

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

STATE OF WASHINGTON,

Respondent,

v.

DONALD EARL PITCHFORD,

Appellant.

No. 70407-9-1

UNPUBLISHED OPINION

FILED: MAY 12 2014

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COURT OF APPEALS DIV 1
STATE OF WASHINGTON
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PER CURIAM — Donald Pitchford appeals from the exceptional sentence imposed after a jury found him guilty of second degree assault with a deadly weapon. The State concedes, and we agree, that the trial court erred in doubling the deadly weapon sentence enhancement based on a 1984 conviction. See RCW 9.94A.533(4).

The State asserts that on remand “it is within the trial court’s discretion to revisit all aspects of Pitchford’s sentence.” Because the State cites no relevant authority to support this claim, we remand solely to permit the trial court to strike the unlawful portion of the deadly weapon enhancement.

Remanded.

FOR THE COURT:






