

SUPREME COURT OF WASHINGTON

9/23/25

NO. 1045522

STATE OF WASHINGTON	)	
	)	MOTION TO
VS;	)	GRANT NEW
DALTON POTTER	)	TRIAL
DEFENDANT / APPELLANT	)	RULE 7.5(2)(6)(8)

MOTION TO GRANT NEW TRIAL, RULE 7.5 NEW TRIAL, (A) GROUNDS FOR NEW TRIAL
(2) MISCONDUCT OF THE PROSECUTION OR JURY;
(6) ERROR OF LAW OCCURRING AT TRIAL AND OBJECTED TO AT THE TIME BY THE DEFENDANT,
(8) THAT SUBSTANTIAL JUSTICE HAS NOT BEEN DONE, WHEN THE MOTION IS BASED ON MATTERS OUTSIDE THE RECORD, THE FACTS SHALL BE SHOWN BY AFFIDAVIT.

ORDER IS BASED ON THE RECORD
AND FACTS OUTSIDE OF THE RECORD



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A PREJUDICE JURY FOUND ME GUILTY OF A CRIME OF ONE COUNT OF FIRST DEGREE (PREMEDITATED) MURDER, CRIMES OF TWO COUNTS OF FIRST DEGREE ASSULT, CRIMES OF TWO COUNTS OF INTIMIDATING A WITNESS, AND A CRIME OF ONE COUNT OF FIRST DEGREE UNLAWFUL POSSESSION OF A FIREARM.

I AM CHALLENGING THE SUFFICIENCY OF THE EVIDENCE THAT I HAVE BEEN WRONGFULLY CONVICTED ON, AND I DISAGREE WITH THE ACCUSATIONS OF ME BEING INVOLVED IN THESE CRIMES.

THE TRIAL COURT ABUSED ITS DISCRETION WHEN IT FOUND MR. POTTER WAS COMPETENT TO STAND TRIAL. (MISCONDUCT)

DESPITE, (INEFFECTIVE ASSISTANCE OF COUNSEL) THROUGHOUT MY CASE, DURING COURT PROCEEDINGS WITH DOUGLAS COUNTY ON THE RECORD. "JUDGE SAFAR" DENIED ME MY 6TH AMENDMENT CONSTITUTIONAL RIGHT TO SELF-REPRESENTATION, AFTER I PROPERLY WAIVED COUNSEL. HE DIRECTLY ASKED ME IF I HAD ANY EXPERIENCE WITH LAW, OR SKILLS THAT OF A LAWYER.

AT NO POINT IN TIME DID "JUDGE SAFAR" RAISE AWARENESS OF DANGERS, DISADVANTAGES OF SELF-REPRESENTATION. AND CONCLUDED THE COURT HEARING THAT I DID NOT HAVE ENOUGH KNOWLEDGE IN ORDER TO REPRESENT MYSELF. (FIRST AMENDMENT)

UNDER "WASHINGTON CRIMINAL LAW"

IF COUNSEL IS PROPERLY WAIVED, A CRIMINAL DEFENDANT

HAS A RIGHT OF SELF-REPRESENTATION. (QUOTING)
CONST. ART. 1, § 22 (AMEND. 10); U.S. CONST. (AMEND 6);
FARETTA VS. CALIFORNIA, 422 U.S. 806, 45 L. ED. 2D. 562,
95, S. CT. 2525 (1975) ALTHOUGH A DEFENDANT NEED
NOT HIMSELF HAVE THE SKILL, AND EXPERIENCE OF
A LAWYER IN ORDER COMPETENTLY AND INTELUGENTLY
TO CHOOSE SELF-REPRESENTATION, HE SHOULD BE MADE
AWARE OF THE DANGERS, DISADVANTAGES, OF SELF-
REPRESENTATION. SO THAT THE RECORD WOULD ESTABLISH
THAT "HE KNOWS WHAT HE IS DOING AND HIS CHOICE
IS MADE WITH HIS EYES OPEN."

THIS HAS EFFECTED ME ALSO BECAUSE IT IS
IN VIOLATION OF MY CONSTITUTIONAL RIGHTS, AND I
SUFFER FROM A MENTAL ILLNESS CALLED "PSYCHOTIC
DELUSIONAL DISORDER" I WAS IN A ACTIVE
DELUSION DURING COURT, AND I DID NOT FEEL LIKE
JUDGE SAFAR WAS A REAL JUDGE. WHEN HE VIOLATED
MY CONSTITUTIONAL RIGHTS, IT INDUCED FURTHER
PSYCHOTIC DELUSIONS.

I WANT YOU TOO UNDERSTAND BECAUSE OF
MY DIAGNOSIS THAT I WAS DELUSIONAL IN COURT.
I DID NOT BELIEVE OR UNDERSTAND THAT "JUDGE
SAFAR" WAS A REAL JUDGE. OR THE NATURE OF
THE CHARGES, OR ACCUSATIONS,

THE COURTS PROVIDED INFORMATION THAT
I HAD DISENGAUGED IN ACTIVITIES. THIS FACT IS
DUE TO MY DIAGNOSIS, AND MY 6TH AMENDMENT
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RIGHTS BEING VIOLATED, IN SUPPORT BY THE UNITED STATES CONSTITUTION.

