

To: court of Appeals State of
Washington Division one

From Jeffery M. Kinzle

Date: 05/30/2013

FILED
COURT OF APPEALS DIV 1
STATE OF WASHINGTON
2013 JUN -6 PM 1:16

RE: Appeal # 69451-1-I
Snohomish County case # 11-1-00710-8

I am writing because I recieved
The Appeal brief This Morning
That My Attorney Nancy P. Collins
with Washington Appellate project
filed in your court on May
23rd I am also writing her
a simalar copy of this letter
AS There Are A couple of
mistakes That I belive To be
important And would ASK After
review of Trial Transcripts for
you To fix these on paper

Starting on page #4

D. Statement of The Case

#1 page #5 Top of page 2 things
Wrong

#1 erin Schuck latter testified that
only one of he Daughters was
in her room under The Table

#2 Stating That N.R. Was only 3 years old When She Was 5 When this happened

#3 in Trial The eye cream was Not found until Next day

This is all I wanted to bring to your Attn
My Major issue is The Age of N.R. AS This could Nullify one of MS. Collins issues if this Age Difference is Not fixed for the record for your Decision

Thank you for your Time
And Consideration

Jeffery Kinzle
5-30-13

P.S. The following pages

Are my Statement of Additional grounds.

To The Court of Appeals Div 1
Re Snohomish County case # 11-1-00710-8
From Jeffery M Kinzle Doc #356557
Date 05/30/2013

These following pages are to serve
as my additional grounds for appeal
in this case 11-1-00710-8

Please note that as these
pages were written at various
times the pages may contain
more than one page # so
for the purpose and accuracy of
this statement please refer to the
page # and explanation at top of page
I sincerely thank you in advance for your
consideration fairness and justice in deciding
these matters
Jeffery Kinzle

Contence

COA 69451-1-1 / 11-1-00710-8

Areal issues

Page 1 issue: 6th Amendment Violation
Page 2+3 issue Prosecutorial misconduct
Page 4 issue Violation of Speedy Trial
Page 5-11 issue fair and unbiased trial Violation
Page 12.1 issue reversible error - Jury info
Page 12.2 issue Due process Violation
Page 13.1 issue Brady Violation
Page 13.2 issue conflict of interest
Page 13.3 issue Alcohol condition
Page 14 issue Drug condition
Page 15 issue Polygraphing condition
~~Page 16-20 issue unconstitutional sentencing~~
Page 16-20 issue unconstitutional sentencing
Page 21-23 issue Due process / Disability rights Violation
Page 24-26 issue reversible error / contaminated evidence
Page 27-34 unconstitutional condition #s 7, 10, 12, 19, 27, & 29

①

My 6th Amendment rights were violated many times
 in the first 9 months where in I asked the
 court on 4 occasions for conflict of interest
 and ineffectual counsel due to Ms Truebloods
 threatening, illegal, immoral, and otherwise
 unproductive, and unprofessional actions
 and behavior in which she did any and every
 thing she possibly could to hinder my
 successful investigation and purposefully
 blocked me from any legal materials
 information written law or legal procedures
 that I was told by Snohomish County she was
 the only person who was allowed and supposed to
 give me. I first went through her
 direct boss then through Bill Jaquet who
 told me he could care less and not to
 write him then on to the courts
 where I was told by Judge Lucas ~~that~~
 "I did not have the right to waste tax
 payers dollars" and that "whatever my
 problem just get over it your not getting
 a new lawyer unless you pay for it with
 your own money no matter what my problem"
 and from there I went to ACLU then
 to a formal grievance to the Bar Association

At which time I was finally given Mr Cox but the damage
 had already been done by purposefully destroying
 swabs sending to a lab known to be inferior to
 FBI then regardless of my want telling lab no DNA
 test this is a clear violation and must be given new trial

(2)

There was prosecutorial misconduct when
 The State was first given evidence from the
 FBI lab results that show N.R.'s results were
 Partially Negative Then later when put on
 The stand during competency hearing N.R.
 failed to Disclose Any crime had been
 comited or even giving Any emotional
 sign that The alleged Trauma had in
 fact ocured and as This was
 Consistent with what MR hunter had
 written in an email To MS Trueblood
 earlier on in my case MS True
 blood showed me The email where
 MR hunter said based on the storys
 of both girls and his investigators
 feelings he felt that N.R. was just
 copying R.R. story trying to help her
 sister he also stated that as he saw
 this as The likely hapenstance That as
 long as I plead guilty to The charge
 I really was guilty of - his words Not Mine
 That he would set it rite by Dropping
 The count against N.R. and I would only
 have the one for R.R. Now ~~was~~ if N.R.
 story was True There would be absolutely
 No way for The swabs to be even
 partially Negative as she ~~stated~~ Allegedly
 stated That she saw me glob The
 cream from The Tube on my hand then
 onto her Repieding This on her count and

(2)

Rear So As you can see The facts
 show The state knew of My
 innocents involving The particular count
 of NR and Not only by a showing
 of evidence in My favor but also
 by MR. After being found compotent
 and present and mentally Available by
 The Court Not only DID NOT Disclose
 Any crime or show Any Trauma
 or recollection of any kind that
 a crime That allegedly ocured
 So At This Time The Judge
 Asked the state if They would
 Resind The charge involving NR
 and MR hunter even knowing the
 evidence and The Testimony and
 his own admission That he Belived
 NR had copied her sisters Story
 That night with Malishis intent
 knowingly comited Misconduct
 by wrongly Trying Me of a crime
 simply because he knew that he
 could use bolth childrens charges
 That he could Push a Jury To make
 a Decision of guilt based solely on
 emotion instead of The phisical evidence
 by giving a Jury Outrage That
 Not one but 2 children were hurt
 MR hunter did This knowing I was not guilty
 but also knowing he could Not convict me of RR. without MR. Yarabard

My rite to a Speedy trial and Dispossession were violated when after an in my case I Did NOT agree with continuances of my case That were agreed on by My lawyer and the state 2 of the 3 times this happened my p D said she did NOT have time for my case saying her caseload was to big then the 3rd time it was because the state refused to supply there witnesses for depositions - This actuly hapened 6 times During my case but one is sufisiant to Make My point of violation of my rites - I was told several times by Judge lucas and Judge bowden that I did NOT have a legal rite to a Speedy trial unless my lawyer and the state Decide I do - but This is NOT what the law states The law States That I as an acused person have The rite To a Speedy Trial and Disposision - No where In the law dose it say that because I am acused in snohomish county Washington The rules change Nowhere dose it say The State or The public Defender has a rite to waive my Speedy trial Without my consent and Nowhere Dose the law say that a Judge gets to Decide what constitutional rites snohomish county court will allow its acused Nowhere in The Constitution Dose it state That if a state wants to save money a persons rites change if a P D is overworked a case Must be sent To a less busy P D - This was a grivious violation and a braisen Misconduct witch is grounds for new Trial

The Court violated my right to a fair and
 unbiased trial by Trying me for 2 Separate
 Alleged crimes that Allegedly happened at 2
 separate times in 2 separate locations
 here in is the basis of my argument and
 my logic.
 over the last several years The court has
 Seen and been made aware of how Jurys
 are often easily Swayed by emotional cases
 Such as mine it has been shown over and over
 again That The mere mention of words
 like Rape or child molester often in
 most people instantly bring about Anger, hatred
 fear, making Jurors blindly wanting vengeance
 and wanting to give payback, and instilling
 fear that This person will get away with it
 go free and Do it again So in instances
 Such as this it has been shown over and
 over again That it is already hard enough
 To have a Trial where Jurors Don't feel
 The Need to ignore The evidence And
 React and make decisions based on the
 emotion They feel on the case and the
 fear They feel because The News is constantly
 Saying This one or That one could Not
 be proven guilty went free and Did it again
 Jurors often Admit They feel They would
 Rather See an innocent person convicted than
 Take a chance That They would be responsible
 for setting a guilty Man free to do it again

so in seeing all of this and how hard it is to get a fair and impartial Trial on charges such as these The court still having a Duty to Try These Vulgar cases as fairly as law allows has been giving rulings on what information about a Defendant a Juror is allowed to know These rulings take into account how and if each and every Juror will be able to fairly consider and Decide each and every charge with out the influence of anything that dose not spificly pertain to each individule Verdict.

