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Court of Appeals
Division III
State of Washington
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No. 97071-8

**THE COURT OF APPEALS
OF THE STATE OF WASHINGTON
DIVISION III**

STATE OF WASHINGTON,
Plaintiff/Appellant,

v.

STEVENS COUNTY DISTRICT COURT JUDGE,
Defendant/Respondent.

Court of Appeals No. 359662

OPENING BRIEF OF PETITIONER

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I. STATEMENT OF THE CASE

Petitioner is the State of Washington (hereinafter the "State"). Respondent is the Stevens County District Court Judge, a judge in a court of limited jurisdiction, by and through Judge Gina Tveit (hereinafter "District Court" or "District Court Judge").

On January 29, 2018, the Stevens County Superior Court, through its Administrator, Evelyn Bell, ordered that all in-custody first appearances for Stevens County Superior Court and District Court criminal cases would be heard by the Superior Court in a Superior Courtroom at noon, on Monday through Friday. CP 002, 008.

In-custody first appearances in this combined format were set to commence in the Superior Courtroom on February 5, 2018. CP 002. The procedure ordered by the Stevens County Superior Court was that, from Monday through Friday, Stevens County Superior Court Judge or Commissioners would hear all in-custody first appearances for all crimes, including misdemeanors and gross misdemeanors. CP 002. The Judges and Commissioners reviewed the allegations for probable cause and determined release conditions for each defendant. CP 002.

The procedure would mean that the judicial official determining probable cause would review and sign a "Rule 3.2 Hearing Order Conditions

of Release" (hereinafter "3.2 Hearing Order"). CP 002, 012-014. The 3.2 Hearing Order used by the Superior Court was the same order used by the District Court. CP 002. The intended result was that the 3.2 Hearing Order would be signed by a Superior Court Judge or Commissioner and filed in the District Court Clerk's Office. CP 002. The misdemeanor or gross misdemeanor criminal case was then supposed to proceed in the same manner as all other misdemeanor or gross misdemeanor criminal cases filed in District Court. CP 002.

On February 2, 2018, the Stevens County District Court Judge, Gina Tveit, ordered the Stevens County District Court, clerked by Nadine Borders, to refuse to file all orders "...in a District Court case unless it has been signed by a District Court Judge or District Court Judge pro tem." CP 002, 010.

The State filed its Verified Petition for Writ of Mandamus against the Stevens County District Court Judge on February 8, 2018, in Stevens County Case No. 18-2-00062-7. CP 001. The Petition for Writ of Mandamus was in direct response to the District Court Judge's refusal to file any document signed by a Stevens County Superior Court Judge or Commissioner. CP 001-014. The Honorable Patrick A. Monasmith and the Honorable Jessica T. Reeves, Stevens County Superior Court Judges, both recused themselves. CP 068, 071. The Honorable John F. Strohmaier,

Lincoln County Superior Court Judge, was appointed *nunc pro tunc* to preside over the writ proceedings. CP 070.

On February 8, 2018, Judge Strohmaier granted an Alternative Writ of Mandamus, commanding the District Court Judge to, among other things, order the Clerk of District Court to accept for filing district court documents signed by a Stevens County Superior Court Judge or Commissioner. CP 062-063. The Alternative Writ of Mandamus, Verified Petition for Writ of Mandamus (hereinafter "Petition for Writ of Mandamus"), Memorandum in Support of Writ of Mandamus, and Affidavit for Writ of Mandamus were served personally on District Court Judge on February 8, 2018. CP 064-067.

The District Court Judge refused to do as the Alternative Writ commanded. CP 072-121. The District Court Judge refused to file any 3.2 Hearing Orders signed by a Stevens County Superior Court Judge, including a 3.2 Hearing Order pertaining to a Mr. Carl McCrea. CP 072-119.

The District Court Judge appeared and claimed in her Answer to Writ of Mandamus, "that there is not a single instance in which an order of a Superior Court judge was ever filed in District Court except when that Superior Court judge was acting as a judge pro-tempore of the district court or was acting in the capacity of an appellate court on matters appealed from the District Court to the superior Court," but was unable to provide any evidence of her claim. CP 129-36. In fact, the evidence was quite to the

contrary; the District Court Judge had permitted the filing of 3.2 Hearing Orders signed by a Stevens County Superior Court Judge. CP 072-114.

