

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
10/11/2024 10:00 AM  
BY ERIN L. LENNON  
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October 11, 2024

*Letter sent via the Washington State Appellate Courts' Portal only*

The Supreme Court  
State of Washington  
Temple of Justice  
P.O. Box 40929  
Olympia, WA 98504-0929

Court of Appeals/Division III  
500 North Cedar Street  
Spokane, WA 99201

RE: State of Washington v. Michael Joseph Allred  
Supreme Court No. 1032315; Court of Appeals No. 38413-6-III  
Yakima County Superior Court No. 17-1-00176-2

To the Honorable Justices and Judges of the above-named Courts:

This case is currently pending on a Petition for Review to the Washington Supreme Court, scheduled to be heard on November 5, 2024.

I am submitting this letter to fulfill my obligations under RPC 3.3, specifically RPC 3.3(a)(1).

I filed the Respondent's Brief in the Court of Appeals in this case on September 15, 2023. Along with this Brief, I prepared a chart, attached to the Brief as Appendix A, outlining each trial date continuance and resetting of the trial date, and what I believed was the final speedy trial date after each of these events.

On October 8, 2024, while working on another case, I realized that in this Appendix A, I incorrectly calculated the final speedy trial date following each continuance, by adding the number of days of the excluded period to the previous speedy trial date. After undertaking a careful reading of CrR 3.3(e)(3), I can find no support for my previous interpretation of this rule.

In addition to Appendix A, what I now believe are incorrect final speedy trial dates are also referred to in the Respondent's Brief on pages 71 and 74-75.

I have prepared an Amended Appendix A and I do not believe my previous incorrect calculations affect the outcome of the Appellant's CrR 3.3 issue. I am prepared to file this Amended Appendix A if directed to do so by either the Court of Appeals or the Washington Supreme Court.

The Court of Appeals did not reach the CrR 3.3 issue raised by the Appellant, and the Appellant is not seeking review by the Washington Supreme Court of the CrR 3.3 issue. *See State v. Allred*, No. 38413-6-III, 2024 WL 2858685, at \*5 (Wash. Ct. App. June 6, 2024) (in this unpublished opinion, stating "[b]ecause Mr. Allred did not specify which of his many continuances violated our State's time-for-trial rule, we decline to address his rule-based challenge.").

Sincerely,

s/ Jill S. Reuter

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# YAKIMA COUNTY PROSECUTING ATTORNEY'S OFFICE

**October 11, 2024 - 10:00 AM**

## **Transmittal Information**

**Filed with Court:** Supreme Court  
**Appellate Court Case Number:** 103,231-5  
**Appellate Court Case Title:** State of Washington v. Michael Joseph Allred  
**Superior Court Case Number:** 17-1-00176-2

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