Now in point for this please look at the reasoning for the courts ruling of a previous ^{convicted} sex offender going to trial on a New ~~sex~~ sex offence The Court has ruled that The Jury dose not have the rite to know this person was convicted or even accused of another sex offence because the court found it was more likely than not that if a Juror was told this person was convicted before The Juror would most likely Draw The conclusion that if This person did it before he must be guilty Now This Juror ~~not~~ There for Not having The ability to set aside The Thought of a previous conviction in order to fairly consider only The evidence

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in his new case thereby this information would not by the courts own findings and rulings allow the accused person a fair and unbiased trial

So taking these things into consideration it is my contention that by the court making me be tried on both counts by the same jury at the same time I was denied the right to have an objective jury consider each individual charge without the consideration of undue influence

if you break this down simply the jurors heard both allegations the alleged evidence and witness testimony of both charges together and as this is already an emotional crapshoot according to the courts own rulings because the nature of my alleged crimes which puts the jury standing on an emotional ledge already then say the jury held belief that I may have committed one crime then by the courts own findings it is more likely than not that if a jury thought me guilty of one crime then regardless of the consideration of evidence I must be guilty of both, therefore I should have had 2 separate trials to give me the chance to have a jury consider only the facts of that separate case therefore I must be retried and in this fashion

in your consideration of this specific matter
I would like to bring to your consideration a
Ruling that was made by Judge Bowden
a Snohomish County Superior Court Judge
only months prior to this case please
understand I know my case of indecent liberties
is a different case and therefore the
specifics can not be used in this decision
I am going to explain what happened only
so you can understand the context that
I am using this ruling of Judge Bowden
in regards to the situation of me
being tried for 2 separate crimes that
specifically were alleged at separate times
and separate places in this case at
the same time I realize the subject
matter is not the same but if you
will only consider Judge Bowden's ruling
and the reasoning behind his decision
I believe you will understand how
this specific ruling shows a previous
basis and an agreeing attitude from
Snohomish County court that argues
favorably in this specific matter

In November of 2011 I went to trial my
first day for indecent liberties in Snohomish
County WA intending to show the jury
that another person who was present
during my alleged crime, and that person against

of case #
11-1-00709-4
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681583-1

Me by Name of Nathan Wood had only about 1 hour previous to my alleged crime committed almost the exact crime I was accused of to a store clerk 50 ft away from where I allegedly committed my crime on the store clerk next door

Now I was not going to just say this out of the blue the lady store clerk that Mr. Wood attacked and tried to rape was going to testify to this fact.

Now on my first day The prosecutor Mathew Hunter - same as this case - requested the Judge to prohibit Me or My Attorney to even allude to this incident and to ~~ban~~ exclude Any testimony of this clerk or witnesses to Mr. Woods crime stating it was a previous bad act that had no bearing on Mr. Woods testimony of my alleged crime.

Now After Judge Bowden considered this he ruled on the record that that would be a previous bad act specifically because this alleged crime happened happened at an earlier time 1 hour before and in a different location 50^{ft} away to two different people and therefore one crime had no bearing to the other and was therefore not to be heard by the Jury because Mr. Woods crime had no bearing on what he would love and would think

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fore cause undue consideration of not only Mr Wood testimony but in There Decision prasses of my guilt or innocence as well.

So what I am trying to get across here is Snohomish County Superior court found that 2 separate crimes of 2 separate victims at two separate times in two separate places even as in That case both aleged victims were store clerks and crimes that were only Seperated by about 1 hour and at most 50 feet from each Aleged crime Seen - Judge bowden found that one crime did not bear consideration by a Jury to the other Aleged crime as The first crime would cause undue influence that was not relivant to my Aleged crime and would there fore caused a Decision That was more likely to be based on that as a Jury would have been more likely to ignore The spific evidence of my case Then to be influenced by what crime Mr Wood comited And would Therefore by this logic present a Jury Decision Verdict That would likely Not be based Soly on the evidence of My spific Aleged crime

So my comparison is simply This That by me being ERred by a turn of

bolth of these Aleged crimes at the
 Same time The Jury Was not able
 to contemplate Then make a Decision
 of my guilt or Innocence With out having
 Undue influence of one crime to
 another it has been shown by the courts
 own findings and rulings that if the
 Average Juror after being instructed
 to only Decide by relavent evidence
 Then as in this case has The evadance
 of bolth cases and Then Asked to make
 a Seperate decision Would Not be
 likely to only see the facts of
 One charge at a time,
 and This logic is Justly and reasonably
 shown in Judge bowdens Rulings and
 explanations

