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SUPREME COURT
STATE OF WASHINGTON
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NO. 85893-4

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

RECEIVED BY E-MAIL ^{bjh}

STATE OF WASHINGTON,

Respondent,

vs.

JENNIFER RICE,

Appellant.

STATEMENT OF
SUPPLEMENTAL
AUTHORITIES

Pursuant to RAP 10.8, appellant Rice cites the following supplemental authority in connection with Issue Number 1¹ stated in her Petition for Review:

Prosecutors enjoy wide discretion “to file charges or to refuse to charge for reasons other than the mere ability to establish guilt. [The prosecutor] may consider a wide range of factors in addition to the strength of the State’s case in deciding whether prosecution would be in the public interest.”

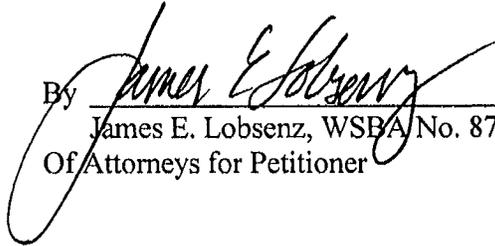
Recall Charges Against Lindquist, 172 Wn.2d 120, 133, ___ P.3d ___ 2011), quoting *State v. Rowe*, 93 Wn.2d 277, 287, 609 P.2d 1348 (1980).

¹ “Do the mandatory charging provisions of RCW 9.94A.835, 9.94A.836 and 9.94A.837, requiring the prosecutor to charge these special allegations every time there is sufficient evidence to support them, violate the separation of powers doctrine by prohibiting the prosecutor from declining to charge these allegations for other reasons?”

DATED this 16th day of November, 2011.

CARNEY BADLEY SPELLMAN, P.S.

By



James E. Lobsenz, WSBA No. 8787
Of Attorneys for Petitioner