

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS
DIVISION II

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STATE OF WASHINGTON)

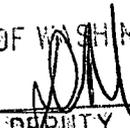
Respondent,)

v.)

Joel Duane McAninch
(your name))

Appellant.)

STATE OF WASHINGTON

No. 46072-6-IT 
DEPUTY

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, Joel D. McAninch, 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

Cowlitz County Superior Court miscalculated my offender score in two cases (No. 10-1-01291-2 on 4-19-11 and No. 13-1-00063-3 sentenced 3-12-2013) resulting in excessive sentences. On Case No. 10-1-01291-2 my offender score was miscalculated as 5 when it should have been 4 according to State vs. Jacob, COA. 429144 II (2013) resulting in an excessive sentence. I served that excessive sentence. Now case No. 13-1-00063-3 Cowlitz County Superior Court AGAIN miscalculated my offender score as 6 when it should have been 5. Please see the error's addressed and remand for resentencing.

Additional Ground 2

I'm first for relief from Case No. 10-1-01291-2 because the sentence imposed was contrary to Washington Law therefore Judgment and sentence is invalid. The's Community custody point on this cause should also be invalid for 2 reasons. 1st It's not a includable point under RCW 9.94A.525 (2)(e) 2nd It's part of an unlawful Judgment and Sentence. With relief from Cause No 10-1-01291-2 and correctly calculating without 2004 Elude charge because it's not a statutory specified prior for calculation of Felony DUI my offender score should be 4. Please address and remand for resentencing.

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

Date: 11-30-14

Signature: Joel D McAninch

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BY: _____
DEPUTY

STATE OF WASHINGTON
COURT OF APPEALS
DIVISION II

) Case No.: 46072-6-II

PRESENTED BY:

Joel Duane McAninch

) MOTION FOR ACCELERATED REVIEW

PETITIONER

1. IDENTITY OF MOVING PARTY

COMES NOW, Joel Duane McAninch, PRO SE, CURRENTLY DOMICILED AT THE CEDAR CREEK CORRECTIONS CENTER, P.O. Box 37 LITTLE ROCK, WA 98556, ASKS THIS HONORABLE COURT FOR AN ACCELERATED REVIEW RAP 18.12 RAP 1.2(C0) AND RAP 18.8 (A).

2. STATEMENT OF RELIEF SOUGHT

PETITIONER, Joel Duane McAninch, ASKS FOR AN ACCELERATED REVIEW SO THAT IF A DECISION IS MADE IN HIS FAVOR PETITIONER WOULD NOT BE PAST HIS RELEASE DATE.

3. FACTS RELEVANT TO MOTION

PETITIONER WAS CONVICTED OF Felony DUI ON CASE # 13-1-00063-3 IN Cowlitz COUNTY SUPERIOR COURT. PETITIONER WAS SENTENCED TO 54 MONTHS.

PETITIONER HAS SINCE FILED A Motion FOR Relief From

Judgment CrR 7.8(b)(5) and a Personal Restraint Petition.

1 4. GROUNDS FOR RELIEF AND ARGUMENT

2 PETITIONER BELIEVES THAT IF THE APPEALS COURT RULES IN THE PETITIONER'S FAVOR
3 THAT HE WOULD BE CLOSE TO, OR PAST, HIS RELEASE DATE, AND THIS HONORABLE COURT
4 HAS IT IN IT'S POWER TO GRANT AN ACCELERATED REVIEW UNDER RAP 18.12, RAP 1.2,
5 AND RAP 18.8.

6
7 DATED THIS 30th DAY OF Nov, ~~2001~~ 2014

8 RESPECTFULLY SUBMITTED,

9
10 BY, Joel Duane McAninch

11 875858 DOC#

12 CEDAR CREEK CORRECTIONS CENTER

13 P.O. BOX 37 OLYMPIC UNIT

14 LITTLE ROCK, WA 98556

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DECLARATION OF MAILING

I declare, under penalty of perjury of the State of Washington that on the date indicated below I deposited in the U.S. Mail at the Cedar Creek Corrections Center in Little rock Washington, a true and correct copy of Statement of Additional Grounds For Review and Motion For Accelerated Review and Appellant's Declaration, postage pre-paid and properly addressed to the following sources:

	David C. Ponzoha
Catherine E. Glinski	Court of Appeals Div II
Appellant's Counsel	950 Broadway, Suite 300
Glinski Law Firm PLLC	Tacoma, Wa 98402-4454
P.O. Box 761	
Manchester, Wa 98353	

Done This 30 day of Nov 30, 2014

By: Joel M'Aninch
Joel Duane M'Aninch