

IN THE WASHINGTON SUPREME COURT

---

STATE OF WASHINGTON,	)	No. 103684-1
	)	
Respondent.	)	
	)	STATEMENT OF
v.	)	ADDITIONAL
	)	AUTHORITIES
MARQUES WATSON,	)	IN SUPPORT OF
	)	GRANTING REVIEW
Petitioner.	)	

---

Marques Watson, the petitioner, submits *State v. Gibson*, No. 58962-1-II, slip op. at 7-10, 2025 WL 543804, at \*3-4 (Wash. Ct. App. Feb. 19, 2025) (Maxa, J., dissenting) as additional authority in support of granting his petition for review.<sup>1</sup> RAP 10.8.

Mr. Watson argues review should be granted to decide whether the law eliminating the use of most juvenile adjudications in offender score calculations applies to

---

<sup>1</sup> <https://www.courts.wa.gov/opinions/pdf/D2%2058962-1-II%20Published%20Opinion.pdf>

sentencings on pre-act offenses where the change in the law *is in effect at the time of sentencing*.

In a case with a similar procedural posture to Mr. Watson's, Judge Maxa reasoned, contrary to the decision at issue in this case, the answer is yes:

The legislature enacted RCW 9.94A.525(1)(b), which states that most juvenile adjudications may not be included in a defendant's offender score, after Christian Dominic Solomon Gibson committed the offense at issue but before he was sentenced. I believe that this statutory amendment applies prospectively to the calculation of Solomon Gibson's offender score at sentencing.

*Gibson*, 58962-1-II, slip. op. at 7; 2025 WL 543804, at \*3.

Judge Maxa reasoned that the triggering event for prospective application of the RCW 9.94A.525(1)(b) is sentencing and that it must be applied to sentencings on or after the effective date of the law. *Id.*, slip op. 7-9, 2025 WL 543804, at \*3-4. He cited this Court's decision in *State v. Jenks*, 197 Wn.2d 708, 487 P.3d 482 (2021) in support of this conclusion. *Id.*

Under this reasoning, Mr. Watson was entitled to the benefit of RCW 9.94A.525(1)(b) and not have his prior juvenile adjudication counted in his offender score because the law was in effect when he was sentenced.

Given the conflicting opinions on RCW 9.94A.525(1)(b) and how *Jenks* is to be interpreted, this Court should grant Mr. Watson's petition for review to settle the issue. *See* RAP 13.4(b)(1), (2).

This document contains 306 words excluding the parts of the document exempted from the word count by RAP 18.17

Respectfully submitted this 3rd day of March, 2025.



---

Richard W. Lechich – WSBA #43296  
Washington Appellate Project –  
#91052  
Attorney for Petitioner

### 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 of the document to which this declaration is affixed/attached, was filed in the **Washington State Supreme Court** under **Case No. 103684-1**, 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 Matthew Pittman, DPA  
matthew.pittman@co.snohomish.wa.us  
Snohomish County Prosecuting Attorney  
Diane.Kremenich@co.snohomish.wa.us
- ☒ petitioner
- ☐ Attorney for other party



MARIA ANA ARRANZA RILEY, Paralegal  
Washington Appellate Project

Date: March 3, 2025

# WASHINGTON APPELLATE PROJECT

**March 03, 2025 - 4:19 PM**

## Transmittal Information

**Filed with Court:** Supreme Court  
**Appellate Court Case Number:** 103,684-1  
**Appellate Court Case Title:** State of Washington v. Marques Jakai Watson  
**Superior Court Case Number:** 22-1-01174-7

### The following documents have been uploaded:

- 1036841\_Briefs\_20250303161853SC323822\_1954.pdf  
This File Contains:  
Briefs - Petitioners Additional Authorities  
*The Original File Name was washapp.030325-02.pdf*

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

- Diane.Kremenich@co.snohomish.wa.us
- matthew.pittman@co.snohomish.wa.us

### Comments:

---

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

**Filing on Behalf of:** Richard Wayne Lechich - Email: richard@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 20250303161853SC323822**