SUPREME COURT NO. _____

NO. 58097-7-II

SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,
Respondent,

v.

A.T.,
Petitioner.

ON APPEAL FROM THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR LEWIS COUNTY, JUVENILE DIVISION

The Honorable Andrew Toynbee, Judge

PETITION FOR REVIEW

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A. PETITIONER AND COURT OF APPEALS DECISION

A.T., the appellant below, seeks review of the Court of Appeals' decision, issued September 4, 2023 (Op., attached), affirming the juvenile court's adjudication that she is guilty of two counts of third-degree assault.

B. ISSUE PRESENTED FOR REVIEW

Where several adults forcibly strip a child in the throes of a mental health crisis, is the child guilty of assault for kicking her legs in a futile attempt to resist, simply because the adults' use of force was "lawful?"

C. STATEMENT OF THE CASE

In January of 2023, Deputy Isaac Ingle responded to Centralia High School, where 16-year-old A.T. was having an emotional crisis. RP 8-9. A.T. told the Deputy she did not want to go home with her father, because she did not feel safe with him. RP 9-10.

A.T.'s father eventually came to retrieve her, anyway. RP 10. At first, A.T. indicated she would leave with him, but then she changed her mind. RP 10-11. At that point, she made comments about self-harm and wanting to die. RP 10-11.

In response to these comments, Deputy Ingle determined that he needed to take A.T. into protective custody under the Involuntary Treatment Act and transport her to Centralia Providence Hospital. RP 11-12. Her father agreed to this course of action. RP 11-12. A.T. went without incident, electing to ride in an aid car, and Deputy Ingle followed in his patrol vehicle. RP 10-12, 53.

When she arrived at the hospital, A.T. waited calmly on a gurney while staff admitted her. RP 14-18; Ex. 1 (part 1) at 0:00 through 3:55. She was eventually taken to a room and, at some point, informed that she would have to change out of her street clothes and into hospital scrubs. RP 36, 53-54.

It is not clear when A.T. was first told she would have to undress, but when nurse Tiffany Zwiefelhofer entered the room, she found A.T. "tense" and "posturing," with her "[e]yes very wide" and apparently under "some kind of distress or duress." RP 36. Ms. Zwiefelhofer acknowledged that A.T. was upset, but she insisted that A.T. put on the scrubs. RP 36. A.T. resisted repeated requests. RP 36.

At some point, A.T. threatened to kill Ms. Zwiefelhofer, and Ms. Zwiefelhofer responded by telling A.T. it was illegal to threaten her life. RP 36. At other points, during their "back and forth," A.T. removed both her hoodie and a leg brace she was wearing. RP 36-37, 58; compare Ex. 1 (part 1) with Ex. 1 (part 2) at 0:30 through 0:35.

According to Ms. Zwiefelhofer, however, A.T. was "just resistant to getting to the scrubs," so Ms. Zwiefelhofer told her, "It's a requirement, so we'll have to restrain you because you are detained." RP 37. At some point during this exchange, two male

security officers were summoned to the room. RP 12, 37, 39, 54-55; Ex. 1 (part 2) at 1:49 through 3:05.

Staff also asked Deputy Ingle to come into the room to "read [A.T.] her rights." RP 38. The deputy did so, explaining to A.T. that the hospital had policies and procedures, that she had to comply with them, and that if she assaulted a healthcare worker she could be charged with a crime. RP 13, 19; Ex. 1 (part 2) at 0:30 through 2:00.

During this conversation, A.T. protested that she was complying, so staff did not need to "put their hands on" her. Ex. 1 (part 2) at 1:10 through 1:15. When Deputy Ingle told her that staff did not want to "go hands on," she responded, "Yeah they do, because I'm a female." Ex. 1 (part 2) at 1:29 through 1:34. She also protested that she had been "taking [her] fucking clothes off" before the security guards entered the room. Ex. 1 (part 2) at 1:40 through 1:45.

At this point, Deputy Ingle responded, "Okay, so let's not make this worse and then have a criminal aspect of it. Because we're not at that point." Ex. 1 (part 2) at 1:46 through 1:50. He explained, "We're not at that point. You're not in any trouble. We're here to help you. But let's not amp it up, and going to the criminal side of things." Ex. 1 (part 2) at 1:50 through 1:59.

Deputy Ingle concluded by saying, "So, just do what they're requesting . . . and you'll have someone who will come and talk to you." Ex. 1 (part 2) at 1:59 through 2:07. In response, A.T. asked, "Why should I at this point?" Ex. 1 (part 2) at 2:07 through 2:09.

A medical staff member interjected, "Because you have to." Ex. 1 (part 2) at 2:08 through 2:11. A.T. responded angrily, telling the staff member: "I didn't fucking ask you." Ex. 1 (part 2) at 2:08 through 2:13. The staff member and Deputy Ingle then told A.T. that she was now disrupting the emergency department and could also be prosecuted for that. RP 13; Ex. 1 (part 2) at 2:13 through 2:26.

After this exchange, Deputy Ingle left the room, and A.T. again told staff that she did not want to change with the two male security guards present. RP 54-55; Ex. 1 (part 2) at 2:49 through 3:05. Staff told her the guards would "turn around" but would not leave, because A.T. had made threats of violence. Ex. 1 (part 2) at 2:49 through 3:25. A.T. protested that the men could stand right outside the curtain covering the hospital room door, with the door left open. Ex. 1 (part 2) at 2:49 through 3:25; RP 55.

Within seconds of this exchange, the two security guards grabbed A.T. and forced her, face down, over the hospital bed, while Ms. Zwiefelhofer and a nursing assistant, Autumn Deal, grabbed her legs and pulled and cut her clothing off. RP 19-22, 39-41, 45, 54-55. Deputy Ingle came back into the room to assist with this. RP 19-20.

While she was being held down and forcibly stripped, A.T. screamed and flailed her legs, trying to escape. RP 39, 45-46. She kicked Ms. Zwiefelhofer in the hand, and she kicked Ms. Deal in

the arm and torso, while both women were pulling her pants off. RP 39-41, 45-47. Around this time, a male doctor appeared and ordered Ativan and Haldol to be administered to A.T. so she would calm down and cooperate. Ex. 1 (part 2) at 4:45 through 5:00; 5:24 through 5:40.