In July of 2016, Mr. Carl McCrea was charged with Assault 4th Degree—Domestic Violence and appeared before the Honorable Patrick A. Monasmith, Stevens County Superior Court Judge. CP072-114. The Superior Court entered a 3.2 Hearing Order and Domestic Violence No-Contact Orders. CP 072-114. The orders were filed by the Stevens County District Court and Superior Court Judge Monasmith was not acting as judge *pro-tempore* of the District Court. CP 072-114.

Over one year later, on February 9, 2018, Mr. McCrea appeared yet again before the Stevens County Superior Court, in-custody, and yet again charged with Assault 4th Degree—Domestic Violence. CP072-114. Once again, a 3.2 Hearing Order and Domestic Violence No-Contact Orders were entered. CP 072-114. This time, the District Court Judge refused to file the 3.2 Hearing Order and Domestic Violence No-Contact Orders. CP 072-114, 117-19.

On February 9, 2018, Stevens County Deputy Prosecuting Attorney Erika George was requested to appear in District Court to cover a special hearing. CP 117. The hearing was for release conditions for Mr. McCrea. CP 117. The hearing had been specially set by the District Court, in spite of the fact that the Superior Court had already held Mr. McCrea's in-custody

first appearance and had ordered his release. CP 117. In fact, the Superior Court had entered a 3.2 Hearing Order which required the Stevens County Jail to release Mr. McCrea. CP 120-121. Just prior to the hearing, Ms. Nadine Borders, the District Court Clerk, called the Stevens County Jail Commander, Mr. Loren Hartman, asking Commander Hartman to ignore the Superior Court's order and hold Mr. McCrea in custody until he could be seen by a District Court Judge. CP 121. Ms. George appeared in District Court and was advised by District Court Judge *Pro Tempore* Nichols that the District Court would not honor the 3.2 Hearing Order. CP 118. Not only would the District Court not honor the 3.2 Hearing Order, it would refuse to process the Domestic Violence No-Contact Order signed by the Superior Court, thereby leaving alleged victims without legal protection. CP 118. The sworn affidavits and declarations containing the above-cited facts were personally served on the District Court Judge on February 14, 2018. CP 122-25.

Hearing on the Petition for Writ of Mandamus was held on February 28, 2018, before the Honorable John Strohmaier. RP 3. At the hearing, counsel for the District Court Judge argued that the State had a conflict of interest and could not maintain its mandamus action. RP 13-15. On March 7, 2018, Judge John Strohmaier found that the State did not have a conflict of interest, that mandamus was the appropriate avenue for the redress of

grievances presented, but ultimately denied the grant of a peremptory writ of mandamus. CP 172-78. The State moved for reconsideration on March 16, 2018. CP 179-83. Judge Strohmaier summarily denied reconsideration on March 26, 2018. CP 184-85. This appeal followed.

II. ASSIGNMENT OF ERRORS

1. Judge Strohmaier, sitting as the Stevens County Superior Court, erred when he declined to grant a peremptory writ of mandamus.

III. STANDARD OF REVIEW

The standard of review for the issue presented in this Case is *de novo* because whether the law imposes a duty on the District Court is one of interpretation of our Washington State Constitution. See Cost Management Services, Inc. v. City of Lakewood, 178 Wash.2d 635 (2013).

IV. SUMMARY OF ARGUMENT

Judge Strohmaier erred when he refused to grant the State's requested peremptory writ of mandamus because the Superior Court has jurisdiction over misdemeanor and gross misdemeanor cases and the Superior Court properly exercised that jurisdiction. This Court should reverse Judge Strohmaier's denial and conclusions and should remand this Case for issuance of the State's requested peremptory writ of mandamus.

V. ARGUMENT

1. JUDGE STROHMAIER SHOULD HAVE GRANTED THE PEREMPTORY WRIT OF MANDAMUS BECAUSE THE STEVENS COUNTY DISTRICT COURT JUDGE'S REFUSAL TO ACKNOWLEDGE THE SUPERIOR COURT'S JURISDICTION IS UNCONSTITUTIONAL

Judge Tveit's order to the District Court to refuse filing of District Court documents signed by Superior Court Judges or Commissioners is unconstitutional and therefore illegal. The District Court's authority over misdemeanor and gross misdemeanor cases is concurrent, not exclusive. This case presents a unique circumstance: instead of evaluating whether the legislature may deprive a particular court of jurisdiction, this Court is called upon to evaluate whether a superior court must give way to an inferior court simply because the case was given an inferior file number first.

