

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

In re the Detention of: )  
 )  
RANDY TOLLEFSEN, )  
 )  
Appellant. )  
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\_\_\_\_\_ )

No. 69510-0-1

UNPUBLISHED OPINION

FILED: JUL 29 2013

FILED  
COURT OF APPEALS DIV. 1  
STATE OF WASHINGTON  
2013 JUL 29 AM 9:53

PER CURIAM — Randy Tollefsen seeks discretionary review of the trial court decision terminating his release from confinement under RCW 71.09 to a Less Restrictive Alternative (LRA). The trial court certified that the decision warranted review under RAP 2.3(b)(4). Discretionary review is granted, and we accept the State's concession that the trial court erred in using the summary judgment procedure to revoke Mr. Tollefsen's LRA placement. Accordingly, the trial court's decision is reversed and the matter remanded for further proceedings. Because we have granted discretionary review, we do not address Mr. Tollefsen's claim that the trial court's decision is also appealable as a matter of right under RAP 2.2.

Reversed and remanded.

For the court:

*Venelle J.*  
*Appellate J.*  
*COX, J.*