DALTON SCOTT POTTER, AS THE VICTIM IN THIS CASE, ALSO THAT OF WRONGFUL CONVICTION. AT A LATER HEARING I HAD ASKED FOR CLARIFICATION OF MY LEGAL RIGHTS.

A ALLEGED EVALUATOR "DR. BAKER" WITHOUT ANY DIRECT MEDICAL DATA, WITHOUT ANY SUPPORTING EVIDENCE OF POTTER "COMPETENT," OR A VALID EXPLANATION OF HOW THAT OPINION COULD BE REACHED IN THE ABSENCE OF MEDICAL DATA, THE EVALUATOR CONCLUDED MR. POTTER WAS COMPETENT.

THE EVALUATOR ALSO FAILED TO EXPLAIN HOW TALKING TO MR. POTTER'S FATHER, SUPPORTED A FINDING THAT MR. POTTER WAS COMPETENT.

(THE COURT ABUSED ITS DISCRETION)

IN FINDING MR. POTTER COMPETENT BASED ON A INADEQUATE RECORD/EVALUATION.

UNDER "WASHINGTON CRIMINAL LAW"

§ 14.05 "RIGHTS OF DEFENDANT AT COMPETENCY EVALUATION" 14.05, A PERSON MAY WAIVE HIS OR HER RIGHT TO COUNSEL, HOWEVER, THE COURT MUST MAKE A SPECIFIC FINDING THAT HE OR SHE WAS OR IS COMPETENT TO SO WAIVE.

RCW. 1077.020 (1)

DOUGLAS COUNTY FAILED TO CONDUCT A PROPER EVALUATION, BACKGROUND INVESTIGATION. WHENEVER A PERSON IS SUBJECTED TO EXAMINATION, HE OR SHE MAY RETAIN A EXPERT OR PROFESSIONAL PERSON TO PERFORM A EXAMINATION ON HIS OR HER BEHALF. WHERE A PERSON IS INDIGENT, THE COURT SHALL UPON HIS OR HER REQUEST, ASSIST THE PERSON IN OBTAINING A EXPERT. (QUOTING RCW 10.77.020(2) RCW 10.77.070.

ANYTIME THE DEFENDANT IS BEING EXAMINED BY COURT APPOINTED EXPERTS, OR PROFESSIONAL PERSONS FOR COMPETENCY, THE DEFENDANT SHALL BE ENTITLED TO HAVE HIS OR HER ATTORNEY PRESENT. RCW. 10.77.020(3) IN A COMPETENCY EVALUATION, THE DEFENDANT MAY REFUSE TO ANSWER ANY QUESTION IF HE OR SHE BELIEVES HIS OR HER ANSWERS MAY TEND TO INCRIMINATE HIM OR HER OR FORM LINKS LEADING TO EVIDENCE OF A INCRIMINATING NATURE. RCW 10.77.020(4) QUOTING RCW,

MR. POTTER DID NOT ANSWER ANY QUESTIONS DURING THE CURRENT "EVALUATION ATTEMPT" REGARDING HIS "PSYCHOSOCIAL HISTORY" OR CURRENT LEGAL SITUATION. I REPEATED A REQUEST TO SPEAK TO A "ATTORNEY OR LAWYER" DESPITE HIS ATTORNEYS PRESENCE AT THE INTERVIEW, AS A RESPONSE TO SELECT QUESTIONS, HOWEVER, HE DID NOT DISPLAY

OVERT INDICATIONS OF ACTIVE DELUSIONAL IDEATION OR PSYCHOTIC THOUGHT PROCESSES.

PROVIDED RECORDINGS, MR. POTTER WAS ABLE TO ADDRESS AND RESPOND TO COURT OFFICES WHILE HE DID NOT PROVIDE REQUESTED INFORMATION. TO THE JUDGE IN A PREVIOUS HEARING, HE ASKED FOR CLARIFICATION OF HIS LEGAL RIGHTS,

"THE COURT ABUSED ITS DISCRETION BASED ON A INADEQUATE EVALUATION,"

COLLATERAL INTERVIEW WITH SCOTT POTTER ON MARCH 6,TH 2023, 15 MINUTE IN DURATION.

ATTEMPTED INTERVIEW WITH AGGIE POTTER. SOURCES OF INFORMATION, THE ONLY SOURCE THE EVALUATOR COULD ANALYZE WAS THE 15 MINUTE DURATION PHONE CALL TO MR. SCOTT POTTER - MY FATHER.

THE EVALUATORS NOTED THAT MR. POTTER'S PSYCHIATRIC HISTORY ARE LIMITED. JAIL RECORDS INDICATE THAT MR. POTTER IS GENERALLY UNCOOPERATIVE WITH CONTACT ATTEMPTS, BUT THAT HE CAN TRACK TIME AND DAYS.