The Stevens County District Court has no authority to refuse the Stevens County Superior Court in in-custody first appearances. The District Court Judge's refusal to file 3.2 Hearing Orders, signed by a Superior Court Judge or Commissioner, is unconstitutional. The Washington State Constitution explicitly denies district courts exclusive jurisdiction over misdemeanors and gross misdemeanors: "*Provided*, That such jurisdiction granted by the legislature shall not trench upon the jurisdiction of superior or other courts of record, except that justices of the peace may be made police justices of incorporated cities and towns." Article IV, § 10 (emphasis in original) (error in original).

"The superior court shall also have original jurisdiction in all cases and of all proceedings in which jurisdiction shall not have been by law

vested exclusively in some other court…." Article IV, § 6 (see also State v. Golden, 112 Wash. App. 68, 73, 47 P.3d 587, 590 (Div. III, 2002) (citing Wash. Const. art. IV, § 6). Superior courts also have power to issue writs of mandamus. Id. "The superior court shall have original jurisdiction in…all criminal cases amounting to felony, and in all cases of misdemeanor not otherwise provided for by law…." Id.

The statutory scheme regarding jurisdiction of the superior and district courts is substantially the same. RCW 2.08.010 is a mirror of Article IV, § 6, and states, "[t]he superior court shall have original jurisdiction in…all cases and of all proceedings in which jurisdiction shall not have been by law vested exclusively in some other court…."

"Unlike the inferior courts, the jurisdiction of the superior court is established by the state constitution and it extends to all misdemeanors unless otherwise provided by law. State v. Davidson, 26 Wash.App. 623, 627, 613 P.2d 564, 566 (Div. I, 1980) (citing Const. art. IV, § 6); See also State v. Fields, 85 Wash.2d 126, 530 P.2d 284 (1975). Superior court jurisdiction flows from a constitutional mandate and gives the superior courts universal original jurisdiction. See Ledgerwood v. Lansdowne, 120 Wn.App. 414, 419, 85 P.3d 950 (Div. III, 2004).

Jurisdiction is a fundamental building block of the law. See ZDI Gaming Inc. v. State ex rel. Washington State Gambling Comm'n, 173

Wash. 2d 608, 616, 268 P.3d 929, 933 (2012). "Our state constitution uses the term 'jurisdiction' to describe the fundamental power of courts to act. Id. "Our constitution defines the *irreducible* jurisdiction of the supreme and superior courts. It also defines and confines the power of the legislature to either create or limit jurisdiction." Id. (emphasis added) (See also Wash. Const. art. IV, § 4 (defining the power of the Washington Supreme Court), § 6 (defining the power of the superior courts), § 30(2) (explicitly giving the legislature the power to provide for jurisdiction of the court of appeals)). "Superior courts have original jurisdiction in the categories of cases listed in the constitution, which the legislature cannot take away." Id. "As we ruled long ago, 'Any legislation, therefore, the purpose or effect of which is to divest, in whole or in part, a constitutional court of its constitutional powers, is void as being an encroachment by the legislative department upon the judicial department.'" Id. (quoting Blanchard v. Golden Age Brewing Co., 188 Wash. 396, 63 P.2d 397, 415, 63 P.2d 397 (1936)).

The Stevens County District Court is a court of limited jurisdiction, not original jurisdiction. "The jurisdiction of courts of limited jurisdiction must clearly appear in a statute." State v. Davidson, 26 Wash.App. at 626. RCW 3.66.060 provides for the criminal jurisdiction of district courts: "The district court shall have jurisdiction: (1) Concurrent with the superior court

of all misdemeanors and gross misdemeanors committed in their respective counties and of all violations of city ordinances…." Neither state statute nor the Washington Constitution confer any further criminal jurisdiction on the district courts.

Judge Strohmaier incorrectly concluded that "[s]ince the superior court has concurrent jurisdiction in [first appearances], superior courts may take action on such charges, but any such action must be done in superior court." First, superior court jurisdiction over criminal cases is original, which means that it flows from a constitutional mandate and is undeniably superior to that of the district court. Second, Judge Strohmaier concluded that "...any such action must be done in superior court." The first appearances *were* in Stevens County Superior Court. The Superior Court Judges and Commissioners were holding hearings in *their* courtrooms, not in the District Courtroom. The forms that the Superior Court used for the District Court in-custody first appearances were the same forms that the District Court used.

The Superior Court has original jurisdiction and needs no authorization to hear in-custody first appearances. The issue is not where a file is located or where a charge is filed; the issue is whether the Superior Court has jurisdiction to hear in-custody first appearances on misdemeanor and gross misdemeanor cases. The question in this case begins and ends

with jurisdiction, not location of a particular file or in which court the charges were first filed.

The District Court Judge's position was that if a particular file is located in District Court, the Superior Court may not file anything in that file or hold any hearings connected to the file.

In State v. Werner, the Washington Supreme Court held that the question is always jurisdiction, not where a case was filed. In Werner, a superior court judge sitting as a juvenile court judge, granted an arrest warrant for an individual who was not a juvenile. State v. Werner, 129 Wash.2d 485, 918 P.2d 916 (1996). The superior court found that it erred when it issued an arrest warrant for an adult. Id. at 491. The superior court concluded that in order to have legally issued the arrest warrant, it should have issued the arrest warrant under a superior court case caption, not a juvenile court case caption. Id. The Court of Appeals upheld and the Supreme Court reversed:

> We believe the trial court and the Court of Appeals were **too narrow in their focus**. In looking only at RCW 13.04.030, the statutory conferral of "exclusive original jurisdiction over all proceedings" by the Legislature on the juvenile court, both courts overlooked a more fundamental authority. **Superior court jurisdiction flows from constitutional mandate**.

Id. at 492 (emphasis added) (quotation marks in original). "The problem confronting us in analyzing this case is the lack of precision with which

the Legislature, the courts below, and the parties have dealt with the term 'jurisdiction.'" Id. "Jurisdiction means the power to hear and determine." Id. at 493. "In order to acquire complete jurisdiction, so as to be authorized to hear and determine a cause or proceeding, the court necessarily must have jurisdiction of the parties thereto and of the subject matter involved." Id. "There are in general three jurisdictional elements in every valid judgment, namely, jurisdiction of the subject matter, jurisdiction of the person, and the power or authority to render the particular judgment." Id. (see also ZDI Gaming, Inc., 173 Wash.2d at 616-19).

"The subject matter jurisdiction of district courts is therefore limited to that affirmatively granted by statute." State v. Bliss, 191 Wash. App. 903, 908, 365 P.3d 764, 767 (2015). "A tribunal lacks subject matter jurisdiction when it attempts to decide a type of controversy over which it has no authority to adjudicate." Id. Unlike district courts which require a grant of authority from the legislature, superior courts in Washington have complete authority from the Constitution; they need nothing additional granted to them.

In his decision, Judge Strohmaier cited two cases for the holding that the Superior Court is without jurisdiction to hear misdemeanor in-custody first appearances. CP 176. Neither case supplies such a holding.

First, the Washington Supreme Court was called upon in State v. Taylor to decide whether, in light of a particular statute, a defendant could be brought before a magistrate or a justice of the peace. State v. Taylor, 101 Wash. 148, 149, 172 P. 217 (1918). According to the statutory scheme for criminal cases at the time, the defendant had a right to have his case heard by a justice of the peace. Id. at 156. However, since then, that statutory scheme has been eliminated and replaced by court rules.

In place of the statutory scheme, the Supreme Court has promulgated rules for criminal cases and, more importantly, in-custody first appearances. See *exempli gratia* WA CrRLJ 3.2 ("If the court does not find, or a court has not found, probable cause, the accused shall be released without conditions."); WA CrRLJ 3.2.1 ("Unless an accused has appeared *or will* appear before the superior court for a preliminary appearance, any accused detained in jail must be brought before a court of limited jurisdiction…..") (emphasis added); WA CrR 3.2 ("If the court does not find, or a court has not previously found, probable cause, the accused shall be released without conditions."); and WA CrR 3.2.1 ("Unless a defendant has appeared or will appear before a court of limited jurisdiction for a preliminary appearance pursuant to CrRLJ 3.2.1(a), any defendant whether detained in jail or subject to court-authorized conditions of release shall be brought before the superior court as soon as practicable…."). It should also be noted that the Taylor

court did not address whether the statutory scheme at the time violated Article IV, § 10 ("Provided, That such jurisdiction granted by the legislature shall not trench upon the jurisdiction of the superior or other courts of record....").

Second, Judge Strohmaier seemed to use State v. Chapman, 131 Wash. 581 (1924), to say 'first in time; first in right.' CP 178. However, just two pages before that, Judge Strohmaier distinguished Chapman:

> ...in the present case, the Stevens County Superior Court is not attempting to proceed with multiple proceedings, only to issue rulings whenever an in-custody defendant is brought before the court, either on a felony or misdemeanor/gross misdemeanor charge(s). So, the issue of granting either the Stevens County District Court or the Superior Court exclusive jurisdiction depending on who first assumed the case does not appear to be relevant to whether the district court must allow the superior court to enter orders in district court.

CP 176. Even though Judge Strohmaier appeared to distinguish and disregard Chapman, the effect of his ruling was exactly the 'first in time, first in right' rule. Indeed, Judge Strohmaier's conclusion was "[i]n the event that there are cases filed in both courts involving the same charges, then it would appear that whatever court first assumed the case will have jurisdiction." CP 178.

The Chapman court ruled on whether, based on a particular statute, charges could be dismissed in district court (also stated as "justice court") and refiled in superior court and vice versa. Id. at 582. The Chapman court's

conclusion is further evidence that the issue was not a broadly-stated rule of 'first in time; first in right'. Instead, the conclusion of the Chapman court was that the applicable statute barred the refiling of the same charges against the same defendant:

> The relator having been charged with a gross misdemeanor, and the statute not having given exclusive jurisdiction to either the justice or the superior court of such offense, the general law must apply that they have concurrent jurisdiction, and, when the complaint was filed in the justice's court and the defendant arrested, that court acquired jurisdiction of him, and a **subsequent dismissal of that action was a bar to any later prosecution in any court, under the statute which provides that the order dismissing such prosecution 'shall bar another prosecution of a misdemeanor or gross misdemeanor, where the prosecution dismissed charged the same misdemeanor or gross misdemeanor.'**

Id. at 585 (emphasis added). The seemingly anomalous result in Chapman was explained in State v. Cummings. The Supreme Court noted that the basis for its ruling in Chapman was based on interpretation of statute. State v. Cummings, 87 Wash.2d 612, 615-16, 230 P. 833 (1976). However, the statutes in question in Chapman had since been superseded by rules; rules that were promulgated by the Supreme Court. Id.

Any ruling that would deprive a superior court of jurisdiction over a criminal matter in favor of an inferior court, such as a district court, would fly in face of Article IV, § 6 of the Washington State Constitution. See also Article IV, § 12 ("Inferior Courts").

Judge Strohmaier's denial of the peremptory writ of mandamus seems rooted in a misunderstanding that a district court may assert its jurisdiction over a defendant, to the exclusion of a superior court. However, even in situations where a district or municipal court has exercised its jurisdiction, our courts have held that such an exercise is not to the exclusion of other courts. For example, in State v. Stock, 44 Wn.App. 467, 722 P.2d 1330 (Div. I, 1986), Division I examined whether a district court's exercise of its jurisdiction is improper when jurisdiction has already vested in a superior court. In Stock, the district court issued a search warrant after information had been filed in the superior court, charging the defendant with theft in the first degree. Id. at 473-74. The defendant sought to suppress the evidence obtained pursuant to the warrant, arguing that the district court had no jurisdiction to issue warrants because the information had been filed in superior court. Id.

The defendant in Stock argued that by filing the information, jurisdiction had vested in the superior court. Id. at 474-75. Division I rejected the defendant's argument and concluded, "RCW 3.66.060 grants concurrent jurisdiction and does not deprive the superior courts of any power. Both the district and superior courts have the power to issue warrants." Id. at 474. Division I also supported its decision with citation to court rule and agreed with the lower court's interpretation of the rules:

> The rules that talk in terms of the fact that the Superior Court has jurisdiction over a matter once an Information is filed, *relates to matters concerning the trial of the case itself, it does not deprive the District Justice Court of its jurisdiction* which would parallel that of the Superior Court. District Courts can, upon proper application, issue search warrants and while, again, recognizing that it would have been preferable to have handed [*sic*] all discovery through the criminal rules relating to discovery, there is not, in this court's view, a basis to indicate the procedure utilized here was contralegal and, therefore, subject to suppression.

Id. 475 (emphasis added). Just as the rules in Stock did not deprive the district court of jurisdiction to issue a search warrant, nothing in the rules, statutes, or Constitution, deprive the superior court in this case to hear preliminary matters; trials are certainly a different matter, but that was and is outside the scope of the dispute in this case. Indeed, at oral argument Counsel for the State pointed out that the Superior Court had not attempted and was not attempting to intervene in trial matters. See RP 9:1-22.