As A.T. screamed, one or two female staff members repeatedly directed Deputy Ingle to write a report so they could press criminal charges against A.T. Ex. 1 (part 2) at 4:24 through 4:39; 5:49 through 6:00. The deputy responded, in apparent exasperation, "I get it . . . We will address that after this." Ex. 1 (part 2) at 5:49 through 6:00.

As staff applied Velcro restraints to A.T., a female staff member asked A.T., "Do you think you're going to win this battle?" Ex. 1 (part 2) at 6:10 through 6:14; 7:10 through 7:43.

For this incident, the State charged A.T. with two counts of assault in the third degree, alleging she assaulted Ms. Zwiefelhofer

and Ms. Deal in the course of their nursing duties, and one count of interference with a health care facility. CP 1-3.

A fact-finding hearing occurred on April 11, 2023. RP 6. Deputy Ingle, Ms. Zwiefelhofer, and Ms. Deal testified for the State. RP 7-50. A.T. was the only witness for the respondent. RP 52-61.

Deputy Ingle testified that, after A.T. refused to change into the scrubs, "[s]ecurity was called . . . based on [hospital] policies and procedures." RP 12.

Ms. Zwiefelhofer testified that A.T. kicked her in the hand while she was removing A.T.'s pants and A.T.'s "legs were flailing." RP 38-39.

Ms. Deal testified that A.T. kicked her while she was "trying to hold her legs and get her pants down." RP 45-47. She opined that A.T. knew Ms. Deal was there because Ms. Deal had spoken to A.T. and A.T. had looked at her. RP 46-47.

A.T. admitted that she had initially refused to take off her clothes, but she testified that she had relented, and was beginning to remove her clothes, when a nurse summoned the two male security guards. RP 53-55, 58. She said she then refused to change into the scrubs because she did not want to change in front of the men. RP 55, 58.

A.T. also testified that her only motive for kicking was to escape the restraint, that she did not know anyone was behind her at the time, and that she did not intentionally kick anyone. RP 55-61.

The State's closing argument took less than one minute. Sub. No. 13 at 2; see RP 61-62, 66-67. The prosecutor did not discuss any of the elements of the charged offenses; instead, he simply argued A.T. had received fair warning that she would be criminally prosecuted. RP 61-62.

Defense counsel argued that A.T.'s panicked struggle was not an assault, because she did not intend to kick anyone:

> If you look at the facts of this case, I don't think we have an assault. We have evidence that she was physically grabbed, pushed face down into the mattress at the hospital. You can see the video where . . . both of the security guards are on either side of her. She's screaming and yelling, and the other employees are trying to grab ahold of her clothes and cut them off her. Okay.
>
> It does not appear that she can see, and she's testified she was not able to see anybody back there and she is simply kicking to try to get ahold of the floor to push away. That is not assault. Assault is an intentionally offensive or harmful act towards a person. Okay? That is not what we had here. We have a person trying to get away.

RP 66.

Defense counsel also argued A.T. was acting in self-defense and with necessity:

> Second, she acted in self-defense. I don't think the hospital, legally is entitled to force somebody to change without making an individualized assessment related to risk to force them to change their clothes. Okay. And in this instance, she was trying to really push away and get away. What other option did she have?
>
> I also think that she . . . acted with necessity because she felt like she was being assaulted. There

> was really no other way to avoid the harm to her than to push away. Okay. And they perpetrated it on her by grabbing a hold of her and throwing her onto the bed face down. Okay. It was minimal in her reaction and there wasn't really a legal alternative. Okay.
>
> The state's argument is that she could have just complied, but she's not required to comply. Okay. She's not required to be forced into changing her clothes in this circumstance. So, for all of these reasons, Your Honor, I'm asking the Court to find her not guilty of these offenses.

RP 64-65.

The court found A.T. guilty as charged. RP 69.

With respect to the two assault counts, the court found A.T.'s testimony credible overall, except on the question of whether she knew Ms. Zwiefelhofer and Ms. Deal were behind her when she kicked:

> Common sense would indicate that she knew that they were behind her. Her testimony - - I found her testimony largely to be credible. She answered some difficult questions honestly. But as far as the testimony of hers that she didn't know that they were there and that she was not, she was flailing around just to change her position, I did not find credible.

> I believe that she knew they were there, she was resisting to try to prevent them from taking her clothing off. And she purposefully and intentionally kicked back in their direction to prevent them from doing what they were going to do that she didn't want them to do.

RP 68.

At the disposition hearing, the State asked the court to impose 15 days of detention, 12 months of supervision, and 24 hours of community service. RP 73-74. The prosecutor told the court:

> We believe [the] testimony showed basically a disrespect for authority and a kid who was unwilling to comply with what she was being told to do by those in authority. And that simply cannot happen.

RP 74.

Defense counsel requested the mandatory minimum term of two days' detention, followed by six months of supervision and 24 hours of community service. RP 74. He noted, "clearly she was having some mental health issues . . . [but] I think she's learned a lot from this entire process." RP 74.

A.T. asked the court to impose community service and probation, but not any discretionary detention. RP 75-76. She assured the court that she had learned her lesson, and that the next time she went to the hospital "for mental health," she would "comply." RP 75-76. "Yes," A.T. said, "I did it because of [post-traumatic stress disorder], but I should not have done it." RP 75-76.

The court imposed five days' detention, 12 months' probation, and 23 hours of community service. CP 11. It castigated AT. for "screaming and screaming" while the hospital staff held her down and stripped her naked. RP 76-78. The judge told A.T.:

> It was traumatic for me [and] to other people that were there to get care, to hear you screaming and screaming and screaming - - and I'll tell you, it did not sound genuine to me. That's just my opinion. But it did not sound genuine. It sounded like somebody who was just trying to get her way.

RP 76-78.

Court of Appeals Decision

A.T. appealed, arguing—among other theories—that the State failed to prove her alleged "assaults" were anything other than self-defense. Op. Br. at 32-39.

In support of this argument, A.T. relied on longstanding Court of Appeals' authority holding that a juvenile may legitimately claim self-defense even against force that is *lawful*. Op. Br. at 37 (citing State v. Graves, 97 Wn. App. 55, 61-62, 982 P.2d 627 (1999)).

The State agreed that, under Graves, "a defendant may legitimately claim self-defense against force that is lawful." Br. of Resp. at 12. But the State argued the right to *claim* self-defense does not entail the right to actually *use* self-defense. Br. of Resp. at 12-13.