DUE TO MY MENTAL HEALTH DIAGNOSIS I DO NOT COMMUNICATE LIKE A NORMAL PERSON DOES, BECAUSE OF ACTIVE DELUSIONS, AND DELUSIONAL IDEATION. THERE IS ON RECORD THROUGH MEDICAL DATA, IN RECENT YEARS I WAS DIAGNOSED WITH PSYCHOTIC DELUSIONAL DISORDER. AND I HAVE BEEN WORKING,

ALSO SUFFERING FROM ACTIVE DELUSIONS ON A DAILY BASIS. I HAVEN'T SEEKED MEDICAL ATTENTION OR TREATMENT. UPON MY PAST DIAGNOSIS THE DOCTOR NEVER TOLD ME ABOUT PRESCRIPTION MEDICATION FOR MY DISORDER, SO I'M UNAWARE IF DOCTORS CAN TREAT MY DISORDER.

DOCUMENTS FROM CARELON BEHAVIORAL HEALTH WERE REQUESTED, BUT WERE NOT RECEIVED BY THE WRITING OF THE CURRENT REPORT.

UNLIKE IN SISOUVAH, THE EVALUATOR IN MR. POTTER'S CASE DID NOT EXPLAIN WHY OR HOW A FIVE MINUTE CONVERSATION - WHERE MR. POTTER DID NOT SPEAK - AND REVIEW OF NOW MEDICAL DATA, COULD REVEAL MR. POTTER'S COMPETENCY, WHAT IS MOST TROUBLING IS THE EVALUATOR'S CONTRADICTORY STATEMENTS NOTING THAT MR. POTTER DID NOT PARTICIPATE IN THE INTERVIEW, BUT THAT THERE WAS SUFFICIENT DATA TO FORM AN OPINION AS TO HIS COMPETENCY.

THERE IS NO BRITE LINE RULE FOR WHAT CONSTITUTES A EFFECTIVE OR APPROPRIATE COMPETENCY EVALUATION, THIS IS BECAUSE OF THE NAUNCES, SUBTLETIES, AND A WIDE LATITUDE FOR DIFFERING, OPINIONS, WITHIN THE MENTAL HEALTH FIELD, AND PRACTICE OF COMPETENCY EVALUATIONS, (CITING QUOTING STATE VS. HARRIS 114 W.N. 2d 419, 440, 789 P. 2d 60 (1990))

IN RE PERS, RESTRAINT OF RICE, 118 W.N. 2d, 876, 894, 828 P. 2d 1086 (1992)),

UNLIKE MR. POTTERS CASE, IN SISOUVANH, THE COURT HELD THAT THE EVALUATORS COMPETENCY EXAMINATIONS WAS DONE IN A QUALIFIED MANNER.

SISOUVANH, 175 W.N. 2d, AT, 626, THE COURT HIGHLIGHTED THOROUGHNESS OF THE EVALUATION INCLUDING OBJECTIVE EVIDENCE THE EVALUATOR RELIED ON REACHING THERE OPINION.

DR. STRANDQUISTS DETERMINATION THAT SISOUVANH WAS COMPETENT TO STAND TRIAL WAS BASED ON THE OBSERVATIONS OF STAFF AT EASTERN, A NUMBER OF DIAGNOSTIC TESTS, AND DR. STRANDQUISTS OWN FORENSIC INTERVIEW OF SISOUVANH,

THE PROCEDURAL SAFEGUARDS ARE IN WASHINGTON ARE "MODERATELY MORE PROTECTIVE THEN FEDERAL FORMULATION," ORTIZ V. ABREJO, 187 W.N. 2d, AT, 403-04 TRIAL COURTS HAVE BROAD DISCRETION TO CONSIDER THE SUM TOTAL EVIDENCE TO DETERMINE COMPETENCY INCLUDING THE MATTER IN WHICH THE EVALUATION WAS CONDUCTED. (CITING GODINEZ V. MORAN 509 US. AT. 398, 113 S. CT. 2680, 125 L. ED. 2d, 321 (1993));

SISOUVANH, 175 W.N. 2d, AT, 620-21.

IN SISOUVANH, THE COURT DIRECTS TRIAL COURTS TO "ORDER A NEW COMPETENCY EVALUATION IF AN APPOINTED EXPERT OR PROFESSIONAL PERSON

CONDUCT A STATUTORY COMPETENCY EVALUATION IN A SUBSTANTIALLY UNQUALIFIED MANNER,"

SISOUVANH, 175 WN. 2d. AT. 620. THE COURT HAS REASONED THAT IF THE INITIAL EVALUATION IS SUBSTANDARD, "THE FUNDAMENTAL PURPOSE OF THE REQUISITE APPOINTMENT, EXAMINATION, AND REPORT WILL HAVE BEEN THWARTED AND BOTH THE STATUTE AND THE TRIAL COURTS ORDER WILL HAVE BEEN VIOLATED." SISOUVANH, 175 WN. 2d. AT. 621,

(CITING STATE V. WICKLUND, 96 WN. 2d. 798, 800, 638, P. 2d, 1241 (1982)); THIS RIGHT IS ENSHRINED BY THE DUE PROCESS CLAUSE OF THE FOURTEENTH AMENDMENT AND BY THE STATUTE IN WASHINGTON, RCW 10.77.050 ORTIZ-ABREGO 187 WN. 2d, AT. 403

THE UNITED STATES SUPREME COURT ESTABLISHED DUSKY STANDARD FOR DETERMINING COMPETENCY DUSKY VS. UNITED STATES, 362 U.S. 402, 80 S. CT. 788, 44, ED, 2d. 824. (1960). UNDER DUSKY A DEFENDANT IS COMPETENT IF HE HAS SUFFICIENT PRESENT ABILITY TO CONSULT WITH HIS LAWYER, WITH A REASONABLE DEGREE OR RATIONAL UNDERSTANDING. AND A RATIONAL AS WELL AS A FACTUAL UNDERSTANDING OF THE PROCEEDINGS AGAINST HIM.

"ORTIZ-ABREGO 187. WN. 2d. 403. (INTERNAL PUNCTUATION MODIFIED)" (A) A DEFENDANT IS INCOMPETENT IF HE OR SHE LACKS THE CAPACITY TO UNDERSTAND THE NATURE OF THE PROCEEDINGS

OR TO ASSIST IN HIS OR HER DEFENSE AS A
RESULT OF MENTAL DISEASE OR DEFECT.
(QUOTING RCW 10.77.010(15));

COMPETENCY REPORT, RP-77-8, THIS WAS A
ABUSE OF DISCRETION BECAUSE THE COMPETENCY
EVALUATION WAS NOT BASED ON ADEQUATE INFORM-
ATION, TO SUPPORT THE FINDING OF COMPETENCY.

REVIEW OF COMPETENCY DETERMINATIONS,
INCLUDING THE ADEQUACY OF THE COMPETENCY
EVALUATION ITSELF, IS FOR A ABUSE OF DISCRETION

ORTIZ-ABREGO, 187 WN. 2d, AT, 402;
STATE V.S. SISOUVANH 175 WN. 2d. 607, 620-21, 290,
P. 3d, 942, (2012) IN THIS CONTEXT, "A COURT ABUSES
ITS DISCRETION ONLY WHEN A ORDER IS MANIFESTLY
UNREASONABLE OR BASED ON UNTENABLE GROUNDS."

ORTIZ-ABREGO 187 WN. 2d. AT, 402
(QUOTING IN RE PERS, RESTRAINT OF RHOME, 172 WN.
2d. 654, 668, 260, P. 3d, 874, (2011)); A DISCRETIONARY
DECISION IS MANIFESTLY UNREASONABLE OR BASED
ON UNTENABLE GROUNDS IF IT RESULTS FROM
APPLYING THE WRONG LEGAL STANDARD, OR IS
UNSUPPORTED BY THE RECORD.

ONLY COMPETENT INDIVIDUALS CAN
STAND TRIAL. STATE V. ORTIZ-ABREGO
187 WN. 2d. 394, 402, 387, P. 3d, 638. (2017)

IN THIS CASE, SUPERIOR COURTS OF DOUGLAS COUNTY
HAVE ABUSED ITS DISCRETION IN FINDING ME,
MR. DALTON POTTER COMPETENT TO STAND TRIAL.
BASED ON (MEDICAL RECORDS) I HAVE A PAST
DIAGNOSIS OF PSYCHOTIC DELUSIONAL DISORDER,
THAT WAS NEVER TREATED, I DO SUFFER FROM
ACTIVE DELUSIONS ON A REGULAR BASIS.
THIS HAS AFFECTED MY THOUGHT PROCESSING
THROUGHOUT TRIAL COURT, AND MADE IT DIFFICULT
FOR ME TO MAKE CLEAR SENSE OF THE ENTIRE
SITUATION AND ALLEGED CHARGES THEY ARE
CONVICTING ME ON.

THESE ARE CRIMES, I HAVE BEEN VICTIMIZED,
AND WRONGFULLY CONVICTED OF.

ONE ~~CAN~~ FIRST DEGREE (PREMEDITATED) MURDER,
A CRIME OF TWO COUNTS OF FIRST DEGREE ASSULT,
CRIMES OF TWO COUNTS OF INTIMIDATING A WITNESS,
A CRIME OF UNLAWFUL POSSESSION OF
A FIREARM.

THE EVALUATOR HAS FAILED TO DO A PROPER EVALUATION
(LACK OF TESTING, LACK OF INFORMATION,
AND FORMED A INSUFFICIENT OPINION, BASED
ON INSUFFICIENT INFORMATION),

THIS IS IN VIOLATION OF DUE PROCESS CLAUSE OF THE
FOURTEENTH AMENDMENT. U.S. CONST. AMEND. XIV. (1973)

WASH. REV. CODE § 10.77.050.

ON DOUGLAS COUNTYS BEHALF "ABUSE OF DISCRETION"

MR. BRAVO

HAS TAKEN ADVANTAGE OF THE FACT THAT I APPEARED (INCOMPETENT) DUE TO MY DIAGNOSIS OF PSYCHOTIC DELUSIONAL DISORDER, AND DELUSIONAL IDEATION.