So in Short by trying me of 2
 Seperate crimes of 2 Seperate aleged
 victims, at 2 seperate times in 2 Seperate
 places giving one Jury All information of
 bolth aleged crimes and Requiring them to
 use All of that information to make there
 Decision even Though They should be
 Seperate considerations The court
 and The State Violated My rite of
 Due process, a fair and unbiased Trial To
 be Tried by a Jury of My peers
 Without influence of undue and irilvant
 information to conclude a verdict based ^{only} of evidence of ^{that crime}

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1712 Due process violation - 1-08-1

The court committed a reversible error by allowing the jury to hear testimony from Puata Skemensky which breaks the standard rulings as Ms. Skemensky both questioned without being a trained investigator and also conducted a physical exam with collection of alleged evidence with the specific intent of prosecution of me specifically from the start and as standard court procedure dictates in a case such as this that Ms. Skemensky's testimony should have been excluded from the jury. The court committed a violation of my rights and a reversible error by allowing such testimony.

The court committed a flagrant and obvious error in violation of my rights to due process and fair trial by allowing video and written interviews of Rozi Leptcheck to R.R. and N.R. even though the court had full viewing and reading of these interviews which contained an obvious amount of hearsay but also showed Ms. Leptcheck repeatedly coercing and leading both children and also putting to the children things they did not say initially until after her coercion then repeating these things to both children to reinforce her coerced story into the children's own story. Now the court had a responsibility after viewing these to make sure these did not contaminate the

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A Brady Violation occurred when Judge Courts
Did not allow consideration for a lesser included
charge but instead clearly stated that
"The Jury Must find me guilty of the charge
if The Jury found me to have broken any law
in regards to charges" There by by his
Duty to convict instruction forced The
Jury to either find me Not guilty of
any wrongdoing that nite or guilty on
all counts There by ensuring my
wrongfull conviction

There was a clear conflict of interest
when I was not made aware until the
Day of conviction That MR COX was
actively representing Ashly Doughtys husband
while she was Testifying against me
in my case and as I was NOT given
The opportunity to Think about This issue
and to Decide if it would cause an
issue in my Trial Myself With I
belive to be a real possibility it was
a clear conflict of interest and a reversible
error

Any condition pertaining to Alcohol must be
removed as The court violated The laws as alcohol
was not shown to be consumed by me in a Time
relivent or Directly influant To my Alleged crimes
As I Admitted in court on That Day I consumed 2 car
of beer at 2:30 PM aprox 10 hrs before incident making This case
unconstitutional

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Any condition specifically mentioning perclusion
of Drugs - legal or illegal - use was
a violation of my rites as The
Court itself has ruled That any
conditions set forth by The court
must be Directly crime related
The Rules pertaining To This are
Verry specifically cut and Dry And
They state This in Verry plain
Verry simple Non Negotiable
language purposely writtin in this
language so as Not to be able
To be interpereted in any fashion
other Than This Definition - in my case
The court would half To show
Clear evadence That My aleged
crimes were Directly caused by or
Directly influenced by me Taking
or in any way using Drugs To The
extent of influenking my Judgement
or prohibitions enough for me to have
committed my aleged crimes ^{while} outside of
my Normal mindset - so To This
The court DID Not at any Time During
my Trial bring any evidence That That
is What happened as a matter of fact
The state Never once even accused me of
That also Throughout my Trial There was
never any show of me using Drugs in any fashion
at any time frame that would leave me under the influence ^{at any time}

Any condition pertaining to polygraphing is unconstitutional as it has been proven unreliable it is so unpredictable it is not admissible in any court in the United States and as Doc has shown a track record of playing fast and loose with the rules and laws the court has opened a door where Doc only supposed to use it for treatment purposes can will and has repeatedly doled punishment by way of violation for the results of polygraph Doc has repeatedly used there own in these same circumstance under threat of violation and punishment for failure to comply and as a person on Doc Doc does not have the right to court or a Judge. Not on Doc payroll This successfully negates due process there by allowing Doc to imprison me for life which is unconstitutional it also happens frequently I also must point out my alleged crime was not classified a crime of dishonesty I was never once alleged to have lied This there for makes this condition unconstitutional by way of the courts rulings that any condition by the court must be crime related and show a direct relevance to the alleged crime and as this does not it is unconstitutional and must be removed immediately

