Supreme Court No. _____
COA No. 59648-2-II



IN THE SUPREME COURT OF THE
STATE OF WASHINGTON

---

STATE OF WASHINGTON,

Respondent,

v.

JOHN TRUONG,

Petitioner.

---

ON APPEAL FROM THE SUPERIOR COURT OF
THE STATE OF WASHINGTON FOR COWLITZ
COUNTY

---

# PETITION FOR REVIEW

---

ARIANA DOWNING
Attorney for Petitioner
WASHINGTON APPELLATE PROJECT
1511 Third Avenue, Suite 610
Seattle, Washington 98101
ariana@washapp.org

## TABLE OF CONTENTS

## TABLE OF AUTHORITIES

### United States Supreme Court Cases



### Washington State Supreme Court Cases



### Washington State Court of Appeals Cases

**Constitutional Provisions**



**Statutes**



**Rules**

## A. IDENTITY OF PETITIONER AND DECISION BELOW

John Truong, petitioner, asks this Court to accept review of the Court of Appeals' decision terminating review. The Court of Appeals issued its opinion on February 11, 2025 (App. A), and it denied Mr. Truong's motion to reconsider on March 27, 2025 (App. B).

## B. INTRODUCTION

Due process requires a remedy when someone was harmed by an unconstitutional statute. This remedy differs based on the injury suffered and other factors. The United States Supreme Court is clear that in situations where an injury stems from power and authority which the government would not have had but for the unconstitutional statute, the appropriate remedy is to retroactively void the power unlawfully granted by the unconstitutional statute.

Here, the government exercised power over John Truong pursuant to a conviction for unlawful possession of a controlled substance ("UPCS"). Mr. Truong was sentenced to community custody for this conviction, which permitted the government to search his home with only a reasonable suspicion that he had violated a term of his community custody (failing to update his address with the Department of Corrections ("DOC")). The government exercised this authority, discovering evidence of additional crimes for which Mr. Truong was convicted in this case.

Mr. Truong's conviction for UPCS was later vacated due to this Court's decision in *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021). Mr. Truong filed a motion for relief from his conviction in this case under CrR 7.8. He argued that his unlawful UPCS conviction could not have granted the government authority to

search his home, and he also disputed an additional basis claimed as authority to search (consent of his mother). The trial court denied his motion, and then the Court of Appeals denied his appeal based on this Court's decision in *State v. Olsen*, 3 Wn.3d 689, 55 P.3d 868 (2024).

This Court should grant review for multiple reasons: first, it should grant review because the Court of Appeals' opinion improperly extended this Court's holding in *Olsen*. RAP 13.4(b)(1). Second, this Court should grant review because the opinion conflicts with binding United States Supreme Court precedent regarding due process remedies for an unconstitutional statute. RAP 13.4(b)(3). Third, this Court should grant review because this case presents an enduring question of constitutional interpretation—what retroactive effect to give to an unconstitutional statute while it

existed—for which little Washington precedent exists. *Id.* Fourth, this Court should grant review because this case expands on and elucidates the question currently pending before this Court in *State v. Balles*, Supreme Court Case No. 103582-9. RAP 13.4(b)(4). And fifth, this Court should grant review to clarify the court-made test for newly discovered evidence under CrR 7.8. RAP 13.4(b)(4).

**C. ISSUES PRESENTED**

1. What effect to give to an unconstitutional statute while it existed has troubled Washington courts in the wake of *Blake*. In *Olsen*, this Court evaluated whether subsequent invalidation of a statute changed a defendant's mental state when he previously pleaded guilty. *Olsen*, 3 Wn.3d at 691. By contrast, Mr. Truong's case asks whether subsequent invalidation of a statute changed the power and privilege of the

government to interfere with his right to privacy while the statute existed. Const. art I, § 7. These are different questions which involve fundamentally different effects of an unconstitutional statute. Did the Court of Appeals err to extend this Court's holding in *Olsen* to Mr. Truong's situation?

2. The United States Supreme Court has held that due process requires meaningful retroactive relief from deprivations created by an unconstitutional statute. Where the unconstitutional statute grants powers and privileges to the government that it otherwise would not possess, the only adequate remedy is to make the injured party whole by treating the misbegotten power as void. Here, the unconstitutional UPCS statute granted powers and privileges to the government to search Mr. Truong's home that it otherwise would not have had. Does the Court of

Appeals' denial of remedial relief here violate due process?

3. Consent cannot serve as justification to search if the consent was not voluntarily given. After *Blake*, the consent of Mr. Truong's mother remained the only justification for the search of the garage. For the first time, her testimony about that consent was relevant and admissible. Can this evidence satisfy the test for newly discovered evidence justifying relief from judgment under CrR 7.8?

## D. STATEMENT OF THE CASE

In 2018, John Truong was on community custody supervision for a prior UPCS conviction. CP 2, 87-88. While he was under this supervision, community corrections officers ("CCOs") searched a garage that they believed Mr. Truong was using as his residence. CP 2. They believed they had reasonable suspicion that

Mr. Truong had violated his community custody terms by failing to notify his CCO of a change in his address. CP 41.

The officers discovered a safe during their search of the garage. CP 2. They later obtained a warrant to search the safe and found a firearm, methamphetamine, heroin, and other drugs. CP 3. Mr. Truong was later tried and convicted for unlawfully possessing the firearm and for unlawfully possessing the methamphetamine with intent to deliver, with a firearm enhancement. CP 8.

After these convictions, Mr. Truong's prior UPCS conviction was vacated by *Blake*. CP 82; 197 Wn.2d 170, 481 P.3d 521 (2021). Mr. Truong subsequently moved *pro se* to vacate the judgment in this case under CrR 7.8, arguing that the State unlawfully found the gun and drugs. CP 71-92. Mr. Truong reasoned that

the State could not claim authority of law to search the garage because his status on community custody was unlawful due to the unconstitutionality of his conviction. CP 76. He also argued that the State lacked consent to search the garage due to a newly submitted affidavit from his mother stating that she was physically restrained by law enforcement and did not consent to a search. CP 72, 85.

The State conceded that Mr. Truong's CrR 7.8 motion was timely and that the trial court was the proper venue. CP 97; RP 25. It nevertheless argued that the court should deny Mr. Truong's motion because the State never lost authority to search under *Blake* and Ms. Truong's declaration was not newly discovered. CP 97-99.