Incredibly, the Court of Appeals agreed. It held that, under Graves, a child may "rais[e]" the issue of self-defense, if she is prosecuted for resisting an adult's "lawful use of force." Op. at 9.

But the Court of Appeals also held that, so long as the adult's use of force is lawful, the child's defense will fail as a matter of law. Op. at 9-10.

As explained below, this paradox directly conflicts with the reasoning and result in Graves, 97 Wn. App. at 62-63. It also reflects a misreading of this Court's decision in State v. Riley, 137 Wn.2d 904, 976 P.2d 624 (1999).

D. REASONS REVIEW SHOULD BE ACCEPTED

In A.T.'s case, the Court of Appeals has directly rejected published precedent, in an unpublished opinion. It also concluded that a child may be adjudicated delinquent for resisting a forcible public stripping by several adults. A.T.'s case therefore warrants review under RAP 13.4(b)(2), because it conflicts with a published decision of the Court of Appeals, and under RAP 13.4(b)(4), because it involves an issue of substantial public interest that should be determined by this Court.

1. When a defendant to an assault charge presents credible evidence that she acted in self-defense, the State must disprove that defense beyond a reasonable doubt.

In every criminal prosecution, due process requires the prosecution prove beyond a reasonable doubt every fact necessary to constitute the crime charged. In re Winship, 397 U.S. 358, 364, 90 S. Ct. 1068, 25 L. Ed. 2d 368 (1970). A reviewing court must reverse a conviction for insufficient evidence where no rational trier of fact could have found the essential elements of the crime proved beyond a reasonable doubt, viewing the evidence in the light most favorable to the prosecution. 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. Such inferences must "logically be derived from the facts proved, and should not be the subject of mere surmise or arbitrary assumption." Bailey v. Alabama, 219 U.S. 219, 232, 31 S. Ct. 145, 55 L. Ed. 191

(1911). When there is insufficient evidence to support a conviction, the remedy is to reverse the conviction and dismiss the charge with prejudice. State v. Hickman, 135 Wn.2d 97, 103, 954 P.2d 900 (1998).

A person commits third-degree assault, as charged in A.T.'s case, when she "[a]ssaults a nurse, physician, or health care provider who was performing his or her nursing or health care duties at the time of the assault." RCW 9A.36.031(1)(i). An assault, by definition, entails the use of "unlawful force." See State v. Elmi, 166 Wn.2d 209, 215, 207 P.3d 439 (2009); State v. Wilson, 125 Wn.2d 212, 218, 883 P.2d 320 (1994).

Force is lawful "[w]henever used by a party about to be injured . . . in preventing or attempting to prevent an offense against his or her person, . . . in case the force is not more than necessary." RCW 9A.16.020. Therefore, where the defendant presents credible evidence tending to prove that her allegedly assaultive behavior was self-defense, the State must disprove that

defense beyond a reasonable doubt. Graves, 97 Wn. App. at 61-62 (citing State v. Dyson, 90 Wn. App. 433, 438, 952 P.2d 1097 (1997); State v. Miller, 89 Wn. App. 364, 367-68, 949 P.2d 821 (1997)).

"'To establish self-defense, a defendant must produce evidence showing that he or she had a good faith belief in the necessity of force and that the belief was objectively reasonable.'" Id. (quoting Dyson, 90 Wn. App. at 438-39). This means the standard for evaluating a claim of self-defense has both objective and subjective elements: the subjective element requires the factfinder to consider the facts and circumstances known to the defendant at the time, while the objective element requires the factfinder to determine what a reasonably prudent person would do in light of those facts and circumstances. State v. Walden, 131 Wn.2d 469, 474, 932 P.2d 1237 (1997).

Where the defendant is charged with using non-deadly force, a valid self-defense claim does not require fear of "great

bodily harm"; mere "injury" is sufficient. State v. L.B., 132 Wn. App. 948, 953, 135 P.3d 508 (2006). A person may use that degree of force, necessary to protect herself, which a reasonably prudent person would use under the conditions appearing to them at the time. State v. Bailey, 22 Wn. App. 646, 650, 591 P.2d 1212 (1979).

2. Under Graves, even if hospital staff had legal authority to forcibly strip A.T., the evidence was insufficient to disprove her claim that she acted in self-defense.

It was undisputed that several adults grabbed A.T. and forcibly undressed her as she screamed and tried to get away. No witness testified that A.T. kicked with more force than was necessary to try to struggle free. There is absolutely no evidence—not even a suggestion—that she used gratuitous violence to inflict unnecessary harm. On the contrary, the court expressly found that A.T. kicked Ms. Zwiefelhofer and Ms. Deal "to prevent them from doing what they were going to do that she didn't want them to do,"

i.e., forcibly strip her almost naked in front of several adult men and women. RP 68.

Rather than argue that A.T. kicked with unnecessary force, the State's theory was that A.T. could have prevented the attack, in the first place, by undressing on command. This theory is incorrect under the Court of Appeals' squarely controlling decision in Graves, 97 Wn. App. at 62-63.

In Graves, a father disciplined his disobedient 15-year-old son using two forms of physical force: first, he grabbed his son by his chin to force eye contact; second, after an extended confrontation involving some wrestling, the father approached his son again and put him in a "hold," to subdue him until the police could arrive. Id. at 57-60. Both times, the son struggled to get away. Id. At some point, he grabbed his father around the waist; at another point, he struggled against his father's grip and screamed obscenities at his father. Id. The State charged the son with fourth-degree assault. Id. at 61.

Although the father admitted initiating all the physical contact, including the wrestling match, the trial court found the son committed an assault, reasoning: "'[The son] had no right to self-defense in that a parent has a right to use reasonable force to discipline a child. The force used by [the father] . . . was reasonable and lawful.'" Id. at 61.

In other words, in Graves, the trial court permitted the son to *raise* a claim of self-defense, but it rejected that claim as legally barred, because it found that the parent's use of force had been *lawful*. See id. at 61.

The Court of Appeals reversed, in a published decision. Id. at 62-63. It held that the son had a right to defend himself no matter how lawful the father's use of force. Id. Having reached that legal conclusion, the Court of Appeals could have remanded for another trial, at which the trial court would apply the proper legal standard. Instead, the appellate court held that the evidence was insufficient to disprove self-defense—and therefore insufficient to sustain the

assault conviction—because it showed only that the son had tried to escape his father's (lawful) grip. Id. at 63.

