

RECEIVED ✓
SUPREME COURT
STATE OF WASHINGTON
Jan 03, 2012, 9:14 am
BY RONALD R. CARPENTER
CLERK

RECEIVED BY E-MAIL *[Signature]*

SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)
)
 Respondent,) No. 85737-7
)
 vs.)
) STATEMENT OF ADDITIONAL
 TANER TARHAN,) AUTHORITIES
)
 Appellant,)
)
)
)
)
)

Pursuant to RAP 10.8, The State respectfully cites the following as additional authority:

Tacoma News, Inc. v. Cayce, 172 Wn.2d 58, 66-67, 256 P.3d 1179 (2011) (“[N]ot every occurrence or event related to court proceedings falls within the access to the courts provision.”)

Id. at 68 (“Contrary to the News Tribune's contentions, the facts that the deposition occurred in a courtroom with a judge present who ruled on objections to testimony did not turn this deposition into a judicial hearing that had to be open to the public and the press.”)

Id. at 69 (“[M]ere discovery is not subject to article I, section 10 unless the information or documents obtained through discovery becomes part of the decision making process.”)

ORIGINAL

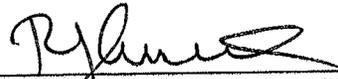
Id. at 75 (citing Palm Beach Newspapers, Inc. v. Burk, 504 So.2d 378 (Fla.1987) ("press has no First Amendment right to attend a deposition in a criminal trial or to obtain unfiled depositions."))

Cayce, at 77 (recognizing that public access to information surfacing during pretrial discovery may "seriously implicate the privacy interests of litigants and third parties.")

Id. at 79 n.9 ("[D]eposition materials are not court records.")

Dated this 3 day of January, 2012.

DANIEL T. SATTERBERG
Prosecuting Attorney



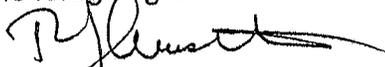
Randi J. Austell, WSBA #28166
Senior Deputy Prosecuting Attorney
Attorneys for Respondent

W554 King County Courthouse
Seattle, WA 98104
Telephone: 206-296-9000

Certificate of Service by Electronic Mail

Today I directed electronic mail addressed to the attorneys for the petitioner, Steven Witchley @ switchley@hotmail.com, containing a copy of the Statement of Additional Authority, in STATE V. TARHAN, Cause No. 85737-7, in the Supreme Court, for the State of Washington.

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



Name Randi J. Austell, WSBA #28166
Done in Seattle, Washington

1/3/2012