IN (DIRECT VIOLATION) OF THE PROCESS OF THE (FIFTH AMENDMENT) AND (FOURTEENTH AMENDMENT), IN SUPPORT BY THE UNITED STATES CONSTITUTION, MR. BRAVO UPON ME BEING (HARASSED) OVER A (MISIDENTIFICATION) ISSUE, DURING HIS ATTEMPT AT "INTERROGATION" I EXERCISED MY (FIFTH AMENDMENT RIGHT) "RIGHT TO REMAIN SILENT"

IN AN ATTEMPT TO GET INCRIMINATING RESPONSES FROM ME DUE TO MY MENTAL ILLNESS MR. BRAVO PROCEEDED TO TRY TO (ELICIT) ME BY (ASKING ME QUESTIONS,) IT IS IN (VIOLATION) OF OF MY (FIFTH AMENDMENT) "RIGHT TO REMAIN SILENT," WITH CONSIDERATION OF MY MENTAL ILLNESS, IN SUPPORT OF THE UNITED STATES CONSTITUTION,

STATE V. BUTLER 34, WN, APP, 2d, 614, [617]
(QUOTING)

BUTLER APPEALS HIS CONVICTION FOR FIRST DEGREE MURDER, DRIVE BY SHOOTING,

STATE V. BUTLER 34, WN, APP, 2d, 614
AND UNLAWFUL POSSESSION OF A[*617] FIREARM
FIRST DEGREE, HE ARGUES THE TRIAL COURTS ERRED
BY ADMITTING THE BOOKING FORM, THAT ASKED
FOR AND CONTAINED HIS MAILING ADDRESS, THE
SAME ADDRESS AS BAILONS, HE ARGUES THE
ARRESTING OFFICER SHOULD OF KNOWN THAT
A REQUEST FOR HIS MAILING ADDRESS WAS
REASONABLY LIKELY TO (ELICIT) A INCRIMINATING
RESPONSE,

IN BUTLER'S CASE, THE OFFICER ASKED BUTLER
A QUESTION IN ORDER TO ATTEMPT TO GET A
POTENTIAL INCRIMINATING RESPONSE, TO LINK HIM
TO A POTENTIAL CRIME, TO (ELICIT) A CITIZEN
OR A DEFENDANT (IT IS IN (VIOLATION) OF
THE (FIFTH AMENDMENT) IN SUPPORT BY THE
UNITED STATES CONSTITUTION

EVERY CITIZEN HAS THE FUNDAMENTAL
RIGHT TO A FAIR TRIAL, AS A CITIZEN OF
THE UNITED STATES HE OR SHE HAS THE RIGHT
TO EXERCISE HIS OR HER "RIGHT TO REMAIN
SILENT,"

WHEN IN THE PRESENCE OF LAW ENFORCEMENT
OR UNDER THE COURT OF LAW,

WASH, RAP. 2.5 (CITATION)

RULE 2.5 CIRCUMSTANCES WHICH MAY AFFECT THE SCOPE
OF REVIEW, MANIFEST ERROR AFFECTING (CONSTITUTIONAL RIGHTS,

IN MY CASE, I AM A CITIZEN OF A WRONGFUL
CONVICTION, APPEALING THE CONVICTION PRO SE,
IN ORDER TO SUSTAIN MY RIGHTS, AND CONSTITUTIONAL
MY RIGHTS AS A CITIZEN, SO I CAN GET BACK
TO PURSUING MY CAREER AS A LICENSED TATTOO
ARTIST, AND WORK ON MY MENTAL HEALTH,

STATE V. POTTER

UPON BEING A (VICTIM) OF A (MISIDENTIFICATION)
AND BEING HARRASSED BY LAW ENFORCEMENT,
I WAS ARRESTED DUE TO SOMEONE COMMITTING
A CRIME OF MURDER, ASSULT, WITH A FIREARM,
DETECTIVE BRAVO HAD ATTEMPTED A "INTERROGATION"
AND I EXERCISED MY CONSTITUTIONAL RIGHT,
"THE RIGHT TO REMAIN SILENT" UNDER THE
(FIFTH AMENDMENT) IN SUPPORT BY THE UNITED
STATES CONSTITUTION,

AND OFFICER BRAVO PROCEEDED TO
TAKE ADVANTAGE OF MY RIGHT, AND SITUATION,
MENTAL HEALTH, BY ASKING ME QUESTIONS IN
ORDER TO (Elicit) POTENTIAL INCRIMINATING
RESPONSE, TO TRY TO LINK ME TO A CRIME
THAT HE ALLEGED HAD OCCURED, I SUFFER
FROM A DISORDER CALLED (PSYCHOTIC DELUSIONAL
DISORDER) IN WHICH I WAS IN A ACTIVE
DELUSION WHEN MR. BRAVO HAD ME IN CUSTODY,
I DID NOT BELIEVE HE WAS A REAL POLICE
OFFICER, AND I DID NOT FEEL SAFE

TALKING TO HIM WITHOUT A "REAL LAWYER OR ATTORNEY," AND I FELT HE WAS TRYING TO TAKE ADVANTAGE OF MY MENTAL ILLNESS, TO TRY TO FIND ME GUILTY OF A CRIME, IN WHICH I DO NOT RECALL BEING INVOLVED IN A CRIME, OR AT A CRIME SCENE, DUE TO THE FACT I WAS ON BADGER MOUNTAIN AT A RESIDENCE NEAR FAMILY, I BELIEVE I HAVE A (ALIBI) AND THE CHARGES SHOULD BE PURSUED ELSE WHERE,

"DETECTIVE BRAVO"

ATTEMPTED TO DEPRIVE ME OF MY RIGHT TO A FAIR TRIAL, (ELICIT) AND HAD NO REGARDS TO MY CONSTITUTIONAL RIGHTS AS A WORKING CITIZEN, OR ANY REGARDS TO MY MENTAL ILLNESS,

"IT IS CONSTITUTIONAL OBLIGATION TO ASSURE ITSELF OF THE DEFENDANTS COMPETENCE."

