

Form 7. Statement Of Additional Grounds for Review  
[Rule 10.10(a)]

COPY

IN THE COURT OF APPEALS OF THE STATE OF  
WASHINGTON  
DIVISION I

RECEIVED  
COURT OF APPEALS  
DIVISION ONE

APR 29 2013

STATE OF WASHINGTON,

Respondent,

v.

Amy Carol Taylor,

Appellant,

Court of Appeals Cause No. 69799-4

STATEMENT OF ADDITIONAL  
GROUND FOR REVIEW

I, Amy Carol Taylor, 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 I**

SCSO Narrative [pg. 1, paragraph 4] Officer Deseuvoir states 'I immediately recognized the driver and passenger, Amy Taylor and Erin Graafstra are well known among area deputies from prior VUSCA contacts and my last contact with Taylor and Graafstra resulted in a successful search warrant and the recovery of a large amount of methamphetamine and cash.' Attached to this statement is a copy of my file per the Washington Access To Criminal History WATCH database, which concludes the officers statement to be false. I have never been involved in any prior VUSCA contacts, with or without, a resulting conviction. This is another example of the officers error in demonstrating probable cause which led to the warrantless search that followed.

**Additional Ground II**

SCSO Narrative [page 2, paragraph 2] Officer Deseuvoir states 'I searched the area near the pickup for approximately 30 minutes but the thick gravel on the road made the search difficult, and I was unable to locate anything.' As Officer Deseuvoir states it was a full 30 minutes of his time in searching the gravel he had left my passenger, Erin Graafstra [currently incarcerated for narcotics], ALONE, in the cab of the truck giving her ample time to dispose of the narcotics from being on her person. Enclosed again with my statement is SCSO Narrative [page 3, paragraph 1] Finally after that 30minute timeframe, Officer Deseuvoir asks the passenger, Erin Graafstra, to step out of the vehicle; proving that he left her unattended in the vehicle.

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

Date: 8-1-13

Signature: Amy C Taylor

### Additional Ground III

Regarding the motion to dismiss **[RP page 89 line 19 thru page 90 line 2]**. I am hoping the court can review the court's decision as insufficient evidence was apparent and additionally examination of the state's decision to file against the driver; based on mere proximity yet exceedingly incriminating evidence against the other occupant of the vehicle was not further examined; considering the relevance. Please review the following bullet points to reference the testimony with the examples.

- **[RP Pg 90 lines 11-19]**: Aside from the driver, Amy Taylor, and the passenger, Erin Graafstra; possessions and prescriptions were found belonging to (2) additional people, Danika Romero/friend of the passengers and Lance Forgey/then boyfriend to the passenger.
- **[Motion to Suppress hearing 9-22-12 Pg. 9 lines 16 – 25]**: Deputy Deusevoir states the local law enforcement know the passenger, Erin Graafstra, as a known narcotics dealer. As mentioned in Additional Ground I, I stated that this was in fact my first encounter with the Deputy and any former contacts he was referencing, was only contact with Erin Graafstra, as I am confident I was not a part of other incidents prior to this night, September 3rd 2010.
- **[RP (pg.66 ln 16 thru pg.67 ln 19) & (Pg. 69 ln 6 thru Pg. 70 ln. 1)]**: Further testimony from Deputy Deusevoir were that the items (plastic containers containing narcotics) were distanced equally between the driver and passenger directly behind the bench seat of the truck. Considering the proximity, the items should have been fingerprinted but were NOT. However during the same search the Deputy was able to fingerprint the [stolen] laptop that was recovered from the passengers bag during the search. Just like the hard plastic containers holding the narcotics, a hard plastic casing covered the laptop thus all the items should have been equally as easy to fingerprint. Aside from the deputy's contradiction, this seems to show the lack of proper procedure considering the circumstances particular to the incident and charging the correct individual(s) responsible.
- **[RP pg. 77 ln 2 thru pg. 79 ln 5]** Deputy Desevoir's testimony further providing evidence that the narcotics found did NOT belong to the driver. Inside the passenger, Erin Graafstras, 3 bags the following items of significance were discovered: her drivers license, \$1790.00 cash, her drug ledger containing names and amounts owed for drug transactions, and finally the (stolen) laptop mentioned in the bullet prior to this. The trial court ultimately allowed these items as exculpatory evidence.
- **[RP pg. 45 line(s) 3-6]** Deputy Deusevoir states that it took a minimum of 30 minutes maybe more to detain the driver, Amy Taylor **[RP pg. 75 line(s) 6-20]** Deputy states that wasn't until after detaining the driver, he then approaches the passenger, still in the cab of the truck. This gave Erin Graafstra ample time to 'hide' her narcotics in the cab of the truck. The police report and narrative further prove this sequence of events which I included under Additional Ground II of this document.

### Additional Ground IV

**[Motion to Suppress hearing pg. 15 ln12 thru pg 19 ln4]**. The evidence provided during trial was not consistent to Deputy Deusevoir's testimony during the suppression hearing. The search was done without probable cause based on the information as to validity of the K-9 search. The K-9 was called to do a search of the ground, the gravel outside of the truck after the deputy concerned I was disposing evidence. I did not have anything to destroy by throwing it on the ground and if this did in fact happen, how could the K-9 miss narcotics directly on ground it was sniffing but somehow manage to hit on the truck prompting the deputies probable cause to seize the truck? K-9 did not find any narcotics outside the vehicle because I did not have anything in my possession, thus the search was illegal, in addition to being licensed and insured at the time, I was not breaking any traffic laws. Also, the reaction that caused the deputy to react negatively was simply the removal of my seatbelt. I was essentially just shocked that after the deputy told me I could leave he then saw my passenger, Erin Graafstra, at which point he then demanded my license and registration however I wasn't breaking any laws at that time and I simply was yielding to emergency lights I saw from behind. The officer did not have probable cause to invoke the search and seizure that night and more importantly he did not follow proper procedures in doing so as the K-9 did NOT find anything around the vehicle

and leaving the passenger alone for that time period left lots of speculation as to who the narcotics belonged too which then should have carefully been examined and fingerprinted.

In conclusion, there were many discrepancies in Deputy Deusevoir's testimonies and the investigation of this incident was not thoroughly examined. Also, I have no additional incidents with law enforcement nor did my history, prior to this incident, demonstrate that type of behavior. I am a productive, positive member of society with high hopes of removing this felony conviction to continue progressing in life. Thank you for taking the time to thoroughly examine my trial as I know the truth and proper case law will prove to reverse this conviction.