

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
8/27/2024  
BY ERIN L. LENNON  
CLERK

FILED  
Court of Appeals  
Division I  
State of Washington  
8/26/2024 4:18 PM

Case #: 1034091

No.  
Court of Appeals No. 85214-1-I

THE SUPREME COURT OF THE STATE OF WASHINGTON

---

STATE OF WASHINGTON,  
Respondent,

v.

JOSE BELETZUY-CAJAS  
Petitioner,

---

Petition for Review

---

GREGORY C. LINK  
Attorney for the Petitioner

WASHINGTON APPELLATE PROJECT  
1511 Third Ave. Suite 610  
Seattle WA 98101  
206-587-2711

## TABLE OF CONTENTS

<b>A. Identity of Petitioner .....</b>	<b>1</b>
<b>B. Opinion Below .....</b>	<b>1</b>
<b>C. Issue Presented.....</b>	<b>1</b>
<b>D. Statement of the Case.....</b>	<b>2</b>
<b>E. Argument.....</b>	<b>4</b>
<i>Where a person testified another did not use force,     threats or restraint during sexual intercourse, the     State did not prove second degree rape beyond a     reasonable doubt.....</i>	<i>4</i>
<b>F. Conclusion .....</b>	<b>12</b>

## **TABLE OF AUTHORITIES**

### **United States Constitution**

U.S. Const. amend XIV .....	4
-----------------------------	---

### **Washington Supreme Court**

<i>State v. Green</i> , 94 Wn.2d 216, 616 P.2d 628 (1980) .....	4
<i>State v. Jackson</i> , 112 Wn.2d 867, 774 P.2d 1211 (1989) .....	5
<i>State v. Vasquez</i> , 178 Wn.2d 1, 309 P.3d 318 (2013) .....	5
<i>State W.R.</i> , 181 Wn.2d 757, 336 P.3d 1134 (2014) .....	2, 5, 7, 11

### **Washington Court of Appeals**

<i>State v. Gene</i> , 20 Wn. App. 2d 211, 499 P.3d 214 (2021) .....	6
<i>State v. McKnight</i> , 54 Wn. App. 521, 774 P.2d 532 (1989) .....	6, 7, 8, 9
<i>State v. Ritola</i> , 62 Wn. App. 252, 817 P.2d 1390 (1991) .....	6
<i>State v. Wright</i> , 152 Wn App. 64, 214 P.3d 968 (2009) .....	8, 9

### **United States Supreme Court**

<i>Bailey v. Alabama</i> , 219 U.S. 219, 31 S. Ct. 145, 55 L. Ed. 191 (1911) .....	5
<i>In re Winship</i> , 397 U.S. 358, 90 S. Ct. 1068, 25 L. Ed. 2d 368 (1970) .....	4

### **Washington Statutes**

RCW 9A.44.010 .....	5, 6
RCW 9A.44.050 .....	4, 5
RCW 9A.44.060 .....	6

### **Court Rules**

RAP 13.4 .....	1, 2, 11
----------------	----------

### **A. Identity of Petitioner**

Jose Beletzuy-Cajas asks this Court to accept review pursuant to RAP 13.4 of the opinion in *State v. Beletzuy-Cajas*, 85214-1-I.

### **B. Opinion Below**

Mr. Beletzuy-Cajas challenged his conviction of second degree rape arguing the State did not prove he used forcible compulsion. Instead, the State's evidence merely established a lack of consent. While that evidence might be sufficient to sustain a conviction of third degree rape it cannot sustain a conviction of second degree rape.

Nonetheless, the Court of Appeals affirmed the conviction, pointing to evidence that establishes only a lack of consent, but not force used to overcome that lack of consent.

### **C. Issue Presented**

In order to prove second degree rape, the State must establish force that overcomes resistance, or a threat that places a person in fear of death, physical injury or kidnapping. It is not

enough that the State prove only a lack of consent or the use of physical force inherent in any act of sexual intercourse. Yet that is all the State proved here. Affirming the conviction based on that evidence is contrary to this Court's opinion in *State W.R.*, 181 Wn.2d 757, 336 P.3d 1134 (2014). Review is warranted under RAP 13.4(b)(1)

#### **D. Statement of the Case**

Jose and Rosa Beletzuy-Cajas met in 2007. RP 810. They began a romantic relationship in 2015. RP 762-763. When they began their romantic relationship, they had intercourse two to three times a week. RP. RP 766.

