

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS
DIVISION II
2012 SEP 28 PM 1:24
STATE OF WASHINGTON
BY  DEPUTY

STATE OF WASHINGTON)
)
Respondent,)
)
v.)
)
Richard Janssen)
(your name))
)
Appellant.)

No. 43325 - 7 - II

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, Richard Janssen, have received and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this Statement of Additional Grounds for Review when my appeal is considered on the merits.

Additional Ground 1

Additional pages _____

Additional Ground 2

additional pages _____

If there are additional grounds, a brief summary is attached to this statement.

Date: 9-24-12

Signature: 

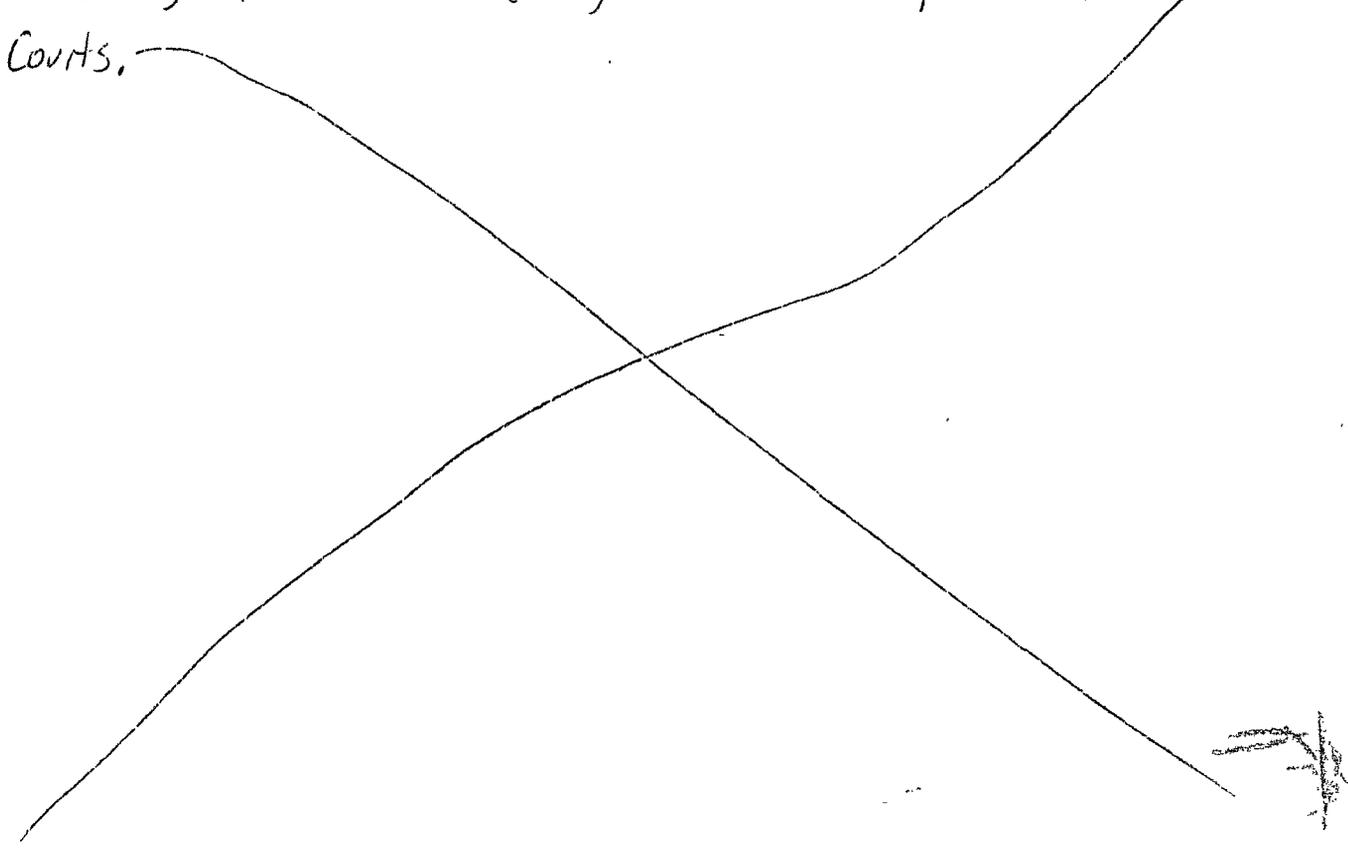
Statement of Additional Grounds One page 1