Numerous appellate decisions have recognized the rule announced in Graves: even where an adult's use of force was lawful, the child may legitimately claim self-defense in an adjudication. State v. Young-Hotchkiss, noted at 4 Wn. App. 2d 1071, 2018 WL 3752209, at *4 (under Graves, trial court errs if it concludes the juvenile is precluded from raising a self-defense claim solely because adult's use of force was lawful); State v. J.A., noted at 6 Wn. App. 2d 1036, 2018 WL 6579503, at *2 (under Graves, right to raise self-defense claim "extends to child whose parent admits to use of force as parental discipline"); State v. K.A., noted at 182 Wn. App. 1027, 2014 WL 3611146, at *3 (under Graves, trial court errs by finding parent's reasonable and lawful use of force precludes juvenile's self-defense claim).[1]

[1] A.T. cites all these unpublished decisions both for their non-controlling but persuasive authority, under GR 14.1, and as

3. The Court of Appeals overturned Graves, in an unpublished decision that misapplies this Court's precedent.

As noted, A.T. relied on Graves in her appeal: she argued the decision conferred on her a right to resist a forcible public stripping, even if that act of violence and humiliation was "lawful." Op. Br. at 37-38. The Court of Appeals rejected this argument, concluding that the Graves decision must not really have happened. Op. at 9-10.

In direct contradiction to the reasoning and result in Graves, the Court of Appeals opted for what it called "[a] fair reading" of that case. Op. at 9. According to the Court of Appeals, this "fair reading" is that a defendant may argue self-defense "if their actions are in response to some exercise of force, but if the force used against the defendant was lawful the State had met its burden to disprove self-defense." Op. at 9. The Court of Appeals did not

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evidence that several appellate decisions interpret Graves just as A.T. does.

explain how this "fair reading" of Graves could be reconciled with the result in Graves: dismissal for insufficient evidence to disprove self-defense, even though "the force used by [the father] . . . was *reasonable and lawful*.'" 97 Wn. App. at 61 (emphasis added).

In defense of its "fair reading" of Graves, the Court of Appeals cited Riley, 137 Wn.2d at 911, ostensibly for the rule that "[s]elf-defense is available only to respond to the unlawful use of force." Op. at 8-9. But Riley does not stand for this rule.

Riley addressed a "first aggressor" instruction. 137 Wn.2d at 908-10. It held the trial court did not err (specifically, that it did not violate the defendant's First Amendment free speech rights) by giving a "first aggressor" instruction at his trial for first-degree assault with a deadly weapon. Id. at 907, 913-14.

In this context, the Riley Court cited a treatise, which theorized that a "first aggressor" generally "defends" against lawful force:

> [T]he reason one generally cannot claim self-defense when one is an aggressor is because 'the aggressor's victim, defending himself against the aggressor, is using lawful, not unlawful, force; and the force defended against must be unlawful force, for self-defense.

Id. (quoting 1 Wayne R. LaFave & Austin W. Scott, Jr., SUBSTANTIVE CRIMINAL LAW § 5.7(e) at 657-58 (1986)).

To A.T.'s knowledge, this dicta from Riley has never been cited outside the "first aggressor" context. See, e.g., State v. Grott, 195 Wn.2d 256, 266, 458 P.3d 750 (2020); State v. Zeigler, __ Wn. App. 2d __, 546 P. 534, 540 (2024); State v. Kee, 6 Wn. App. 2d 874, 879, 431 P.3d 1080 (2018); State v. McGhee, noted at 30 Wn. App. 2d 1009, 2024 WL 940409, at *4 (unpublished); State v. Stokes, noted at 13 Wn. App. 2d 1025, 2020 WL 1929276, at *3 (unpublished). No one has suggested that A.T. was a "first aggressor" against hospital staff.

A.T.'s case appears to the be the first time any court has suggested that Riley limits Graves, let alone so thoroughly as to in

fact overturn it. Indeed, the Riley decision preceded Graves by several months. It is difficult to understand why the Court of Appeals suddenly finds them irreconcilable, after 25 years.

It is also difficult to understand why the Court of Appeals would announce a radically new interpretation of longstanding precedent in an unpublished decision. Whether the child in question is a teenage boy, displaying masculinity that the Court of Appeals deems socially acceptable, or a teenage girl, displaying rage and fear for which the Court of Appeals has no sympathy, the same rule should apply. This Court should grant review to clarify what that rule is.

E. CONCLUSION

This Court should grant review, affirm the holding of Graves, 97 Wn. App. 55, and remand for dismissal of the assault adjudications with prejudice.

I certify that this document was prepared using word processing software, in 14-point font, and contains 4,419 words excluding the parts exempted by RAP 18.17.

DATED this 3rd day of October, 2024.

Respectfully submitted,

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Filed
Washington State
Court of Appeals
Division Two

September 4, 2024

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

STATE OF WASHINGTON, Respondent, v. A.T., Appellant.	No. 58097-7-II UNPUBLISHED OPINION

VELJACIC, A.C.J. — A.T. appeals the juvenile court's order adjudicating her guilty of two counts of assault in the third degree and one count of interference with a health care facility. A.T. argues that the evidence was insufficient to support the guilty finding on the assault charges because the State failed to disprove self-defense beyond a reasonable doubt and because the State failed to prove that A.T. assaulted a health care provider as defined by statute. A.T. also argues that her adjudication for interfering with a health care facility must be reversed because the State failed to prove she made true threats under the recent constitutional standard articulated in *Counterman*.[1] Finally, A.T. argues we should remand for the juvenile court to strike the DNA collection fee.

We affirm the juvenile court's adjudication that A.T. is guilty of two counts of assault in the third degree. We reverse the juvenile court's adjudication that A.T. is guilty of interfering with a health care facility. Further, we remand to the juvenile court to strike the $100 DNA collection fee.

[1] *Counterman v. Colorado*, 600 U.S. 66, 143 S. Ct. 2106, 216 L. Ed. 2d 775 (2023).

