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SUPREME COURT
STATE OF WASHINGTON
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IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON, Respondent, v. ROY S. JORGENSON, Appellant.		No. 87448-4 (COA No. 41828-2-II) Cowlitz County No. 08-1-01332-1 STATEMENT OF ADDITIONAL AUTHORITIES
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Pursuant to RAP 10.8, the Respondent, State of Washington, represented by the Prosecuting Attorney for Cowlitz County, by and through his Deputy, Aaron Bartlett, hereby supplements the record with this Statement of Additional Authorities.

- 1.) *State v. Parker*, 127 Wn. App. 352, 110 P.3d 1152 (2005) (defendant may have the jury instructed on the affirmative defense of necessity in an unlawful possession of a firearm case if the defendant can show 1) that he reasonably believed he or another was under an unlawful and present threat of death or serious physical injury; 2) that he had no reasonable legal alternative to carrying a gun; and 3) a direct causal relationship between his possession of a firearm and the avoidance of the threatened harm.



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1 2. *State v. Jeffrey*, 77 Wn.App 222, 889 P.2d 956 (1995) (holding that the defense of
2 necessity may apply in an unlawful possession of a firearm case)

3 Respectfully submitted this 2nd day of Jan, 2013.

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5 SUSAN I. BAUR
6 Prosecuting Attorney
7 Cowlitz County, Washington

8 By:


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10 AARON BARTLETT, WSBA #39710
11 Deputy Prosecuting Attorney
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CERTIFICATE OF SERVICE

Michelle Sasser, certifies the Statement of Additional Authorities was served electronically via e-mail and the Supreme Court was served electronically via e-mail:

Mr. Peter Tiller
The Tiller Law Firm
P.O. Box 58
Centralia, WA 98531-0058
ptiller@tillerlaw.com

Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504
supreme@courts.wa.gov

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

Signed at Kelso, Washington on January ^{2nd}, 2013.



Michelle Sasser

OFFICE RECEPTIONIST, CLERK

To: Sasser, Michelle; ptiller@tillerlaw.com
Subject: RE: Message from KMBT_601 Statement of Additional Authorities 87448-4 - Jorgenson

Rec'd 1-2-13

From: Sasser, Michelle [<mailto:SasserM@co.cowlitz.wa.us>]
Sent: Wednesday, January 02, 2013 3:04 PM
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Subject: FW: Message from KMBT_601 Statement of Additional Authorities 87448-4 - Jorgenson

Attached, please find Statement of Additional Authorities regarding 87448-4 with certificate of service.

If you have any questions, please contact this office.

Michelle Sasser, Paralegal
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From: konica@co.cowlitz.wa.us [<mailto:konica@co.cowlitz.wa.us>]
Sent: Wednesday, January 02, 2013 3:29 PM
To: Sasser, Michelle
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