pursuant to RAP 10.8:

State v. Trainer, 762 N.W.2d 155 (Iowa App. 2008) (double jeopardy does not prevent trial on a greater charge when a defendant manipulates the proceedings against her so as to plead to a lesser included offense)

1 Respectfully submitted this 14th day of April, 2009.

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Pamela B. Loginsky
Special Deputy Prosecuting Attorney
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STATE OF WASHINGTON
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PROOF OF SERVICE

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I, Amber Haslett-Kern, declare that I have personal knowledge of the matters set forth below and that I am competent to testify to the matters stated herein.

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On the 14th day of April, 2009, I deposited in the mails of the United States of America, postage prepaid, the original document to which this proof of service is attached in an envelope addressed to:

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David C. Ponzoha, Clerk
Court of Appeals, Division II
950 Broadway, Suite 300
Tacoma, WA 98402-4454

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On the 14th day of April, 2009, I deposited in the mails of the United States of America, postage prepaid, a copy of the document to which this proof of service is attached in an envelope addressed to:

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Noah Harrison
Harrison Law, Inc., P.S.
210 Polk St Suite 4A
Port Townsend, WA 98368

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On the 14th day of April, 2009, I deposited in the mails of the United States of America, postage prepaid, two copies (one for Mr. Tracer and one for his counsel of record) of the document to which this proof of service is attached in an envelope addressed to:

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Thomas E. Weaver, Jr.
Attorney at Law
PO Box 1056
Bremerton, WA 98337-0221

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I declare under the penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

Signed this 14th day of April, 2009, at Olympia, Washington.


Amber Haslett-Kern

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