FACTS

On January 12, 2023, Deputy Isaac Ingle responded to Centralia High School because A.T. was refusing to leave the school. When A.T. made comments about self-harm and suicide, Ingle determined that A.T. needed to be involuntary detained in a medical facility for her safety. A.T. was transported to the emergency department at Centralia Providence Hospital. When A.T. was admitted, she was told she needed to change into scrubs. A.T. resisted changing her clothes and was kicking and screaming. Ultimately, hospital staff, hospital security, and Ingle restrained A.T. to the hospital bed and changed her clothes. Later, two nurses informed Ingle that they had been assaulted by A.T. The State charged A.T. with two counts of assault in the third degree and one count of interference with a health care facility.

At the factfinding hearing, Ingle testified that he responded to Centralia High School because A.T. was refusing to leave the school. Ingle met with A.T. and learned that A.T.'s father had previously responded to the school but had left to return to work. A.T. said she did not want to go with her father and she did not feel safe. Ingle contacted A.T.'s father and he returned to the school to have another conversation with A.T. A.T. started to leave with her father, but then began making comments regarding self-harm and wanting to die.

Footage from Ingle's body camera was also admitted at the factfinding hearing. The initial body camera footage showed A.T. waiting calmly on a gurney in a hallway before she was admitted to the hospital. The second part of the body camera footage begins with Ingle entering the treatment room to speak with A.T. because she was resisting the hospital staff's instructions. Ingle began explaining why A.T. was brought to the emergency room and A.T. shouted, "Yeah, I know, cause [sic] I said I was going to kill myself so I could get the f**k away from my dad." Ex. 1 (video 443_6) at 00:36-00:41. In the video, A.T. is wearing a bra, a crop top, and leggings. Ingle

explained that A.T. was not in any criminal trouble and encouraged A.T. to comply with the hospital staff's directions.

A.T. asked why she should comply with the hospital staff's directions. A nurse and Ingle told A.T. that if she did not comply they would have to restrain her. The nurse also told A.T. that she was disrupting the emergency room and A.T. responded, "That sucks doesn't it?" Ex. 1 (video 443_6) at 02:17-02:18. The nurse asked if A.T. was going to cooperate with changing her clothes. A.T. responded that the hospital staff was not going to cut her clothes off. Security personnel entered the room and A.T. refused to change while security was in the room. The nurse said security would turn around but they would stay in the room because A.T. had made threats that the hospital staff had to take seriously. When A.T. continued to resist the hospital staff's instructions, the nurse told A.T. they were done discussing things. Ingle was outside the room at this time, but his body camera recorded A.T. screaming.

A.T. screamed, "f***ing bitch" and that she would "f***ing kill all of you." Ex. 1 (video 443_6) at 03:52-03:56. A.T. continued screaming. Hospital staff requested that Ingle reenter the room. Staff in the room stated they had been kicked and were going to file charges. A.T. continued screaming continuously as her clothes were cut off. Another hospital staff member in the room ordered medication and told A.T. they were trying to help her and the medication would calm her down. A.T. continued screaming as hospital staff restrained her to the hospital bed. While hospital staff attempted to put the scrubs on her, A.T. screamed, "This bitch is going to pull my knee out," and then screamed, "This bitch, I'm gonna [sic] f**k you up." Ex. 1 (video 443_6) at 06:23-06:28. Hospital staff repeatedly encouraged A.T. to calm down. A.T. continued to scream for several minutes while hospital staff got her dressed in medical scrubs.

Tiffany Zwiefelhofer testified that she was a registered nurse in the hospital emergency department. On the day A.T. was admitted to the emergency department, Zwiefelhofer was working as a float nurse and was assigned to check in A.T. when she arrived. Zwiefelhofer explained that when a patient has been detained by law enforcement, hospital policy requires the patient to change out of their normal clothing into hospital scrubs so they can be identified if they are seen out of their room. Zwiefelhofer also noted there were safety reasons such as ensuring the patient did not have anything that could be used to harm themselves or others.

When Zwiefelhofer entered A.T.'s room, A.T. appeared agitated and tense. Zwiefelhofer testified that A.T. did not want to change into scrubs. Zwiefelhofer tried to calm A.T., but A.T. continued to be resistant to changing into the scrubs. At one point, A.T. threatened to kill Zwiefelhofer. Zwiefelhofer told A.T. that it was illegal to threaten to kill her. Ultimately, Zwiefelhofer told A.T. that changing into scrubs was a requirement, and if A.T. continued to refuse to change, she would be restrained.

The charge nurse came into the room and asked Ingle to come back in the room to speak to A.T. Security was also called into the room. When A.T. continued to refuse to change her clothes, she was restrained. Security restrained A.T.'s upper body by bending her forward on the hospital bed. Zwiefelhofer testified that A.T. was flailing her legs and A.T. kicked Zwiefelhofer in the hand while Zwiefelhofer was removing A.T.'s clothes.

Zwiefelhofer testified that A.T.'s conduct interfered with her and others' ability to do their jobs. Zwiefelhofer also explained that A.T. required immense resources, which prevented those staff from treating other patients.

Autumn Deal testified that she was a certified nursing assistant working as an emergency department technician at the hospital. Deal testified that she heard A.T. yelling in her room and

went to help with the process of getting A.T. changed into scrubs. Deal testified that psychiatric patients were required to wear scrubs for safety because normal hospital gowns had ties that could be used as ligatures.

When Deal entered the room, A.T. was yelling and the nurse was trying to explain to A.T. what needed to happen. A.T. was adamantly refusing to comply. Another nurse came in the room and told A.T. that if she did not change into the scrubs so they could continue care, A.T. would have to be restrained and her clothes cut off. Deal testified that while security was restraining A.T.'s upper body to the bed, Deal was attempting to get A.T.'s pants off without having to cut them. A.T. was resisting and kicking Deal repeatedly. Deal testified that A.T. appeared to know Deal was behind her because she turned and looked at her while she was resisting getting her clothes changed.

Deal testified A.T. was screaming while she was resisting and causing a commotion in the emergency room. Deal also explained that A.T. was interfering with the ability of the emergency room to operate effectively and more than a normal amount of resources were being used to address A.T.'s behavior.

A.T. also testified at the factfinding hearing. A.T. testified that she was in the hospital room refusing to change into scrubs because she did not want to change. When A.T. continued to refuse to change, the nurses called security. A.T. then began to change, but refused again when security arrived because she did not want male security staff in the room when she changed. Despite being told that the security officers would turn around while she changed, A.T. refused to change while they were in the room.

