



1. *State v. Ronquillo*, 190 Wn. App. 765, 784, 361 P.3d 779 (2015) (exceptional sentence downward for multiple serious violent offenses could be effected based on multiple offense policy by “lessening the individual sentences or by imposing concurrent sentences or both.”)
2. UNPUBLISHED CASES (cited as persuasive authority only, pursuant to GR 14.1)<sup>1</sup>:
  - a. *State v. Nichols*, No. 31037-0-III, 2014 WL 5465482, at \*9-10 (Wash. Ct. App. Oct. 28, 2014) (defense counsel argued for exceptional sentence downward in multiple firearm offense case, and Court of Appeals acknowledged lawfulness of such a sentence by extending this Court’s reasoning for multiple serious violent offenses as set forth in *In re Personal Restraint of Mulholland*, 161 Wn.2d 322, 166 P.3d 677 (2007)).
  - b. *In the Matter of Postsentence Review of Rady*, No. 33816-9-III, 2016 WL 5399729, at \*1 (Wash. Ct. App. Sep. 20, 2016) (Court and parties agreed an exceptional sentence downward is lawful for multiple firearm offenses by running the sentences concurrently.)
  - c. *State v. Graham*, No. 33642-5-III, 2017 WL 359148, at \*1-8 (Wash. Ct. App. Jan. 24, 2017) (followed *State v. Graham*, 181 Wn.2d 878, 337 P.3d (2014), and affirmed an exceptional sentence downward for multiple serious violent offenses based on the multiple offense policy where the trial court had also considered the purposes of the SRA, rejecting the State’s argument – as was also unsuccessfully made in *Graham II*, 181 Wn.2d at 886 – that the trial court was required to find the other current offenses were “nonexistent, trivial or trifling” in order to base a mitigated sentence on the multiple offense policy of RCW 9.94A.535(1)(g)).

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<sup>1</sup> “Unpublished opinions of the Court of Appeals have no precedential value and are not binding on any court. However, unpublished opinions of the Court of Appeals filed on or after March 1, 2013, may be cited as nonbinding authorities, if identified as such by the citing party, and may be accorded such persuasive value as the court deems appropriate.” GR 14.1.

Dated this 26<sup>th</sup> day of January, 2017.



/s/

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No. 92947-5

IN THE SUPREME COURT  
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON )  
Plaintiff/Respondent )  
vs. ) PROOF OF SERVICE  
)  
CECILY MCFARLAND )  
Defendant/Appellant )  
\_\_\_\_\_ )

I, Kristina M. Nichols, assigned counsel for the Appellant herein, do hereby certify under penalty of perjury that on January 26, 2017, having obtained prior permission, I served the attached statement of additional authorities on the Respondent at kburns@grantcountywa.gov and kwmathews@grantcountywa.gov by email using Division III's e-filing e-service feature.

Dated this 26<sup>th</sup> day of January, 2017.



/s/

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