My attorney would not fight for me to bring up and have marked _____
in the Courts my Muslim Name: Ali Akbar Muhammad. _____

I am a Former Skinhead, I am now and have been since my _____
arrest and before my arrest a Sunni Muslim. It is my _____
right to have my Religious Muslim name marked as an _____
{Also. Known. As}. But my trial Attorney would not do it. _____

My religious 'Muslim' Name is who I am, I am a Sunni _____
Muslim and have a right for it to be known to the Courts. _____

I am a fighter and hater of racism and racists. I stand _____
up against racism, and my Muslim name: Ali Akbar _____
Muhammad, tells people who I am, what I stand for, _____
what I believe. But most of all, who my God is, ALLĀH, _____
Glory to my Lord, the most Exalted. My attorney should _____
have fought for me to have my Muslim name put in the _____
Courts. _____



Even if the Crime has been proven beyond a reasonable doubt, there exists a doubt as to which of one or more Crimes a person is guilty of. One should then be Convicted only of the Lowest degree of Crime. And the Lowest degree is assault in the Third degree.

Judge Evens excepted our position on letting the Jury Choose the lowest assault "3rd degree", But then denied us to let the Jury use it. There was no proof that the prosecutor showed that I was trying to Kill or harm the D.O C Officers. The prosecution told the jury that she had pictures of damage and how I tried to hurt or Kill the Officers. But the Prosecution refused to bring the pictures to show to the Jury, to prove that I tried to hurt or kill the Officers.

The Judge should have let the ^{lower} ~~charge~~ Charge of Assault in the Third Degree stay for the jury to pick.

State v. Baker, 121 Wash. App. 1070
(Wash. App. Div. 2 06/02/2004)



I talked to my trial Attorney about giving the choice of not guilty by reason of Insanity. He refused to give the choice even though I asked him to multiple times. The Court sent me up to Western State for a 15 day evaluation. The doctors keep me at Western State Hospital for less than 23 hours and sent me back to Jail. The Hospital refused to comply to the Courts order for a 15 day evaluation.

I tried to get my Trial Attorney to get me back to the hospital but he told me that the Courts wouldnt do it. I have XYY Syndrome. It exists in some men - a Chromosome abnormality exists in which there is an XYY or "super male" constellation to result in greater aggressive and anti-social behavior.

Western State Hospital diagnosed me to have extremely high anti-social Personality disorder. My Trial Attorney should have fought for me to go back to the Hospital for the full 15 day evaluation to be fully tested to bring to the Courts.

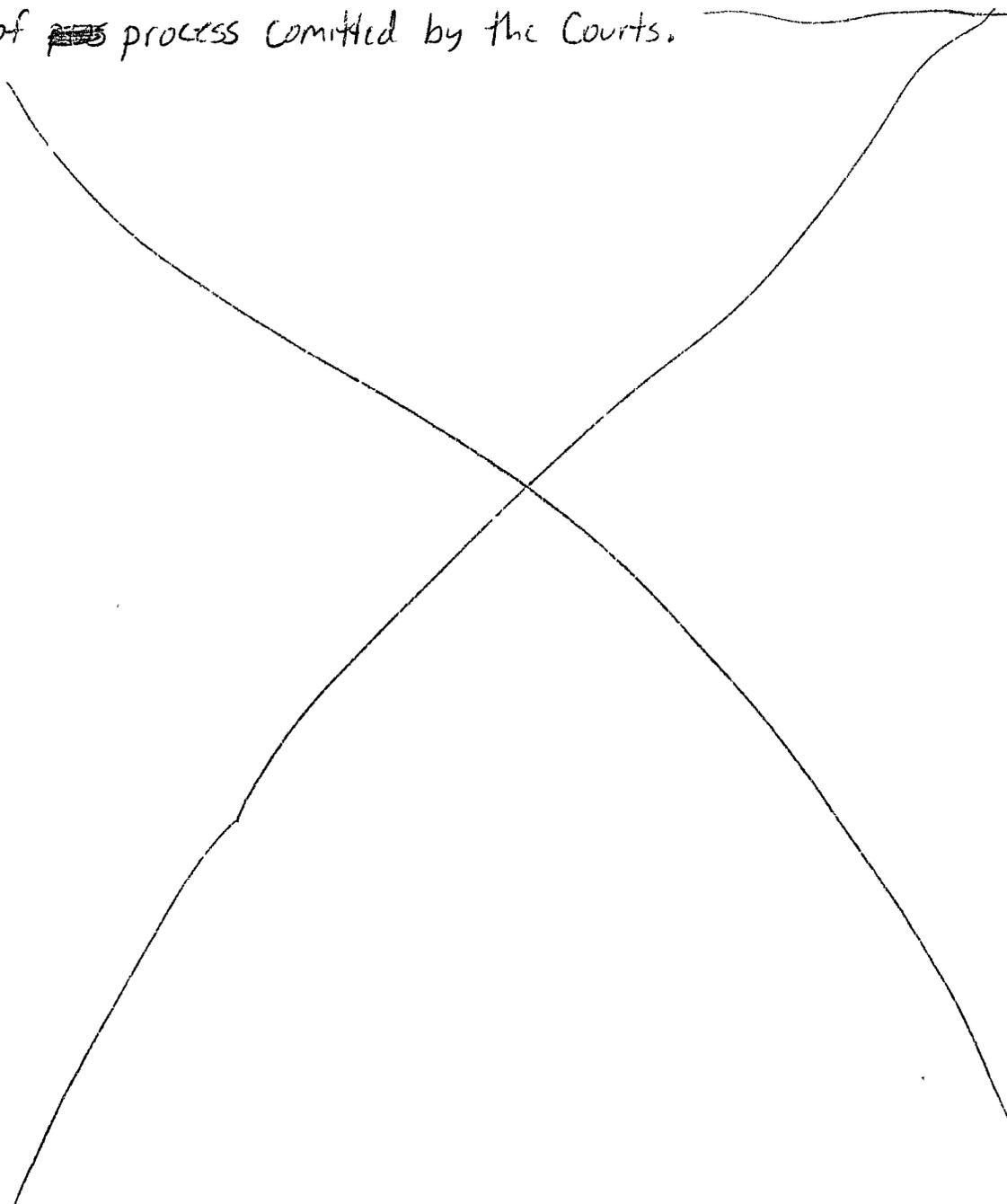
I was denied my right to bring Mental Evidence to the Courts and Jury.

Statement of Additional Grounds Four pg. 1

The Police officers who arrested me committed defamation per se by saying untruthful lies about me. I am a former skinhead, I am now and was at the time of my arrest and before my arrest a Sunni Muslim. The Police officers and the prosecution all committed abuse of process by allowing these untruthful remarks allowed. There is no proof that I said anything racist towards them. The Officer knew me in my past days when I was a racist. They also know that I got out of that stuff and that now I stand up against and speak out against all racists. The prosecutor committed malicious prosecution by not stopping the officers false testimony and by not allowing the false testimony in. The prosecution committed willful blindness by not stopping the lies the officers committed by saying that I said white power to them when they know I didn't. The prosecution knew I stand up against and speak out against any racists. The reason the prosecution allowed those false statements to stay is to make me look bad to the jury. I had tried to get my trial attorney to fight against the false testimony that the officers said, but my attorney said that the prosecution was not going to take the statements out and wasn't even going to check to see if the officers were lying. Instead my attorney told me that he couldn't get the statements out and the courts won't take them out. He told me that the only way the statements won't go to the courts are if I take Pleas bargains and plead guilty to all the crimes except

Statement of Additional Grounds Four pg 2

The Assault 1st and And Assault 2nd Degrees. The prosecution abetted the Officers in the Crime of perjury to get me to look bad ~~to~~ to the Jury and /or make me plead guilty. The prosecution should not have allowed those statements in. All the plea bargens should be taken back and the statements that the Officers falsified should be taken out and the charges should be allowed to go to trial without any abuse of ~~the~~ process committed by the Courts.