Jose initiated intercourse by touching Rosa on her breast or vagina. RP 812. Rosa initiated intercourse by kissing Jose. RP 813.

Rosa said that by 2016 she stopped enjoying sex with Jose. RP 815. But the two married in 2017. And, despite Rosa's lack of enjoyment, they continued to have intercourse. RP 839.

In August 2020, Rosa accused Jose of raping her five months earlier. Rosa testified Jose had sex with her many times without consent. RP 770. She defined consent as “when someone’s not ready to have sexual relationships with the person.” RP 767. She agreed they also had consensual sex. RP 770. According to Rosa, she told Jose several times she was “not comfortable being in a relationship like that.” RP 772.

In March, 2020, Rosa had abdominal surgery. RP 775. She was hospitalized. RP 776. A little over a week after her return home, Rosa said she was laying on bed when Jose came into the bedroom. RP 781. He touched her on her breasts. RP 781. She testified: “I pushed his hands away and told him I didn’t feel well.” RP 781. He answered: “Just a little bit” and that he would be “gentle and careful.” RP 782. She said she was only wearing a nightgown and laying on her back. She said: “He got on top of me. He penetrated me gently until he finished.” RP 782. She said she “tried” to push him off with her hands but “he wanted to finish so I let him finish.” RP 783.

She also testified it hurt and she was crying. RP 784-85.

At best the evidence presented at trial was sufficient to support a lack of consent, but not forcible compulsion. Rosa said that Jose never forcibly raped her, choked her or restrained her. RP 837.

The State charged Jose with second degree rape for the March incident under RCW 9A.44.050(1)(a). CP 84. The jury convicted him as charged. RP 158.

#### **E. Argument**

*Where a person testified another did not use force, threats or restraint during sexual intercourse, the State did not prove second degree rape beyond a reasonable doubt.*

The prosecution must prove all elements of a charged offense beyond a reasonable doubt. *In re Winship*, 397 U.S. 358, 364, 90 S. Ct. 1068, 25 L. Ed. 2d 368 (1970); *State v. Green*, 94 Wn.2d 216, 221, 616 P.2d 628 (1980); U.S. Const. amend XIV. A conviction must be reversed where, even viewing the evidence in the light most favorable to the

prosecution, no rational trier of fact could find all elements of the charged crime beyond a reasonable doubt. *State v. Vasquez*, 178 Wn.2d 1, 6, 309 P.3d 318 (2013). “[I]nferences based on circumstantial evidence must be reasonable and cannot be based on speculation” *Id.* at 16; accord *Bailey v. Alabama*, 219 U.S. 219, 232, 31 S. Ct. 145, 55 L. Ed. 191 (1911). An inference should not arise where there exist other reasonable conclusions that would follow from the circumstances.” *State v. Jackson*, 112 Wn.2d 867, 876, 774 P.2d 1211 (1989).

To convict a person of second degree rape the State must prove: “the person engages in sexual intercourse with another person ... [b]y forcible compulsion.” RCW 9A.44.050(1)(a). Forcible compulsion means “physical force which overcomes resistance, or a threat, express or implied, that places a person in fear of death or physical injury to herself or himself or another person, or in fear that she or he or another person will be kidnapped.” RCW 9A.44.010(3); *W.R.*, 181 Wn.2d at 765-66. Forcible compulsion is that which is “directed at

overcoming the victims resistance and [i]s more than that which is normally required to achieve penetration.” *State v. McKnight*, 54 Wn. App. 521, 528, 774 P.2d 532 (1989). “The resistance that forcible compulsion overcomes need not be physical resistance, but it must be reasonable resistance under the circumstances.” *State v. Gene*, 20 Wn. App. 2d 211, 224, 499 P.3d 214 (2021).

By contrast, to establish a third degree rape, the State need only prove the person engaged in sexual intercourse “[w]here the victim did not consent as defined in RCW 9A.44.010(7), to sexual intercourse with the perpetrator.” RCW 9A.44.060(1)(a). Consent “means that at the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.” RCW 9A.44.010(7).

Forcible compulsion requires physical force beyond the physical force inherent in any act of sexual intercourse. *State v. Ritola*, 62 Wn. App. 252, 254, 817 P.2d 1390 (1991). It is the

force ““used or threatened to overcome or prevent resistance””  
*Id.* (quoting *McKnight*, 54 Wn. App. at 527). “Forcible  
compulsion contemplates force that overcomes actual resistance  
or threats that place a person in actual fear.” *W.R.*, 181 Wn.2d  
at 765.

