

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

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| STATE OF WASHINGTON, |) | |
| |) | No. 74211-6-I |
| Respondent, |) | |
| |) | DIVISION ONE |
| v. |) | |
| |) | UNPUBLISHED OPINION |
| HERON S. LINDSAY, |) | |
| |) | |
| Appellant. |) | FILED: January 9, 2017 |

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PER CURIAM. Heron Lindsay appeals from his conviction following a plea of assault in the third degree – domestic violence. Lindsay’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, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (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 (quoting Anders, 386 U.S. at 744).

This procedure has been followed. Lindsay’s counsel on appeal filed a brief with the motion to withdraw. Lindsay was served with a copy of the brief and informed of his right to file a statement of additional grounds for review. He did not file a statement of additional grounds.

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 information provide constitutionally sufficient notice of the charges?
2. Are the facts sufficient to support Lindsay's plea?
3. Was Lindsay's plea invalid because he was not assisted by an interpreter?
4. Was the guilty plea involuntary?
5. Did the court lawfully impose a First Time Offender Waiver?
6. Did the court err in imposing legal financial obligations?

The potential issues are wholly frivolous. Counsel's motion to withdraw is granted and the appeal is dismissed.

For the court:






