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SUPREME COURT
STATE OF WASHINGTON
Nov 12, 2013, 1:55 pm
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IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

JEROME CEASAR ALVERTO, Petitioner

NO. 89488-4

MOTION TO STRIKE EXHIBITS
ATTACHED TO THE PETITION FOR
DISCRETIONARY REVIEW

I. IDENTITY OF MOVING PARTY:

The Respondent, State of Washington, by Kimberley DeMarco, Pierce County
Deputy Prosecuting Attorney, respectfully files this motion to strike the exhibits attached
to the petition for discretionary review.

II. STATEMENT OF RELIEF SOUGHT:

The State respectfully requests that this Court strike and disregard the following
portions of the petition for discretionary review:

- 1 Exhibit 1
- 2 Exhibit 2

 ORIGINAL

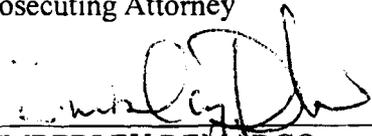
1 10.3(a)(8); RAP 13.4(c)(9); *see, e.g., State v. Stevenson*, 16 Wn. App. 341, 345, 555 P.2d
2 1004 (1976), *review denied*, 88 Wn.2d 1008 (1977) (matters referred to in a brief but not
3 included in the record cannot be considered on appeal).

4
5 IV. CONCLUSION:

6 For the reasons stated herein, the State requests that this Court strike Exhibits 1 and
7 2 to petition for discretionary review.

8 DATED: November 12, 2013.

9 MARK LINDQUIST
10 Pierce County
11 Prosecuting Attorney

12 
13 KIMBERLEY DEMARCO
14 Deputy Prosecuting Attorney
15 WSB # 39218

16 Certificate of Service:

17 The undersigned certifies that on this day she delivered by U.S. mail and/or
18 ABC-LMI delivery to the attorney of record for the appellant and appellant
19 c/o his or her attorney true and correct copies of the document to which this
20 certificate is attached. This statement is certified to be true and correct under
21 penalty of perjury of the laws of the State of Washington. Signed at Tacoma,
22 Washington, on the date below.

23 11.12.13 Theresa Kar
24 Date Signature