In *McKnight*, a 14-year-old was alone with McKnight,  
whom she barely knew, in her apartment, the two were sitting  
on a mattress, and they kissed. *Id.* at 522. The fourteen year old  
told him to stop as he removed her clothes. *Id.* at 522-23. The  
teen said McKnight kept going, undid his pants, laid on top of  
her, and penetrated her vagina with his penis; she said she told  
McKnight it hurt but he did not stop. *Id.* at 523. There was also  
evidence presented that the fourteen year old was physically  
weak. *Id.*

The Court of Appeals said the evidence was sufficient to  
establish forcible compulsion. The court noted the victim was  
pushed into a prone position, was young, had never been  
sexually active, and would not have been sophisticated enough

about sexual matters to offer resistance, and repeatedly asked McKnight to stop. *Id.* at 526-27. Given the power differential and her isolation in the apartment with McKnight in the apartment, the court concluded that the evidence was sufficient to infer that McKnight used “acts of force over and above what is necessary to achieve intercourse and that these acts were employed to overcome [the victim’s] resistance” *Id.* at 528.

Judge Forrest dissented, asserting that McKnight committed only a third degree rape. *Id.* at 529. His concern was the majority's analysis erased any distinction between second degree rape and third degree rape. *Id.* at 530- 32. “To preserve a distinction between the two degrees, there must be something more than words and conduct manifesting lack of consent.” *Id.* at 531. Judge Forrest pointed out that physical resistance is not required provided there is an express or implied threat that places a person in fear or injury. *Id.*

*State v. Wright*, 152 Wn App. 64, 214 P.3d 968 (2009), is also instructive. The question was whether the trial court erred

in instructing the jury on third degree rape where the complainant described a forcible rape. *Id.* at 73. This supported only an inference of second degree rape by forcible compulsion and because the defendant contended no rape occurred because the sex was consensual, no other evidence supported a mere nonconsensual, third degree rape instruction. *Id.* at 73-74. The court therefore reversed for the instructional error. *Id.* at 74.

*McKnight* and *Wright* establish forcible compulsion requires means something beyond the force necessary to achieve sexual intercourse. The definition based on these cases was given to the jury in instruction 10. It told the jury “forcible compulsion” means “physical force that overcomes resistance, or a threat, express or implied that places a person in fear of death or physical injury .... or fear of being kidnapped.” CP 140.

The State did not prove Mr. Beletzuy-Cajas used any force beyond what was necessary to have sexual intercourse with his wife. There was no evidence of a threat, restraint or

that Rosa feared death or injury. Instead, in the light most favorable to the State, at most the evidence established a lack of consent.

The opinion points to Rosa's pain, statement that she did not wish to have intercourse, her pushing away Mr. Beletzuy-Cajas's hands, and his ignoring her nonconsent. Opinion at 5. Pushing his hands away may signify lack of consent but it is insufficient to establish forcible compulsion. Similarly, his ignoring her lack of consent establishes merely the lack of consent. None of that is sufficient to prove second degree rape as opposed to just third degree rape.

The history of the couple's sexual relationship informs this inquiry. Rosa testified the charged incident was consistent with the couple's previous sexual encounters. While she no longer enjoyed intercourse with Jose, she said their encounters did not include force, choking or restraint. And there is no evidence of force here.

Again, “forcible compulsion” means force that overcomes actual resistance or threats that cause actual fear. *W.R.*, 181 Wn.2d at 765. While the opinion below points to evidence of lack of consent, it does not point to evidence of force. The only alleged “force” used here was not based on any threat and was not more than was normally required to achieve penetration. Upholding the conviction under these facts would, as Judge Forrest warned, erase any distinction between second degree rape and third degree rape. In upholding the conviction, the opinion contradicts this Court’s opinion in *W.R.*

Review is warranted under RAP 13.4(b)(1).

## **F. Conclusion**

This Court should accept review and reverse the conviction for second degree rape.

This brief complies with RAP 18.17 and contains 1784 words.

Submitted this 26<sup>th</sup> day of August, 2024.

A handwritten signature in black ink, appearing to read "Gregory C. Link".

