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STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

FILED
COURT OF APPEALS DIV I
STATE OF WASHINGTON
2013 APR 10 PM 4:22

STATE OF WASHINGTON)

Respondent,)

v.)

James Steven Johnson
(your name))

Appellant.)

No. 69271-2-I

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, James Steven Johnson, 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

To The Honorable Judges At the Court of Appeals,

that I would like to mention in regards to my appeal. There are only a couple of things

First of all, I would like the court to know that I did not give Ms. Turblood the authority to tell the judge that it was ok to agree to an order score of 7, nor did I ever at any time.

Additional Ground 2

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

Date: 3/23/13

Signature: James Johnson

RULE OF APPELLAGE PROCEDURE 10.10
STATEMENT OF ADDITIONAL GROUNDS FOR REVIEW

(a) Statement Permitted. A defendant/appellant in a review of a criminal case may file a pro se statement of additional grounds for review to identify and discuss those matters which the defendant/appellant believes have not been adequately addressed by the brief filed by the defendant/appellant's counsel.

(b) Length and Legibility. The statement, which shall be limited to no more than 50 pages, may be submitted in handwriting so long as it is legible and can be reproduced by the clerk.

(c) Citations; Identification of Errors. Reference to the record and citation to authorities are not necessary or required, but the appellate court will not consider a defendant/appellant's statement of additional grounds for review if it does not inform the court of the nature and occurrence of alleged errors. Except as required in cases in which counsel files a motion to withdraw as set forth in RAP 18.3(a)(2), the appellate court is not obligated to search the record in support of claims made in a defendant/appellant's statement of additional grounds for review.

(d) Time for Filing. The statement of additional grounds for review should be filed within 30 days after service upon the defendant/appellant of the brief prepared by defendant/appellant's counsel and the mailing of a notice from the clerk of the appellate court advising the defendant/appellant of the substance of this rule. The clerk will advise all parties if the defendant/appellant files a statement of additional grounds for review.

(e) Report of Proceedings. If within 30 days after service of the brief prepared by defendant/appellant's counsel, defendant/appellant requests a copy of the verbatim report of proceedings from defendant/appellant's counsel, counsel should promptly serve a copy of the verbatim report of proceedings on the defendant/appellant and should file in the appellate court proof of such service. The pro se statement of additional grounds for review should then be filed within 30 days after service of the verbatim report of proceedings. The cost for producing and mailing the verbatim report of proceedings for an indigent defendant/appellant will be reimbursed to counsel from the Office of Public Defense in accordance with Title 15 of these rules.

(f) Additional Briefing. The appellate court may, in the exercise of its discretion, request additional briefing from counsel to address issues raised in the defendant/appellant's pro se statement.

express to her in any way shape or form that it would be ok to agree to the prosecutors recommendation of sentencing me to the high end of any range.

I would like the court to know that I have always believed that I had an offender score of seven because the last time that I was sentenced to a felony, the Honorable Judge Helen Halpert ruled that some of my forgeries counted as being the same. Prior to sentencing, I had specifically asked Cassie Trueblood to contest my offender score. I wrote a letter to the Honorable Judge Kurtz asking him to please sentence me to 7 points, not 10. Cassie Trueblood assured me that we would challenge the score at sentencing. And then, when that day arrived, she didn't do it.

Your Honor's, I do not like to use my mental health problems as an excuse for anything in my life. But I have a number of things that I deal with day to day. I take two different medications to help with these problems. I suffer from severe depression, post traumatic stress. And mild auditory hallucinations. I have been under the care and supervision of many different psychiatrists & psychologists throughout the last 11 years. I have continuously taken medication and participated in therapy to help me cope with the things that I struggle with for the last 9 to 10 years. And

even though I truly believe that I have made significant progress with my life, I have come to terms with the reality that I will always need to stay on top of my problems by making sure to always take my medications. And I can improve upon myself by also taking advantage of the programs that Compass Health has to offer in Lynnwood.

I would like the court to know that I'm not on DSHS or social security. When I was at the mental health work-release (Lincoln Park/RAP house) in Tacoma from July of 2011 to November of 2011, I worked 5 days a week, full-time, for Michael's Upholstery. I was going to Tacoma Community College at night during this time as well. And I wanted to improve my life.

The reason that I felt that it was important for the court to know about this particular part of my life is because I wanted you to know that when I'm subjected to stressful situations, these problems become agitated to the point where it is hard for me to think. And at my sentencing hearing, when Cassie Trueblood agreed to go along with everything that the state wanted the judge to impose, I felt like my life had literally turned into a living nightmare. I became dizzy. Time seemed to slow down to almost nothing. And it was very hard for my mind to process all of the things that I was forced to face in that courtroom, essentially, alone.

I'm not a lawyer your Honors. And I sincerely apologize if I didn't say what I was supposed to say. When judge Kurtz told me that it was my turn to speak, I had so many different emotions and thoughts swirling around in my mind like a tornado, it was a miracle that I managed to get out the things that I did. I didn't think that I was going to have to say anything other than I was sorry for my actions that day. But when Cassie Trueblood did what she did, I didn't have a choice.

I was not prepared for anything that happened that day. And I would ask you to please understand that had I known what to say and do at a moment like that, I would have done so.

I have always believed that my offender score should have been a 7, not a 10. I wrote a letter to the judge stating as much. And at no time was I in agreement with the things that Cassie Trueblood said, or failed to say.

When Ms. Trueblood hung me out to dry, I was put on the spot. I panicked. Did the best that I could by fumbling through my thoughts. But I was way out of my league.

I would like to respectfully thank you for taking the time to read my statement and hear my appeal.

With respect & sincerity,

James Steven Johnson

