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SUPREME COURT
STATE OF WASHINGTON
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IN THE SUPREME COURT OF THE STATE OF WASHINGTON

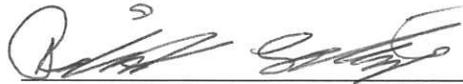
STATE OF WASHINGTON,)	
)	
Respondent,)	No. 94346-0
)	
v.)	STATEMENT OF
)	ADDITIONAL
MICHAEL MURRAY,)	AUTHORITY
)	
Petitioner.)	

Per RAP 10.8, Mr. Murray submits the following additional authority for this Court's consideration on the issue of whether the void for vagueness doctrine applies to statutory aggravating factors:

State v. Allen, No. 48384-0-II (Wash. Ct. App. Oct. 31, 2017) (because aggravating factors are "the functional equivalent of elements," the prohibition against double jeopardy barred retrial on an aggravator for which the jury found a lack of proof).

DATED this 31st Day of October, 2017

Respectfully submitted,



Richard W. Lechich – WSBA #43296
Washington Appellate Project
Attorney for Petitioner

Washington Appellate Project
1511 Third Avenue
Suite 701
Seattle, WA 98101
(206) 587-2711

DECLARATION OF FILING AND MAILING OR DELIVERY

The undersigned certifies under penalty of perjury under the laws of the State of Washington that on the below date, the original of the document to which this declaration is affixed/attached, was filed in the **Washington State Supreme Court** under **Case No. 94346-0**, and a true copy was mailed with first-class postage prepaid or otherwise caused to be delivered to the following attorney(s) or party/parties of record at their regular office or residence address as listed on ACORDS:

- respondent Kristin Relyea, DPA
[PAOAppellateUnitMail@kingcounty.gov]
[kristin.relyea@kingcounty.gov]
King County Prosecutor's Office-Appellate Unit
- appellant
- Nancy Talner [talner@aclu-wa.org]
Jessica Wolfe [jwolfe@aclu-wa.org]
Attorneys for amicus



MARIA ANA ARRANZA RILEY, Legal Assistant
Washington Appellate Project

Date: October 31, 2017

WASHINGTON APPELLATE PROJECT

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Transmittal Information

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Appellate Court Case Number: 94346-0
Appellate Court Case Title: State of Washington v. Michael Murray
Superior Court Case Number: 15-1-02005-2

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