Assault in First degree is defined by Statute - in ~~the~~ relevant part, "A person is guilty of Assault in First degree if He or She, with intent to inflict great bodily harm ... Assaults another with a firearm. The mens rea for First degree assault is the specific intent to inflict great bodily harm, a person assaults another and inflicts great bodily harm. "RCW. 9A.36.011". Great bodily harm means bodily injury that creates a probability of death, or that Causes significant, serious, permanent disfigurement, or that Causes a significant, permanent loss or impairment of the function of any bodily part or Organ.

Assault in the First degree Charges should not have been brought to the Jury as a verdict. There was no proof of First degree assault. There was no harm ~~to~~ to anyone. Neither victim were hurt or harmed in any way. The prosecution ~~could~~ ^{didn't} and Couldn't get a professional witness that could say that birdshot could be fired through a vehicle and Cause substantial bodily injury, Cause great bodily injury, Cause death. Not from 75 to 90 feet away.

There wasn't even physical proof that birdshot even hit the vehicle ~~...~~
The prosecution didn't show or have pictures of any damage. They only have the two victims say. Mr. Morgan and Mrs. Peters said that there was paint chipped off hood of car and a crack in windshield of car. The prosecution Couldn't and didn't have a professional testify that those came from birdshot fired by a shot gun.

It is known that the D.O.C officers don't drive their personal vehicles. The vehicles they use are department vehicles. The paint chip and the crack in window. Even Detective Steve Dennis said and I quote, "And also it appeared like, maybe one pellet or one-something had penetrated the windshield so it was - it was like a circular crack over by the driver's side." Detective Steve Dennis also said during cross and I quote, "I - I don't remember now, I just remember the windshield was breached. I couldn't tell if it was all the way through or - or not." You would think a competent detective would have taken pictures of this cracked windshield and would have checked to see if it went all the way through, and would have looked for the pellet was inside the vehicle. But ~~this~~ Detective did not. The Detective said he took pictures ~~of the damage to~~ the car hood and windshield, but the prosecutor didn't show no pictures of any damage. Even with the State's witness Johan Schoeman who is employed with the Washington State Patrol Crime Laboratory, in Tacoma, the prosecution didn't get him to look at and check to see if the damage to the vehicle was from a shotgun pellet. They didn't even produce the so-called pictures that were taken to show the state witness. There is no proof that the paint chips on the hood of the car and the chip in the window came from the shotgun pellet. Those marks were there before this all happened. This vehicle is a department car these marks could have happened in the past. D.O.C officer Peters said she heard something hit the front of the car. What she heard was

the gravel on the ground all on the side of the road and grass hitting under the front of the car when D.O.C officer put the car in reverse.

I am in Jail going to trial for shooting at these 2 D.O.C officers. These 2 D.O.C officers are mad at me and what happened they will say what ever will make me look evil to the Jury. Of course when they see these 2 marks, they will straight assume it was the Shotgun that did it. But it didnt. When they pulled up, all I wanted was to escape and get away. I didnt shoot the gun at them. I shot the Shotgun above the car, so that it wouldnt hurt noone. I was not trying to hurt anyone, I just wanted to get away. If I wanted to hurt or kill them I would have waited until Both D.O.C officers got out of the car and got close to me to pull the gun out and shoot at them. But I didnt. I shot over the car. I was not trying to hurt or kill them, so then there is no proof for a charge of First Degree Assault.