

RECEIVED
SUPREME COURT
STATE OF WASHINGTON
May 22, 2015, 8:51 am
BY RONALD R. CARPENTER
CLERK

E COF
RECEIVED BY E-MAIL

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

JOHN P. BLACKMON,

Petitioner.

No. ~~85129-8~~ 91269-6

ANSWER TO PETITIONER'S
MOTION TO STAY REVIEW

I. IDENTITY OF MOVING PARTY

Comes now the State of Washington, Respondent, and moves for the relief identified in Part II.

II. STATEMENT OF RELIEF SOUGHT

The State seeks an order denying the Petitioner's Motion to Stay Appellant (sic) Review.

III. FACTS

An accurate statement of the facts underlying the defendant's conviction by jury of five felony sex offenses committed against his daughter I.B. is set forth in the decision of the court of appeals appended to the Petition for Review. A more detailed set of facts is set forth in the Brief of Respondent.

The Defendant has served upon the Snohomish County Prosecutor's Office his Motion to Dismiss Pursuant to CrR 8.3(b) in Snohomish County District Court, Everett Division, case number PC12-0134. According to the court's docket for that case, a certified copy of which is attached hereto as Exhibit A, the court has not received a copy of the original motion. On April 14, 2015, the State filed a response to the Defendant's motion asking the district court to deny the motion for lack of jurisdiction. Motion to Stay Appellant Review, App. R at 8-10. On April 27, 2015, Defendant filed a "Response to State's Response to Defendant's Motion to Dismiss Pursuant to CrR 8.3(b)" in the district court. Id. at 3-7. Also on April 27, 2015, Defendant filed a "Motion to Stay Appellant Review" in the Washington State Supreme Court. On April 30, 2015, the Defendant filed a Petition for Review in the Washington State Supreme Court.

The Defendant has obtained and provided a verbatim transcript of the one and only hearing conducted in the district court in this case. Motion to Stay Appellant Review. App. A. (hereinafter "RP"). The court's docket and the transcript show that a hearing was held on January 12, 2012, pursuant to CrRLJ 3.2.1, to determine probable cause after the Defendant had been arrested on three felony sex offenses: Rape of a Child 3rd Degree (DV), Child Molestation 2nd Degree (DV), and Incest 1st Degree (DV). RP 2. The Defendant was represented by public defender Linda Coburn, who stipulated to probable cause for the purpose of the hearing and argued for a lower bail amount than the \$100,000 bail requested by the State. Id. The court set bail at \$100,000. Id.

At the January 12, 2012 probable cause hearing the district court entered a Provisional Order Setting Bail or Conditions of Release, attached hereto as Exhibit B.

The order set a deadline of February 17, 2012, at 5:00 PM for the State to file a felony complaint; otherwise the defendant would be released from custody without conditions. On January 17, 2012, the State did file a criminal complaint in district court alleging the same three charges that were the subject of the earlier probable cause hearing. See Criminal Complaint, attached hereto as Exhibit C. The defendant posted a \$100,000 bond on or about January 13, 2012. See Exhibit D, \$100,000 bail bond posted by Everett Bail Bonds on January 13, 2012, and filed in district court on January 18, 2012; Exhibit E, Certified Copy of Court Docket for Snohomish County District Court case 201A-12F. The filing of the criminal complaint extended the duration of the \$100,000 bail amount and the conditions of release through the new felony dismissal date of February 3, 2012. Ex. B; Ex. C. On January 27, 2012 the State charged the Defendant by information in Snohomish County Superior Court case 12-1-00219-8 with the same three felonies it had charged in the district court complaint. See Information, attached hereto as Exhibit F. As a result of the State filing in superior court, the district court dismissed the criminal complaint and closed its case, noting in the docket that it had no further jurisdiction over the matter. Ex. A; Ex. E. To date the district court has not scheduled a hearing to consider the Defendant's motion to dismiss. Id.

