

87529-4

COURT OF APPEALS FOR THE STATE OF WASHINGTON

DIVISION ONE

IN RE: PERSONAL RESTRAINT OF BARON N. HAGHGH I

STATE OF WASHINGTON,
Respondent,

v.

BARON N. HAGHIGH I,
Petitioner

No. 65130-7-I

STATEMENT OF
ADDITIONAL
AUTHORITIES

Pursuant to RAP 10.8, Baron N. Haghighi, the petitioner herein, respectfully cites the following as additional authority on the analogous issue in Mr. Haghighi's case of defense counsel's obligation to adequately inform an appellant of the significance of filing petition for review:

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STATE OF WASHINGTON
2012 MAR 21 PM 4:16

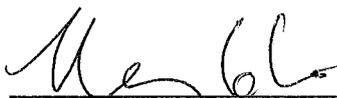
Lafler v. Cooper, __ U.S. __, Supreme Court No. 10-209, 2012 WL 932019, Slip op. at 6-7, 9 (March 21, 2012) (recognizing that Sixth Amendment right to counsel applies to "the whole course of a criminal proceeding" when "defendants cannot be presumed to make critical decisions without counsel's advice," and in the context of counsel's deficient advice to reject a plea bargain because the

attorney unreasonably thought the prosecution would be unable to prove an essential element at trial, "the question is not the fairness and regularity of the trial but the fairness and regularity of the processes that preceded it, which caused the defendant to lose benefits he would have received in the ordinary course but for counsel's ineffective assistance.");

Missouri v. Frye, __ U.S. __, Supreme Court No. 10-444, 2012 WL 932020 (March 21, 2012) (in case where defendant entered valid guilty plea, finding ineffective assistance of counsel due to defense counsel's failure to convey more favorable plea bargain offer, because right to effective assistance of counsel obligates defense counsel to adequately communicate at a stage when legal aid and advice would help him).

DATED this 21st day of March 2012.

Respectfully submitted,



Nancy P. Collins (WSBA 28806)
Washington Appellate Project (91052)
Attorneys for Petitioner

DECLARATION OF FILING AND MAILING OR DELIVERY

The undersigned certifies under penalty of perjury under the laws of the State of Washington that on the below date, the original of the document to which this declaration is affixed/attached, was filed in the **Court of Appeals – Division One** under **Case No. 65130-7-1**, and a true copy was mailed with first-class postage prepaid or otherwise caused to be delivered to the following attorney(s) or party/parties of record at their regular office or residence address as listed on ACORDS:

- respondent Donna Wise, DPA
King County Prosecutor's Office-Appellate Unit
- appellant
- Attorney for other party


MARIA ANA ARRANZA RILEY, Legal Assistant
Washington Appellate Project

Date: March 21, 2012

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