

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)
) No. 71322-1-I
 Respondent,)
) DIVISION ONE
 v.)
) UNPUBLISHED OPINION
 NATHAN ROWE,)
)
)
 Appellant.) FILED: March 9, 2015
)

PER CURIAM. Nathan Rowe appeals from the judgment and sentence entered following his conviction for second degree robbery. Rowe's court-appointed attorney has filed a motion to withdraw on the ground that there is no basis for a good faith argument on review. Pursuant to State v. Theobald, 78 Wn.2d 184, 470 P.2d 188 (1970), and Anders v. California, 386 U.S. 738, 18 L. Ed. 2d 493, 87 S. Ct. 1396 (1967), the motion to withdraw must:

[1] be accompanied by a brief referring to anything in the record that might arguably support the appeal. [2] A copy of counsel's brief should be furnished the indigent and [3] time allowed him to raise any points that he chooses; [4] the court—not counsel—then proceeds, after a full examination of all the proceedings, to decide whether the case is wholly frivolous.

Theobald, 78 Wn.2d at 185 (alterations in original) (quoting Anders, 386 U.S. at 744).

This procedure has been followed. Rowe's counsel on appeal filed a brief with the motion to withdraw. Rowe received a copy of the brief and filed a statement of additional grounds for review.

The facts are accurately set forth in counsel's brief in support of the motion to withdraw. The court has reviewed the briefs filed in this court and has independently

reviewed the entire record. The court specifically considered the following potential issues raised by counsel:

1. Did the court err in failing to give a unanimity instruction?
2. Is Rowe entitled to relief because no written CrR 3.5 findings were entered?

The court also considered the following arguments raised by Rowe in his statement of additional grounds for review:

1. Whether Rowe's arguments regarding the credibility, weight, and persuasiveness of the evidence require reversal?
2. Whether Rowe established ineffective assistance of counsel?
3. Whether Rowe's conviction is supported by sufficient evidence?

The potential issues are wholly frivolous. Counsel's motion to withdraw is granted and Rowe's conviction and sentence are affirmed.

For the court:

Trickey, J
Jay, J.
Schubert, J.

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