Then the security guards grabbed A.T.'s arms and restrained her face down on the bed. A.T. began struggling to get away from them: "I was kicking my feet, on the floor, trying to get

my whole body to move so I could get out of them holding me down." Rep. of Proc. at 56. A.T. testified that she did not know that there was anyone behind her. She was not trying to kick anyone and was not aware that she had kicked anyone.

In closing argument, A.T. argued that the Involuntary Treatment Act (ITA), chapter 71.05 RCW, provided patients with the right to wear their own clothes unless an individualized determination was made that depriving the patient of their clothes was necessary for safety. A.T. also argued that there was no assault because A.T. did not know anyone was behind her and was only kicking to try to get on the floor to push away. And, A.T. argued that she was only acting in self-defense because the hospital staff was not entitled to use force to change her clothes.

The trial court found that A.T. threatened suicide to avoid going home with her father and, as a result, was detained and transported to the hospital. The trial court also found that the hospital had a policy requiring behavioral health patients to change into certain scrubs so they can be identified and to remove any clothing that could be used as a ligature. And the trial court found that A.T. "was wearing a brassiere, and a sports bra, as well as leggings, any of which could be used as a ligature." Clerk's Papers (CP) at 37.

A.T. repeatedly refused to comply with medical staff's instructions to change her clothes and threatened physical harm against the staff. Based on A.T.'s threats, security was called into the room. Ingle was also called into the room to advise A.T. of the consequences of refusing to comply with medical staff's instructions to change her clothes, including possible criminal charges. When A.T. continued to refuse to change her clothes, she was warned that she would be restrained and her clothes cut off.

As to the assaults, the trial court made the following findings of fact:

> 19. Tiffany Zwiefelhofer, a Registered Nurse employed in the hospital and working in her capacity as a nurse, was behind [A.T.] attempting to remove her clothes.
> 20. Autumn Deal, a Certified Nursing Assistant employed in the hospital and working in her capacity as a nurse, was also behind [A.T.] attempting to remove her clothes.
> 21. [A.T.] knew both Nurse Zwiefelhofer and CNA Deal were behind her as she was being restrained by security personnel, because they were speaking to her and giving her verbal directives during the struggle.
> 22. [A.T.] screamed loudly during this struggle.
> 23. As [A.T.] was struggling with security, she kicked both Nurse Zwiefelhofer and CNA Deal.
> 24. [A.T.]'s actions were intentional assaults on both Nurse Zwiefelhofer and CNA Deal.

CP at 37. The trial court also found that A.T.'s testimony that she did not know anyone was behind her and she was only attempting to push off the floor was not credible. Additionally, the trial court found that A.T.'s conduct was disruptive to operations at the hospital. And, A.T.'s conduct was unreasonable and disturbed the peace at the hospital.

The trial court concluded that the provision of the ITA cited by A.T. did not apply to this case. And, the trial court concluded that A.T. was guilty of two counts of assault in the third degree and one count of interference with a health care facility as charged. The trial court imposed a standard range sentence of 2 days' confinement, 32 hours of community restitution, and 12 months' supervision. The trial court also imposed a $100 DNA collection fee.

A.T. appeals.

ANALYSIS

I. THIRD DEGREE ASSAULT

A.T. argues that there was insufficient evidence to support her adjudication for assault in the third degree because the State failed to disprove self-defense beyond a reasonable doubt. A.T. also argues that there was insufficient evidence to prove the second assault in the third degree

count because there was no evidence that Deal was a health care provider as defined by statute. We disagree.

"In a juvenile proceeding, as in an adult case, the evidence is sufficient to support an adjudication of guilt if any rational trier of fact, viewing the evidence in the light most favorable to the State, could find all the essential elements of the crime charged beyond a reasonable doubt." *State v. E.J.Y.*, 113 Wn. App. 940, 952, 55 P.3d 673 (2002). "A claim of insufficient evidence 'admits the truth of the State's evidence and all inferences that reasonably can be drawn therefrom.'" *Id.* (quoting *State v. Salinas*, 119 Wn.2d 192, 201, 829 P.2d 1068 (1992)). We defer to the trier of fact on issues of conflicting testimony, witness credibility, and the persuasiveness of the evidence. *Id.*

A. Self-Defense

A person is guilty of assault in the third degree if they, under circumstances not amounting to assault in the first or second degree, assaults a nurse, physician, or health care provider who was performing their health care duties at the time of the assault. RCW 9A.36.031(1)(i).[2] "'Assault is an intentional touching or striking of another person that is harmful or offensive, regardless of whether it results in physical injury.'" *State v. Jarvis*, 160 Wn. App. 111, 119, 246 P.3d 1280 (2011) (quoting *State v. Tyler*, 138 Wn. App. 120, 130, 155 P.3d 1002 (2007)).

Self-defense is a defense to assault. *See* RCW 9A.16.020. "The use, attempt, or offer to use force upon or toward the person of another is not unlawful . . . [w]henever used by a party about to be injured, or . . . in preventing or attempting to prevent an offense against his or her person." RCW 9A.16.020(3). Self-defense is available only to respond to the unlawful use of

[2] RCW 9A.36.031 was amended, effective June 2024. LAWS OF 2024, ch. 220, § 1. This amendment did not affect the section of the statute under which A.T. was charged. Therefore, we cite to the current version of the statute.

force. *State v. Riley*, 137 Wn.2d 904, 911, 976 P.2d 624 (1999). "If the defendant meets the 'initial burden of producing some evidence that his or her actions occurred in circumstances amounting to self-defense,' then the State has the burden to prove the absence of self-defense beyond a reasonable doubt." *State v. Grott,* 195 Wn.2d 256, 266, 458 P.3d 750 (2020) (quoting *Riley*, 137 Wn.2d at 909, 910 n.2).

As an initial matter, A.T. claims that, even if the hospital staff had legal authority to use force to change her clothes, she was entitled to use lawful force in self-defense. This is incorrect. It is well-established that self-defense must be used to defend against *unlawful force*. *Riley*, 137 Wn.2d at 911.

