

MAY - 8 2014 

Ronald R. Carpenter
Clerk

No. 89694-1

IN THE SUPREME COURT FOR
THE STATE OF WASHINGTON

)	
)	
IN THE MATTER OF THE)	
PERSONAL RESTRAINT OF)	RESPONDENT'S
)	STATEMENT
WILLIAM COGGIN)	OF ADDITIONAL
)	AUTHORITIES
)	

To: Clerk of the Court

Pursuant to RAP 10.8, the State respectfully submits the following additional authority:

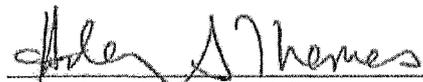
1. Purvis v. Crosby, 451 F.3d 73 (11th Cir. 2006), *cert. den.* by Purvis v. McDonough, 549 U.S. 1035 (2006).

“It is one thing to recognize that structural errors and defects obviate any requirement that prejudice be shown on direct appeal and rule out an application of the harmless error rule in that context. It is another matter entirely to say that they vitiate the prejudice requirement for an ineffective assistance claim.” (at 740)

“To hold that the presumption of prejudice applies not only when properly preserved structural errors are raised on appeal but also when related ineffective assistance claims are raised in a collateral proceeding would diminish the difference between direct and collateral review. It would undermine the important finality and comity interests that are entitled to respect in a § 2254 proceeding, like this one.” (at 743)

DATED this 8th day of May, 2014.

Respectfully submitted,

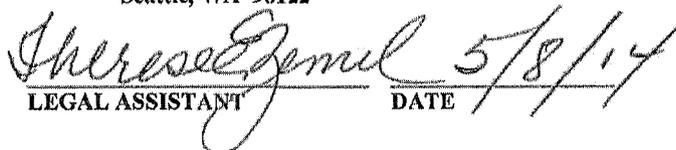


HILARY A. THOMAS
WSBA #22007 / Admin. No. 91075
Appellate Deputy Prosecutor
Attorney for Respondent

CERTIFICATE

I certify that on this date I placed in the mail a properly stamped and addressed envelope, or caused to be delivered, a copy of the document to which this Certificate is attached to this Court and Appellant's attorney, addressed as follows:

Jennifer Winkler
Nielson, Broman & Koch, PLLC
1908 E. Madison Street
Seattle, WA 98122



LEGAL ASSISTANT DATE 5/8/14

OFFICE RECEPTIONIST, CLERK

From: OFFICE RECEPTIONIST, CLERK
Sent: Thursday, May 08, 2014 4:52 PM
To: 'Therese Zemel'
Cc: 'Sloanej@nwattorney.net'; winklerj@nwattorney.net
Subject: RE: Coggin Statement of Additional Authority

Rec'd 5-8-14

Please note that any pleading filed as an attachment to e-mail will be treated as the original. Therefore, if a filing is by e-mail attachment, it is not necessary to mail to the court the original of the document.

From: Therese Zemel [mailto:tzemel@co.whatcom.wa.us]
Sent: Thursday, May 08, 2014 4:50 PM
To: OFFICE RECEPTIONIST, CLERK
Cc: 'Sloanej@nwattorney.net'; winklerj@nwattorney.net
Subject: Coggin Statement of Additional Authority

Attached.