

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

STATE OF WASHINGTON,  
  
Respondent,  
  
v.  
  
BRETT ALLAN MARKER,  
  
Appellant.

No. 73502-1-I

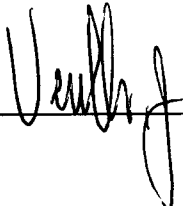
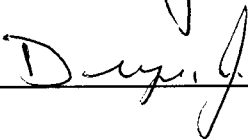
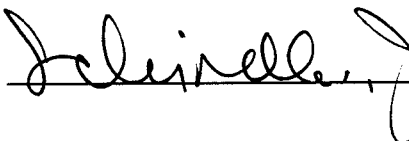
UNPUBLISHED OPINION

FILED: MAR 21 2016

PER CURIAM. Brett Marker appeals from the trial court's order dismissing his CrR 7.8 motion with prejudice and denying his motion to dismiss without prejudice. The State of Washington concedes that dismissal with prejudice was error. We accept the State's concession, reverse the trial court's order, and remand for entry of an order dismissing Marker's CrR 7.8 motion without prejudice. In light of our decision, Marker's statement of additional grounds for review is moot.

Reversed and remanded for entry of order dismissing the CrR 7.8 motion without prejudice.

For the court:

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STATE OF WASHINGTON  
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