

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON, )  
)  
)  
Appellant, )  
)  
)  
vs. )  
)  
)  
DOMINIC BAIRD, )  
)  
)  
Respondent. )  
\_\_\_\_\_ )

*bj*  
RECEIVED BY E-MAIL

No. 90419-7

STATEMENT OF  
ADDITIONAL  
AUTHORITY

Pursuant to RAP 10.8, respondent Baird cites to the following additional authority:

Because the City failed to show by clear and convincing evidence that obtaining a warrant would have significantly delayed collecting a blood sample, the natural dissipation of THC in Pearson's bloodstream alone did not constitute an exigency sufficient to bypass the warrant requirement. As in McNeely, we hold that the natural dissipation of THC from the bloodstream is a relevant consideration in an exigent circumstances analysis but is not a per se exigent circumstance that justifies an exception to the warrant requirement for nonconsensual blood draws in DUI cases. Accordingly, we conclude that the warrantless blood draw here was not justified under the exigent circumstances exception to the warrant requirement.

City of Seattle v. Pearson, \_\_\_ Wn. App. \_\_\_, \_\_\_ P.3d \_\_\_, 2016 WL 783911 (No. 72230-1-I, filed Feb. 29, 2016).

DATED this 1<sup>st</sup> day of March, 2016.

Respectfully submitted,

NIELSEN, BROMAN & KOCH

*Jennifer J. Sweigert*  
JENNIFER J. SWEIGERT, WSBA No. 38068  
Office ID No. 91051  
Attorneys for Appellant



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	)	ADDITIONAL
DOMINIC BAIRD,	)	AUTHORITY
	)	
Respondent.	)	
_____	)	

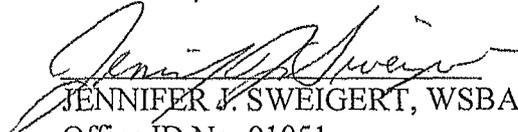
Pursuant to RAP 10.8, respondent Baird cites to the following additional authority:

State v. Won, \_\_\_ Haw. \_\_\_, \_\_\_ P.3d \_\_\_, 2015 WL 7574360 (Haw. No. SCWC-12-0000858, filed Nov. 25, 2015) (suppressing breath alcohol test because warning that refusal was a petty misdemeanor was coercion that invalidated the driver's consent and no other exception to the warrant requirement applied).

DATED this 1<sup>st</sup> day of December, 2015.

Respectfully submitted,

NIELSEN, BROMAN & KOCH

  
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 Office ID No. 91051  
 Attorneys for Appellant

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Received 3-1-16

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**Subject:** State v. Dominic Baird, No. 90419-7 / Statement of Additional Authority

Attached for filing today is a statement of additional authority for the case referenced below.

State v. Dominic Baird

No. 90419-7

Statement of Additional Authority

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