NO. 101041-9
COA NO. 54242-1-II

THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

WARREN BLOCKMAN,

Petitioner.

FROM THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR PIERCE COUNTY

PETITION FOR REVIEW

CHRISTOPHER PETRONI
Attorney for Petitioner

WASHINGTON APPELLATE PROJECT
1511 Third Avenue, Suite 610
Seattle, WA 98101
(206) 587-2711

TABLE OF CONTENTS

TABLE OF AUTHORITIES

Washington Supreme Court

Non-Washington State Court Opinions

Rules

Law Review Articles

Other Authorities

A. INTRODUCTION

GR 37 combats racial bias in jury selection by singling out demeanor-based reasons for peremptory challenges, such as a juror's inattention, that are associated with racial discrimination. If a party relies on such a reason without timely notice to the other parties and the court, the challenge is per se invalid.

The prosecution excused Juror 9 because "He didn't seem to be paying attention." The prosecutor did not notify the court or Warren Blockman of her intent to do so in time to verify the juror's inattention. The trial court erred in allowing the challenge.

Mr. Blockman's counsel objected to Juror 9's excusal and explained the reason given was invalid. No more was required to preserve the error for appeal. Nevertheless, the Court of Appeals erroneously held Mr. Blockman waived the violation of GR 37.

B. IDENTITY OF PETITIONER

Petitioner Warren Blockman asks for review of the decision affirming his convictions and sentence.

C. COURT OF APPEALS DECISION

Mr. Cloud seeks review of the opinion in *State v. Blockman*, No. 54242-1-II (Wash. Ct. App. Apr. 19, 2022), and denial of reconsideration on May 24, 2022.

D. ISSUES PRESENTED FOR REVIEW

1. The prosecution excused Juror 9 based on inattention without alerting Mr. Blockman and the court in time to verify it, in violation of GR 37(i). By objecting under GR 37 and explaining that the reason for the prosecution's challenge was invalid, Mr. Blockman preserved the error for appeal. The Court of Appeals's refusal to consider the merits of Mr. Blockman's argument is contrary to RAP 2.5 and this Court's precedent.

2. Mr. Blockman's counsel was ineffective if counsel's performance was deficient and prejudice resulted. The prosecution charged Mr. Blockman with second-degree assault based on strangulation. Trial counsel failed to object to medical records including a vague, unsourced notation referring to "choking." This hearsay was the only evidence of strangulation aside from the alleged victim's testimony. Counsel's failure to object deprived Mr. Blockman of his constitutional right to effective representation.

3. Under the First Amendment, a court may not convict a person of harassment based on pure speech unless the person made a "true threat." A "true threat" requires that the speaker intended the listener to understand their words as a threat. Here, however, the trial court instructed the jury it need only find Mr. Blockman was negligent as to whether his words would

be received as a threat. The trial court erroneously defined "true threat" contrary to the First Amendment.

E. STATEMENT OF THE CASE

Mr. Blockman is Black. CP 87. During jury selection, a juror commented to the court's judicial assistant about a "lack of diversity in the jury pool." RP 93–94.[1] Later, during voir dire, a juror observed "about 95 percent Caucasian or white-skinned people" in the venire, and another wondered whether Mr. Blockman would be "judged by his peers." RP 158.

After voir dire, the prosecution used a peremptory challenge against Juror 9. RP 179–80. Mr. Blockman objected under GR 37. RP 179.

The trial court excused the jury for the day and heard argument on the objection. RP 179. The

[1] Citations to "RP _" are to the verbatim report of proceedings of the trial held November 18–25, 2019.

prosecutor explained her sole reason for excusing Juror 9: "He didn't seem to be paying attention." RP 183–84. Mr. Blockman's counsel argued this was not a "legitimate" reason under GR 37. RP 184–85.

Unfortunately, the trial court, the prosecutor, and trial counsel all incorrectly believed GR 37 requires an inquiry into whether Juror 9 was a person of color. RP 181–82, 185–86. Juror 9 appeared to the trial court to be white, so the court arranged to bring the juror back the following day and "lay eyes on him." RP 188–89. The next day, after calling Juror 9 in for supplemental questioning, the trial court found the juror was not "a person of an ethnic minority" and overruled the GR 37 objection. RP 206–07.

The charges against Mr. Blockman included first-degree robbery, second-degree assault, harassment, and unlawful imprisonment. CP 18–22. They stemmed

from an evening he spent with Katrina Mandera, who he met on a dating website. RP 377–78. Ms. Mandera testified that Mr. Blockman became angry when he saw a text on her cell phone. RP 388–89. According to Ms. Mandera, Mr. Blockman threw the phone across the room, shoved her down, and grabbed her neck. RP 390–91. She blacked out, and when she tried to sit up, Mr. Blockman kicked her in the head. RP 391–92. Ms. Mandera said Mr. Blockman threatened to kill her and her friends if she left the apartment. RP 393–94.

A nurse practitioner who examined Ms. Mandera at the hospital also testified. RP 347–48. Ms. Mandera told the nurse she was "kicked in the head," punched, and "shoved against the wall"—but did not mention being strangled. RP 353, 357. Contrary to her testimony, Ms. Mandera told the nurse she did not lose consciousness. RP 357. The nurse ordered CT scans of

Ms. Mandera's head and neck, which revealed nothing abnormal. RP 357–59. The nurse noted nothing unusual about Ms. Mandera's neck apart from "bruising and swelling to the left side." RP 361.

The radiologist's report on the CT scan included a note reading, "Status post assault with choking." Ex. 19A at 9, 13. The nurses's notes about Ms. Mandera's complaints did not mention choking, and she did not recall Ms. Mandera mentioning it. RP 359–60.

The prosecution offered hospital records regarding Ms. Mandera's visit. RP 350; Ex. 19A. Mr. Blockman's counsel did not object, and the records were admitted in their entirety, including the radiologist's note reading "Status post assault with choking." RP 350–51; Ex. 19A at 9, 13. When the prosecution later referred the nurse to hearsay statements in the records, counsel objected. RP 354–55.

The court overruled the objection, noting the document was already admitted. RP 354–55.

The trial court instructed the jury only on the strangulation means of second-degree assault. CP 45. As for felony harassment, the court defined a "true threat" as requiring that a reasonable person would expect Mr. Blockman's words to be received as a threat, not that he intended that result. CP 52.

The jury asked the trial court for Exhibits 22 and 23, a transcript of Ms. Mandera's defense interview and a police report with her handwritten statement. RP 685–86; CP 34; Ex. 22, 23. The court explained it did not admit these exhibits and the jury could not review them. CP 34. The jury found Mr. Blockman not guilty of the most serious charge, first-degree robbery, but guilty of the other charges. CP 65–70.

The Court of Appeals affirmed Mr. Blockman's convictions. Slip op. at 2.

F. WHY THIS COURT SHOULD ACCEPT REVIEW

1. **The Court of Appeals contravened this Court's precedent in rejecting Mr. Blockman's argument the prosecution excused a juror in violation of GR 37.**

Our nation has a long and ugly history of excluding people from juries based on race. Michelle Alexander, *The New Jim Crow* 119–20 (rev. ed. 2012). One of the vehicles of exclusion from jury service is the race-motivated peremptory challenge. *Id.* at 119.

The U.S. Supreme Court developed a procedure for contesting race-based challenges under the equal protection clause. *Batson v. Kentucky*, 476 U.S. 79, 85, 97–98, 106 S. Ct. 1712, 90 L. Ed. 2d 69 (1986). *Batson*, unfortunately, proved ineffective against racial bias in jury selection. Alexander, *supra*, at 121–23.

Because it requires intentional discrimination, *Batson* overlooks peremptory strikes based on "implicit or unconscious bias." *State v. Jefferson*, 192 Wn.2d 225, 242, 429 P.3d 467 (2018). *Batson* also "makes 'it very difficult'" to establish intentional discrimination "'even where it almost certainly exists.'" *Id.* at 242 & n.11 (quoting *City of Seattle v. Erickson*, 188 Wn.2d 721, 735, 398 P.3d 1124 (2017)). Among *Batson*'s flaws is "prosecutors almost never fail to successfully craft acceptable race-neutral explanations." Alexander, *supra*, at 121.

In response to *Batson*'s deficiencies, this Court instated GR 37. *Jefferson*, 192 Wn.2d at 243. Under the rule,ny party may object to a peremptory challenge, with no requirement that they first make out a prima facie case of racial discrimination. GR 37(c). This requires the challenging party—outside the presence of

the venire—to "articulate the reasons the peremptory challenge has been exercised." GR 37(c), (d). It then falls to the court to decide whether "an objective observer could view race or ethnicity as a factor," in which case "the peremptory challenge shall be denied." GR 37(e).

No finding of "purposeful discrimination" is necessary. GR 37(e). No provision of the rule requires the challenged jury to belong to a particular race or ethnic group.

The trial court's ruling on a GR 37 objection is reviewed de novo. *State v. Orozco*, 19 Wn. App. 2d 367, 374, 496 P.3d 1215 (2021) (citing *Jefferson*, 192 Wn.2d at 250). The remedy for erroneously overruling a GR 37 objection is reversal and remand for a new trial. *State v. Listoe*, 15 Wn. App. 2d 308, 329, 475 P.3d 534 (2020); *see Jefferson*, 192 Wn.2d at 252 (ordering a new

trial where "an objective observer could view race as a factor" in a peremptory challenge).

a. The trial court erred in permitting the prosecution to excuse a juror for a per se invalid reason under GR 37.

Historically, prosecutors' purportedly race-neutral reasons for striking jurors of color are often based on demeanor—e.g., that the juror looked "inattentive." Michael J. Raphael & Edward J. Ungvarsky, *Excuses, Excuses: Neutral Explanations Under Batson v. Kentucky*, 27 U. Mich. J.L. Reform 229, 246, 248 (1993). Demeanor is "the most subjective type of explanation," and the "easiest and most likely pretext" for a race-motivated challenge. *Id.* at 246.

GR 37 includes a special provision for demeanor-based challenges. *State v. Sum*, ___ Wn.2d ___, 2022 WL 2071560, at *11 (June 9, 2022); *State v. Lahman*, 17 Wn. App. 2d 925, 934–35, 488 P.3d 881 (2021). It

lists reasons "historically . . . associated with improper discrimination," such as that a juror was "inattentive" or "exhibited a problematic attitude." GR 37(i).

Before a party strikes a juror based on one of the listed reasons, the party "must provide reasonable notice to the court and the other parties so the behavior can be verified and addressed in a timely manner." *Id.* "A lack of corroboration by the judge or opposing counsel verifying the behavior shall invalidate the given reason for the peremptory challenge." *Id.*

The prosecution's reason for striking Juror 9—"He didn't seem to be paying attention"—is one of the reasons listed in GR 37(i). RP 183–84. The prosecution therefore was required to alert the trial court and Mr. Blockman to Juror 9's inattention so that it could be "verified and addressed in a timely manner." GR 37(i).

The prosecution did not provide the notice GR 37(i) requires. The prosecutor asked Juror 9 only one question: "What makes a good juror?" RP 57–58. She did not announce her intent to strike Juror 9 based on inattentiveness at any time during voir dire. RP 21–177. Because the prosecutor gave the trial court and defense no opportunity to corroborate Juror 9's inattention, her peremptory challenge was per se invalid, and the trial court erred in overruling Mr. Blockman's GR 37 objection. GR 37(i).

b. Mr. Blockman's trial counsel preserved the error by objecting under GR 37 and explaining the reason for the challenge was invalid.

A reviewing court "may refuse to review any claim of error which was not raised in the trial court." RAP 2.5(a). To preserve an issue for appeal, trial counsel need only raise an objection and identify the

objection's basis on the record. *State v. Guloy*, 104 Wn.2d 412, 422–23, 705 P.2d 1182 (1985).

A party invokes GR 37's clearly defined procedure simply by raising an objection, which the party may do "by simple citation to th[e] rule." GR 37(c). Next, the party responding to the objection must "articulate the reasons the peremptory challenge has been exercised." GR 37(d). As noted, if the reason for the challenge is one of the listed demeanor-based reasons historically associated with racial discrimination, the challenging party must point out the juror's demeanor in time for the other parties and the court to verify it. GR 37(i).

Under longstanding principles of appellate review, then, a party preserves a GR 37(i) issue by invoking the rule by name and explaining that the reason for the peremptory challenge was invalid. GR 37(c); *Guloy*, 104 Wn.2d at 422–23.

Mr. Blockman's trial counsel preserved the GR 37 error under these principles. Counsel invoked the rule by name, by raising a "motion" under "GR 37." RP 179; GR 37(c). When the prosecution gave its reason for the strike—"He didn't seem to be paying attention"—defense counsel explained this was not a "legitimate" reason under the rule. RP 183–85; GR 37(i).

In short, defense counsel invoked the provisions of GR 37 and stated the reason why the prosecution's challenge was improper. RP 179, 184–85. RAP 2.5(a) does not require more. *Guloy*, 104 Wn.2d at 422–23.

Nevertheless, the Court of Appeals held Mr. Blockman waived the GR 37 error because his trial counsel—like the prosecutor, and the trial court—believed GR 37 required proof the excused juror was a person of color. Slip op. at 8–9. The Court of Appeals's holding contravenes this Court's precedent.

"A trial court's obligation to follow the law remains the same regardless of the arguments raised by the parties before it." *State v. Quismundo*, 164 Wn.2d 499, 505–06, 192 P.3d 342 (2008). Where the trial court misread the rule, defense counsel did not waive or invite the court's error by relying on the same misreading. *Id.* A reviewing court may not "excuse an order based on an erroneous view of the law" simply because defense counsel raised "an equally erroneous argument." *Id.* at 505.

Waiver results "only where a defendant voluntarily relinquishes a known right." *Quismundo*, 164 Wn.2d at 505 n.4. Citing a mistaken reading of the rule was not a voluntary waiver of Mr. Blockman's rights under GR 37. *Id.*

The basis of Mr. Blockman's GR 37 argument in the trial court and the Court of Appeals was the same:

the prosecution struck Juror 9 for a reason GR 37 does not permit without timely notice. RP 184–85; Br. of App. at 18–20. That trial counsel—and the prosecutor, and the trial court—misread GR 37 does not change that. *Quismundo*, 164 Wn.2d at 505–06 & n.4.

The Court of Appeals's refusal to reach the merits of Mr. Blockman's argument despite his timely objection under GR 37 violates this Court's precedent. RAP 13.4(b)(1). In addition, the Court of Appeals's expansive reading of RAP 2.5 abdicated its duty to interpret and apply GR 37, a rule critical to combatting race bias in the criminal legal system. RAP 13.4(b)(4). This Court should grant review.

2. The conviction of second-degree assault must be reversed because trial counsel rendered ineffective assistance by failing to object to inadmissible hearsay.

The Sixth Amendment and article I, section 22 of the Washington State Constitution guarantee not

merely the assistance of counsel, but the *effective* assistance of counsel. *Strickland v. Washington*, 466 U.S. 668, 686, 104 S. Ct. 2052, 80 L. Ed. 2d 674 (1984); *State v. Hendrickson*, 129 Wn.2d 61, 77, 917 P.2d 563 (1996). Ineffective assistance requires reversal where (1) "defense counsel's conduct . . . fell below an objective standard of reasonableness," and (2) "the deficient performance resulted in prejudice." *State v. Reichenbach*, 153 Wn.2d 126, 130, 101 P.3d 80 (2004).

In *Hendrickson*, the State introduced evidence of the defendant's prior drug convictions. 129 Wn.2d at 77. Though the prior convictions were irrelevant to the State's case and inadmissible under ER 609, counsel did not object. *Id.* at 78. This Court rejected the prosecution's argument that failure to object to this "damaging and prejudicial evidence" was a tactical choice—nothing in the defendant's testimony or

counsel's argument suggested any reliance on the prior drug convictions. *Id.* at 78–79.

Mr. Blockman's counsel rendered deficient performance by failing to object the medical records from Ms. Mandera's hospital visit. RP 350–51; Ex. 19A. By allowing the entire exhibit into evidence without objection, counsel let a damaging statement slip by—the radiologist's note saying "[s]tatus post assault with choking." Ex. 19A at 9, 13. Aside from this phrase, the only evidence Ms. Mandera was strangled was her own statements. RP 390, 450–51, 487, 495–96. And these statements are contrary to the testimony of the nurse who treated her and did not recall any mention of choking. RP 359–60.

As in *Hendrickson*, there is no conceivable tactical reason not to object to this "damaging and prejudicial" radiologist's note. 129 Wn.2d at 78. The

reference to "choking" only corroborated Ms. Mandera's testimony, and offered no possible benefit to Mr. Blockman's case. Moreover, counsel demonstrated his lack of a tactical reason by objecting to other statements in the medical records after saying he had no objection to their admission. RP 350–51, 354–55. If counsel had a tactical reason for admitting the entire exhibit, he would not have objected to individual statements within it after it was admitted.

The Court of Appeals held the radiologist's note was admissible as a statement made for diagnosis or treatment. Slip op. at 10–11. However, there is no evidence the radiologist based the note on any statement Ms. Mandera made while at the hospital. Br. of App. at 25–26; RP 359–60, 365. The source of the statement could have been a first responder, another medical professional, or someone else entirely. The

radiologist's note does not fall into the diagnosis or treatment exception, or any other exception to the hearsay rule. ER 803(a)(4).

Prejudice results where "there is a reasonable probability that the outcome would have been different" but for counsel's error. *State v. Saunders*, 91 Wn. App. 575, 581, 958 P.2d 364 (1998) (citing *Strickland*, 466 U.S. at 694). That is the case here. Ms. Mandera's "credibility was a key issue," *id.* at 580–81, and, absent the radiologist's note, Ms. Mandera's testimony and statement to police were the only evidence of strangulation.

Moreover, the jury asked to review Ms. Mandera's defense interview and a police report containing her written statement, indicating the jurors doubted her credibility. RP 686; CP 34; Exs. 22, 23; *see In re Det. of Post*, 170 Wn.2d 302, 314–15, 241 P.3d

1234 (2010) (jury's questions demonstrated prejudicial effect of "inadmissible evidence"). The jury also found Mr. Blockman not guilty of first-degree robbery, a count based entirely on Ms. Mandera's testimony that Mr. Blockman took her phone. RP 642–45; CP 66.

The Court of Appeals nevertheless held no prejudice resulted because there was evidence of bruises on Ms. Mandera's neck. Slip op. of 11. There was no other evidence, however, that this bruising was the result of strangulation. Had the jury not seen the reference to "choking," there is a reasonable probability one or more jurors would have found Ms. Mandera not credible, and on that basis a reasonable doubt on the charge of second-degree assault. *Saunders*, 91 Wn. App. at 580–81.

