

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

STATE OF WASHINGTON,)
)
 Respondent,)
)
 v.)
)
 PHILLIP D. BALDWIN,)
)
 Appellant.)
_____)

No. 69717-0-1

UNPUBLISHED OPINION

FILED: APR - 7 2014

FILED
COURT OF APPEALS
STATE OF WASHINGTON
2014 APR - 7 AM 9:26

PER CURIAM — Phillip Baldwin appeals his conviction for second degree rape, arguing that the trial court erred in instructing the jury that it had a “duty to return a verdict of guilty” if it found all the elements of the offense beyond a reasonable doubt. This argument is controlled by our decision in State v. Ryan P. Moore, No. 69766-8 (Wash. February 18, 2014) and the cases cited therein.

Affirmed.

FOR THE COURT:

Becker, J.
COX, J.
Jan J.