A.T. claims that *State v. Graves*, 97 Wn. App. 55, 982 P.2d 627 (1999), establishes that a defendant is entitled to use force in self-defense against the lawful use of force. However, A.T. misreads *Graves*. *Graves* held that a child was not legally precluded from raising self-defense simply because the State alleged the force the child used was used against a parent exercising reasonable parental discipline. 97 Wn. App. at 62-63. A fair reading of *Graves*, in light of well-established law that self-defense cannot be used in response to the lawful use of force, is that a defendant is not precluded from arguing self-defense if their actions are in response to some exercise of force, but if the force used against the defendant was lawful the State has met its burden to disprove self-defense. *See Graves*, 97 Wn. App. at 62-63 ("But the question of whether the father's own use of force was reasonable is a completely separate inquiry from whether the child was initially entitled to raise the claim of self-defense.").

Moreover, A.T. was not precluded from raising self-defense. A.T. clearly argued that she was acting in self-defense. Instead of concluding that A.T. was not entitled to raise self-defense, the juvenile court essentially found that the hospital staff's use of force was lawful and, implicitly

found that the State disproved A.T.'s claim of self-defense. Accordingly, the issue in this case is properly whether the State disproved A.T.'s claim of self-defense by proving that the hospital staff exercised lawful force.

Here, the juvenile court found that the hospital had a policy requiring mental health patients to change into scrubs to make them identifiable and to remove the risk of clothing that may be used as a ligature. The trial court also found that A.T. was wearing clothing that could be used as a ligature[3] and was repeatedly warned that her clothes would be forcibly removed if she continued to refuse to change her clothes. Finally, the trial court found that A.T. was held down by security officers "as her clothing was cut from her, and the scrubs were put on her by medical staff." CP at 37. These findings support the juvenile court's conclusions that a hospital has a duty to protect patients and the "steps taken by the hospital were reasonable and necessary to protect a patient ([A.T.]) that had threatened suicide and had threatened to physically harm and verbalized that she was going to kill medical and security personnel." CP at 38.

Based on the juvenile court's findings and conclusions, it is apparent that the juvenile court concluded that the State proved that the hospital staff were taking reasonable and necessary action to ensure compliance with a hospital policy which was meant, at least in part, to ensure A.T.'s safety. In other words, the juvenile court concluded that the hospital staff was using lawful force and, therefore, the State disproved A.T.'s claim that she was acting in self-defense.

[3] A.T. assigns error to this finding of fact but claims the finding is irrelevant and does not explain how this finding of fact is not supported by substantial evidence. Generally, we will not consider assignments of error that are not supported by argument and citation to authority. RAP 10.3(a)(6). Further, the video clearly shows the clothes that A.T. was wearing and it is a reasonable inference that the straps and clothing could be used as a ligature.

However, A.T. argues that hospital staff did not have the legal authority to force her to change clothes because RCW 71.34.355 protects a minor's right to wear their own clothing when receiving mental health treatment.[4] We disagree.

RCW 71.34.351 provides,

> A peace officer may take or authorize a minor to be taken into custody and immediately delivered to an appropriate crisis stabilization unit, 23-hour crisis relief center, *evaluation and treatment facility*, secure withdrawal management and stabilization facility, approved substance use disorder treatment program, *or the emergency department of a local hospital* when he or she has reasonable cause to believe that such minor is suffering from a behavioral health disorder and presents an imminent likelihood of serious harm or is gravely disabled.

(Emphasis added.)[5] "Evaluation and treatment facility" is defined as "a public or private facility or unit that is licensed or certified by the department of health to provide emergency, inpatient, residential, or outpatient mental health evaluation and treatment services for minors." Former RCW 71.34.020(24) (2021).[6] RCW 71.34.355(1) provides, in relevant part, that "[a]bsent a risk to self or others, minors *treated* under this chapter have the following rights, which shall be prominently posted in the *evaluation and treatment facility*: (a) To wear their own clothes and keep and use personal possessions."

[4] We note that, at the juvenile adjudication, A.T. relied on provisions of chapter 71.05 RCW, which is the statutory scheme governing involuntary treatment of behavioral health disorders for adults, rather than chapter 71.34 RCW, which is the statutory scheme governing involuntary treatment of behavioral health disorders for minors. However, because the statutes and the accompanying arguments are substantially the same, we do not consider this argument barred by RAP 2.5(a).

[5] In 2024, the legislature amended RCW 71.34.351 to include "23-hour crisis relief center." LAWS OF 2024, ch. 367, § 5. This amendment does not change our analysis and, therefore, we cite to the current version of the statute.

[6] And all other facilities referenced in RCW 71.34.351 are defined by statute, except "emergency department of a local hospital." Former RCW 71.34.020(5), (15), (59); *see also* RCW 71.34.020(1) (23-hour crisis relief centers add in 2024).

The specific rights in RCW 71.34.355(1) clearly apply to minors being treated in an evaluation and treatment facility. Reading RCW 71.34.351 together with RCW 71.34.355, being treated at an evaluation and treatment facility is distinct from being taken into custody and delivered to an emergency department to address an imminent likelihood of serious harm. Therefore, RCW 71.34.355(1) was not applicable to A.T.[7]

B. Health Care Provider

A.T. also argues that there was insufficient evidence to support the juvenile court's adjudication on the second count of assault in the third degree because the State failed to present sufficient evidence that Deal was a health care provider as required by the assault in the third degree statute.

To be guilty of assault in the third degree, a person must assault a health care provider performing health care duties at the time of the assault. RCW 9A.36.031(1)(i). A health care provider is "a person regulated under Title 18 RCW and employed by, or contracting with, a hospital licensed under chapter 70.41 RCW." RCW 9A.36.031(1)(i).

Here, Deal testified, and the juvenile court found, that she was a certified nursing assistant employed by the emergency department at the hospital. Chapter 18.88A RCW regulates nursing assistants and identifies "nursing assistant-certified" as a nursing assistant certified under chapter 18.88A RCW. RCW 18.88A.020(8)(a). Therefore, it is a reasonable inference from Deal's testimony that she is a certified nursing assistant that she is a person regulated under Title 18 RCW.

[7] A.T. also argues that, even if RCW 71.34.355 does not apply, the hospital staff did not have the legal authority to resort to using physical force to ensure her compliance because RCW 9A.16.020(6) requires imminent danger before enforcing necessary restraint. However, the hospital staff's legal authority to act under RCW 9A.16.020(6) was never raised in front of the juvenile court, and the juvenile court was not required to make findings or conclusions specific to whether the hospital staff used force consistent with RCW 9A.16.020(6). Accordingly, we decline to consider this argument for the first time on appeal. RAP 2.5(a).

