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SUPREME COURT
STATE OF WASHINGTON
Feb 06, 2015, 3:09 pm
BY RONALD R. CARPENTER
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IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

NO. 90906-7

Respondent,

AMICUS CURIAE WAPA'S THIRD
STATEMENT OF
ADDITIONAL AUTHORITIES

v.

HOWARD JOHN EVANS SHALE,

Appellant.

COMES NOW amicus curiae Washington Association of Prosecuting Attorneys ("WAPA") by and through, Pamela B. Loginsky, Staff Attorney, and respectfully requests that the Court consider the following additional authority pursuant to RAP 10.8, with respect to the evidence that Mr. Shale was living in the Clallam County city of Forks at the time the crime was committed:

State v. Dent, 123 Wn.2d 467, 479-80, 869 P.2d 392 (1994) (an accused waives his or her right to be tried in the county where the crime was committed by not asserting this right prior to trial)

State v. Pejsa, 75 Wn. App. 139, 145, 876 P.2d 963 (1994), *review denied*, 125 Wn.2d 1015 (1995) (venue is not an element of a crime and is waived if not asserted in a timely fashion)

State v. McCorkell, 63 Wn. App. 798, 800, 822 P.2d 795, *review denied*, 119 Wn.2d 1004 (1992) (proper venue is not an element of a crime and is not a matter

AMICUS CURIAE WAPA'S THIRD STATEMENT
OF ADDITIONAL AUTHORITIES-- 1

 ORIGINAL

of jurisdiction)

DATED February 6, 2015.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Pamela B. Loginsky", written over a horizontal line.

PAMELA B. LOGINSKY, WSBA NO. 18096
Washington Association of Prosecuting Attorneys
206 10th Ave. S.E.
Olympia, WA 98501
(360) 753-2175
E-mail: pamloginsky@waprosecutors.org

PROOF OF SERVICE

I, Pamela B. Loginsky, declare that I have personal knowledge of the matters set forth below and that I am competent to testify to the matters stated herein.

On the 6th day of February, 2015, I served an electronic copy of the document upon which this proof of service appears on the following persons at the following e-mail addresses:

Michael Haas at mhaas@co.jefferson.wa.us

Jodi R. Backlund, Mark Mistry, and Skylar Brett at backlundmistry@gmail.com

Fonda Woods at frondaw@atg.wa.gov

Jay Geck at jayg@atg.wa.gov

On the 6th day of February, 2015, I deposited in the mails of the United States of America, postage prepaid, copies of the document upon which this proof of service appears to:

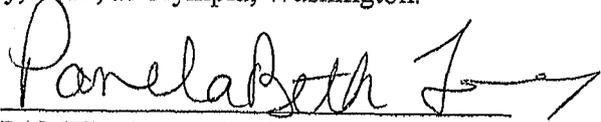
Jodi R. Backlund
Manek R. Mistry
Skylar T. Brett
Backlund & Mistry
P.O. Box 6490
Olympia, WA 98507

The Honorable Michael Haas
Jefferson County Prosecutor
PO Box 1220
Port Townsend, WA 98368

Frona Woods
Jay Geck
Office of the Attorney General
1125 Washington Street SE
Olympia, WA 98504-0100

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

Signed this 6th day of February, 2015, at Olympia, Washington.

A handwritten signature in cursive script, appearing to read "Pamela B. Loginsky", written over a horizontal line.

PAMELA B. LOGINSKY
WSBA NO. 18096

OFFICE RECEPTIONIST, CLERK

To: Pam Loginsky; FrondaW@ATG.WA.GOV; JayG@ATG.WA.GOV; Michael Haas; Jodi Backlund
Subject: RE: State v. Shale, No. 90906-7, Statement of Additional Authorities

Received 2-06-2015

Supreme Court Clerk's Office

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From: Pam Loginsky [mailto:Pamloginsky@waprosecutors.org]
Sent: Friday, February 06, 2015 3:05 PM
To: FrondaW@ATG.WA.GOV; JayG@ATG.WA.GOV; Michael Haas; OFFICE RECEPTIONIST, CLERK; Jodi Backlund
Subject: State v. Shale, No. 90906-7, Statement of Additional Authorities

Dear Clerk and Counsel:

Attached for filing is WAPA's Third Statement of Additional Authorities. Please notify me if you should encounter any difficulty in opening the document.

Sincerely,

Pam Loginsky
Staff Attorney
Washington Association of Prosecuting Attorneys
206 10th Ave. SE
Olympia, WA 98501

Phone (360) 753-2175
Fax (360) 753-3943

E-mail pamloginsky@waprosecutors.org