I. ARGUMENT

The Defendant seeks a stay of appellate review for the purpose of allowing the district court to rule on a motion it has no authority to decide, and he seeks relief (dismissal of the district court complaint) which has already occurred. The district court's only role in this case was at the preliminary stage of determining probable cause and setting bail and conditions of release. Thereafter the superior court assumed the role of the trial court in this case. There is no authority in the Rules of Appellate Procedure or

elsewhere which would allow a district court to rule on a motion to dismiss pursuant to CrRLJ 8.3(b) after the case has been filed by information in superior court. CrRLJ 3.2.1(g)(1) ("Jurisdiction vests in the superior court at the time the information is filed."). Accordingly, the district court lost jurisdiction on January 27, 2012 when the information was filed in superior court.

While the State acknowledges the broad authority of this Court to impose a stay of its own consideration of the Defendant's Petition for Review, the facts of this case provide no rational basis for concluding that a stay would assist the court or the parties from resolving the issues defendant has raised. In fact, it appears that a stay of appellate review would only cause unnecessary delay by waiting for the district court to decide a motion that was filed more than three years after the district court lost jurisdiction in this case to the Snohomish County Superior Court. The Defendant's request to stay this Court's consideration of his Petition for Review is groundless because there is no reasonable prospect of the Snohomish County District Court considering, much less granting, his motion to dismiss.

II. CONCLUSION

For the forgoing reasons the State asks the Court to deny the Motion to Stay Review.

Respectfully submitted on May 21, 2015.

MARK K. ROE
Snohomish County Prosecuting Attorney

By:



ANDREW E. ALSDORF WSBA #35574
Deputy Prosecuting Attorney
Attorney for Respondent

Exhibit A

Certified Copy of Court Docket:

Snohomish County District Court, Everett Division

case PC12-0123

Exhibit B

Provisional Order Setting Bail or Conditions of Release:

Snohomish County District Court, Everett Division

case PC12-0123

Exhibit C

Criminal Complaint filed on January 17, 2012

Snohomish County District Court, Everett Division

case 201A-12F

Exhibit D

**\$100,000 bail bond posted by Everett Bail Bonds
on January 13, 2012, and filed in district court on January 18, 2012**

Exhibit E

Certified Copy of Court Docket:

Snohomish County District Court, Everett Division

case 201A-12F

Exhibit F

Information filed on January 27, 2012 in

Snohomish County Superior Court

case 12-1-00219-8

Exhibit A

Certified Copy of Court Docket:

Snohomish County District Court, Everett Division

case PC12-0123

DEFENDANT

BLACKMON, JOHN PATRICK
PO BOX 12656
EVERETT WA 98206

CASE: PC12-0134 SNA
Probable Cause
Agency No.

SEAL OF THE
COUNTY OF SNOHOMISH
The undersigned Clerk of Court hereby
certify that the foregoing document is a true and
correct copy of the original now on file with the court.
In witness whereof I have hereunto set my hand
this 14th day of May 2015.
By [Signature] Clerk
Everett Division - Snohomish County District Court

Phone: 3606538259
Phone: 4253509209CELL

AKA No aliases on file

CHARGES

Violation Date:		DV Plea	Finding	
01/01/2008	1 PCCHILDRAPE	PC RAPE OF CHILD	Y	Dismissed
	2 PCCHILDMOLEST	PC CHILD MOLEST	Y	Dismissed
	3 PCINCEST	PC INCEST	Y	Dismissed