Further, multiple witnesses testified that the hospital was an operating hospital. RCW 70.41.090(1) prohibits operating a hospital, or even using the word hospital to identify an institution, if the hospital is not licensed under chapter 70.41 RCW. Because the hospital was operating and identified as a hospital, there is a reasonable inference that the hospital was licensed under chapter 70.41 RCW. Accordingly, there was sufficient evidence that Deal was a health care provider as required to find A.T. guilty of assault in the third degree.

II. INTERFERENCE WITH HEALTH CARE FACILITY

A.T. argues that her adjudication on interference with a health care facility should be reversed because there was not sufficient evidence to prove that A.T.'s threats were true threats under the *Counterman* standard.[8] We agree.

RCW 9A.50.020 provides,

> It is unlawful for a person except as otherwise protected by state or federal law, alone or in concert with others, to willfully or recklessly interfere with access to or from a health care facility or willfully or recklessly disrupt the normal functioning of such facility by:
>
> (1) Physically obstructing or impeding the free passage of a person seeking to enter or depart from the facility or from the common areas of the real property upon which the facility is located;
>
> (2) Making noise that unreasonably disturbs the peace within the facility;
>
> (3) Trespassing on the facility or the common areas of the real property upon which the facility is located;
>
> (4) Telephoning the facility repeatedly, or knowingly permitting any telephone under his or her control to be used for such purpose; or

[8] A.T. also argues that RCW 9A.52.020 is unconstitutionally vague as applied to her conduct. A.T. was charged with interfering with a health care facility by "[m]aking noise that unreasonably disturbs the peace within the facility," or by "[t]hreatening to inflict injury on the owners, agents, patients, employees, or property of the facility." RCW 9A.50.020(2), (5). It is unclear from the trial court's findings of fact and conclusions of law whether the trial court adjudicated A.T. guilty based on her threats or her screaming, and the State appears to concede that A.T. was prosecuted based on her threats. Because we reverse A.T.'s adjudication based on insufficient evidence to prove she made true threats, we decline to address A.T.'s argument that RCW 9A.52.020 is unconstitutionally vague.

> (5) *Threatening to inflict injury* on the owners, agents, patients, employees, or property of the facility or knowingly permitting any telephone under his or her control to be used for such purpose.

(Emphasis added.) Because the First Amendment to the United States Constitution does not protect true threats of violence, the State must prove a defendant made a true threat in order to convict the defendant of criminal conduct based on threats of violence. *See State v. Kilburn*, 151 Wn.2d 36, 41, 84 P.3d 1215 (2004) (explaining constitutional limitations require that a person may only be convicted of harassment if they made a true threat). "True threats are 'serious expression[s]' conveying that a speaker means to 'commit an act of unlawful violence.'" *Counterman*, 600 U.S. at 74 (alteration in original) (quoting *Virginia v. Black*, 538 U.S. 343, 359, 123 S. Ct. 1536, 155 L. Ed. 2d 535 (2003)).

Prior to *Counterman*, the Washington Supreme Court applied a simple negligence standard requiring objective consideration of the reasonable person to determine whether a defendant made a true threat. *State v. Schaler*, 169 Wn.2d 274, 287, 236 P.3d 858 (2010). Whether "'a statement is a true threat or a joke is determined in light of the entire context, and the relevant question is whether a reasonable person in the defendant's place would foresee that in context the listener would interpret the statement as a serious threat or a joke.'" *State v. Trey M.*, 186 Wn.2d 884, 894, 383 P.3d 474 (2016) (quoting *Kilburn*, 151 Wn.2d at 46).

In *Counterman*, the United States Supreme Court held that whether a statement is a true threat depends in part on what the statement conveys to the listener, however, the First Amendment also demanded "a subjective mental-state requirement." 600 U.S. at 75. Therefore, the State must prove the defendant made the threat at least recklessly: "The State must show that the defendant consciously disregarded a substantial risk that [the] communications would be viewed as threatening violence." *Id.* at 69.

The State concedes that the *Counterman* decision applies to A.T.'s case but argues that it presented sufficient evidence to prove that the recklessness standard articulated in *Counterman* was met. We disagree.

Here, there was little to no evidence of A.T.'s subjective state of mind regarding the threats that she made. A.T. testified, but testified only that she did not want to change and began screaming and struggling in order to prevent hospital staff from cutting off her clothes and forcibly changing her into scrubs. A.T. did not testify specifically about the threats that she made to hospital staff. Furthermore, the threats that were shown on the body camera footage were made while A.T. was being forcibly restrained by multiple adults, therefore, it is not reasonable to infer that A.T. consciously disregarded a risk that her statements would actually be viewed as threats to harm hospital staff or kill anyone because there was no opportunity for A.T. to actually accomplish these actions. And although we recognize that A.T. was told that hospital staff had to treat her threats as though they were serious, that is reasonably understood to mean that hospital staff would react to her threats as though they were serious (i.e. call security, restrain her, etc.), not that hospital staff would actually believe her statements to be threatening violence.

Given the specific facts presented here—a minor being detained for mental health issues and resisting hospital staff forcibly restraining her and stripping off her clothes—we cannot say that there was sufficient evidence to establish that A.T. was aware of, and consciously disregarded, a substantial risk that her statements would be viewed as threatening violence. Therefore, there was not sufficient evidence to satisfy the *Counterman* recklessness standard for establishing a true threat. Accordingly, we reverse A.T.'s adjudication for interfering with a health care facility.

III. DNA COLLECTION FEE

A.T. argues that the $100 DNA collection fee should be stricken from her judgment and sentence. The State does not object to striking the $100 DNA collection fee.

The $100 DNA collection fee is no longer authorized by statute. *See* RCW 43.43.7541. And the State has no objection to remanding for the trial court to strike the $100 DNA collection fee. Accordingly, we remand to the trial court to strike the $100 DNA collection fee.

CONCLUSION

We affirm the juvenile court's adjudication that A.T. is guilty of two counts of assault in the third degree. We reverse the juvenile court's adjudication that A.T. is guilty of interfering with a health care facility. Further, we remand to the juvenile court to strike the $100 DNA collection 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.

Veljacic, A.C.J.

We concur:

Maxa, J.

Glasgow, J.

NIELSEN KOCH & GRANNIS P.L.L.C.

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