I take issue with the court imposing a sentence that was not only severely out of proportion to the specific allegations of my alleged crimes but was also by adding indeterminate sentence an exceptional sentence. Now by the court's own guidelines and self-imposed rules governing sentencing the court must impose a sentence that is relevant to the specific allegations and circumstances of that alleged crime - for example if a person steals a pack of 75¢ gum when caught the court sentences him to 3 years in prison stating as a reason to give that sentence that he is a thief and they just sent the last person who stole a car a 3 year sentence because he was a thief too. Then just as in my case according to the court's own rulings it would not be a sentence that is relevant to the specific severity of allegations - in my case there was no allegation of violence or force in any way just as a physical evaluation of both children showed no signs of physical or mental trauma so a sentence that is 198 months to life in prison + lifetime DOC with the ability of DOC to send me to prison at any time in my life for the rest of my life. This no matter how you look at it is a life sentence which is disproportionate to an

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And as it is also an alleged crime That Does Not Meet constitutional standards in That in another Jurisdiction My Alleged crimes would Not Merit either a sentence of life in prison or 198 Months - 16.5 years - + lifetime Doc with the possibility of a life time prison sentence possible at any time of the remainder of my Natural life for Alleged crimes That Do Not Specifically include Acts of physical Violence by way of Direct or implied Threat of Violence, acts of force by Direct restraint or Kidnapping or other Direct or indirect physical Abuse or Threat with None of the Above Were Alleged to have been committed by me During These Alleged crimes.

So for these reasons My sentence was so grossly Disproportionant To The Alleged crimes that this Violates My 8th Amendment - Where by giving a sentence That is Cruel And unusual

Please refer to State v Gimarelli;

Where The state found the sentence Constitutional and clasified Violent Sex offence when repeatedly touched a child's Abdominal Area After she pushed his hand away by way of force showing violence to the crime

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Now in reading that please look throughout All court records of my case at No time is there Any Alegation That either child tried to stop in Any way the Alged crime Also Never once was there Any Alegation of Threat, Coersion, Violence, or Restraint against These Two children witch for all intents and purposes Makes this a Non Violant sex offence

As to The 2nd fair factor The legislative intent behind indeterminant Sentencing is and I quote WA Apellate court in 11-1-007094 State V Kintle in 2001 "was enacted as part of an act concerned with Managing sex offenders in the community because of concerns that Determinant Sentencing Dose Not allow the State to return a person on Supervision in The community to prison beond the end of his or her term"

Now in this case #1 this is not Ment to keep innocent people in prison beond there term witch is what has been happening for the last few years also The Prosicutors And Judges own Statement on my case That I was recieving This Sentencing Specifically

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To keep me in Prison for as long as possible
which violates the purposes behind this legislation
Also I take issue with those
reasons listed in that Mission
Statement

#1 if a person breaks the law
he goes to Jail

The only people who are rightfully
Detained in a Jail or prison are
those who break the law

if a person has not broken the
law then that person is innocent
and does not by any rational means
belong in a Jail or prison

So why then does the legislator
want to put innocent people in Jail
which is exactly what their Mission
Statement says

if you can put a person who is
breaking the law in Jail

Then what is the worry about sending
a sex offender to Jail after his term
if he is breaking the law he goes
to Jail plain and simple and if
he is not breaking the laws
then there is no logical reason
to return him to prison or Jail

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Fair factor #3

in another Jurisdiction An Alleged crime that Did NOT Allege Direct or indirect violence, force, threat, restraint or after phisical exam Any phisical Truama, NO Alegation of pain of any kind, And Was NOT Rape, And after 1.5 years showed & Signs of mental Truama

in another Jurisdiction The sentence of this case would NOT have been 198 months to life in prison And lifetime Doc With the possibility of life in prison for the rest of my Natural life

Fair factor #4

in Snohomish County my sentence was an extream for what they sentence other people with similar charges

Snohomish County generally sentence like cases to between 1-10 years

This here by shows That This sentence was grossly Disporportantant to the Apisific Alegations of crime Making my sentence, crule And unusual Making it unconstitutional for the co. reasons This sentence Must be removed

There was a Violation of my right to be legally informed provided with Adequate legal material And have The Ability To Make informed Decisions And The Ability To Take part in The Decisions of My own Defense Along with This Violation it goes hand and hand That The laws And rights That are Set To Make Sure That People With Mental Disabilities Are guaranteed The Ability To have a clear line of communication between The Disabled The court and The Attorneys by way of a legal Advocate if Necessary To Make sure The Disabled understands what is happening to him What his options Are And What information is Available To him That way The Defendant clearly understands The Proceedings And The Advocate is also A conduit of communication To Make sure The courts and The Attorneys clearly understand The Defendants Words intents and decisions These rights That Are so vital a part of Due processes were Violated And by The Violation of These rights The court Prevented Me from a fair Trial This is how These were Violated To The best I can remember on 3-18-11 I was Arrested on 11-1-00709-4 and 11-1-00710-8 on my first court date.

