

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
5/23/2019 9:15 AM  
BY SUSAN L. CARLSON  
CLERK

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Petitioner,

vs.

BRENDAN REIDY TAYLOR,

Respondent.

NO. 96325-8

SECOND STATEMENT OF  
ADDITIONAL  
AUTHORITIES

COMES NOW the petitioner, State of Washington, by and through its attorney, Pamela B. Loginsky, Special Deputy Prosecuting Attorney for Kittitas County, and respectfully requests that the Court consider the following additional authority pursuant to RAP 10.8:

ER 1007 (“Contents of writings, recordings, or photographs may be proved by the testimony or deposition of the party against whom offered or by that party’s written admission, without accounting for the nonproduction of the original.”)

5C Karl B. Tegland, *Washington Practice: Evidence Law and Practice* § 1007, at 404 n. 1 (6th ed. 2016) (Washington ER 1007 is the same as Federal Rule 1007)

*United States v. Bauzo-Santiago*, 89 F. Supp. 3d 253, 264 (D.P.R. 2015) (Fed. R. Evid. 1007 does not apply when the original document is available)

Respectfully submitted this 23rd day of May, 2019.



PAMELA B. LOGINSKY, WSBA NO. 18096  
Special Deputy Prosecuting Attorney  
206 10th Avenue SE  
Olympia, WA 98501  
Phone: 360-753-2175  
E-mail: pamloginsky@waprosecutors.org

#### PROOF OF SERVICE

I, Pamela B. Loginsky, declare that I have personal knowledge of the matters set forth below and that I am competent to testify to the matters stated herein.

On the 23rd day of May, 2019, pursuant to the agreement of counsel for Mr. Taylor, an electronic copy of the document to which this proof of service is attached was served upon the following individuals via the CM/ECF System and/or e-mail:

Skylar Brett at [skylarbrettlawoffice@gmail.com](mailto:skylarbrettlawoffice@gmail.com)

Signed under the penalty of perjury under the laws of the state of Washington this 23rd day of May, 2019, at Olympia, Washington.



PAMELA B. LOGINSKY, WSBA No. 18096

**WASHINGTON ASSOC OF PROSECUTING ATTY**

**May 23, 2019 - 9:15 AM**

**Transmittal Information**

**Filed with Court:** Supreme Court  
**Appellate Court Case Number:** 96325-8  
**Appellate Court Case Title:** State of Washington v. Brendan Reidy Taylor  
**Superior Court Case Number:** 16-1-00323-0

**The following documents have been uploaded:**

- 963258\_State\_of\_Add\_Authorities\_20190523091439SC247933\_1095.pdf  
This File Contains:  
Statement of Additional Authorities  
*The Original File Name was Filed Second Statement of Additional Authorities.pdf*

**A copy of the uploaded files will be sent to:**

- greg.zempel@co.kittitas.wa.us
- jodi.hammond@co.kittitas.wa.us
- prosecutor@co.kittitas.wa.us
- skylarbrettlawoffice@gmail.com
- valerie.skylarbrett@gmail.com

**Comments:**

---

Sender Name: Pam Loginsky - Email: pamloginsky@waprosecutors.org  
Address:  
206 10TH AVE SE  
OLYMPIA, WA, 98501-1311  
Phone: 360-753-2175

**Note: The Filing Id is 20190523091439SC247933**