TEXT

- S 01/12/2012 Case Filed on 01/12/2012 ALC
Charge 1 is DV-related
Charge 2 is DV-related
Charge 3 is DV-related
DEF 1 BLACKMON, JOHN PATRICK Added as Participant
- U RMF/ PC ARREST. DEFENDANT PRESENT INCUSTODY ***PC FOUND***
COURT SETS BAIL AT \$100,000
- S PRA: Held
- U 01/17/2012 FORMAL COMPLAINT FILED AS: 201A-12F
- S Charge 1 Dismissed : Fild Dir Sup/Dst
Case Heard Before Judge BUI, TAM T
Charge 2 Dismissed : Fild Dir Sup/Dst
Case Heard Before Judge BUI, TAM T
Charge 3 Dismissed : Fild Dir Sup/Dst
Case Heard Before Judge BUI, TAM T
Case Disposition of CL Entered
- 06/09/2014 14161100683 Miscellaneous Payment Received 20.00 MXB
for COPY/TAPE FEES
- U 04/14/2015 STATE'S RESPONSE TO DEFENDANT'S MOTION TO DISMISS PURUANT TO
CRR 8.3(B) FILED
- 04/27/2015 NOTE FOR MOTION CALENDAR RE: MOTION TO DISMISS - NO ORAL
ARGUMENT SETTING HEARING ON 5/5/15 @ 1:15 PM; DECLARATION
OF SERVICE; AND DEFENDANT'S RESPONSE TO STATE'S RESPONSE TO
MOTION TO DISMISS FILED
CASE NOT SET ON COURT'S CALENDAR AS HEARING IS INCORRECTLY
SET
- 04/28/2015 NOTE FOR MOTION CALENDAR RE: MOTION TO DISMISS -
SETTING HEARING ON 5/5/15 @ 1:15 PM; DECLARATION
OF SERVICE; AND DEFENDANT'S RESPONSE TO STATE'S RESPONSE TO
MOTION TO DISMISS FILED
CASE NOT SET ON COURT'S CALENDAR AS HEARING IS INCORRECTLY
SET
- S 04/30/2015 Case Disposition Changed to Open
- U FILE OPENED FOR PURPOSE OF REVIEW OF MOTIONS FILED BY DFDT
MOTIONS REFERRED TO JUDGE HOWARD FOR REVIEW/ADVISEMENT TO
CLERK'S OFFICE FOR CASE SETTING.

DD7020SX CAL
05/14/2015 8:06 AM

SNO CO DIST CT EVERETT DIV
D O C K E T

PAGE: 2

DEFENDANT
BLACKMON, JOHN PATRICK

CASE: PC12-0134 SNA
Probable Cause
Agency No.

ADDITIONAL CASE DATA - Continued

Case Disposition
Disposition: OPEN

Personal Description

Sex: M Race: W DOB: 05/16/1964
Dr.Lic.No.: BLACKJP362KW State: WA Expires: 2016
Employer:
Height: 5 9 Weight: 185 Eyes: BLU Hair: BRO

Hearing Summary

Held PRELIMINARY APPEAR ON 01/12/2012 AT 01:00 PM IN ROOM J WITH RMF

End of docket report for this case

Exhibit B

Provisional Order Setting Bail or Conditions of Release:

Snohomish County District Court, Everett Division

case PC12-0123

SNOHOMISH COUNTY DISTRICT COURT
EVERETT DIVISION

THE STATE OF WASHINGTON,

EVENT # MAR 12-00251

Plaintiff,

ID # 897347

v.

BLACKMON, JOHN P

PROVISIONAL ORDER SETTING
BAIL OR CONDITIONS OF RELEASE

Defendant.

You are advised that you are under arrest for the crime(s) of RAPE OF CHILD 3 DV - CHILD MOL 2 DV - INCEST 1 DV alleged to have been committed by you on the 1 day of JANUARY, 2008

I THE COURT FINDS that the prisoner is unavailable for preliminary appearance because of
() physical disability; () mental disability, () prisoner's refusal to attend hearing, () unavailability of interpreter, ()
other: _____ and as such there is good cause to continue the
preliminary appearance. Therefore, THE COURT ORDERS that the preliminary appearance shall be continued to the
_____ day of _____ at _____ m.