The court held a hearing but took no testimony and received no evidence. RP 23-31. The court found

that Mr. Truong's motion was timely, but it denied his motion because it found that the mother's declaration was not "newly discovered evidence" and that the State had authority to search because, at the time, the conviction was not yet invalid. RP 28-30. Three months after the hearing, the Court filed findings of fact and conclusions of law proposed by the State. CP 207-210.

## E. ARGUMENT

### 1. The Court of Appeals improperly extended this Court's holding in *Olsen*

This Court should grant review because the Court of Appeals improperly extended this Court's recent ruling in *Olsen* to Mr. Truong's case.

Mr. Truong argued the police unlawfully searched his home in order to find the drugs and guns that formed the basis of his felony convictions in this case because their power to search was granted by an

unconstitutional conviction. App's Op. Br. at 9-27. The government claimed Mr. Truong's community custody status for a UPCS conviction authorized the warrantless search. The Court of Appeals rejected Mr. Truong's argument by relying on this Court's decision in *Olsen*. App. A. at 6; *Olsen*, 3 Wn.3d at 689.

In *Olsen*, the appellant sought to withdraw two almost-20-year-old guilty pleas in cases where he pled guilty to UPCS and another crime. *Id.* at 691. The trial court vacated the UPCS convictions due to *Blake*, but it denied the appellant's motions to withdraw his guilty pleas to the non-UPCS crimes. *Id.* This Court held that the appellant's motion to withdraw his guilty pleas was time barred. *Id.* at 692.

Although the ruling that the appellant's motion was time barred dispositively resolved his appeal, this Court also reasoned that *Blake* does not establish a

ground to withdraw these guilty pleas. *Olsen*, 3 Wn.3d at 692. This Court reasoned that because the appellant was apprised of the correct law at the time, the pleas were knowing and voluntary. *Id.* at 699. This Court's decision in *Blake* did not make the crime "nonexistent" at the time of the plea. *Id.* at 698. The Court found that although *Blake* made the appellant's UPCS convictions invalid, "it did not retroactively render his guilty pleas unknowing and involuntary." *Id.* at 701. In other words, *Blake* "does not provide new legal grounds for determining whether [appellant] voluntarily and knowingly pleaded guilty to drug possession, a valid crime in 2003 and 2005." *Id.* at 701.

This ruling in *Olsen* is different from the issues before this Court and should not be extended to this case for two reasons. First, the questions presented are different and rely on different effects of the *Blake*

decision. *Olsen* asked the Court to determine whether subsequent invalidation of a statute changed a defendant's mental state when he previously pleaded guilty. *Olsen*, 3 Wn.3d at 691. Mr. Truong's case asks the Court to determine whether subsequent invalidation of a statute changed the power and privilege of the government to interfere with a person's right to privacy under the Washington Constitution. Const. art I, § 7. These are different questions which involve fundamentally different effects of an unconstitutional statute. The reasoning in *Olsen* does not extend to this situation.

Second, the United States Supreme Court cases cited approvingly in *Olsen* require a different result in Mr. Truong' case. *Olsen*, 3 Wn.3d at 700-01; *Chicot Cnty. Drainage Dist. v. Baxter State Bank ("Chicot County")*, 308 U.S. 371, 374, 60 S. Ct. 317, 84 L. Ed.

329 (1940); *Dobbert v. Florida*, 432 U.S. 282, 297-98, 97 S. Ct. 2290, 53 L. Ed. 2d 344 (1977); *McKesson Corp. v. Div. of Alcoholic Beverages & Tobacco*, 496 U.S. 18, 39-40, 110 S. Ct. 2238, 110 L. Ed. 2d 17 (1990). These cases hold that due process requires a remedy for injuries suffered due to an unconstitutional statute, but that the nature of the remedy depends on the nature of the injury. Careful review of these cases shows that treating Mr. Truong as if he were not subject to the constraints of community custody at the time of the search in this case is the only adequate remedy for this effect of his unconstitutional UPCS conviction.

**2. The Court of Appeals' decision conflicts with Supreme Court precedent interpreting the retroactive effect to give an unconstitutional statute**

The question of what effect to give to an unconstitutional statute while it existed is "among the

most difficult of those which have engaged the attention of courts, state and federal." *Chicot County*, 308 U.S. at 374. Many considerations factor into the legal effect to be given to an unconstitutional statute while it is in existence:

> The actual existence of a statute, prior to such a determination, is an operative fact and may have consequences which cannot justly be ignored. The past cannot always be erased by a new judicial declaration. The effect of the subsequent ruling as to invalidity may have to be considered in various aspects,—with respect to particular relations, individual and corporate, and particular conduct, private and official. Questions of rights claimed to have become vested, of status, of prior determinations deemed to have finality and acted upon accordingly, of public policy in the light of the nature both of the statute and of its previous application, demand examination.

*Id.* at 374. Because of these considerations, the Supreme Court ruled that "an all-inclusive statement of a principle of absolute retroactive invalidity cannot be justified." *Id.* The Court did not say that the

principle itself can never be justified, just that it cannot be justified in every case. *Id.*

A careful review of Supreme Court precedent examining the effects to be given to an unconstitutional statute while it was in effect shows that the principle of void *ab initio* is not wholly rejected. In fact, it is the only legally justifiable remedy when an unconstitutional statute grants additional power or privilege to the government that it would not otherwise possess.

*a. Due Process requires a complete remedy in cases where an unconstitutional statute created an injury*

The Supreme Court's analysis of the appropriate remedy for deprivations caused by operation of an unconstitutional statute in the cases of *Chicot County*, *Dobbert*, and *McKesson* is informative for this Court's analysis. This is despite the fact that none of these

cases involved an unconstitutional substantive criminal offense. *Chicot County* involved an unconstitutional bankruptcy statute. 308 U.S. at 373-74 (citing *Ashton v. Cameron Cnty Water Improvement Dist.*, 298 U.S. 513, 56 S. Ct. 892, 80 L. Ed. 1309 (1936)). *McKesson* involved an unconstitutional taxation statute. 496 U.S. at 22. And *Dobbert* involved an unconstitutional criminal procedure statute. 432 U.S. at 293.

