

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)	No. 92605-1
Respondent,)	
v.)	(Consolidated cases)
)	STATEMENT OF
TRESON ROBERTS,)	ADDITIONAL
<u>Respondent.</u>)	AUTHORITY

Petitioner Treson Roberts, by and through appointed counsel, Kathryn Russell Selk, respectfully submits the following additional authority in support of his request for this Court to grant review:

Montgomery v. Louisiana, 577 U.S. ___, 136 S. Ct. 718, 193 L. Ed. 2d 599 (2016) (Miller v. Alabama, 567 U.S. ___, 132 S. Ct. 2455, 181 L. Ed. 2d 407 (2012), applies retroactively; Miller announced a substantive rule of law excluding a category of punishment from a class of offenders, i.e., “all but the rarest of juvenile offenders, those whose crimes reflect permanent incorrigibility”);

State v. Sweet, ___ N.W.2d ___ (2016 WL 3023726) (May 27, 2016) (finding categorical ban on life without parole for juveniles constitutionally required under state constitution because “the enterprise of identifying which juvenile offenders are irretrievable at the time of trial is simply too speculative and likely impossible” for individual judges and the risk too great);

State v. Boston, 363 P.3d 453 (Nevada, December 2015) (Miller and the Eighth Amendment are violated when juveniles are ordered to serve effective life based on aggregation of sentences; to hold otherwise would undermine the holdings of the U.S. Supreme Court recognizing the fundamental differences between children and adults);

State v. Ramos, 189 Wn. App. 431, 357 P.3d 680 (2015), review granted, 185 Wn.2d 1009 (2016) (statutory presumption of applying consecutive sentences not unconstitutional as applied to juvenile offenders).

DATED this 27th day of June, 2016.

Respectfully submitted,

/s/ Kathryn A. Russell Selk
KATHRYN RUSSELL SELK, No. 23879
Counsel for Petitioner
RUSSELL SELK LAW OFFICE
1037 Northeast 65th Street, Box 176
Seattle, Washington 98115
(206) 782-3353

CERTIFICATE OF SERVICE BY EMAIL/MAILING

I certify that I mailed a copy of the attached to the prosecutor's office named herein, by depositing same in the United States Mail, first class postage pre-paid, at the following addresses: Treson Roberts, DOC 368924, Coyote Ridge CC, P.O. Box 769, Connell, WA. 99326, Pierce County Prosecutor's Office at pcpatcecf@co.pierce.wa.us; counsel for codefendant at sccattorney@yahoo.com; counsel for amicus at ntalner@aclu.org.

DATED this 27th day of June, 2016.

Respectfully submitted,
/s/ Kathryn A. Russell Selk
KATHRYN RUSSELL SELK, No. 23879
Counsel for Petitioner
RUSSELL SELK LAW OFFICE
1037 Northeast 65th Street, Box 176
Seattle, Washington 98115
(206) 782-3353

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Good morning!

Attached please find a statement of additional authorities supporting the Petition for Review in this case.

Thank you in advance for your time!

Sincerely,

Kathryn A. Russell Selk
No. 23879
Counsel for Petitioner Roberts
RUSSELL SELK LAW OFFICE
1037 N.E. 65th St, Box 176
Seattle, WA. 98115
206-782-3353