II. THE COURT FINDS that probable cause exists to believe that the accused committed the crime(s) described
above based on the facts contained in the booking documents, the facts contained in the affidavit of probable cause,
the reports submitted by law enforcement, and/or _____

III IT IS HEREBY ORDERED

- () 1. That the prisoner shall be released from jail now. Such release shall be unconditional unless
conditions of personal recognizance are imposed under paragraph 3.
- 2 That the prisoner shall be released from jail when good and sufficient bond and/or bail is posted with
the Court. Bail is set at \$ 100,000
- 3 That the prisoner shall comply with the following applicable conditions:
 Advise Pretrial Services and the Snohomish County Prosecuting Attorney's office. In writing, of any
changers of address (PTS phone number (425) 388-3500)
 Have no contact with minor children
 Have no contact with IB dob 3/13/95

- () Shall not possess firearms
() Shall not drive a motor vehicle without a valid license and adequate insurance
() Other _____

IT IS FURTHER ORDERED that if a Complaint is filed in the District Court-Everett Division by 5:00 p.m. on
JANUARY 17 2012, the conditions of release including bail shall remain in effect until the Felony Dismissal Date as
listed on the Complaint. If a Complaint is not filed by the required date and time then the defendant shall be released from
jail, and all conditions of release shall be exonerated and be of no further effect, and any bond and/or bail posted shall be
exonerated

DONE IN OPEN COURT on January 12, 2012.

Rogan Fisher
JUDGE of DISTRICT COURT

Exhibit C

Criminal Complaint filed on January 17, 2012

Snohomish County District Court, Everett Division

case 201A-12F

FILED

JAN 17 2012

Sno. Co. District Court
Everett Division

EVERETT DISTRICT COURT OF WASHINGTON FOR SNOHOMISH COUNTY

THE STATE OF WASHINGTON,

Plaintiff,

v.

BLACKMON, JOHN P.

Defendant.

No. 201A-12F

CRIMINAL COMPLAINT

FELONY DISMISSAL DATE: February 3, 2012

Comes now MARK K. ROE, Prosecuting Attorney for the County of Snohomish, State of Washington, and by this complaint, in the name and by the authority of the State of Washington, charges and accuses the above-named defendant(s) with the following crime(s) committed in the State of Washington:

COUNT I: CHILD MOLESTATION IN THE SECOND DEGREE (DV), committed as follows: That the defendant, on or about the 1st day of January, 2008, through the 31st day of December, 2008, did have sexual contact with I.B. (DOB: 3/13/1995), who was at least twelve years old but less than fourteen years old and not married to the defendant and not in a state registered domestic partnership with the defendant, and the defendant was at least thirty-six months older than I.B.; proscribed by RCW 9A.44.086, a felony; and the victim was a family or household member, as defined in RCW 10.99.020.

COUNT II: RAPE OF A CHILD IN THE THIRD DEGREE (DV), committed as follows: That the defendant, on or about the 13th day of March, 2009, through the 12th day of March, 2011, did have sexual intercourse with I.B. (DOB: 3/13/1995), who was at least fourteen years old but less than sixteen years old and not married to the defendant and not in a state registered domestic partnership with the defendant, and the defendant was at least forty-eight months older than I.B.; proscribed by RCW 9A.44.079, a felony; and the victim was a family or household member, as defined in RCW 10.99.020.

COUNT III: FIRST DEGREE INCEST (DV), committed as follows: That the defendant, on or about the 1st day of June, 2011, through the 31st day of December, 2011, did engage in sexual intercourse with I.B.

(DOB: 3/13/1995), a descendant of the defendant, who was known by the defendant to be so released, proscribed by RCW 9A.64.020(1), a felony; and the victim was a family or household member, as defined in RCW 10.99.020.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.



MATTHEW D. BALDOCK, WSBA #30892
Deputy Prosecuting Attorney

DATED this 13th day of January, 2012, at the Snohomish County Prosecutor's Office.

.....

Address: 8109 75TH STREET NE	MARYSVILLE	WA	98270
HT: 509	DOB: 05/16/1964		SID: WA
WT: 185	SEX: M		FBI:
EYES: Blue	RACE: White		DOC:
HAIR: Brown	DOL: BLACKJP362KW		WA
ORIGINATING AGENCY: MARYSVILLE POLICE DEPARTMENT			AGENCY CASE#: 1200251

.....