WASH, RAP 2.5 CITATION
RULE 2.5, CIRCUMSTANCES WHICH MAY AFFECT THE
SCOPE OF REVIEW, (3) MANIFEST ERROR AFFECTING
CONSTITUTIONAL RIGHT.

IN REGARDS TO COURTS OPINION AUGUST
21, 2025 (CONVICTION OF CRIMES)
ONE COUNT OF FIRST DEGREE (PREMEDITATED)
MURDER, CRIME OF TWO COUNTS OF FIRST DEGREE
ASSULT, AN A CRIME OF ONE COUNT OF UNLAWFUL
POSSESSION OF A FIREARM.

I OBJECT TO THESE CHARGES
ABOVE, AS I WAS NOT INVOLVED IN THE
PHYSICAL ASSULT AN DEATH OF AIYSSA
LONGWELL, OR NEAR ANY CRIME SCENE,
IN 2023 WHEN HER LIFE WAS TAKEN.

GLASSMAN 175, WN, 2d, AT, 702.
707, 708, OUR SUPREME HELD THAT ~~BY~~ EXPRESSING
HIS PERSONAL OPINION OF GLASSMAN'S GUILT
THROUGH BOTH (SLIDESHOWS,) AND HIS CLOSING
ARGUMENTS, THE PROSECUTOR ENGAGED IN
(MISCONDUCT) GLASSMAN (707) THE COURT ALSO HELD
THERE WAS A (SUBSTANTIAL LIKELIHOOD) THAT
THIS (MISCONDUCT) AFFECTED THE JURYS VERDICT,
(708) THE COURT NOTED THAT VISUAL ARGUMENTS
MANIPULATE AUDIENCES BY HARRNESSING RAPID
UNCONSCIOUS OR EMOTIONAL REASONING PROCESSES

AND BY EXPLOITING THE FACT THAT WE DO NOT GENERALLY QUESTION THE RAPID CONCLUSIONS WE REACH BASED ON VISUALLY PRESENTED INFORMATION,

IN THE OPINION OF AUGUST 21, 2025
AS IN "GLASSMAN" THE STATES SLIDES COMBINED
WITH ITS ORAL ARGUMENT CONSTITUTED
(PROSECUTORIAL MISCONDUCT) WARRANTING
(REVERSAL)

STATE V. POTTER

IN THE STATES CASE THE PROSECUTOR HAS ENGAGED
IN MULTIPLE ACTS OF (MISCONDUCT) (PROSECUTORIAL
MISCONDUCT) THE STATE RELIED ON DARREN ESTES,
AND HIS DAUGHTER S.E. AS WITNESS TESTIMONY,
AND THE COURTS IN THIS CASE PRESENTED
(SLIDE SHOWS) OF THE ESTES CLAIMS OF ASSULT,
AND A EXECUTION STYLE HOMICIDE THAT WAS
LATER IDENTIFIED AS (ALYSSA LONGWELL)
BASED ON CLAIMS OF ESTES, THE PROSECUTOR
PRESENTED PHOTOS OF THE ESTES VEHICLE, BUT
DID NOT PROVIDE (SPECIFIC PHOTOS) TO COLLABORATE
THE ESTES CLAIMS OF A PERSON SHOOTING AT
THEIR VEHICLE, PHOTOS THAT WERE NOT PROVIDED
AT (TRIAL COURT) WERE (DAMAGES) TO THE ESTES
VEHICLE TO (PROVE) THE (ASSULT OCCURED),

(LIKE IN "GLASSMAN'S" CASE)

(AUTOPSY REPORTS) ALSO DISCREDIT THE ESTES CLAIMS OF A EXECUTION STYLE MURDER,

STATE V. POTTER

HERE THE PROSECUTOR HAS ENGAGED IN (MISCONDUCT) BY SUPPORTING THE ESTES CLAIMS, IN (TRIAL COURT) REGARDING POTENTIAL EVIDENCE THAT WAS NOT PRESENTED, OR NOT TRUE,

"POTENTIAL EVIDENCE MEANING PHOTOS OF (DAMAGES) TO ESTES VEHICLE ON THE (HOOD OF HIS TRUCK) NOT PRESENTED," ESTES CLAIMED THE SUSPECT SHOT HIS TRUCK IN MULTIPLE PLACES, WHICH EVIDENCE WAS NOT PROVIDED, TO PROVE ALL HIS ALLEGATIONS,