By rejecting the argument he received ineffective assistance, the Court of Appeals deprived Mr.

Blockman of his constitutional right to effective representation by counsel. RAP 13.4(b)(3). This Court should grant review.

3. The conviction of felony harassment must be reversed because the "true threat" definition given to the jury violated the First Amendment.

The felony harassment statute proscribes "pure speech." *State v. Kilburn*, 151 Wn.2d 36, 41, 84 P.3d 1215 (2004) (citing RCW 9A.46.020). Accordingly, courts must interpret the statute with "the First Amendment clearly in mind." *State v. Williams*, 144 Wn.2d 197, 206–07, 26 P.3d 890 (2001) (quoting *Watts v. United States*, 394 U.S. 705, 707, 89 S. Ct. 1399, 22 L. Ed. 2d 664 (1969)). Among the narrow categories of unprotected speech is so-called "true" threats. *Watts*, 394 U.S. at 707–08. Failure to define "true threat" for the jury is a manifest error affecting a constitutional right that may be raised for the first time on appeal.

State v. Schaler, 169 Wn.2d 274, 287, 236 P.3d 858 (2010); RAP 2.5(a)(3).

The trial court here defined "threat" as follows:

> To be a threat, a statement or act must occur in a context or under such circumstances where a reasonable person, in the position of the speaker, would foresee that the statement or act would be interpreted as a serious expression of intention to carry out the threat rather than as something said in jest or idle talk.

CP 52 (Instruction No. 15). This Court recently approved this objective standard. *State v. Trey M.*, 186 Wn.2d 884, 893, 904, 383 P.3d 474 (2016). This definition of "true threat," however, contravenes binding precedent interpreting the First Amendment.

"'True threats' encompass those statements where the *speaker means to communicate* a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals." *Virginia v. Black*, 538 U.S. 343, 359, 123

S. Ct. 1536, 155 L. Ed. 2d 535 (2003) (emphasis added). Based on *Black*, numerous courts have held that a "true threat" requires that the speaker intended to communicate a threat. *United States v. Heineman*, 767 F.3d 970, 978 (10th Cir. 2014); *Brewington v. State*, 7 N.E.3d 946, 964 (Ind. 2014); *O'Brien v. Borowski*, 461 Mass. 415, 424–25, 961 N.E.2d 547 (2012), *abrogated on other grounds*, *Seney v. Morhy*, 467 Mass. 58, 3 N.E.3d 577 (2014); *United States v. Bagdasarian*, 652 F.3d 1113, 1117–18 (9th Cir. 2011).

Under *Black*, the First Amendment required the prosecution to prove Mr. Blockman intended to convey a true threat. 538 U.S. at 359. By instructing that mere negligence was sufficient, the trial court permitted the jury to find Mr. Blockman guilty based on protected speech. This Court should hold Instruction No. 15

erroneously defined "true threat" and violated Mr. Blockman's First Amendment rights.

The trial court's error was not harmless beyond a reasonable doubt. *Neder v. United States*, 527 U.S. 1, 15, 119 S. Ct. 1827, 144 L. Ed. 2d 35 (1999). The only admissible evidence that Mr. Blockman threatened Ms. Mandera was Ms. Mandera's statements. RP 390, 393, 452. The jury's request to review Ms. Mandera's written statements and acquittal on the most serious count reveal that Ms. Mandera's credibility was in question. RP 685–86; CP 34, 66; Exs. 22, 23. Had the trial court properly instructed the jury it must find Mr. Blockman intended to communicate a true threat to Ms. Mandera, this Court cannot conclude beyond a reasonable doubt that the verdict would be the same. *See Neder*, 527 U.S. at 15.

The erroneous definition of "true threat" violated Mr. Blockman's First Amendment rights. RAP 13.4(b)(3). This Court should grant review.

G. CONCLUSION

This Court should grant Mr. Blockman's petition for review.

Pursuant to RAP 18.17(c)(10), the undersigned certifies this petition for review contains 3,861 words.

DATED this 22nd day of June, 2022.

Christopher Petroni, WSBA #46966
Washington Appellate Project - 91052
Email: wapofficemail@washapp.org
chris@washapp.org

Attorney for Warren Blockman

Petitioner's Appendix

A. Court of Appeals Opinion

B. Order Denying Reconsideration

APPENDIX A

Filed
Washington State
Court of Appeals
Division Two

April 19, 2022

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

STATE OF WASHINGTON, Respondent, v. WARREN DIEGO BLOCKMAN, Appellant.	No. 54242-1-II UNPUBLISHED OPINION

CRUSER, J. – Warren Blockman met Katrina Mandera on a dating website shortly after Mandera moved to Tacoma. One night when the two of them were together, Blockman got angry when he saw that another man had sent Mandera a text message. Blockman choked Mandera, kicked her in the head, and threatened to kill her friends if she left his residence. Blockman was convicted of felony harassment, unlawful imprisonment, and second degree assault.

Blockman appeals his convictions, arguing that (1) the trial court erred by overruling his objection under GR 37 to one of the State's peremptory challenges; (2) he was denied effective assistance of counsel because Mandera's medical records contained a sentence that was inadmissible hearsay; (3) the trial court's "knowledge" instruction deprived him of due process; (4) the trial court's "threat" instruction violated the First Amendment; and (5) the trial court erred by imposing a community custody supervision fee.

We hold that Blockman's GR 37 argument is waived, that he was not denied effective assistance of counsel, that his challenges to the jury instructions are waived, and that his community custody supervision fee should be stricken based on the State's concession.

Accordingly, we affirm Blockman's convictions but remand to the trial court to strike the supervision fee.

FACTS

I. UNDERLYING INCIDENT

Blockman and Mandera met on a dating website about two weeks after Mandera moved to Tacoma. At the time, Blockman was staying with his daughter, Bianca Newton.

One night, Mandera went to Newton's apartment to visit Blockman and stayed overnight. The next day, Blockman's friends were visiting at the apartment, and Mandera made a comment that Blockman "didn't like." 3 Verbatim Report of Proceedings (VRP) at 386. Mandera went to the bathroom to get ready to leave, and Blockman "cornered" her in the bathroom. *Id.* He stood in front of the door and told her that she couldn't leave. Later that night, one of Mandera's male friends texted her around midnight. Blockman saw Mandera's phone light up, took the phone, and began texting the friend pretending to be Mandera.