Exhibit D

**\$100,000 bail bond posted by Everett Bail Bonds
on January 13, 2012, and filed in district court on January 18, 2012**

EVERETT BAIL BONDS

IN THE Everett District Court COURT **FILED**
FOR Snohomish COUNTY, WASHINGTON

STATE OF WASHINGTON,)
)
Plaintiff,)
)
)
Blackman, John P.)
DEFENDANT)

JAN 13 2012
BAIL BOND Co. District Court
Everett Division
CASE NO. jc
DATE January 13, 2012

KNOW ALL THESE MEN BY THESE PRESENTS, That we, _____
as principal; and Michelle Marshall and Suzette Faille, as sureties are held and firmly bound unto the State of Washington in the full
penal sum of \$100,000 in lawful money of the United States, payment of which well and truly to be
made, we bind ourselves and each of us, our heirs, executors, and administrators jointly, severally by these presents.

THE CONDITION of the above obligation is such that whereas the defendant herein has been charged by the complaint duly find and
sworn to the crime of

Child molest, 2 DV, / Rep of Child 3 DV / incest 2

Whereas the trial of said defendant upon said charge is now pending herein, and
Wherein the bail of the defendant has been duly fixed at \$100,000 Dollars.
NOW, THEREFORE, if the defendant shall at times render himself or themselves, amenable to the process of the court herein during
the pendency of this action, then this obligation to be void, otherwise to remain in full force and effect.
This obligation shall terminate when and if the principal shall appear before said court, and sentence is passed upon his conviction of
the crime charged. This is an appearance bond and cannot be construed as to guarantee performance on a stay of execution.

★ ★ ATTENTION ★ TO BE RELEASED ON BOND ★ READ CAREFULLY ★ AND UNDERSTAND ★ ★

By signing this bail bond I the defendant grant my permission
pursuant to R.C.W. 70.48.100 to the Snohomish County
Department of corrections, or booking jail, and the court
as stated above, to disclose any and all records, and photos
pertaining to my confinement and case to the Everett Bail
Bonds.

John P. Blackman
Defendant's Signature
J. G. Coon King
Mailing Address
Everett, WA, 98201

STATE OF WASHINGTON)
SS
COUNTY OF SNOHOMISH)

Michelle Marshall and Suzette Faille, duly sworn upon oath, each for himself, deposes and says: That he is a resident of the State of
Washington; that he is not a counsel or attorney at law, sheriff, or clerk of the Superior Court, or other officer of such court, that he is worth the
sum of at least \$100,000 Dollars, over and above all debts and liabilities, and exclusive of all property exempt from sale or
execution.

Bond Filed and Approved:
[Signature]

Suzette Faille
Michelle Marshall
Sureties

Judge Pro Tem

Subscribed and sworn to before me this 1 day of January, 2012

EVERETT BAIL BONDS
P.O. Box 508
Everett, WA 98206
(425) 353-1888

[Signature]
Notary Public in and for the State of Washington, residing in Everett



Exhibit E

Certified Copy of Court Docket:

Snohomish County District Court, Everett Division

case 201A-12F

DD7020SX CAL
05/20/2015 8:43 AM

SNO CO DIST CT EVERETT DIV
D O C K E T

PAGE: 1

DEFENDANT
BLACKMON, JOHN PATRICK
PO BOX 12656
EVERETT WA 98206

CASE: 201A-12F SNA
Criminal Felony
Agency No. MVP1200251

Home Phone: 3606538259
Work Phone: 4253509209CELL

AKA No aliases on file.