THE PROSECUTOR HAS ALSO ENGAGED IN ANOTHER ACT OF (MISCONDUCT) BY EXPRESSING HIS (PERSONAL OPINION) OF POTTER'S GUILT THROUGH (SLIDE SHOWS) PRESENTED AT TRIAL THAT DID NOT PROVE THE CREDIBILITY OF THE ESTES CLAIMS, FOLLOWED BY THE PROSECUTOR'S CLOSING ARGUMENTS HE HAS FORMED A OPINION BASED ON THE (INSUFFICIENT EVIDENCE) OF THE ESTES CLAIMS,

IN ANOTHER ACT OF (MISCONDUCT) IN ATTEMPT TO TAKE ADVANTAGE OF A CITIZEN, THE STATE PROVIDED (INSUFFICIENT INFORMATION) TO THE JURY IN ORDER TO REACH A VERDICT FORMED ON THE PROSECUTOR'S OPINION, (PERSONAL OPINION)

THIS FACTOR DRASTICALLY AFFECTED THE JURYS
DECISION MAKING, AND THOUGHT PROCESSES
WHEN FORMING A VERDICT, THIS HAS ALSO
CAUSED THE JURY TO FORM BIAS OPINIONS OF
THEIR OWN AS TO MY APPEARANCE BASED ON
MY TATTOOS, FROM MY LINE OF WORK AS
A LICENSED TATTOO ARTIST, MAKING THE
JURY (PREJUDICE)

AFTER THE STATE HAS FORMED HIS
PERSONAL OPINION, HE PRESENTED IT IN
THE (TRANSCRIPTS) AND THE (AUGUST 21, 2025)
(UNPUBLISHED OPINION) TRYING TO MAKE ME
APPEAR GUILTY TO THE PUBLIC, AND THE COURTS,
AFTER TAKEN ADVANTAGE OF MY CONSTITUTIONAL
RIGHTS, IN ORDER TO CONVICT SOMEONE,
BECAUSE HIS COUNTY'S POICE DEPARTMENT
FAILED TO PRESERVE A CRIME SCENE, AND
FAILED TO APPREHEND THE REAL SUSPECT,

SHORTLY AFTER, HIS PERSONAL OPINION WAS
UNPUBLISHED THROUGH THE COURT OF APPEALS,
"DOUGLAS COUNTY"

DECIDED TO (VACATE) A CRIME AND CHARGE
AGAINST ME OF TWO COUNTS OF INTIMIDATING
A WITNESS, FOR (PREJUDICE) AND INSUFFICIENT
EVIDENCE, (~~DOUGLAS COUNTY~~)

MR. EDGAR, HAS ALSO ENGAGED IN (PROSECUTORIAL MISCONDUCT) WHEN HE (VOUCHED) FOR A ALLEGED WITNESS, TO "BOISTER" OR TO "VOUCH" FOR A WITNESS, OR ALLEGED WITNESS, HE (VOUCHED) FOR WITNESS TESTIMONY THAT WAS (VACATED) BECAUSE OF CREDIBILITY ISSUE, IT WAS NOT PRESENTED AT TRIAL COURT IN SUPPORT WITH CLAIMS, THE ESTES CLAIMS WERE (VACATED) FOR (PREJUDICIAL REASONS), HE HAS EXPRESSED HIS PERSONAL BELIEF AS TO THE VERACITY OF A WITNESS, OR ALLEGED WITNESS,

(PROSECUTORIAL MISCONDUCT)
CAN BE PROVEN BY A DEFENDANT IF THE PROSECUTING ATTORNEYS REMARKS WERE (IMPROPER) OR (PREJUDICIAL)

- IN RE PERS, RESTRAINT OF GLASSMAN,
175 W.N. 2d, 696

IN SUPPORT OF THE UNITED STATES CONSTITUTION, THE RIGHT TO A FAIR TRIAL IS A FUNDAMENTAL LIBERTY SECURED BY THE (SIXTH) AND (FOURTEENTH) AMENDMENTS, TO THE UNITED STATES CONSTITUTION,

(PROSECUTORIAL MISCONDUCT)
MAY DEPRIVE A DEFENDANT OF HIS OR HER RIGHT TO A FAIR TRIAL, IN WHICH MY RIGHTS TO A FAIR TRIAL HAVE BEEN DEPRIVED AND VIOLATED DUE TO (MISCONDUCT) AND (CONSTITUTIONAL) DEPRIVATION,

"DALTON SCOTT POTTER"

AS THE VICTIM, OF A WRONGFUL CONVICTION,
AND THE DEFENDANT,

IT WAS ALSO PROSECUTORIAL MISCONDUCT
FOR "DOUGLAS COUNTY" SUPERIOR COURTS
TO "ABUSE ITS DISCRETION" IN REFERENCE
BURDEN OF PROOF

IN REFERENCE TO "GLASSMAN" ~~105~~ 175 W.N.
2d. AT 702 THE PROSECUTOR HAS COMMITTED
ACTS OF (MISCONDUCT) BY FORMING PERSONAL
OPINION BASED ON THE VERACITY OF WITNESS
TESTIMONY, AND AFFECTED THE VERDICT OF
THE JURY SUBSTANTIALLY, AND VIOLATED
MY RIGHTS AS A CITIZEN OF THE
UNITED STATES,

- CONCLUSION,

(CITATION)

WASH, CR, 7.5, (RULE 7.5) (A) (2) (5) (6) (8)

"NEW TRIAL"

- (A) GROUNDS FOR NEW TRIAL.
- (2) MISCONDUCT OF THE PROSECUTION OR JURY
- (6) ERROR OF LAW OCCURRING AT TRIAL AND OBJECTED TO AT
THE TIME BY THE DEFENDANT,
- (8) THAT SUBSTANTIAL JUSTICE HAS NOT BEEN DONE, WHEN
THE MOTION IS BASED ON MATTERS OUTSIDE THE RECORD,
THE FACTS SHALL BE SHOWN ON AFFIDAVIT.

