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SUPREME COURT  
STATE OF WASHINGTON  
May 04, 2015, 1:20 pm  
BY RONALD R. CARPENTER  
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5  
6 IN THE WASHINGTON STATE SUPREME COURT  
7

8 STATE OF WASHINGTON,

No. 84614-6

9 Plaintiff-Respondent,

SECOND SUPPLEMENTAL  
AUTHORITY

10 v.

11 CONNER SCHIERMAN,

12 Defendant-Appellant.  
13

14 Pursuant to RAP 10.8, Schierman submits the following citations as supplemental  
15 authority.

16 To support his argument that the trial court erred in excusing Juror 280:

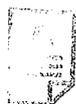
17 *Wheeler v. Simpson*, 779 F.3<sup>rd</sup> 366 (6<sup>th</sup> Cir. 2015)(even after giving substantial deference  
18 to trial court, reversal required when trial court excluded prospective juror for cause when juror  
19 stated he had reservations about the death penalty but could consider all "options").

20 In response to the State's argument that the exclusion of testimony from Dr. Cunningham  
21 and Dr. McClung was not preserved because they failed to take the state:

22 *Collins v. Wayne Corp.*, 621 F.2d 777, (5th Cir.1980) (trial court ruled that plaintiff  
23 could admit certain deposition testimony but not for the purpose sought; plaintiff chose not to  
24 admit deposition; appellate court found issue preserved).

25 DATED this 4<sup>th</sup> day of May, 2015.

SUPPLEMENTAL AUTHORITY - 1



ORIGINAL

LAW OFFICE OF  
SUZANNE LEE ELLIOTT  
705 SECOND AVENUE, SUITE 1300  
SEATTLE WA 98104  
(206) 623-0291  
SUZANNE@SUZANNEELLIOTTLAW.COM

1 Suzanne Lee Elliott  
2 Suzanne Lee Elliott, WSBA 12634  
3 Attorney for Conner Schierman

4 **CERTIFICATE OF SERVICE**

5 I declare under penalty of perjury that on May 1, 2015, I mailed one copy of this  
6 document in the U.S. Mail, postage prepaid, to:

7 Ms. Donna Wise  
8 Ms. Erin Becker  
9 King County Prosecutor's Office  
10 516 Third Avenue, Suite W554  
11 Seattle, WA 98104

12 **AND VIA EMAIL:**

13 Donna.Wise@kingcounty.gov  
14 erin.becker@usdoj.gov

15 Mr. Conner M. Schierman #340719  
16 IMU-N/D-5  
17 Washington State Penitentiary  
18 1313 North 13th Avenue  
19 Walla Walla, WA 99362

20 05/04/2015  
21 Date

22 Peyush Soni  
23 Peyush Soni

## OFFICE RECEPTIONIST, CLERK

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**To:** Peyush Soni  
**Subject:** RE: State of Washington v. Connor Schierman; Supreme Court No. 84614-6

Received 5-4-15

**From:** Peyush Soni [mailto:peyush@davidzuckermanlaw.com]  
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**To:** OFFICE RECEPTIONIST, CLERK; donna.wise@kingcounty.gov; Erin.Becker@usdoj.gov  
**Cc:** david@davidzuckermanlaw.com; suzanne-elliott@msn.com  
**Subject:** State of Washington v. Connor Schierman; Supreme Court No. 84614-6

Dear Sir/Madame:

Enclosed for filing in the Washington State Supreme Court in *State of Washington v. Connor M. Schierman*, Supreme Court No. 84614-6, is the **Second Supplemental Authority**.

Feel free to contact me with any questions or concerns.

Thank you for your kind attention to this matter.

Best,

Peyush Soni  
Legal Assistant  
Law Office of David B. Zuckerman  
Law Office of Suzanne Lee Elliott  
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705 Second Avenue  
Seattle, WA 98104  
(206) 538-5314