OFFICER
00123 SNA BALDOCK, MATTHEW D

CHARGES

Violation Date:		DV Plea	Finding
1 9A.44.086	CHILD MOLESTATION 2	N	Dismissed
2 9A.44.079	RAPE OF A CHILD 3	N	Dismissed
3 9A.64.020.1A	INCEST-1	N	Dismissed

TEXT

S 01/17/2012 Case Filed on 01/17/2012 ALC

01/18/2012 DEF 1 BLACKMON, JOHN PATRICK Added as Participant

OFF 1 BALDOCK, MATTHEW D Added as Participant

OTH FELDM Set for 02/03/2012 05:30 PM

in Room 1 with Judge TTB

U PREVIOUSLY FILED AS: PC12-0134

BAIL IS MAINTAINED AT \$100,000

S 01/20/2012 BON 1 EVERETT BAIL BONDS Added as Participant NMD

12023100022 Appearance Bond Posted for DEF 1 100,000.00

Posted by: EVERETT BAIL BONDS

02/03/2012 OTH FELDM: Held

U TTB/ CASE DISMISSED BY THE COURT.

NO ACTION TAKEN BY THE STATE.

S Charge 1 Dismissed : Crt Lacks Juris

Case Heard Before Judge BUI, TAM T

Charge 2 Dismissed : Crt Lacks Juris

Case Heard Before Judge BUI, TAM T

Charge 3 Dismissed : Crt Lacks Juris

Case Heard Before Judge BUI, TAM T

Case Disposition of CL Entered

02/08/2012 Appearance Bond 4077 Exonerated 100,000.00

ADDITIONAL CASE DATA

Case Disposition
Disposition: Closed

Date: 02/03/2012

Parties
Bondsman EVERETT BAIL BONDS

Docket continued on next page

STATE OF WASHINGTON
COUNTY OF SNOHOMISH

The undersigned Clerk of the Court does hereby
certify that the foregoing instrument is a true and
correct copy of the original on file in this court.
In witness whereof I have hereunto set my hand
this 20th day of February 2015.

By [Signature] Clerk
Everett Division Snohomish County District Court

DD7020SX CAL
05/20/2015 8:43 AM

SNO CO DIST CT EVERETT DIV
D O C K E T

PAGE: 2

DEFENDANT
BLACKMON, JOHN PATRICK

CASE: 201A-12F SNA
Criminal Felony
Agency No. MVP1200251

ADDITIONAL CASE DATA - Continued

Personal Description

Sex: M Race: W DOB: 05/16/1964
Dr.Lic.No.: BLACKJP362KW State: WA Expires: 2016
Employer:
Height: 5 9 Weight: 185 Eyes: BLU Hair: BRO

Hearing Summary

Held FELONY DISMISSAL ON 02/03/2012 AT 05:30 PM IN ROOM 1 WITH TTB

End of docket report for this case

Exhibit F

Information filed on January 27, 2012 in

Snohomish County Superior Court

case 12-1-00219-8

FILED

2012 JAN 27 PM 2:18

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH



CL15086493

SUPERIOR COURT OF WASHINGTON
FOR SNOHOMISH COUNTY

THE STATE OF WASHINGTON,

Plaintiff,

No. 12-1-00219-8

v.

INFORMATION

BLACKMON, JOHN P.

Defendant.

Aliases:

Other co-defendants in this case:

Comes now MARK K. ROE, Prosecuting Attorney for the County of Snohomish, State of Washington, and by this, his Information, in the name and by the authority of the State of Washington, charges and accuses the above-named defendant(s) with the following crime(s) committed in the State of Washington:

COUNT I: CHILD MOLESTATION IN THE SECOND DEGREE (DV), committed as follows: That the defendant, on or about the 1st day of January, 2008, through the 31st day of December, 2008, did have sexual contact with I.B. (DOB: 3/13/1995), who was at least twelve years old but less than fourteen years old and not married to the defendant and not in a state registered domestic partnership with the defendant, and the defendant was at least thirty-six months older than I.B.; proscribed by RCW 9A.44.086, a felony; and the victim was a family or household member, as defined in RCW 10.99.020.

COUNT II: RAPE OF A CHILD IN THE THIRD DEGREE (DV), committed as follows: That the defendant, on or about the 13th day of March, 2009, through the 12th day of March, 2011, did have sexual intercourse with I.B. (DOB: 3/13/1995), who was at least fourteen years old but less than sixteen years old and not married to the defendant and not in a state registered domestic partnership with the defendant, and the defendant was at least forty-eight months older than I.B.; proscribed by RCW 9A.44.079, a felony; and the victim was a family or household member, as defined in RCW 10.99.020.

