

5/25/2017 9:10 am

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IN THE SUPREME COURT OF THE STATE OF WASHINGTON

COURTNEY L. BLOOMSTROM,  
BROOKE M BUTTON, and  
CHRISTOPHER V. COOPER

Petitioners,

v.

HONORABLE GREGORY TRIPP IN  
HIS OFFICIAL CAPACITY AS  
SPOKANE COUNTY DISTRICT  
COURT JUDGE, AND THE  
SPOKANE COUNTY DISTRICT  
COURT,

Respondents.

NO. 91642-0

STATEMENT OF  
ADDITIONAL  
AUTHORITIES

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:

*Lockhart v. Fretwell*, 506 U.S. 364, 122 L. Ed. 2d 180, 113 S. Ct. 838, 846 (1993) (Thomas, J., concurring) (state courts not bound by a lower federal court's interpretation of federal law)

*State v. Glasmann*, 183 Wn.2d 117, 124, 349 P.3d 829 (2015) (“the Ninth Circuit’s decisions are not binding” on the Washington Supreme Court)

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*LK Operating, LLC v. Collection Grp. LLC*, 181 Wn.2d 48, 92, 331 P.3d 1147 (2014) (“a Court of Appeals opinion [is] not binding on [the Supreme Court]”)

*People v. Bradley*, 1 Cal.3d 80, 86, 81 Cal. Rptr. 457, 460 P.2d 129, 132 (1969) (although the California Supreme Court is “bound by decisions of the United States Supreme Court interpreting the federal Constitution is not bound by the decisions of the lower federal courts even on federal constitutional questions)

*State v. Robinson*, 2003 MT 364, 82 P.3d 27, 30 (2003) (Montana Supreme Court is not bound by the Ninth Circuit Court of Appeals’ interpretation of what is required by the United States Constitution)

*Cooper v. State*, 631 S.W.2d 508, 514 (Tex. Crim. App. 1982) (the Court of Criminal Appeals is not bound by federal constitutional interpretations of the lower circuit courts)

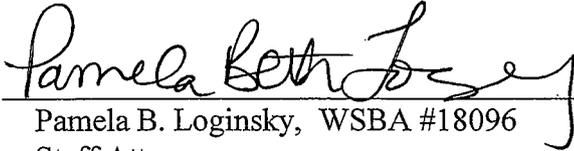
*Flores v. State*, 487 S.W.2d 122, 126 (Tex. Cr. App. 1972) (the Texas Court of Criminal Appeals “is not bound by decisions of lower federal courts”)

*State v. Lepsch*, 2017 WI 27, 374 Wis.2d 98, 121 n. 14 (2017) (Wisconsin Supreme Court is not bound by decisions issued by lower federal courts)

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Respectfully submitted this 25th day of May, 2017.

Washington Association of Prosecuting Attorneys

By: 

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#### PROOF OF SERVICE

On the 25th day of May, 2017, pursuant to the agreement of the parties and amicus curiae, I e-mailed a copy of the document upon which this proof of service appears to:

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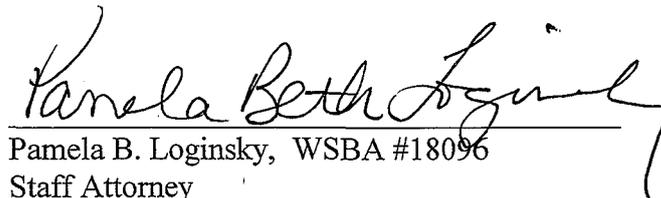
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Signed under the penalty of perjury under the laws of the state of  
Washington this 25th day of May, 2017, at Olympia, Washington.



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