Since the issues involved only monetary penalties or losses in *Chicot County* and *McKesson*, the analyses in those cases do not weigh issues as weighty as a criminal conviction and its resulting loss of liberty and other collateral consequences. However, the way the Supreme Court approached its task of determining the effect to give to these unconstitutional civil statutes is instructive. For example, *Chicot County* balanced

issues of waiver and reliance and the power of the court to issue similar judgments in different cases. 308 U.S. at 375-78.

*McKesson* engaged in a more detailed examination of interests and remedies, so its analysis is most helpful for this Court's task. There, McKesson, a private company, challenged a Florida liquor excise tax, arguing that it violated the Commerce Clause because it discriminated against out-of-state liquor distributors in favor of local producers. *McKesson*, 496 U.S. at 22. The Florida Supreme Court agreed that the statute violated the Commerce Clause and enjoined its future enforcement, but it refused to order any retroactive relief for taxes unlawfully paid. *Id.* McKesson appealed the court's denial of retroactive relief. *Id.*

The Supreme Court held that when a State "places a taxpayer under *duress* promptly to pay a tax when due and relegates him to a postpayment refund action in which he can challenge the tax's legality, *the Due Process Clause of the Fourteenth Amendment obligates the State to provide meaningful backward-looking relief to rectify any unconstitutional deprivation*." *McKesson*, 496 U.S. at at 31 (emphases added).

The Supreme Court then examined the appropriate retroactive relief. *Id.* at 31-36. It evaluated the proper remedy based on the nature of the unconstitutionality of the taxation statute. If the taxation statute went beyond the State's power to legislate, then a full refund was the only remedy for "the tax previously paid under duress." *Id.* at 39.

But the Florida tax was not completely unconstitutional, it was only unconstitutional insofar as it discriminated against interstate commerce. *Id.* Therefore, any remedy the State chose to employ needed only to treat McKesson and its competitors equally. *Id.* at 39-40. The Court left the precise remedy to the State, as long as it eliminated the unlawful deprivation. *Id.* at 43.

This analysis is helpful for several reasons. First, it holds that **due process requires meaningful retroactive relief from deprivations created by an unconstitutional statute**. *McKesson*, 496 U.S. at 31; *see also Montgomery v. Louisiana*, 577 U.S. 190, 198, 136 S. Ct. 718, 728, 193 L. Ed. 2d 599 (2016) (holding "courts must give retroactive effect to new 'rules forbidding criminal punishment of certain primary conduct.'"). This means that this Court must

consider what meaningful retroactive relief looks like to a person whose home was searched under claimed governmental authority, solely granted by an unconstitutional conviction for UPCS. A person convicted of UPCS receives no meaningful relief when courts of this State continue to give full effect to the conviction's collateral authorization to the government to intrude into constitutionally protected privacy and liberty. Const. art. I, § 7.

Meaningful relief here requires retroactive invalidation of the government's authority to invade Mr. Truong's privacy. This means giving the unconstitutional statute a void *ab initio* effect in this context and suppressing evidence that would not have been found but for the authority created by Mr. Truong's unconstitutional conviction.

Instead, the Court of Appeals' decision rendered the vacatur of Mr. Truong's conviction meaningless. Under the Court of Appeals' interpretation, a conviction for an unconstitutional crime founded on innocent conduct gave the government power to intrude on Mr. Truong's privacy that it would not have had if he had not been convicted. This violated Mr. Truong's privacy and due process rights to a meaningful remedy for his unconstitutional conviction. U.S. Const., Amend. XIV, § 1; Const. art. I, § 7.

Second, *McKesson* explains that the type of remedy is tied to the magnitude and type of the illegality. Due process requires the remedy to "'undo' the unlawful deprivation" for statutes which exceeded the power of the legislature. *McKesson*, 496 U.S. at 39. This is instructive because the UPCS statute was unconstitutional because it exceeded the police power

of the legislature. *Blake*, 192 Wn.2d at 176. The remedy thus needs to completely "undo" the unlawful deprivation of Mr. Truong's privacy rights.

If paying a tax in advance is *duress* requiring adequate remedy, then losing constitutional rights while on community custody for an illegal crime requires even more. Per *Blake*, individuals convicted of UPCS spent months or years of their lives incarcerated and years of their lives where their liberty was unconstitutionally and unjustifiably curtailed by the strictures of community custody. These folks missed everything from the simple joys of a free life, like choosing their own dinner and going for a walk on a sunny spring afternoon, to the ability to feel free in their own home from intrusion by the State. No retroactive remedy can ever make these folks whole, but it can treat them, legally, as if they were not under

unconstitutional restraint. This is required here to undo the harm to Mr. Truong from his suffering an unconstitutional conviction and punishment.

The only way to negate the windfall the government received is to treat Mr. Truong as if he were an ordinary citizen, not encumbered by community custody supervision. *McKesson* instructs that due process requires the court to construct a retroactive remedy that makes the person harmed by an unconstitutional statute whole. 496 U.S. at 36-39. "States may not disregard a controlling, constitutional command in their own courts." *Montgomery*, 577 U.S. at 198. The Court of Appeals failed to follow constitutional commands here because it failed to acknowledge that due process required retroactive remedies in addition to *vacatur* of Mr. Truong's UPCS conviction. App. A. at 2.

*b.* Dobbert *also fails to support a lesser remedy than void* ab initio

In *Dobbert*, another case *Olsen* relied on, the Supreme Court examined whether a new procedural criminal law, meant to cure defects in its unconstitutional predecessor, could be applied retroactively. *Dobbert*, 432 U.S. at 293; *Olsen*, 3 Wn.3d at 700-01. The predecessor statute in *Dobbert* provided an unconstitutional process for a judgment of death in a capital case. 432 U.S. at 292. The new law remedied those issues and was applied retroactively to the defendant's case. *Id.*

The United States Supreme Court evaluated whether the new procedural law violated *ex post facto* guarantees. *Id.* at 293. *Ex post facto* prohibits "any statute which punishes as a crime an act previously committed, which was innocent when done, which makes more burdensome the punishment for a crime,

after its commission, or which deprives one charged with crime of any defense available according to law at the time when the act was committed . . . ." *Id.* at 292. The Court concluded that because the law was both procedural and ameliorative, as opposed to substantive, there was no *ex post facto* violation. *Id.* at 292.