ORIGINAL

COUNT III: FIRST DEGREE INCEST (DV), committed as follows: That the defendant, on or about the 1st day of June, 2011, through the 31st day of December, 2011, did engage in sexual intercourse with I.B. (DOB: 3/13/1995), a descendant of the defendant, who was known by the defendant to be so related; proscribed by RCW 9A.64.020(1), a felony; and the victim was a family or household member, as defined in RCW 10.99.020.

MARK K. ROE
PROSECUTING ATTORNEY



MATTHEW D. BALDOCK, #30892
Deputy Prosecuting Attorney

.....
Address: 8109 75TH STREET NE MARYSVILLE WA 98270
HT: 509 DOB: 05/16/1964 SID: WA
WT: 185 SEX: M FBI:
EYES: Blue RACE: White DOC:
HAIR: Brown DOL: BLACKJP362KW, WA
ORIGINATING AGENCY: MARYSVILLE POLICE DEPARTMENT AGENCY CASE#: 1200251
.....

IN THE SUPREME COURT
FOR THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

JOHN P. BLACKMON,

Petitioner.

No. 91269-6

DECLARATION OF DOCUMENT
FILING AND E-SERVICE

AFFIDAVIT BY CERTIFICATION:

The undersigned certifies that on the 22nd day of May, 2015, affiant sent via e-mail as an attachment the following document(s) in the above-referenced cause:

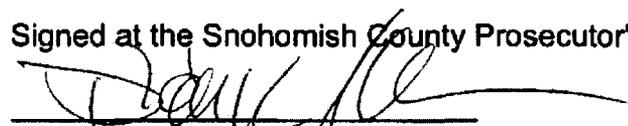
ANSWER TO PETITIONER'S MOTION TO STAY REVIEW

I certify that I sent via e-mail a copy of the foregoing document to: The Supreme Court via Electronic Filing and John Henry Browne, johnhenry@jhblawyer.com; and affiant deposited in the mail of the United States of America a properly stamped and addressed envelope directed to:

JOHN PATRICK BLACKMON, DOC# 367781
COYOTE RIDGE CORRECTIONS CENTER
P.O. BOX 769
CONNELL, WA 99326-0769

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at the Snohomish County Prosecutor's Office this 22nd day of May, 2015.


DIANE K. KREMENICH
Legal Assistant/Appeals Unit
Snohomish County Prosecutor's Office

OFFICE RECEPTIONIST, CLERK

To: Kremenich, Diane; johnhenry@jhblawyer.com
Subject: RE: State v. John Blackmon

Received 5-22-2015

Supreme Court Clerk's Office

Please note that any pleading filed as an attachment to e-mail will be treated as the original. Therefore, if a filing is by e-mail attachment, it is not necessary to mail to the court the original of the document.

From: Kremenich, Diane [mailto:Diane.Kremenich@co.snohomish.wa.us]
Sent: Friday, May 22, 2015 8:37 AM
To: OFFICE RECEPTIONIST, CLERK; johnhenry@jhblawyer.com
Subject: State v. John Blackmon

Good Morning...

RE: State v. John Blackmon
Supreme Court No. 85129-8

Please accept for filing the following: State's Answer to Petitioner's Motion to Stay Review

Let me know if there is a problem with the attachment.

Thanks.

Diane.

Diane K. Kremenich
 Snohomish County Prosecuting Attorney - Criminal Division
Legal Assistant/Appellate Unit
Admin East, 7th Floor
(425) 388-3501
Diane.Kremenich@snoco.org

CONFIDENTIALITY STATEMENT

This message may contain information that is protected by the attorney-client privilege and/or work product privilege. If this message was sent to you in error, any use, disclosure or distribution of its contents is prohibited. If you receive this message in error, please contact me at the telephone number or e-mail address listed above and delete this message without printing, copying, or forwarding it. Thank you.

 please consider the environment before printing this email