Mandera tried to get her phone back, and Blockman threw the phone across the room. Blockman then held Mandera down, put one of his hands around her neck, and threatened to kill her. Mandera testified that she could not breathe and that she lost consciousness. When Mandera awoke, Blockman was still texting her friend, and she asked Blockman once again to give her phone back so she could leave. When she sat up, Blockman kicked her in the head. Blockman held Mandera down and told her that she was "not going nowhere" and was "going to stay here." *Id.* at

392-93. Blockman told her that if she left, he would go to Mandera's friend's house "and kill everybody." *Id.* at 393.

Mandera believed Blockman's threats, so she stayed at Newton's apartment the entire next day. Newton was also at the apartment all day, but Blockman was not. Blockman told Mandera that she could not leave until he found someone to come pick her up. Blockman eventually texted Mandera that one of his friends was going to meet her outside.

Once outside, Mandera located Blockman's friend and got into her car. Mandera and the friend spent all night together and drove to various places. The following morning, Blockman called Mandera and told her to walk home. After arriving at home, Mandera took herself to the hospital and subsequently made a report with law enforcement.

Blockman was charged with second degree assault, two counts of felony harassment, unlawful imprisonment, and first degree robbery.

II. JURY SELECTION

During jury selection, both Blockman and one of the jurors expressed concern about the lack of diversity on the venire. Following the State's first peremptory challenge, defense counsel objected under GR 37. Outside the presence of the venire, the trial court stated it was "a bit taken aback" by the objection. 1 VRP at 181. The court noted that the defense was "operating under a presumption, it would seem, that Juror Number 9 is a person of color. And he is not perceptively so to the Court, which really puts [it] in a bit of quandary right here." *Id.*

Defense counsel explained that he asked Blockman, "Does Juror Number 9 look like he's a minority to you? That he's not Caucasian? And he said: Yes." *Id.* at 182. Despite being uncertain that Juror 9 was a person of color, defense counsel objected because he "felt it incumbent upon

[him] to raise that issue on behalf of [Blockman].” *Id.* In response, the State indicated that it did not anticipate a GR 37 challenge because “Juror Number 9 appears to be a Caucasian, white male,” and the State did not believe that the issue fell under GR 37. *Id.* The State used a peremptory challenge for Juror 9 because “[h]e didn’t seem to be paying attention.” *Id.* at 183.

Defense counsel explained that the State’s basis for the peremptory was not legitimate “if the Court has felt the first prong of the [GR 37] analysis has been satisfied,” meaning that the potential juror “is a member of an ethnic group.” *Id.* at 185. The court stated that “this person does not appear to be a person of color,” but decided to bring Juror 9 into the court under the guise of individual questioning so that the court could “lay eyes on him.” *Id.* at 189. After the individual questioning, the court again stated that “[t]his person, to the Court, is just not a person of color.” 2 VRP at 205. The court concluded: “I do not find that an objective observer could view race or ethnicity as a factor in the use of this peremptory challenge because there’s nothing noteworthy about the race or ethnicity of this person.” *Id.* at 206-07.

III. TRIAL

1. Testimony

Mandera testified to the facts set forth above.

Sharon Lemoine, a nurse practitioner, treated Mandera at Tacoma General Hospital. During Lemoine’s testimony, the State offered Mandera’s medical records into evidence. Defense counsel did not object to the admission of the medical records, and the records were admitted. Lemoine used the medical records to describe Mandera’s injuries and treatment. She explained that Mandera had a hematoma, or swelling, on the side of her head. She also said that “everything

[about Mandera's neck] looked normal, with the exception that there was noted bruising and swelling to the left side of the neck." 3 VRP at 361.

The State asked Lemoine to explain why there was a line in her notes that read, "Status post-assault with choking," even though her initial notes did not include anything about choking. *Id.* at 359. Lemoine explained that sometimes, as patients are being treated, they give more information, and she assumed that "at some point . . . something must have been said" for her to put in her order of the CAT scan of Mandera's neck. *Id.*[1]

On cross examination, Lemoine again stated that she had to "assume something was said" about choking. *Id.* at 365. She also said that if Mandera had told her she had been choked, she would have put it in her initial notes. Defense counsel questioned Lemoine on different aspects of the medical records, including the hematoma on one side of Mandera's head, the bruising on one side of her neck, and that Mandera denied having a loss of consciousness.

2. Jury Instructions

The trial court's "Instruction No. 15" defined threat:

> To be a threat, a statement or act must occur in a context or under such circumstances where a reasonable person, in the position of the speaker, would foresee that the statement or act would be interpreted as a serious expression of intention to carry out the threat rather than as something said in jest or idle talk.

Clerk's Papers (CP) at 52. Blockman did not object to this instruction.

In addition, "Instruction No. 17" defined knowledge:

> A person knows or acts knowingly or with knowledge with respect to a fact, circumstance, or result when he or she is aware of that fact, circumstance, or result.

[1] The same note ("Status post assault with choking") appears in the notes by the radiologist who took Mandera's CAT scan. Ex. 19A at 13. Lemoine's notes state elsewhere, "[s]tatus post assault with head injury." *Id.* at 8.

> It is not necessary that the person know that the fact, circumstance, or result is defined by law as being unlawful or an element of a crime.

Id. at 54. Blockman also did not object to this instruction.

"Instruction No. 20" listed the elements that the State needed to prove beyond a reasonable doubt for the crime of false imprisonment, which included, "(3) [Blockman's restraint of Mandera] was without legal authority;" and "(4) [t]hat with regard to elements (1), (2), and (3), the defendant acted knowingly." *Id.* at 57.

3. Closing Argument

During closing, defense counsel argued that the medical records were inconsistent with Mandera's testimony, and that the records do "not corroborate Ms. Mandera's testimony, they seriously call into question its reasonableness, given all the circumstances." 4 VRP at 666. Counsel also argued that the records show no injury to Mandera's neck.

V. VERDICT AND SENTENCING

The jury convicted Blockman on all counts except for first degree robbery.[2]

At the sentencing hearing, the court stated that it was "going to impose only the mandatory sanction that exists, and that's the $500 crime victim penalty assessment." VRP (Jan. 10, 2020) at 15. The court then asked whether the sentence included community custody. The State responded that the second degree assault conviction required 18 months community custody, and the court said, "so be it, 18 months community custody as relates to Count 1." *Id.* at 16. The court did not mention any fees associated with community custody.