In the Matter of 13811 Highway 99, Lynwood, Washington, 194 Wash.App. 365, 378 P.3d 568 (Div. I, 2016), dealt with a similar issue. In 13811, two individuals moved for return of their property. Id. at 386. The movants' property had been seized pursuant to a warrant issued by Lakewood Municipal Court. Id. The warrant was purportedly issued in furtherance of a criminal prosecution. Id. The movants filed and presented their motion in Snohomish County Superior Court. Id. at 369. The City of

Lakewood objected to Snohomish County Superior Court's hearing of the motion. Id. at 370. Division I of the Court of Appeals was called upon to decide whether the Snohomish County Superior Court had jurisdiction to hear the motion. Id. Division I answered that question in the affirmative. Id.

Division I turned first to the plain words of the State Constitution. Article IV, § 6 of the state constitution vests subject matter jurisdiction in the superior courts of "***all cases*** and of ***all proceedings*** in which jurisdiction shall not have been by law vested ***exclusively*** in some other court." Id. at 372 (emphasis in original) (quoting Article IV, § 6). Division I found the "broad grant of general subject matter jurisdiction" controlling because the City could not show that subject matter jurisdiction of the controversy had been "exclusively" vested in the Lakewood Municipal court or any other court. Id. Division I concluded that the inquiry begins and ends with a determination of subject matter jurisdiction. Id.

The City of Lakewood argued that RCW 2.20.030 operated to divest the superior court of its subject matter jurisdiction. Id. at 373. RCW 2.20.030 provided that a district or municipal court judge may issue a search warrant for any person or evidence located anywhere within the state. Id. Division I immediately dismissed the argument by concluding that even if RCW 2.20.030 purported to deprive a superior court of its

ability to issue a warrant, it would be ineffective because the constitutional authority of the superior court cannot be curtailed by a statute. Id.

The City of Lakewood also argued that CrRLJ 2.3(e) vested subject matter jurisdiction in the Lakewood Municipal Court. Id. at 373. Division I summarily rejected this argument because, "*...the existence of jurisdiction is not a procedural matter, thus jurisdiction does not depend on this criminal procedural rule.* Id. (emphasis added).

Judge Strohmaier seemed to confuse the procedural framework, set out by court rules, with jurisdiction. Judge Strohmaier looked to CrRLJ 3.2.1 and CrR 3.2.1:

> CrRLJ govern the procedures of all criminal proceedings in district court; and CrRLJ 3.2.1 requires the same considerations as the preliminary appearances under CrR 3.2.1, except that the defendant must be brought before the court of limited jurisdiction (district court) *unless the accused has appeared or will appear before the superior court for a preliminary appearance*....In the event that there are cases filed in both courts involving the same charges, then it would appear that whatever court first assumed the case will have jurisdiction.

CP 177-78 (emphasis in original). The conclusions that a court rule dictates jurisdiction and that the first court exercising its jurisdiction then may exclude the other court were in error.

Resorting to court rules does not answer the question of jurisdiction; it simply sets out the procedural framework of how the jurisdiction is exercised. If a superior court wants to hold first

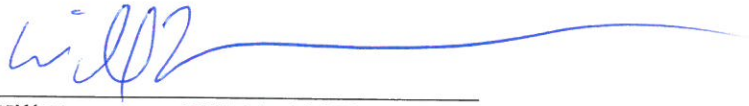
appearances for misdemeanor and gross misdemeanors filed in district court, it has the jurisdiction; it has the authority. Just *how* the superior court goes about exercising that jurisdiction is controlled by the procedural rules. Another way to think about the applicable rules is that they are the expression of our Supreme Court's direction on the exercise of jurisdiction.

The Superior Court had jurisdiction to hear in-custody first appearances. Judge Strohmaier erred and his denial of the peremptory writ of mandamus should be reversed and remanded.

IV. CONCLUSION

For the reasons stated above and in the Verified Petition for Writ of Mandamus, the State requests reversal and remand.

Dated this 28th day of June, 2018.



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CERTIFICATE OF SERVICE

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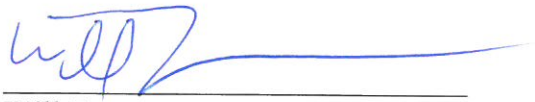

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