

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

STATE OF WASHINGTON,

Respondent,

v.

WENDELL LYNN SEPEDA,

Appellant.

No. 74325-2-I

UNPUBLISHED OPINION

FILED: SEP 19 2016

PER CURIAM. Wendell Lynn Sepeda appeals from the sentence imposed following his conviction for animal cruelty in the second degree. We accept the State of Washington's concession that the trial court erred in imposing the \$100 crime lab fee and in imposing discretionary Legal Financial Obligations (LFOs) without considering Sepeda's current and future ability to pay as required by RCW 10.1.160(3).

Accordingly, we remand with directions to vacate the crime lab fee. In addition, on remand the trial court shall reconsider the imposition of discretionary LFOs after conducting on the record an individualized inquiry into Sepeda's current and future ability to pay consistent with the requirements of State v. Blazina, 182 Wn.2d 827, 344 P.3d 680 (2015).

Remanded for proceedings consistent with this opinion.

For the court:

Trickey, J.

Leach, J.
[Signature]

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STATE OF WASHINGTON
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