[2] This included only one count of felony harassment because the other count was dismissed at the close of the State's evidence.

The parties and the court signed Blockman's judgment and sentence. Under the legal financial obligation (LFO) section, the court imposed only the mandatory $500 crime victim assessment. However, the community custody conditions paragraph, on a different page, included a line indicating that the defendant shall "pay supervision fees as determined by [Department of Corrections (DOC)]." CP at 82.

Blockman appeals.

DISCUSSION

I. PEREMPTORY CHALLENGE

Blockman argues that the trial court erred by overruling his GR 37 objection. We hold that Blockman has waived this challenge.

A. GR 37

GR 37 was enacted with the goal of "eliminat[ing] the unfair exclusion of potential jurors based on race or ethnicity." GR 37(a). Under the rule, either a party or the court "may object to the use of a peremptory challenge to raise the issue of improper bias." GR 37(c). Upon objection, the party that exercised the peremptory challenge at issue must articulate the reasons for which the peremptory challenge was used. GR 37(d). The court must then evaluate the reasons under the totality of the circumstances. GR 37(e). If "an objective observer could view race or ethnicity as a factor in the use of the peremptory challenge, then the peremptory challenge shall be denied." *Id.* "[T]he question of whether an objective observer could view race or ethnicity as a factor in a peremptory challenge is subject to de novo review." *State v. Listoe*, 15 Wn. App. 2d 308, 321, 475 P.3d 534 (2020).

B. ANALYSIS

Blockman raises a different argument on appeal than he raised at the trial court. In the trial court, Blockman argued that Juror 9 was a member of a racial or ethnic minority, and, therefore, the prosecutor's stated reason for excluding Juror 9 (inattentiveness) was invalid. The trial court explained that Juror 9 did not appear to be a member of a racial or ethnic minority and concluded that an objective observer, therefore, could not have viewed racial bias as a motivating factor in the State's peremptory challenge.

On appeal, Blockman does not renew his argument that Juror 9 was a member of a racial or ethnic minority or that the proposed peremptory strike was based on Juror 9's race or ethnicity, and he does not challenge the trial court's conclusion that an objective observer would have viewed racial bias as a basis for the State's peremptory strike. Rather, Blockman argues that GR 37 does not require the peremptory exclusion of a juror to be based on race or ethnicity. He contends that the prohibition under GR 37(i) against excluding a juror for inattentiveness without first notifying the court and counsel so that such conduct can be verified applies to *all* potential jurors, and thus to *all* peremptory challenges, not just those which are alleged to be based on race or ethnicity. This was not the basis of Blockman's objection below and is raised for the first time on appeal.

We may decline to review issues that were not raised in the trial court. RAP 2.5(a). Blockman does not acknowledge that this argument is brought for the first time on appeal, and he does not argue or attempt to demonstrate that this issue, which is premised on the trial court's alleged violation of a court rule, is a manifest constitutional error which should be considered for the first time on appeal under RAP 2.5(a)(3). "The purpose underlying issue preservation rules is to encourage the efficient use of judicial resources by ensuring that the trial court has the

opportunity to correct any errors, thereby avoiding unnecessary appeals." *State v. Hamilton*, 179 Wn. App. 870, 878, 320 P.3d 142 (2014). *See also State v. Kirkman*, 159 Wn.2d 918, 926, 155 P.3d 125 (2007) ("A party may assign evidentiary error on appeal only on a specific ground made at trial," which gives the trial court the opportunity to cure the error by striking testimony or providing a curative instruction).

Because Blockman did not argue below that the peremptory exclusion of a juror need not be based on race or ethnicity in order to invoke the provisions set forth in GR 37, and does not demonstrate here that the trial court's alleged misapplication of GR 37 should be reviewed for the first time on appeal, the claim is waived.

II. Ineffective Assistance of Counsel

Blockman argues that he was denied effective assistance of counsel when defense counsel failed to object "to wholesale admission" of Mandera's medical records. Br. of Appellant at 23. We disagree.

A. Legal Principles

The right to counsel includes the right to effective assistance of counsel. *State v. Grier*, 171 Wn.2d 17, 32, 246 P.3d 1260 (2011). To prevail on a claim of ineffective assistance of counsel, a defendant must show "(1) that defense counsel's conduct was deficient . . . and (2) that the deficient performance resulted in prejudice." *State v. Reichenbach*, 153 Wn.2d 126, 130, 101 P.3d 80 (2004).

Performance is deficient if it falls below an objective standard of reasonableness based on the record established at trial. *State v. McFarland*, 127 Wn.2d 322, 334-35, 899 P.2d 1251 (1995). There is a strong presumption that a defendant received effective assistance, but this presumption

can be overcome when "there is no conceivable legitimate tactic explaining counsel's performance." *Reichenbach,* 153 Wn.2d at 130. To establish prejudice, the defendant must show that " 'there is a reasonable probability that, but for counsel's deficient performance, the outcome of the proceedings would have been different.' " *Grier*, 171 Wn.2d at 34 (quoting *State v. Kyllo,* 166 Wn.2d 856, 862, 215 P.3d 177 (2009)). We need not address both prongs of the test when the defendant's showing on one prong is insufficient. *State v. Foster,* 140 Wn. App. 266, 273, 166 P.3d 726 (2007).

B. ANALYSIS

Mandera's medical records included a note saying, "[s]tatus post assault with choking." Ex. 19A at 9. Blockman argues that the reference to choking corroborated Mandera's testimony, which was the only evidence the State presented that Blockman choked Mandera, and that this renders counsel's performance ineffective.

Blockman cannot show prejudice from the admission of the medical records, specifically the line "[s]tatus post assault with choking." Ex. 19A at 9. Blockman must show a reasonable probability that the trial outcome would have been different. *Grier*, 171 Wn.2d at 34. As an initial matter, it is not clear that an objection would have had any effect on the admission of the statement in the medical records. Blockman concedes that the medical records were admissible as business records, but argues that the statement at issue was inadmissible hearsay within hearsay. However, the statement was written by either Lemoine or the radiologist as part of their notes on Mandera's visit. It is not different from other similar statements within the medical records, like "[s]tatus post assault with head injury" Ex. 19A at 8. To the extent that Blockman argues the statement is hearsay

because it came from Mandera, a statement such as this would fall under the hearsay exception for statements made for medical diagnosis and treatment. ER 803(a)(4).