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for Arrangement I made the court aware of my Mental Disabilities And The fact that I was on Social Security Disability When Asked about financials for court appointed Attorney from this point on The issue of my Disabilities came before The court Multiple times The issues of communication between me & my Attorney were brought up And Addressed by The court Judges several times And even after Asking for help do to my Disability The only thing The court or Attorneys Addressed is if I was crazy or NOT Regardless of the courts Mandate to provide me with an advocate everybody basically said I was so stupid but the problem is I have Many Verifiable Mental Disabilities Bipolar, border line personality Disorder, ADHD, Schizophrenia, PTSD, night terrors, clinical depression, All of these things make it difficult if NOT sometimes To remember, comprehend, and communicate, These issues were addressed in court The court knew these things and instead of honoring my rights They treated me like I was just stupid Well I may NOT be real smart but I am NOT stupid And I am smart enough To figure out that by Denying my rights in this matter The court Refused me The Ability

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to have a fair trial, to be informed, to take part in my own defense by violating these rights by repeatedly refusing to allow me legal materials - The court refused me the right to make any informed decision which effectively took my ability to coherently participate in these legal proceedings.

So given these violations the court must grant me a new trial one that I am allowed to take part in and make decisions in.

reversible
error contaminated
evidence
3 pg 24
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The court And The state knowingly tested
And Admitted contaminated evidence And Violated my right to
Fair trial
By Allowing the testing of possibly contaminated
Swabs Despite my several request to have
swabs examined for contamination

[calendar probably/closet to 3:45
ON 6-10-2011 at 3:00 PM Snohomish
county court Set an order to
Allow The State crime lab to
release ~~my~~ The Swabs from
this case to FBI Lab for
testing however later that day
While the Swabs were still
in the Washington State crime
lab evidence room There was
a major break in the pipes
in which extensive water damage
And flooding ocured it was
later reported in the everett
harald that a lot of evidence
was found to be contaminated
by Defense Attorneys When I
brought this up to public defender
Cassie true blood on ^{Friday} 6-16-11
by phone I was told she was
Not going to Act on it she said
"Since I was guilty anyway
Maybe the water would wash
the evidence away" I Did Not
believe that or want to let that
go so The following Tuesday 6-21-11
I wrote a letter explaining what
happened TO head D.A. Defrator B. D. Tappert

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prosecutor Matt Hunter and
Snohomish county superior court
clerk explaining my problem
and what Ms Trueblood's
response was to my inquiry
and requesting the court
the state and the public
defenders office to conduct
an inspection of these swabs
to know whether or not they
were contaminated like a
lot of other swab evidence in
the same room was on that
day

however despite my best efforts
none of the 3 court, prosecutor
or public defender ever replied
or even acknowledged this problem
with the swab evidence

I again sent a copy of the same
letters I sent on 6-21-2011 to
Snohomish county court and public
defenders office on Fri 7-15-11
again with no acknowledgement
however when I went to court
again on 7-22-11 public defender
told me to quit writing letters
about it as she said she was
not going to be forced to waste time
on this matter she said I was to drop

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it.

So My issue here is That Despite My repeated Attempts To have This evidence inspected for contamination

Snohomish county Superior Court
Snohomish county prosecutors office
And Snohomish county public Defenders office

Repeatedly ignored And refused to Acknowledge This issue
And Not only Did they Refuse to perform a simple inspection of the swabs to insure they were Not contaminated

but with Malicious and knowing intent after being informed of the problem The State And the court And the public Defenders instigated Allowed and condoned the testing of possibly contaminated swabs - with the intent and purpose of Allowing the results of the testing of contaminated evidence with the goal intent to convict Me of This crime I did not commit

for these reasons The court must grant a
New Trial And ~~dismiss~~ discard ~~the~~ the results

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cover

To Nancy P. Collins
Washington Appellate project

From Jeffery M. Kinzie Doc# 350557

Case # 11-1-00710-8

3-12-13

I am sorry I know I keep
writing you more and more but
I just got my Sentencing paperwork
last night and saw my court impose
conditions for the first time
so I needed to write to make
sure you contest condition #rs
7, 10, 12, 19, 27, 29, and an unnumbered
condition to get chemical dependency
evaluation,

I have written down my reasoning
and I am sure there is plenty of
case law you can find about
these issues. To conditions also
enclosed is a request to
eliminate financial debt to this
case due to circumstances that
make me unlikely to realistically
repay this debt now or at any
future time in my life.