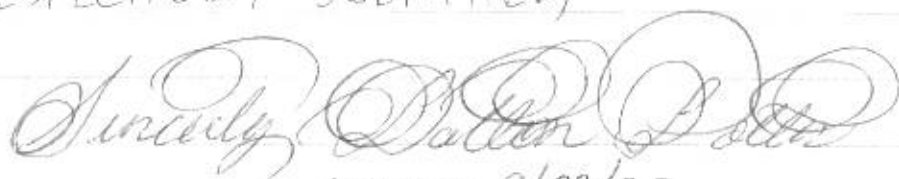
YOUR GOING TO SEE IN THIS CASE THAT I AM
INNOCENT, AND A SUBSTANTIAL AMOUNT OF ERRORS
IN REGARDS TO (CITATION,) AND MY CONSTITUTIONAL
(RIGHTS) BEING (VIOLATED) THIS IS A CASE OF (MISCONDUCT)
AT ITS FINEST, THE ENTIRE CASE IS BASED ON
INSUFFICIENT EVIDENCE, A REVIEW IS NECESSARY,
THE (PROSECUTORS PERSONAL OPINION) IN THIS CASE
WAS BASED ON INSUFFICIENT WITNESS TESTIMONY,
AND THERE IS A REASON FOR IT, THERE ENTIRE
TESTIMONY IS CONTRADICTION, THIS IS A CASE
WHERE A ASSUIT, MURDER ALIEGEDLY OCCURED,
WITH A FIREARM, I WAS TESTED BY WASHINGTON
STATE CRIME LAB FOR (GUN SHOT RESIDUE) AND
I (TESTED NEGATIVE) WHICH WOULD INDICATE I
DID NOT FIRE A FIREARM AT ANYTIME, THE TRIAL
COURTS "ABUSED ITS DISCRETION" THE POLICE OFFICER
THAT TRANSPORTED THE ALIEGED MURDER WEAPON
WAS CHARGED WITH A PRIOR CONVICTION FOR
THEFT, AND SWITCHING OUT PRICETAGS ON ITEMS
AT A STORE HE PURCHASED, (BRADY VIOIATION)
THIS CASE IS BASED ON (MISIDENTIFICATION) AND
(INSUFFICIENT EVIDENCE) FOR A REASON.

I WOULD LIKE MORE TIME TO ARGUE THIS CASE
I AM ON A (30 DAY) TIME FRAME SO I
DIDNT HAVE ENOUGH TIME TO ADDRESS THE
SUBSTANTIAL CRIMES COMMITTED BY THE COURTS,
AND SUBSTANTIAL GROUNDS FOR RILEF, THERE ARE

I MOST OF ALL WANT TO ARGUMENT INEFFECTIVE ASSISTANCE OF COUNSEL, THERE IS A SUBSTANTIAL AMOUNT OF (MISCONDUCT) ON BEHALF OF PROSECUTION, TRIAL COURT, IMPROPER STATEMENTS, SOME (PREJUDICE) AND (PREJUDICIAL) ISSUES THAT NEED ADDRESSED, TESTIMONY THAT HAS BEEN (VACATED) FOR A WIDE NUMBER OF REASON, (PREJUDICIAL) (IMPEACHMENT) REASON, (BRADY VIOLATION), POTENTIAL SUPPRESSION OF EVIDENCE, (OBJECTION), MANY OTHER FACTS, CITATIONS, VIOLATIONS I WANT TO ADDRESS, I AM IN A TIME CRUNCH WITH THE (30 DAY) TIME PERIOD.

I WOULD LIKE TO ADDRESS THE INSUFFICIENCY OF THIS CASE, AND OBJECT TO CONVICTION THROUGH (PERSONAL RESTRAINT DETENTION) WITH AND AT THE COURTS DISCRETION, IN WHICH THERE ARE GROUNDS FOR RELIEF, 9/18/25

RESPECTFULLY SUBMITTED,



DATE: 9/23/25

DALTON POTTER

ADDRESS: DALTON POTTER / PETITIONER

WASHINGTON STATE PENITENTIARY

1313 NORTH 13TH AVENUE

WALLA WALLA, WA, 99362

(NO. 1045522)

-APPELLANT / PETITIONER

E-Filing

September 23, 2025 - 8:55 AM

Transmittal Information

Filed With Court: Supreme Court
Appellate Court Case Number: 1045522
Appellate Court Case Title: State of Washington v. Dalton Scott Potter
Trial Court Case Number: 23-1-00010-6

DOC filing on behalf of POTTER - DOC Number 366359

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