Furthermore, despite Blockman's contention that the only evidence that Blockman choked Mandera, other than "[s]tatus post assault with choking," was Mandera's own testimony, other portions of the medical records and Lemoine's testimony also provided this evidence. For example, Lemoine noted bruising to Mandera's neck in the records. She confirmed this at trial by stating, "everything [about Mandera's neck] looked normal, with the exception that there was noted bruising and swelling to the left side of the neck." 3 VRP at 361. Based on this evidence, and the fact that the note in the records was admissible, Blockman cannot show the requisite prejudice from counsel's failure to object to the admission to the records.

We hold that Blockman was not denied effective assistance of counsel.

III. JURY INSTRUCTIONS

Blockman argues that two of the court's instructions were constitutional error. We decline to review these claims for the first time on appeal.

A. LEGAL PRINCIPLES

We may decline to review claims of error that the defendant did not raise in the trial court. RAP 2.5(a). "Generally, a party who fails to object to jury instructions below waives any claim of instructional error on appeal." *State v. Knight*, 176 Wn. App. 936, 950, 309 P.3d 776 (2013). However, a defendant can raise a "manifest error affecting a constitutional right" for the first time on appeal. RAP 2.5(a)(3). We do not assume an alleged error is of constitutional magnitude; rather, "[w]e look to the asserted claim and assess whether, if correct, it implicates a constitutional interest

as compared to another form of trial error." *State v. O'Hara*, 167 Wn.2d 91, 98, 217 P.3d 756 (2009).

After determining whether the alleged error is of constitutional magnitude, we look to whether the error is manifest. *Id.* at 99. Error is manifest under RAP 2.5(a) if the appellant can show actual prejudice, demonstrated by a " 'plausible showing by the [appellant] that the asserted error had practical and identifiable consequences in the trial of the case.' " *O'Hara*, 167 Wn.2d at 99 (alteration in original) (internal quotation marks omitted) (quoting *State v. Kirkman*, 159 Wn.2d 918, 935, 155 P.3d 125 (2007)). The defendant bears the burden of demonstrating that the alleged error is both manifest and of constitutional magnitude. *Knight*, 176 Wn. App. at 950-51. Claims raising an error of constitutional magnitude are still subject to a harmless error analysis. *O'Hara*, 167 Wn.2d at 98.

B. KNOWLEDGE INSTRUCTION

Instruction No. 17 stated that, in order for someone to have acted with knowledge, "[i]t is not necessary that the person know that the fact, circumstance, or result is defined by law as being unlawful or an element of a crime." CP at 54. Because Blockman did not object to Instruction No. 17 below, we will review the alleged error in the instruction only if it constitutes a manifest error affecting a constitutional right. *Knight*, 176 Wn. App. at 950-51.

Jury instructions that relieve the State of its burden to prove all elements of a crime beyond a reasonable doubt, or that omit an element of the charged crime, are of sufficient constitutional magnitude to be raised for the first time on appeal. *State v. Weaver*, 198 Wn.2d 459, 465, 496 P.3d 1183 (2021); *O'Hara*, 167 Wn.2d at 103; *State v. Clark-El*, 196 Wn. App. 614, 619, 384 P.3d 627 (2016); *State v. Smith*, 174 Wn. App. 359, 365, 298 P.3d 785 (2013).

Blockman argues that the State was relieved of its burden to prove that Blockman knew he was acting without legal authority because Instruction No. 17 informed the jury that it was not necessary that Blockman "knew any 'fact, circumstance, or result' at issue '[was] defined by law as being unlawful.' " Br. of Appellant at 31 (quoting CP at 54). Blockman does not quote the full sentence in Instruction No. 17, which states, "[i]t is not necessary that the person know that the fact, circumstance, or result is defined by law as being unlawful or an element of a crime." CP at 54. Our supreme court recently addressed this issue in *Weaver* in the context of a to-convict instruction for criminal trespass, which required "that the defendant knew that the entry or remaining was unlawful." *Weaver*, 198 Wn.2d at 467. The knowledge instruction in that case was identical to Instruction No. 17 here, and the issue before the court was whether the knowledge instruction relieved the State of its burden to prove that the defendant knew his entry was unlawful for the criminal trespass charge. *Id.* at 463-64.

The court rejected the argument that Blockman makes here. *Id.* at 469. It explained that the knowledge instruction "is intended to explain that ignorance of the law is no excuse." *Id.* at 467. "Therefore, it is meant to clarify that while it was necessary to demonstrate that Mr. Weaver subjectively knew he was not allowed to be on the property, it is not necessary that Mr. Weaver subjectively knew that his actions constituted a defined crime." *Id.* Similarly, here, the knowledge instruction did not negate or conflict with any element in the to-convict instruction for unlawful imprisonment because Instruction No. 17 merely instructed the jury that it was not necessary that

Blockman knew his actions were "specifically defined in the RCW as an element of" unlawful imprisonment. *See Id.* at 468.[3]

Therefore, Blockman's argument that he was deprived due process because Instruction No. 17 relieved the State of its burden to prove all elements beyond a reasonable doubt fails. Accordingly, no constitutional error occurred and we decline to review this claim for the first time on appeal.

C. THREAT INSTRUCTION

Instruction No. 15 explained that a statement is a threat when "in a context or under such circumstances where a reasonable person, in the position of the speaker, would foresee that the statement or act would be interpreted as a serious expression of intention to carry out the threat rather than as something said in jest or idle talk." CP at 52. Once again, Blockman did not object to this instruction below.

