

86216-8

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

STATE OF WASHINGTON)

Respondent,)

v.)

Gregory Sheaver)
(your name))

Appellant.)

No. 65053-0-1

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, Gregory Sheaver, have received and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this Statement of Additional Grounds for Review when my appeal is considered on the merits.

Additional Ground 1

Additional Ground 2

If there are additional grounds, a brief summary is attached to this statement.

Date: 11-20-10

Signature: Gregory Sheaver

RE: case number 65053-0-I

Additional ground 1

I would like to address the use of gun/ weapon evidence against me in pre-trial and during trial, and the ineffectiveness of my trial attorney arguing against using that evidence.

At no point during Lynn Honcoops statements did she accuse the involvement of any weapons. Further She has no ownership of any of the weapons that were seized that would allow her to turn them over to the police. I have not seen, nor heard of any search warrants allowing search and seizure of the weapons taken from me. One of the guns taken by Bellingham police department was locked inside my vehicle, which Lynn Honcoop is not on the title of. The Bellingham Police Department informed her (Lynn) she must open my vehicle with out my permission and turn over my gun to them. All with out a search warrant or ANY probable cause. It is my understanding that a search warrant should be granted *prior* to searching that vehicle for that weapon or for any weapons inside the house. Further more those weapons/ property/ evidence being illegally seized, are not admissible as evidence in trial. There were more photos of the weapons than any thing else in trial. The prosecution made the accusation that I was dangerous to Lynn and all of the local community simply because I had owned the weapons, keeping me from being released on bail. And the prosecution had made the weapons a large part of my trial. My attorney was extremely ineffective in arguing that my weapons had no basis on this case, and that my owning them made me a danger.

Additional ground 2

I would also like to bring up statements made by the prosecution in closing arguments. However I will need the transcripts to be specific about the comments. These comments, along the lines of -the next step with domestic abusers is to kill their victims, and that Greg will kill Lynn next if you don't convict him of all charges-, and explaining (to the jury) that there need not be "beyond a reasonable doubt" to convict me, that some doubt was OK. Basically saying better safe than sorry, right, to the jury. My attorney had explained to me that those comments weren't allowed, however she was ineffective in arguing that to the judge. The judge overruled her request for a mistrial based on those comments.

Additional ground 3

My attorney had requested a mistrial, sighting multiple reasons, and errors by the judge and prosecutor. I can not remember all of those reasons and errors. I would like to request more time so that my attorney can review these issues and explain their importance, or lack there of, to me. If they are all legitimate issues, I am concerned about those issues being reused against me in a new trial if one is granted.