Thank you for your time. And

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These following court imposed conditions for case # 11-1-00710-8 Are unconstitutional as They have No Direct bearing or influence on My Aleged crimes And Therefore Must be removed immedietly

The condition Stating (#7) Do Not possess or Acess Any sexually explicit Materials. Do Not frequent establishment Whos primary buisness pertains TO Sexually explicit or exotic Material.

first off My Aleged crime did Not AT any time Aleged Me To possess, View Use, or portray Sexually explicit or exotic Material AT any time before, During or After My aleged crime witch makes This condition Not crime related And Therefore unconstitutional Also Just incase The Court were To infer That I was Aleged To comit a Sexually Deviant crime such as This That I must be stoped from engaging in viewing Sexual devian Materials To keep me from doing ~~any~~ something like the crime I was Accused of Again I will to

③

to first as this Alleged crime was child related The concern would half to specifically pertain to me viewing sexually deviant material related to children And as this is illegal as both state And federal laws already. There should be No problem especially when my #1 court imposed condition states "obey All Municipal, County, State, Tribal, And federal laws" This ^{#1} condition Already states in clear And concise language That is Not open To interpretation of Any kind That I am Not To view Any illegal sexually explicit material in This or Any other state, city, Province, reservation, or country. This #1 condition is Not open for Any Debate as to The Definition but condition #7 is open To Any interpretation Doc Decides To Make at That particular Time

Now Part #2 is fairly simple regardless of people's individual opinion of what sexually explicit And exotic material is whether Morally repugnant To socially Accepted standards That And chain of kin

(4)

The people who view it are sexually deviant themselves and therefore are liable to commit deviant acts when viewing such materials.

but the plain and simple point here is no matter what any person individually thinks about this issue we as a whole by the united states government have shown time and time again by our court rulings

and governing laws that it is unconstitutional to deny any person who is a united states citizen and over the age of 18 to view sexually explicit material or to have sexual relations with another person who is of legal age of 18 years old so long as the material viewed or sexual relations enjoyed are compliant to the letter of the law and completely consensual by all parties involved

This is also a part of why condition #10 is unconstitutional it states do not date women or form relationships with families who have

31

(5)

This condition violates my constitutional right to have consensual sexual relationships and to procreate with any willing partners so long as she is of the legal age of 18 years old and abides by the laws of the United States. It also can be interpreted to prohibit me from making a family with the United States Supreme Court states no court has the right to prohibit or limit one's ability to procreate.

As this alleged crime also did not have any content that I was involved with these girls' mother it is also not crime related and therefore unconstitutional and therefore must be removed.

Condition #12 Do Not hold employment without first notifying of this conviction. This condition holds no bearing or direct relevance to my alleged crime as my alleged crime had to do with work of any kind. As this is an unconstitutional condition it will also make any employer impossible. It however will not affect a

32

⑥

condition ~~18~~ #19 find and maintain full time employment or full time school - for the rest of my life

This was also NOT crime related my job or school status had no direct or indirect bearing on my alleged crime.

I also am physically and mentally disabled per my full disability awarded by the United States Social Security Administration which prevents my full time work by order of a United States governmental Agency which is higher up the chain of command than Snohomish County Court WA State but my long standing and verifiable mental disabilities make full time schooling impossible for me so for these reasons condition #19 is unconstitutional and there for must be removed immediately.

condition #27 participate in substance abuse treatment AS per CCO once again This was NOT crime related No allegations of drug use or abuse were reported This is an

33

(X)

condition # 29 living arrangements and employment must be approved by cco my alleged crime had no bearing Director otherwise on my place of residence or employment I held a place of residence that was not where this alleged crime occurred it is therefore not a crime related condition therefore unconstitutional & must be removed

The court also overstepped their legal bounds by ordering me to participate in chemical dependence evaluation

This is not a condition that bears any direct relation to my alleged crime it is therefore unconstitutional and must be removed

34

④

I would ALSO ASK you To
Waive All ordered fines, court cost,
And Any other LFO'S Related in This
case

