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SUPREME COURT
STATE OF WASHINGTON
Mar 10, 2014, 10:32 am
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SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)
)
 Respondent,) No. 89253-9
)
 vs.)
) STATEMENT OF
 TANNER Z. RUSSELL,) ADDITIONAL AUTHORITIES
)
 Petitioner,)
)
 _____)

Pursuant to RAP 10.8, The State respectfully cites the following as additional authorities.

In regards to Justice Gordon McCloud's question asking where in the transcript it stated that the officer at the second stop was concerned that whatever may be in the box was a weapon, even if it was not a gun, and if the officer was frightened of something being in the box:

A: It was like a little case, and right away for me, you know this case is big enough to possibly have another weapon like he had previously. RP 18.

Q: Based upon your initial feel of the box, were you able to immediately eliminate it as a possible threat?

Statement Of
Additional Authorities

 ORIGINAL

A: Not immediately. I mean, I know that the box was not a gun, but based on how big the box or that container was and the fact that he hid a very small caliber weapon in his front pocket the previous contact, I still felt I needed to check it out what's in the that box for my safety.

....

Once I felt that to make sure everything matches as far as how big and remember how big the other weapon was... RP 18

I knew the box itself wasn't a weapon, but I knew the box, based on what I felt on the box and the dimensions, that it could contain a weapon that can harm me. RP 19-20.

Dated this 10th day of March, 2014.

JONATHAN L. MEYER
Lewis County Prosecuting Attorney



SARA I. BEIGH, WSBA #35564
Senior Deputy Prosecuting Attorney
Attorneys for the Respondent

DECLARATION OF SERVICE BY EMAIL

The undersigned declares that a copy of this statement of additional authorities was served upon Appellant by EMAILING said document to Appellant's attorneys, Jodi Backlund, Manek Mistry, and Skylar Brett, at the following email address: backlundmistry@gmail.com

Dated this 10th day of March, 2014, at Chehalis, Washington.



Statement Of
Additional Authorities

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Additional Authorities

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From: Sara Beigh <Sara.Beigh@lewiscountywa.gov>
Sent: Monday, March 10, 2014 10:29 AM
To: OFFICE RECEPTIONIST, CLERK
Cc: Backlund & Mistry (backlundmistry@gmail.com)
Subject: Statement of Additional Authorities - Tanner Russell 89253-9
Attachments: Russell statement of additional authorities.pdf

Attached is the State's Statement of Additional Authorities. A copy has been sent to Mr. Russell's counsel.

Respectfully,

Sara I. Beigh

Senior Deputy Prosecuting Attorney
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Lewis County Prosecuting Attorney's Office
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