

FILED
SUPREME COURT
STATE OF WASHINGTON
3/5/2018 2:35 PM
BY SUSAN L. CARLSON
CLERK

IN THE SUPREME COURT OF THE
STATE OF WASHINGTON

STATE OF WASHINGTON,)	
)	NO. 94813-5
Petitioner,)	
)	
vs.)	
)	STATEMENT OF
KENNETH A. LINVILLE, JR,)	ADDITIONAL AUTHORITIES
)	PURSUANT TO RAP 10.8
Respondent.)	

Comes now, the petitioner, State of Washington by and through its attorney, Joseph J.A. Jackson, Deputy Prosecuting Attorney for Thurston County, and respectfully request that the Court consider the following additional authorities pursuant to RAP 10.8:

With respect to the statutory interpretation of RCW 9a.82.010(4) argument:

Authority: State v. Knighten, 109 Wn.2d 896, 902, 748 P.2d 1118 (1988) (plurality) (a party concession or admission concerning a question of law or the legal effect of a statute as opposed to a statement of fact is not binding on an appellate court).

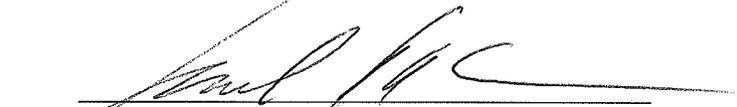
Authority: In re Personal Restraint of Pullman, 167 Wn.2d 205, 212 n.4, 218 P.3d 913 (2009) (a party concession or admission concerning a question of law or the legal effect of a statute as opposed to a statement of fact is not binding on an appellate court).

Authority: Interest of J.F., 109 Wn.App. 718, 732, 37 P.3d 1227 (2001) (appellate court properly declines to accept State's erroneous concession

that a statutory exception applies in a particular case).

DATED this 2nd day of March, 2018.

JON TUNHEIM
Prosecuting Attorney



Joseph J.A. Jackson/WSBA #37306
Deputy Prosecuting Attorney

THURSTON COUNTY PROSECUTING ATTORNEY'S OFFICE

March 05, 2018 - 2:35 PM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 94813-5
Appellate Court Case Title: State of Washington v. Kenneth Alfred Linville, Jr.
Superior Court Case Number: 14-1-00296-7

The following documents have been uploaded:

- 948135_State_of_Add_Authorities_20180305143438SC760904_2181.pdf
This File Contains:
Statement of Additional Authorities
The Original File Name was LINVILLE_20180305143252.pdf

A copy of the uploaded files will be sent to:

- greg@washapp.org
- tunheij@co.thurston.wa.us
- wapofficemail@washapp.org
- wapofficemail@washpp.org

Comments:

Sender Name: Caroline Jones - Email: jonescm@co.thurston.wa.us

Filing on Behalf of: Joseph James Anthony Jackson - Email: jacksoj@co.thurston.wa.us (Alternate Email: PAOAppeals@co.thurston.wa.us)

Address:
2000 Lakedrige Dr SW
Olympia, WA, 98502
Phone: (360) 786-5540

Note: The Filing Id is 20180305143438SC760904