AS The court Ordered Me To
serve 198 Months to life To be
served after My sentence of 102
Months To life in case #11-1-00709-4
is served

This Totals a Minimum Sentence
of 25 years even With 10% good time
I will NOT be eligible for release
untill 11-27-2033 That is 20
years and 8 month from Now

This Means I will be 50 years old
At my earliest possible release date
I am already seriously phisically
And Mentally Disabled as it is
I was already unable To work
any gainfull emplement for 2 1/2 years
before I was Arrested And if
you Think To Add The Next 20
years on top of it I am sure
you can see That My possibility
To be Able To Repay The legal
system for This cause is Not
likely Now or in The future
So please Consider Taking This
burden before it gets Me in

GRIEVANCE AGAINST A LAWYER

RECEIVED



NOV 21 2011

WSBA OFFICE OF
DISCIPLINARY COUNSEL

Office of Disciplinary Counsel
Washington State Bar Association
1325 Fourth Avenue, Suite 600
Seattle, WA 98101-2539

GENERAL INSTRUCTIONS

- Read our information sheet Lawyer Discipline in Washington before you complete this form, particularly the section about consenting to disclosure of your grievance to the lawyer.
- If you have a disability or need assistance with filing a grievance, call us at (206) 727-8207. We will take reasonable steps to accommodate you.
- If you prefer to file online, visit <http://www.wsba.org>.

INFORMATION ABOUT YOU

Kinzie Jeffery M
Last Name, First Name, Middle Initial
Jeff Kinzie - 351618 -
Address
Snohomish County Jail - Everett
City, State, and Zip Code WA 98201
None - in Jail
Phone Number
P.O. Box 1452 Monroe WA 98272
Alternate Address, City, State, and Zip Code
None - in Jail
Alternate Phone Number
in Jail - No access
Email Address

INFORMATION ABOUT THE LAWYER

Trueblood Cassie C
Last Name, First Name
1721 Hewitt Ave
Address
Everett WA 98201
City, State, and Zip Code
425-339-6300 ext # 274
Phone Number
37829
Bar Number (if known)

INFORMATION ABOUT YOUR GRIEVANCE

Describe your relationship to the lawyer who is the subject of your grievance:

☒ I am a client
☐ I am a former client
☐ I am an opposing party

☐ I am an opposing lawyer
☐ Other: _____

Is there a court case related to your grievance? X YES _____ NO

If yes, what is the case name and file number?

11-1-00709-4 & 11-1-00710-8

Explain your grievance in your own words. Give all important dates, times, places, and court file numbers. Attach additional pages, if necessary. Attach copies (not your originals) of any relevant documents.

I have had cassie true blood on my court cases - #11-1-00709-4 & 11-1-00710-8 Since 3-18-11 in this time ms. trueblood has threatened me bolth with saying she knew a lot of people in prison who would gladly kill someone with charges like mine she told me if I took the deal she wouldnt let a bunch of prisoners know about me. she also said if I didnot take her deal she would make shure she did whatever it takes she would do whatever she could to see I went to prison & lost my court cases - witch she has done to one case by burying evidence & a Whitnness that would prove my roommate did the same thing. I am accused of not even an hr. before - and has refused every attempt I have made to gain usful legal info or prepare any kind of defence. She keeps telling me to shut up that she knows I am guilty. and she turned to me after I lost my case & said - "Guess you know why you dont want to threaten your attorney"

AFFIRMATION

I affirm that the information I am providing is true and accurate to the best of my knowledge. I have read Lawyer Discipline in Washington and I understand that the content of my grievance can be disclosed to the lawyer.

Signature: Jeffery Kinkle Date: 11-19-11

Since you might just loose because of it - referring to several alleged threats I made to another inmate in June & July about killing her & her loved ones.

Now this is only a short list of things that Cassie true blood has done more recently. She changed tactics & after asking if I found her attractive - I said yes - she then propositioned me offering to marry me if I pled guilty to my other case - to which I responded telling her she was absolutely "Fing Nuts" I then ended our P.V..

Now I don't know where her personal interest lays in these cases but obviously she does have a personal stake in seeing me convicted and I am just about out of patience with her illegal, immoral, abusive, and strangely psychotic behavior. I have tried to have her removed by both the courts & the public defender's office all to no avail. So please let us do whatever we can to ensure these injustices & improper behavior can not continue.

Thank you for your time

Jeff Kinzle 11-17-11