The reasoning of *Dobbert* supports a void *ab initio* remedy here even though the ameliorative, procedural law at issue in *Dobbert* did not get that treatment. The reasons this Court held the UPCS statute unconstitutional invoke the concerns which give rise to our nation's prohibition against *ex post facto* laws: UPCS punished innocent conduct which citizens were unable to completely avoid, and it burdened this innocent conduct with severe, criminal penalties. The reasons the Supreme Court invoked to avoid

application of a void *ab initio* rule in *Dobbert* instead compel its application in the case of a substantive unconstitutional criminal law like UPCS.

These three cases from the United States Supreme Court, cited in *Olsen*, show that extending the reasoning in *Olsen* to this case is unjustifiable because the injury to the defendant in *Olsen* was not the result of misbegotten power and privilege of the government. Thus, this Court did not have to confront the "most difficult" question of what effect to give to the unconstitutional UPCS statute. *Chicot County*, 308 U.S. at 374.

Instead, this Court should follow the clear guidance laid out in *McKesson*, *Dobbert*, and *Chicot County* about due process's requirement of an adequate remedy to those injured by unconstitutional statutes. The reasoning in these cases compels the conclusion

that, for the purposes of justifying a search violating Mr. Truong's article I, section 7 rights, Mr. Truong's UPCS conviction was void *ab initio* and served as no legal justification for the government's intrusion into his privacy.

### 3. This Court should grant review because the issues in this case complement the issues in *Balles*, another case currently pending

*Balles* asks this Court to determine whether *Blake* immediately invalidated a pending DOC arrest warrant where DOC's authority over the arrestee stemmed from his unconstitutional UPCS conviction. *Balles* Pet. For Rev. at 2; *State v. Balles*, 32 Wn. App. 2d 356, 362, 556 P.3d 698 (2024), *rev. granted*, 563 P.3d 449 (2025). The Supreme Court cases of *Chicot County*, *McKesson*, and *Dobbert* help elucidate this Court's answer to the question in that case. Since *Balles* also asks this court what power to give to DOC from an

unconstitutional statute, it also must address due process concerns. Granting review in Mr. Truong's case will help complete the picture and allow this Court to issue a ruling harmonizing its case law on this topic.

### 4. This Court should grant review to give guidance regarding the meaning of newly discovered evidence

In addition, Mr. Truong was entitled to a new hearing under CrR 3.6 pursuant to his CrR 7.8 motion because evidence, newly discovered to be relevant and admissible, entitled him to relief from the judgment. CrR 7.8(b)(2). The Court of Appeals failed to examine this issue because it reached the erroneous conclusion that the issue was irrelevant in light of the legal authority granted by Mr. Truong's unconstitutional grant of community custody. App. A. at 13.

A defendant may seek relief from a judgment based on newly discovered evidence which, with due

diligence, could not have been obtained in time to bring a motion for a new trial. CrR 7.8(b)(2). When a defendant brings a motion for relief from a judgment based on newly discovered evidence, courts employ a five part test to determine whether to grant relief. *State v. D.T.M.*, 78 Wn. App. 216, 219, 896 P.2d 108 (1995). The moving party must show the evidence:

> (1) will probably change the result of the trial;
>
> (2) was discovered since the trial;
>
> (3) could not have been discovered before trial by the exercise of due diligence;
>
> (4) is material; and
>
> (5) is not merely cumulative or impeaching.

*State v. Williams,* 96 Wn.2d 215, 223, 634 P.2d 868 (1981) (emphasis omitted). This is a court-made test; it does not appear in the court rule or statute. *See* CrR 7.8; RCW 10.73.100(1).

Courts have found evidence to be newly discovered when, even though the witness was known to the defendant at the time of the original trial, the defendant could not have presented a relevant portion of the witness's testimony during the original trial. For example, a post-trial recantation of the alleged victim, who was known and testified at trial, is considered newly discovered evidence. *D.T.M.*, 78 Wn. App. at 220. In another case, post-trial discovery that the known drug analyst was using heroin and lying about or using improper drug testing methods was considered newly discovered evidence. *State v. Roche*, 114 Wn. App. 424, 437, 59 P.3d 682 (2002).

The implication of these cases was taken a step further in *State v. Slanaker*, 58 Wash. App. 161, 165, 791 P.2d 575 (1990). There, the defendant moved for a new trial under CrR 7.8(b)(2) after finding two

additional alibi witnesses post-trial who he had been unable to find prior to his trial. *Id.* at 163. The State objected that the witnesses were not newly discovered. *Id.* at 166. The Court of Appeals disagreed, finding that a "previously known witness'[s] testimony can be newly discovered when that witness could not be located before trial with the exercise of due diligence." *Id.* Noting that a trial court would not likely grant a continuance for a defendant to find a witness when the defendant had no information about the likelihood of finding this witness, the Court found that the defendant's failure to request a continuance to find these witnesses did not bar his later relief. *Id.* at 164-65.

Thus, in each of these cases, although the witnesses were known, the relevant portions of their testimony were unable to be presented at the original

trial through no fault of the defendant. The courts found that the testimony of these witnesses was newly discovered, despite the witnesses being known at the time of the original trials.

Similarly, Mr. Truong could not have presented his mother's testimony during his trial or a pretrial suppression hearing because it was not relevant. Only relevant evidence is admissible. ER 402. Relevant evidence is defined as "evidence having any tendency to make the existence of any fact of consequence to the determination of the action more probable or less probable than it would be without the evidence." ER 401. To be relevant, "[t]here must be a logical nexus between the evidence and the fact to be established." *State v. Cochran*, 102 Wn. App. 480, 486, 8 P.3d 313 (2000).

No amount of pretrial diligence could have made Ms. Truong's testimony relevant and admissible at Mr. Truong's trial. There was no CrR 3.6 hearing before Mr. Truong's trial, so there was no opportunity for her to testify at such a motion. But, even if there were, testimony of Mr. Truong's mother would not have been relevant because the State could claim authorization for its search based on Mr. Truong's community custody at the time. RCW 9.94A.631(1); *State v. Cornwell*, 190 Wn.2d 296, 306, 412 P.3d 1265 (2018). Ms. Truong's testimony could not make the existence of any fact *of consequence* for such a CrR 3.6 motion more or less probable.