Gregory C. Link – 25228  
Attorney for the Petitioner  
Washington Appellate Project  
[greg@washapp.org](mailto:greg@washapp.org)

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

JOSE LUIS BELETZUY CAJAS,

Appellant.

No. 85214-1-I

DIVISION ONE

UNPUBLISHED OPINION

HAZELRIGG, A.C.J. — José Luís Beletzuy Cajas appeals his conviction for one count of rape in the second degree against his wife, R. He contends that insufficient evidence supports the element of forcible compulsion under RCW 9A.44.050(1)(a). Viewing the evidence in the light most favorable to the State, the record shows that Beletzuy<sup>1</sup> used force to overcome R's resistance and raped her while she was physically compromised and recovering from a serious surgery. Accordingly, we affirm.

FACTS

On September 3, 2020, the State charged Beletzuy with one count of rape in the second degree against his wife, R, and a separate count of assault in the

---

<sup>1</sup> While the charging document, and therefore caption from the trial court, inserts a hyphen between Beletzuy Cajas' patrilineal and matrilineal last names, the record establishes that he signs his name simply as Beletzuy. His method of abbreviation of his last names is consistent with Latinx naming conventions and both the defendant and named victim required the use of Spanish-language interpreters during trial. Accordingly, we decline to utilize the hyphenated version of his name as inconsistent with historical and cultural traditions of Latinx communities and rather refer to the defendant in the manner by which he self-identifies.

fourth degree with sexual motivation against his adult stepdaughter, C, and alleged both were crimes of domestic violence. Thereafter, the State filed an amended information that added three separate counts of rape in the third degree against R. Again, each count was designated as a crime of domestic violence.

Following jury selection and motions in limine, the case proceeded to trial and the parties delivered opening statements on December 19, 2022. R testified to her relationship<sup>2</sup> with Beletzuy and the circumstances that gave rise to the charges against him. The two met approximately 15 years earlier and began dating about 8 years after meeting. Beletzuy moved into R's house after they had been dating for a little under a year and they were soon married. R explained that they had consensual sex two to three times per week during their relationship, which Beletzuy would often initiate either verbally or nonverbally.

When asked whether Beletzuy had nonconsensual sex with her, R said plainly, "Yes." She explained that, to her, nonconsensual sex means that "someone's not ready to have sexual relationships [sic] with the [other] person." R then testified that Beletzuy had nonconsensual sex with her "[v]ery often" during their relationship. According to R, in those instances, Beletzuy "would take off [her] clothes, [they] would struggle, then he would have sexual relationships [sic] with [her] and then [she] would go to sleep." R confirmed that she would tell him no, but she was unable to physically stop him from having sex with her.

R explained that, in 2019 and 2020, she was suffering from a hormonal disorder and began taking medication which lowered her sex drive. During that

---

<sup>2</sup> At the time of the trial, R and Beletzuy were still married, but R had initiated divorce proceedings.

time, however, R said that Beletzuy continued to have sex with her on a regular basis without her consent. She testified in detail about her medical condition and the particular facts underlying each of the charged crimes.<sup>3</sup> The jury returned verdicts of guilty on all counts except for count 4. By way of special verdicts, the jury found that the remaining counts all involved domestic violence and that count 2 was committed with sexual motivation.

Following trial, Beletzuy moved under CrR 7.4(a)(3) to arrest judgment on count 1. He contended that the State failed to prove the element of “forcible compulsion” as required for the crime of rape in the second degree. After taking argument from the parties on the motion, the trial court denied it. The trial court found that the evidence showed forcible compulsion because: R physically and verbally resisted Beletzuy’s sexual advances, she was crying and told him that she was in pain, “she was in a weak and debilitated state” so “the forcible compulsion needed would not have been the same as it would [with] somebody who was able-bodied and in possession of their full strength,” and the “victim doesn’t have to resist continually throughout the process of penetration.”<sup>4</sup>

---

<sup>3</sup> Because Beletzuy only appeals from the conviction for rape in the second degree by forcible compulsion in count 1, the facts underlying that count are set out in detail in the analysis section.

<sup>4</sup> Beletzuy does not expressly challenge the trial court’s finding of forcible compulsion in its ruling on the defense motion under CrR 7.4(a)(3). The State contends that the unchallenged findings become verities on appeal and cites to *City of Seattle v. Wiggins*, 23 Wn. App. 2d 401, 407, 515 P.3d 1029 (2022).

