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SUPREME COURT
STATE OF WASHINGTON
Jan 15, 2014, 12:35 pm
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IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,	)	
	)	
Petitioner,	)	No. 88663-6
	)	
vs.	)	
	)	STATEMENT OF ADDITIONAL
RICHARD SWEAT,	)	AUTHORITIES
	)	
Respondent,	)	
	)	
	)	
	)	

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

State v. Heath, 168 Wn. App. 894, 900, 279 P.3d 458 (2012) ("Examination of statutory context is entirely appropriate in determining the "plain meaning" of a statute. Dep't of Ecology v. Campbell & Gwinn, LLC, 146 Wn.2d 1, 11–12, 43 P.3d 4 (2002). We conclude . . . that the statutory definition of the term "conviction" should not be blindly applied to exclude a Florida no contest plea followed by a withheld adjudication. To do so would frustrate the obvious legislative intent to count out-of-state dispositions of criminal charges that are genuinely comparable to Washington convictions even though obtained by slightly different procedures.")

State v. Morley, 134 Wn.2d 588, 598, 952 P.2d 167 (1998) ("Our refusal to apply the definition of "conviction" to out-of-state cases does not ignore the Legislature's statutory directives. The Legislature declared the statutory definitions in RCW 9.94A.030 should not be blindly applied: "Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter." RCW 9.94A.030 (emphasis added). The Legislature's

expressed desire for out-of-state convictions to be considered under the SRA requires us to ignore the reference in RCW 9.94A.030(9) to Title 10 RCW. The reference to Title 10 only makes sense within the context of in-state convictions. The application of Title 10 to out-of-state convictions would effectively result in all out-of-state convictions being excluded from consideration under the SRA.")

State v. Landsiedel, 165 Wn. App. 886, 887, 269 P.3d 347, review denied, 174 Wn.2d 1003 (2012) ("Landsiedel argues the trial court abused its discretion in concluding he was ineligible for a SSOSA. He claims he is eligible for a SSOSA, because his wife satisfied the statutory definition of "victim" when she suffered emotional or psychological harm as a result of his internet crimes against children. But, such a statutory interpretation, while literally correct, would render other portions of the statute meaningless or superfluous.")

Danny v. Laidlaw Transit Servs., Inc., 165 Wn.2d 200, 213, 193 P.3d 128, 130 (2008) ("The legislature's consistent pronouncements over the last 30 years evince a clear public policy to prevent domestic violence. . .").

Dated this 15th day of January, 2014

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Certificate of Service by Mail

Today I deposited in the mails of the United States of America, a properly stamped and addressed envelope directed to Oliver Ross Davis, the attorney for the respondent, at Washington Appellate Project, 701 Melbourne Tower, 1511 Third Avenue, Seattle, WA 98101, containing a copy of the **Statement of Additional Authorities** in **STATE V. RICHARD SWEAT**, Cause No. 88663-6, in the Supreme Court of the State of Washington.

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

01-15-14

Name Date

Done in Seattle, Washington