Ms. Truong's testimony was also not relevant to any disputed issue of material fact regarding the substantive offenses that Mr. Truong faced at trial: unlawful possession of a firearm, possession of

methamphetamine with intent to distribute, and a firearm enhancement. Whether she consented to a police search or how she was treated by the police had no nexus to whether Mr. Truong possessed the prohibited items. *See State v. Rocha*, 21 Wn. App. 2d 26, 33, 504 P.3d 233, 236 (2022). A trial court would be likely to exclude the evidence for its lack of relevance and its potential to inflame the jury. ER 402, 403. Thus, there was no legal basis to admit Ms. Truong's testimony at the original trial in this matter, before *Blake* was decided.

Because there was no legal basis to admit Ms. Truong's testimony, her testimony is analogous to the cases cited above, where defendants were unable to present relevant testimony from known witnesses at their original trials. Since courts in the past have found exceptions to the "newly discovered evidence"

requirement for such witnesses, the same should be true for Ms. Truong's testimony. Therefore, the trial court should have ordered a CrR 3.6 suppression hearing based on the newly presented evidence about Ms. Truong's lack of consent for the search. This Court should grant review on this issue to clarify the court-made test for newly discovered evidence under CrR 7.8. RAP 13.4(b)(4).

**F. CONCLUSION**

For all of the foregoing reasons, Mr. Truong requests that this Court grant review and reverse, granting him a new 3.6 hearing.

*Counsel certifies this brief contains approximately 4,730 words and complies with RAP 18.17.*

DATED this 28th day of April, 2025.

Respectfully submitted,

Ariana Downing (WSBA 53049)

Washington Appellate Project – 91052
1511 Third Avenue, Suite 610
Seattle, WA. 98101
Attorneys for Petitioner, John Truong

# APPENDIX A

Filed
Washington State
Court of Appeals
Division Two

February 11, 2025

# IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

## DIVISION II

| | |
|---|---|
| STATE OF WASHINGTON,<br><br>Respondent,<br><br>v.<br><br>JOHN PHI TRUONG,<br><br>Appellant. | No. 59648-2-II<br><br>UNPUBLISHED OPINION |

MAXA, J. – John Phi Truong appeals the trial court's order denying his CrR 7.8(b) motion, in which he sought to invalidate his convictions of unlawful possession of a controlled substance with intent to deliver and first degree unlawful possession of a firearm.

At the time of his convictions, Truong was on community custody for an unlawful possession of a controlled substance (UPCS) conviction. Law enforcement discovered the controlled substances and a firearm after Department of Corrections (DOC) officers searched the garage in Truong's mother's house, where Truong had a bedroom. The search was conducted pursuant to RCW 9.94A.631(1), which gave DOC authority to conduct a warrantless search of an offender's residence based on "reasonable cause to believe that [the] offender has violated a condition or requirement of [his/her] sentence." Officers also believed that Truong's mother had given them permission to search the garage.

Truong's UPCS conviction was vacated under *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021). In his CrR 7.8(b) motion, Truong argued that vacation of the UPCS conviction meant that DOC did not have authority to search the garage and therefore the search was unlawful. Truong also submitted an affidavit from his mother, in which she stated that she did not give consent to the law enforcement officers to search her garage. Truong claimed that the vacation order and the affidavit constituted newly discovered evidence under CrR 7.8(b)(2).

We hold that (1) the order vacating Truong's UPCS conviction did not entitle Truong to relief because DOC had authority to search Truong's residence even though *Blake* had ruled that the UPCS statute was unconstitutional; (2) Truong's mother's affidavit did not constitute newly discovered evidence because in light of our first holding, Truong cannot show that the affidavit would have changed the result at trial; and (3) the findings of fact and conclusions of law entered by the trial court were superfluous, so we decline to address Truong's challenges to them. Accordingly, we affirm the trial court's order denying Truong's CrR 7.8(b) motion.

## FACTS

### *Background*

In August 2018, Truong lived in his mother's garage, which had been converted into a bedroom. One day, Truong, Torey Petersen, and Truong's girlfriend used drugs and spent the night in the garage. The next morning, Truong grew angry when he discovered that some of his drugs were missing. He produced a gun and scared Petersen. Petersen contacted his mother, who called law enforcement.

Officers from DOC and the Longview Police Department arrived at the house. Truong's mother gave DOC officers permission to search the house. DOC officers searched the house but did not find Truong inside. They then heard movement inside the garage, and officers assembled

in front of the garage door. The garage door opened, and Truong sprinted out. Truong was arrested by DOC officers, who found a scale with drug residue on him.

DOC officers began to search the garage pursuant to RCW 9.94A.631(1), which gives DOC authority to conduct a warrantless search of a probationer's "person, residence, automobile, or other personal property" based on "reasonable cause to believe that [the] offender has violated a condition or requirement of [his/her] sentence." DOC believed that Truong had violated a condition of his community custody by failing to provide notice of a change of address. There was an arrest warrant for Truong based on his alleged failure to update his address.

During DOC's search of the garage, a Longview police officer observed a bag hanging from the rafters. The Longview Police obtained a warrant to search the bag, and discovered a safe inside. The safe contained a gun, ammunition, methamphetamine, and heroin, among other things.

Truong was charged with two counts of unlawful possession of a controlled substance with intent to deliver, first degree unlawful possession of a firearm, and harassment. The case proceeded to a jury trial, where Truong was convicted of possession with intent to deliver methamphetamine, with school zone and firearm enhancements, and first degree unlawful possession of a firearm. Truong was sentenced to 180 months confinement.

In June 2021, Truong filed a motion for reconsideration for resentencing based on the Supreme Court's decision in *Blake*, 197 Wn.2d 170. This court granted Truong's motion and remanded to the trial court for resentencing.

Truong was resentenced to 70 months in confinement. Truong appealed his sentence, arguing that the sentencing court failed to meaningfully consider his youth and upbringing as

mitigating factors in evaluating his request for an exceptional sentence downward. This court affirmed his sentence.

In March 2023, Truong filed a motion to vacate his convictions under CrR 7.8(b), arguing that the State unlawfully found the controlled substances and gun because his *Blake* conviction had been vacated and there no longer was legal authority to support the search. He also submitted an affidavit from his mother. The affidavit was dated and notarized in November 2021. Truong also submitted a personal affidavit with his CrR 7.8(b) motion. Truong argued that the order vacating his UPCS conviction and his mother's affidavit constituted newly discovered evidence under CrR 7.8(b)(2).