However, *Wiggins* is distinguishable as that case concerned discretionary review of the superior court’s application of the Rules for Appeal for Decisions of Courts of Limited Jurisdiction (RALJ) to a pretrial ruling from the district court on the admissibility of certain evidence. *Id.* at 403. Here, we are faced with a criminal defendant raising a claim of insufficient evidence on direct appeal after a conviction by a jury, which we review de novo. *State v. Rich*, 184 Wn.2d 897, 903, 365 P.3d 746 (2016).

At sentencing, Beletzuy moved to vacate the rape in the third degree conviction on count 3 on the basis that it merged with the rape in the second degree conviction on count 1. The trial court granted the motion and dismissed count 3. The court then sentenced Beletzuy to 29 months in prison on count 5, 120 months to life on count 1, and 364 days for count 2, all to run concurrently.

Beletzuy timely appealed.

### ANALYSIS

Beletzuy's sole assignment of error goes to his conviction for rape in the second degree on the ground that the State failed to prove the element of forcible compulsion. His position lacks merit.

Due process "requires the State to prove beyond a reasonable doubt all facts necessary to constitute the crime charged." *State v. Hundley*, 126 Wn.2d 418, 421, 895 P.2d 403 (1995). "In assessing the sufficiency of the evidence, the court must view the evidence in the light most favorable to the State and decide whether any rational trier of fact could have found the elements of the crime beyond a reasonable doubt." *State v. Mines*, 163 Wn.2d 387, 391, 179 P.3d 835 (2008). "[A]ll reasonable inferences from the evidence must be drawn in favor of the State and interpreted most strongly against the defendant." *State v. Salinas*, 119 Wn.2d 192, 201, 829 P.2d 1068 (1992). While "the existence of a fact cannot rest upon guess, speculation or conjecture," a defendant in this context "admits the truth of the State's evidence and all inferences that reasonably can be drawn from that evidence." *State v. Hutton*, 7 Wn. App. 726, 728, 502 P.2d 1037 (1972); *State v. Colquitt*, 133 Wn. App. 789, 796, 137 P.3d 892 (2006).

An individual is guilty of rape in the second degree when, “under circumstances not constituting rape in the first degree, the person engages in sexual intercourse with another person . . . [b]y forcible compulsion.” RCW 9A.44.050(1)(a). The statute defines “forcible compulsion” as “physical force which overcomes resistance, or a threat, express or implied, that places a person in fear of death or physical injury to [themselves] or another person, or in fear that [they] or another person will be kidnapped.” RCW 9A.44.010(3).

“Forcible compulsion requires more than the force normally used to achieve sexual intercourse or sexual contact.” *State v. Ritola*, 63 Wn. App. 252, 254, 817 P.2d 1390 (1991). In the context of rape in the second degree, “there must have been force that was ‘directed at overcoming the victim’s resistance and was more than that which is normally required to achieve penetration.’” *State v. Gene*, 20 Wn. App. 2d 211, 224, 499 P.3d 214 (2021) (quoting *State v. McKnight*, 54 Wn. App. 521, 528, 774 P.2d 532 (1989)). “The resistance that forcible compulsion overcomes need not be physical resistance, but it must be reasonable resistance under the circumstances.” *Id.*

Here, the evidence is plainly sufficient to show forcible compulsion as defined for purposes of rape in the second degree. R saw a doctor due to stomach pain while she was being treated for her hormonal condition in 2019 and 2020, and was told that she needed abdominal surgery for a hernia. Following the surgery in March 2020, R remained hospitalized for five or six days, longer than the originally anticipated two days, due to the amount of pain she was in from the “incision [that] was made in [her] stomach.” She described the incision as approximately three

inches in size and explained that "it starts approximately right below [her] belly button and then it gets almost all the way to [her] private part." The incision was closed with several stitches and covered with a long white "bandage that went all around [her] body."

