

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

RONALD SPINKS,

Appellant.

No. 76208-7-I

UNPUBLISHED OPINION

FILED: July 17, 2017

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FILED
COURT OF APPEALS DIV 1
STATE OF WASHINGTON

PER CURIAM — Ronald Spinks appeals the judgment and sentence entered after he pleaded guilty to felony harassment – domestic violence, assault in the third degree – domestic violence, malicious mischief in the second degree – domestic violence, and misdemeanor violation of a court order – domestic violence. We accept the State of Washington’s concession that Spinks was misadvised of his maximum sentence and that his guilty plea was therefore not knowing, intelligent, and voluntary. See State v. Mendoza, 157 Wn.2d 582, 592, 141 P.3d 49 (2006). Accordingly, we remand to allow Spinks the opportunity to withdraw his guilty plea. Id.

Spinks also argues that the combined term of confinement and community custody exceeds the statutory maximum. In his Statement of Additional Grounds for Review, Spinks contends that his offender score was miscalculated. Because Spinks

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may choose to withdraw his guilty plea on remand, we do not address these contentions.

Remanded for further proceedings.

FOR THE COURT:

Schubert, J.

Spencer, J.

Mann, J.