The trial court held a hearing on Truong's CrR 7.8(b) motion. Truong stated,

> [T]he basic argument is that [Truong] was on DOC for a possession of drugs charge, which was vacated due to the *Blake* decision, and he provided that Order vacating that from his record. So, he was illegally on probation, and that – the reason – being on probation was the whole reason that justified a search warrant into his house. So, it was an illegal search, because all of the basis for the search was on a vacated judgment for possession. So, it's the fruit of the poisonous tree doctrine that, you know, because of the illegal search, all the evidence should be suppressed after that, which there was some evidence in the safe, which was – justified the conviction.

Rep. of Proc. (RP) at 24-25.

Regarding Truong's mother's affidavit, the State argued that Truong failed to prove any of the CrR 7.8(b)(2) factors that are required to prove newly discovered evidence. The State pointed out that at trial there was evidence that Truong's mother consented to the search, that Truong's mother could have been a witness at the trial, and that her affidavit was not newly discovered evidence because it could have been discovered by the exercise of due diligence.

In an oral ruling, the trial court stated,

> So, we have, really, two different issues here. We have an issue that: one, he's claiming that there's new evidence that needs to be presented. I would agree that it does not meet the factors for 7.8, because it's not newly discovered evidence.

> Mom was there. There's nothing that indicates that she was not available to testify at trial, or to provide a statement to anyone associated with this case when it went to trial. So, I think any information about mom's testimony would not meet the 7.8 factor, so that portion would be denied.
>
> Moving on to the DOC portion that but for him being on supervision for a simple possession case, there wouldn't have been the next steps and the charge found. As [defense counsel] indicate[d], fruit from the poisonous tree. Generally speaking, that's a great argument, and often applies to situations. Here, we have at least three, if not – I think there's more case law, but the *Matter of Pleasant*, *Brockob*, *Afana*, several different cases that show that if it was valid at the time, and no one had a reason to believe it not being valid, that it doesn't matter that it's subsequently overturned.
>
> So, I don't think there's an argument for being on DOC for what later became an unconstitutional statute, when it was considered constitutional and was in effect applies here. So, I'm going to deny the Motion.

RP at 29-30.

In December 2023, the trial court entered findings of fact and conclusions of law in support of its order denying Truong's CrR 7.8(b) motion.

Truong appeals the trial court's order denying his CrR 7.8(b) motion.

## ANALYSIS

### A. FAILURE TO COMPLY WITH CRR 7.8(c)

The State argues that the superior court failed to comply with the requirements of CrR 7.8(c) when it retained and decided Truong's motion to vacate his convictions. However, the State invited any error.

A motion to vacate a criminal judgment and sentence is a collateral attack. RCW 10.73.090(2). A collateral attack filed in the superior court is governed by CrR 7.8 and must comply with the procedural requirements of CrR 7.8(c). *State v. Molnar*, 198 Wn.2d 500, 508-09, 497 P.3d 858 (2021). CrR 7.8(c)(2) provides:

> The court shall transfer a motion filed by a defendant to the Court of Appeals for consideration as a personal restraint petition unless the court determines that the

> motion is not barred by RCW 10.73.090 and either (i) the defendant has made a substantial showing that they are entitled to relief or (ii) resolution of the motion will require a factual hearing.

The State now claims that Truong's motion should have been transferred to this court as a PRP.

But the State conceded in the trial court that Truong had made a sufficient showing under CrR 7.8(c)(2)(i) to keep the case in the trial court rather than transferring the motion to the Court of Appeals. Therefore, we decline to address the State's claim of procedural error.

B. AUTHORITY FOR DOC SEARCH

Truong argues that DOC officers violated his constitutional rights when they searched the garage because *Blake* invalidated the statute criminalizing UPCS, eliminating the authority officers had to search his residence. The State argues that law enforcement had authority to search the garage because the criminalization statute was valid at the time and law enforcement had separate authority to search under RCW 9.94A.631(1). We agree with the State.

1. Legal Principles

In *Blake*, the Supreme Court held that former RCW 69.50.4013 (2017), a statute that criminalized unintentional, unknowing possession of controlled substances, was unconstitutional. 197 Wn.2d at 183. However, the Supreme Court has rejected the argument that *Blake* made UPCS a nonexistent crime. *State v. Olsen*, 3 Wn.3d 689, 699-701, 555 P.3d 868 (2024). *Blake* did not render RCW 69.50.4013 "a nullity, void ab initio." *Id.* at 701.

DOC has authority to conduct warrantless searches of offenders under community custody supervision. RCW 9.94A.631(1) states,

> If an offender violates any condition or requirement of a sentence, a community corrections officer [CCO] may arrest or cause the arrest of the offender without a warrant, pending a determination by the court or by the department. If there is reasonable cause to believe that an offender has violated a condition or requirement

> of the sentence, a community corrections officer may require an offender to submit to a search and seizure of the offender's person, residence, automobile, or other personal property.

Under this statute, "a CCO to search an individual based only on a 'well-founded or reasonable suspicion of a probation violation.' " *State v. Cornwell*, 190 Wn.2d 296, 302, 412 P.3d 1265 (2018) (quoting *State v. Winterstein*, 167 Wn.2d 620, 628, 220 P.3d 1226 (2009).

The subsequent invalidation of a statute does not retroactively affect the existence of probable cause for a warrant based on that statute. *State v. Moses*, 22 Wn. App. 2d 550, 556, 512 P.3d 600 (2022). "This is true unless the law is 'so grossly and flagrantly unconstitutional that any person of reasonable prudence would be bound to see its flaws.' " *Id*. at 557 (quoting *Michigan v. DeFillippo*, 443 U.S. 31, 38, 99 S. Ct. 2627, 61 L.Ed.2d 343 (1979)).

In *Moses*, police officers contacted the defendant while investigating a suspicious vehicle near a house where police knew drug activity was to take place. 22 Wn. App. 2d at 553. When the owner of the vehicle exited the car, the officer noticed drug paraphernalia in the car. *Id*. The officer deployed a K-9, which alerted to drugs. *Id*. The officer then applied for a warrant to search the car. *Id*. The warrant judge determined that probable cause existed under former RCW 69.50.4013 for unlawful possession of controlled substances and approved the search warrant. *Id*. at 553-54. While searching the vehicle, officers found a firearm. *Id*. at 554. The State charged the defendant with first degree unlawful possession of a firearm. *Id*.