When she returned home from the hospital, R explained, she was unable to move normally, lift things, or work. She described her pain during that time as a 10 out of 10 on a pain scale and explained that the doctors told her she could not have sex until she recovered. R testified that she was physically weaker than usual for two or three weeks following the surgery. R stated that Beletzuy nonetheless forced her to have sex with him a "little over a week" after she was discharged from the hospital. According to R, on the night of the incident, she was still bandaged from surgery and laying down in the bedroom wearing a nightgown, and Beletzuy laid down next to her and began touching her. R said that she told Beletzuy she was "not feeling well, that it was not the right thing to do," but he did not stop. R recalled Beletzuy touching her breasts and she "pushed his hands away" and "told him that [she] didn't feel well." She remembered telling him that she did not want to have sex and testified that Beletzuy knew that, at that point in her recovery from surgery, the doctor had advised that she was not supposed to have intercourse. R explained that Beletzuy "said just a little bit. That he was going to be gentle and careful." Though she did not change her mind, R explained that Beletzuy got on top of her and "penetrated her gently until he finished." R testified that she tried to push him off of her with her hands when "he was penetrating her" as "he was hurting [her]." She pushed his shoulders but was

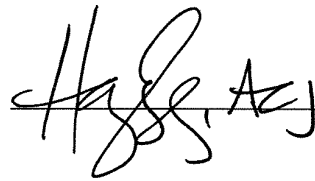
unable to push him off. After attempting to move him off of her, R stated that “[she] let him finish” after concluding that she “didn’t have the strength” to push Beletzuy off of her. R noted that, afterwards, Beletzuy “cleaned [her] up because [she] was not able to clean [herself].” She scaled her pain as an 8 out of 10 during this incident and recalled that she was crying as it was happening. Following the incident, R explained that she had to call the doctor as the pain had become “quite worse.”

The facts presented at trial clearly establish that R was in a compromised state and her ability to physically resist was greatly diminished as she was still weakened while recovering from surgery. When the incident occurred, not only was R still wrapped in a bandage with an incision running between her belly button and “private part,” but she was also in serious pain and incapable of lifting things or moving normally. Additionally, the evidence shows that R verbally and physically resisted Beletzuy’s advances, but he ignored her expressions of nonconsent, persisted, and overcame her defiance. When Beletzuy began touching her breasts, R “pushed his hands away” and told him that she did not want to have sex. Nevertheless, Beletzuy got on top of her and “penetrated her.” R then tried to push Beletzuy off of her as “he was hurting [her].” Though she pushed his shoulders, R was unable to move him off of her. Only *after* her unsuccessful verbal and physical attempts to get Beletzuy off of her, did she “let him finish.”

Viewed in the light most favorable to the State, the evidence establishes that Beletzuy used physical force that overcame R’s resistance, which falls

squarely within the definition of forcible compulsion. RCW 9A.44.010(3). Though Beletzuy claims the State failed to show that he “used any force beyond what was necessary to have sexual intercourse with [R],” this is simply contradicted by the record and R’s detailed testimony of the rape. Two weeks after a serious surgery, while she was visibly bandaged, physically weak, and in constant pain, R used her diminished strength to resist Beletzuy’s advances but it was not enough. Under these circumstances, and when viewed in the light most favorable to the State, the evidence supports a finding of forcible compulsion and shows that Beletzuy committed rape in the second degree. See *McKnight*, 54 Wn. App. at 527-28. Accordingly, we affirm.

WE CONCUR:



---

Díaz, J.

---

Birk, 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. 85214-1-I**, 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 or residence address as listed on ACORDS:

☒ respondent Andrea Vitalich, DPA  
[Andrea.Vitalich@kingcounty.gov]  
[PAOAppellateUnitMail@kingcounty.gov]  
King County Prosecutor's Office-Appellate Unit

☒ petitioner

☐ Attorney for other party



MARIA ANA ARRANZA RILEY, Paralegal  
Washington Appellate Project

Date: August 26, 2024

# WASHINGTON APPELLATE PROJECT

August 26, 2024 - 4:18 PM

## Transmittal Information

**Filed with Court:** Court of Appeals Division I  
**Appellate Court Case Number:** 85214-1  
**Appellate Court Case Title:** State of Washington, Respondent v. Jose Beletzuy Cajas ,  
Appellant

### The following documents have been uploaded:

- 852141\_Petition\_for\_Review\_20240826161758D1200694\_4101.pdf  
This File Contains:  
Petition for Review  
*The Original File Name was washapp.082624-01.pdf*

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

- Andrea.Vitalich@kingcounty.gov
- paoappellateunitmail@kingcounty.gov
- wapofficemail@washapp.org

### Comments:

---

Sender Name: MARIA RILEY - Email: maria@washapp.org

**Filing on Behalf of:** Gregory Charles Link - Email: greg@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 20240826161758D1200694**