Blockman argues that Instruction No. 15 violates the First Amendment. Specifically, he argues that the objective, reasonable person standard in this instruction disregards First Amendment precedent requiring the speaker to intend to communicate an act of violence. This

[3] Blockman relies on *State v. Warfield*, 103 Wn. App. 152, 5 P.3d 1280 (2000), to support his contention that the State needed to prove he knew he was acting without legal authority. In doing so, Blockman ignores case law explaining that this is only an essential element where the defendant had a good faith belief that he or she had legal authority to restrain the victim. *See, e.g., State v. Johnson*, 180 Wn.2d 295, 304, 325 P.3d 135 (2014) ("The *Warfield* court's logic does not extend to most unlawful imprisonment cases—particularly those involving domestic violence—where there is no indication that the defendants believed they actually had legal authority to imprison the victim."); *State v. Dillon*, 12 Wn. App. 2d 133, 142, 456 P.3d 1199, *review denied*, 192 Wn.2d 1022 (2020). The to-convict instruction in *Dillon* required the jury to find that the defendant knew that the restraint was without legal authority, which added an unnecessary mens rea requirement that the State was required to prove under the law of the case doctrine. *Dillon*, 12 Wn. App. 2d at 142-43. Regardless, the court held that the defendant's threats toward the victim demonstrated that he "knew he was acting without legal authority." *Id.* at 143.

argument implicates a constitutional interest, but Blockman must still show actual prejudice from this instruction in order to demonstrate this alleged error is manifest. *See O'Hara*, 167 Wn.2d at 98-99.

Blockman acknowledges that our supreme court recently affirmed the objective, reasonable person standard in *State v. Trey M.*, 186 Wn.2d 884, 383 P.3d 474 (2016). In that case, a juvenile defendant sought reversal of convictions for felony harassment. *Trey M.*, 186 Wn.2d at 888. The defendant asked the court to overrule Washington's objective, reasonable person test for true threats. *Id.* at 893. Like Blockman, the defendant asserted that *Virginia v. Black*, 538 U.S. 343, 123 S. Ct. 1536, 155 L. Ed. 2d 535 (2003), required the court to apply a subjective intent standard under the First Amendment. *Id.* at 891. Our supreme court rejected this argument, noting that the "intent to intimidate" element at issue in *Black* was a statutory requirement, "but nothing in *Black* imposes in all cases an 'intent to intimidate' requirement in order to avoid a First Amendment violation." *Id.* at 899-900.

We are bound by the precedent set by the Washington Supreme Court. *1000 Virginia Ltd. P'ship v. Vertecs Corp.*, 158 Wn.2d 566, 578, 146 P.3d 423 (2006). Because this constitutional argument has been rejected by our supreme court, Blockman cannot show the requisite prejudice. Accordingly, we hold that Blockman has waived this challenge.

IV. COMMUNITY CUSTODY SUPERVISION FEES

Blockman asks us to order that the community custody supervision fee be stricken from his judgment and sentence, and the State joins in that request. Based on the State's agreement with Blockman on this issue, we remand this matter to the trial court to strike the community custody supervision fee.

A defendant is required to pay the community custody supervision fee unless the court waives the fee. RCW 9.94A.703(2)(d).[4] Because the supervision fee is waivable, it is a discretionary LFO, and it is not error for the trial court to impose the supervision fee despite a defendant's indigent status. *State v. Starr*, 16 Wn. App. 2d 106, 109, 479 P.3d 1209 (2021).

By its concession here, the State, as the proponent of the fee below, is effectively withdrawing its request that Blockman pay this fee as part of his sentence. We grant that request and remand this matter to the trial court to strike the fee.

CONCLUSION

We hold that Blockman's challenge to the trial court's decision not to remove Juror 9 from the venire under GR 37 is waived, and that he was not denied effective assistance of counsel. We decline to review Blockman's challenges to the trial court's "knowledge" instruction and "threat" instruction. Finally, we grant the joint request of the parties to strike the community custody supervision fee.

Accordingly, we affirm Blockman's convictions but remand to the trial court to strike the supervision fee.

A majority of the panel having determined that this opinion will not be printed in the Washington Appellate Reports, but will be filed for public record in accordance with RCW 2.06.040, it is so ordered.

[4] RCW 9.94A.703 was amended in 2018. *See* LAWS OF 2018, ch. 201, § 9004. Because this amendment does not affect our analysis, we cite to the current version of the statute.

CRUSER, J.

We concur:

WORSWICK, J.

GLASGOW, C.J.

APPENDIX B

Filed
Washington State
Court of Appeals
Division Two

May 24, 2022

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

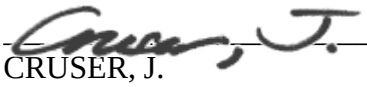
STATE OF WASHINGTON, Respondent, v. WARREN DIEGO BLOCKMAN, Appellant.	No. 54242-1-II ORDER DENYING MOTION FOR RECONSIDERATION

Appellant Warren Blockman moves for reconsideration of the Court's unpublished opinion filed on April 19, 2022. Upon consideration, the Court denies the motion. Accordingly, it is

SO ORDERED.

PANEL: Jj. Worswick, Glasgow, Cruser

FOR THE COURT:



CRUSER, J.

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 document **Petition for Review to the Supreme Court** to which this declaration is affixed/attached, was filed in the **Court of Appeals** under **Case No. 54242-1-II**, 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 / residence / e-mail address as listed on ACORDS / WSBA website:

☒ respondent Andrew Yi, DPA
[andrew.yi@piercecountywa.gov]
[PCpatcecf@co.pierce.wa.us]
Pierce County Prosecutor's Office

☒ petitioner

☐ Attorney for other party

MARIA ANA ARRANZA RILEY, Paralegal
Washington Appellate Project

Date: June 22, 2022

WASHINGTON APPELLATE PROJECT

June 22, 2022 - 4:26 PM

Transmittal Information

Filed with Court:	Court of Appeals Division II
Appellate Court Case Number:	54242-1
Appellate Court Case Title:	State of Washington, Respondent v Warren Diego Blockman, Appellant
Superior Court Case Number:	18-1-04204-8

The following documents have been uploaded:

- 542421_Petition_for_Review_20220622162551D2999158_6019.pdf
  This File Contains:
  Petition for Review
  The Original File Name was washapp.062222-04.pdf

A copy of the uploaded files will be sent to:

- PCpatcecf@piercecountywa.gov
- andrew.yi@piercecountywa.gov
- kummerowtm@gmail.com
- lila@washapp.org
- pcpatcecf@piercecountywa.gov

Comments:

Sender Name: MARIA RILEY - Email: maria@washapp.org
Filing on Behalf of: Christopher Mark Petroni - Email: chris@washapp.org (Alternate Email: wapofficemail@washapp.org)

Address:
1511 3RD AVE STE 610
SEATTLE, WA, 98101
Phone: (206) 587-2711

Note: The Filing Id is 20220622162551D2999158