The defendant moved to suppress the firearm evidence, arguing that the warrant lacked probable cause because it authorized a search for evidence of possession of controlled substances under former RCW 69.50.4013, which the Supreme Court recently had found unconstitutional in *Blake*. *Id*. The trial court ruled that *Blake* applied retroactively and that because the State could

not prosecute the defendant for UPCS, the possibility that UPCS had been committed was improper grounds for issuing a search warrant. *Id*. at 555.

Division One of this court reversed. *Id.* at 561. The court reasoned that the officer "relied on the statute criminalizing possession of controlled substances only as much as it contributed to the facts and circumstances supporting probable cause to search. And [the officer's] reliance on the statute was reasonable because former RCW 69.50.4013(1) was presumptively valid in February 2017." *Id.* The court pointed out that before *Blake*, the Supreme Court twice had held that former RCW 69.50.4013(1) was valid. *Id.*

Division Three reached the same result in *In re Personal Restraint of Pleasant*, 21 Wn. App. 2d 320, 509 P.3d 295 (2022). An officer made a traffic stop and then obtained a search warrant for the vehicle after a police canine alerted to narcotics. *State v. Pleasant*, No. 35645-1-III, slip op. at 2-3 (Wash. Ct. App. October 24, 2019) (unpublished), http://www.courts.wa.gov/opinions/pdf/356451_unp.pdf.[1] Officers executing the search discovered large amounts of cocaine and prescription drugs. *Id.* at 3. In a PRP, the defendant argued that probable cause did not support the search warrant for his vehicle because it was based on former RCW 69.50.4013, which the Supreme Court had found unconstitutional in *Blake*. *Pleasant*, 21 Wn. App. 2d at 339.

The court disagreed, stating that "an arrest is not rendered 'invalid for lack of probable cause simply because the criminal statute a defendant is arrested under is later found to be unconstitutional.' " *Id*. at 339 (quoting *State v. Potter*, 129 Wn. App. 494, 497, 119 P.3d 877 (2005)). The defendant relied on *State v. White*, 97 Wn.2d 92, 640 P.2d 1061 (1987). But the

[1] The facts regarding the stop and search are not recited in *In re Personal Restraint of Pleasant*. These facts come from the opinion on the direct appeal.

court pointed out that in *White*, although the "statute on which White's arrest was based had not yet been invalidated, an ordinance with substantially similar language had been found unconstitutional." *Pleasant*, 21 Wn. App. 2d at 339. The court stated, "*White* holds that a statute not yet judicially determined to be unconstitutional may be found 'so grossly and flagrantly unconstitutional' *by virtue of a prior dispositive judicial holding* that it may not serve as the basis of a valid arrest." *Id*. at 339-40 (quoting *White*, 97 Wn.2d at 103).

By contrast, when the warrant in *Pleasant* was issued in 2016, there were no cases from Washington courts giving any reason to believe that former RCW 69.50.4013 would be invalidated. *Pleasant*, 21 Wn. App. 2d at 340. Instead, at the time the detective applied for the search warrant the Supreme Court twice had reaffirmed the validity of the statute. *Id*. at 340-41. As result, the court held that the suspected violation of former RCW 69.50.4013 provided probable cause for the search warrant. *Id.* at 341.

In *State v. Balles*, Division Three addressed the validity of a DOC arrest warrant in light of *Blake*. 32 Wn. App. 2d 356, 359, 556 P.3d 698 (2024). In that case, the defendant failed to report to his CCO as directed, resulting in the issuance of a warrant for his arrest. *Id.* at 360. One month after the Supreme Court's decision in *Blake*, DOC officers and other law enforcement attempted to serve the warrant on the defendant related to his failure to report to his CCO. *Id*. Upon entering the defendant's home, officers found drugs and ammunition. *Id*. at 360-61. Law enforcement obtained a search warrant for the defendant's home, and found a stolen firearm and more drugs, among other things. *Id*. at 361.

The defendant was charged with two counts of possession of a controlled substance with intent to deliver, first degree unlawful possession of a firearm, and possession of a stolen firearm. *Id*. Subsequently, his prior UPCS conviction, for which he was serving community custody, was

vacated and dismissed pursuant to *Blake*. *Id*. The trial court granted the defendant's motion to suppress the evidence seized during the execution of his DOC arrest warrant. *Id*. at 361-62.

The appellate court noted that it was undisputed that DOC had authority to issue the arrest warrant at the time it was issued. *Id.* at 366. The question was whether the warrant remained valid and could be executed after *Blake* was decided. *Id.* The court emphasized that *Blake* did not render UPCS a nonexistent crime; it was a valid crime that later was invalidated. *Id.* at 367. In addition, although defendants convicted of UPCS were entitled to have their convictions vacated, *Blake* did not *automatically* vacate them. *Id.* And the court stated, "[I]t has long been understood that the subject of a court order must comply with the order until relieved of the obligation to do so." *Id.*

As a result, the defendant remained on community custody until his UPCS condition was vacated – which was four months after the arrest warrant was executed. *Id.* at 368. The court stated, "In other words, while *Blake* voided [the defendant's] conviction, he was still subject to the terms of his judgment and sentence until his conviction was vacated." *Id*. Therefore, the court reversed the suppression order. *Id.* at 369.

2. Analysis

We conclude that *Moses*, *Pleasant*, and *Balles* support a holding that DOC's search of Truong's garage was lawful. Here, the DOC officers had authority under RCW 9.94A.631(1) to search the garage because they had reasonable cause to believe that Truong had violated a condition of his sentence when he failed to update his address. Their reliance on the UPCS statute "was reasonable because former RCW 69.50.4013(1) was presumptively valid" in August 2018. *Moses*, 22 Wn. App. 2d at 561. In addition, Truong's UPCS conviction was valid at the

time the search took place. *Balles*, 32 Wn. App. 2d at 367. And therefore, Truong remained on valid community custody at the time of the search. *Id.* at 368.

Truong argues that his community custody sentence was illegal in light of *Blake*, and an illegal sentence cannot provide authority for a search. He primarily relies on *State v. Wallin*, 125 Wn. App. 648, 105 P.3d 1037 (2005). In that case, the defendant was convicted of sex offenses involving minors. *Id*. at 651. The defendant served his sentence, which included one year of community supervision. *Id*. After he violated the terms of his community custody, the trial court modified the length of his custody term, extending it to 10 years. *Id*. The parties believed that the trial court had authority to extend the defendant's community custody. *Id*. at 652.

DOC officers relied on the terms of the defendant's community custody to conduct a warrantless search his home and computer. *Id*. The officers found evidence that the defendant had violated the terms of his community custody and relied on that information to obtain a warrant to search his home. *Id*. Officers discovered evidence that the State later used to charge the defendant with first degree rape and child molestation, among other things. *Id*. at 653. On appeal, the defendant argued that the order extending his community custody was invalid on its face, and provided no authority for the search. *Id*. at 654.

The court concluded that the order extending the length of the defendant's community custody term to 10 years was invalid because the trial court lacked authority to do so. *Id*. at 656-57. As a result, the defendant as a matter of law no longer was on community custody when the search was conducted. *Id.* at 662. The court held that this fact meant that the warrantless search was unconstitutional. *Id.*

This case is different than *Wallin*. Here, Truong's UPCS conviction was not invalid from its inception as was the order in *Wallin*. Law enforcement relied on a statute that was valid at the

time of the search and remained valid until *Blake* was decided. *Balles*, 32 Wn. App. 2d at 367. Truong argues that his UPCS conviction was a nullity when the search was conducted, but the Supreme Court has rejected this argument. *Olsen*, 3 Wn.3d at 699-701.

Truong also argues that *Moses* and *Pleasant* do not apply because they involved a probable cause determination, when this case involved a reasonable cause determination under RCW 9.94A.631(1). But probable cause determinations require a more exacting standard than the statutory requirement of reasonable cause, which requires only a " 'well-founded suspicion that a violation has occurred.' " *State v. Jardinez*, 184 Wn. App. 518, 524, 338 P.3d 292 (2014) (quoting *State v. Massey*, 81 Wn. App. 198, 200, 913 P.2d 424 (1996)). Truong does not explain why a rule regarding probable cause would not apply equally to reasonable cause. Although reasonable cause standards may not satisfy the constitutional probable cause requirements for warrants, they certainly are analogous.

We hold that law enforcement had authority under RCW 9.94A.631(1) to search Truong's residence because law enforcement relied on the community custody only to the extent that it contributed to the circumstances supporting reasonable cause to search, and law enforcement's reliance on former RCW 69.50.4013(1) was reasonable because the statute was presumptively valid at the time. Accordingly, we reject Truong's argument.

C. TRUONG'S MOTHER'S AFFIDAVIT

Truong argues that the trial court erred when it declined to hold an evidentiary hearing under CrR 3.6 and CrR 7.8 to determine whether his mother consented to the search of the garage. Truong argues that his mother's affidavit was newly discovered evidence and entitled him to relief from the judgment. We disagree.

CrR 7.8(b) states, "[o]n motion and upon such terms as are just, the court may relieve a party from a final judgment, order, or proceeding for the following reasons: . . . (2) Newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under rule 7.5."

To prevail on a CrR 7.8(b)(2) motion, the defendant must show the evidence " '(1) will probably change the result of the trial; (2) was discovered since the trial; (3) could not have been discovered before trial by the exercise of due diligence; (4) is material; and (5) is not merely cumulative or impeaching.' " *State v. Wood*, 19 Wn. App. 2d 743, 775, 498 P.3d 968 (2021) (quoting *State v. Williams*, 96 Wn.2d 215, 222-23, 634 P.2d 868 (1981)).

Truong's argument is based on the assumption that DOC did not have authority to search the garage under *Blake*, and therefore the only possible authority for the search was his mother's consent. But we hold otherwise above – DOC had authority to search the garage and that search was lawful. Therefore, whether Truong's mother gave consent is immaterial and would not have probably changed the result of the trial.

We hold that Truong's mother's affidavit did not constitute newly discovered evidence under CrR 7.8(b)(2), and therefore the trial court did not err in denying his motion.

E. CHALLENGE TO FINDINGS OF FACT

Truong assigns error to some of the trial court's findings of fact. The trial court entered findings of fact two months after the CrR 7.8 hearing. But the hearing involved no testimony, exhibits, sworn declarations or other fact finding. There is no authority requiring a trial court to enter findings of fact when denying a CrR 7.8(b) motion. Accordingly, we hold that the trial court's factual findings are superfluous, and we decline to address Truong's arguments challenging them.

CONCLUSION

We affirm the trial court's order denying Truong's CrR 7.8(b) motion.

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.

MAXA, J.

We concur:

VELJACIC, A.C.J.

PRICE, J.

# APPENDIX B

Filed
Washington State
Court of Appeals
Division Two

March 27, 2025

# IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

## DIVISION II

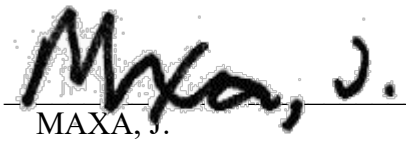
| | |
|---|---|
| STATE OF WASHINGTON,<br><br>Respondent,<br><br>v.<br><br>JOHN PHI TRUONG,<br><br>Appellant. | No. 59648-2-II<br><br>ORDER DENYING MOTION FOR RECONSIDERATION |

Appellant moves for reconsideration of the court's February 11, 2025 opinion. Upon consideration, the court denies the motion. Accordingly, it is

SO ORDERED.

PANEL: Jj. Maxa, Veljacic, Price

FOR THE COURT:



MAXA, J.

## WASHINGTON APPELLATE PROJECT

## April 28, 2025 - 4:33 PM

## Transmittal Information

| | |
|---|---|
| **Filed with Court:** | Court of Appeals Division II |
| **Appellate Court Case Number:** | 59648-2 |
| **Appellate Court Case Title:** | State of Washington, Respondent v. John Truong, Appellant |
| **Superior Court Case Number:** | 18-1-01156-3 |

**The following documents have been uploaded:**

- 596482_Petition_for_Review_20250428163330D2973336_2368.pdf
  This File Contains:
  Petition for Review
  *The Original File Name was washapp.042825-02.pdf*

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

- appeals@co.cowlitz.wa.us
- appeals@cowlitzwa.gov
- blackd@cowlitzwa.gov
- greg@washapp.org
- wapofficemai@washapp.org

**Comments:**

---

Sender Name: MARIA RILEY - Email: maria@washapp.org
**Filing on Behalf of:** Ariana Downing - Email: ariana@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 20250428163330D2973336**