

July 10, 2018

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

STATE OF WASHINGTON,

Respondent,

v.

ALEXANDRIA NICOLE BLAKEMAN,

Appellant.

No. 50416-2-II

UNPUBLISHED OPINION

JOHANSON, J. — Alexandria N. Blakeman pleaded guilty to possession of a stolen motor vehicle. On appeal, she argues that remand is necessary to correct a scrivener's error. We agree and remand for correction of the scrivener's error in her judgment and sentence.

FACTS

In 2017, the State charged Blakeman with one count of possession of a stolen motor vehicle and two counts of possession of a controlled substance. Blakeman also faced 2016 charges under a different cause number for two counts of possession of a controlled substance with intent to deliver and one count of felony bail jumping.

Blakeman accepted the State's plea offer related to both sets of charges. For the 2017 charges, she would plead guilty to possession of a stolen motor vehicle in return for the prosecutor requesting dismissal of both possession of a controlled substance charges.¹

Blakeman pleaded guilty pursuant to the State's plea offer. On the 2017 charges, the superior court sentenced Blakeman to six months of confinement for possession of a stolen motor vehicle and dismissed both possession of a controlled substance charges. Blakeman's judgment and sentence, section 3.1, sets forth that she is guilty of "the Counts and Charges listed in Paragraph 2.1 [possession of a stolen motor vehicle] *and Appendix 2.1.*" Clerk's Papers at 24 (emphasis added). However, there is no appendix 2.1 attached to Blakeman's judgment and sentence. Blakeman appeals.

ANALYSIS

Blakeman contends that her judgment and sentence's reference in section 3.1 to charges listed in "Appendix 2.1" is a scrivener's error. Br. of Appellant at 2. The State concedes error, and we accept the State's concession.

The remedy for a scrivener's error is remand to the trial court for correction. *In re Pers. Restraint of Mayer*, 128 Wn. App. 694, 701, 117 P.3d 353 (2005). Here, the judgment and sentence for Blakeman's 2017 conviction erroneously includes a reference to an appendix that is not attached. Further, Blakeman was convicted of only one 2017 crime, possession of a stolen motor

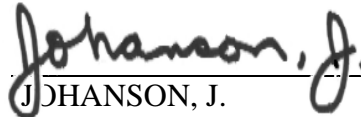
¹ For the 2016 charges, the prosecutor agreed to request amendment of the bail jumping charge to a misdemeanor and dismissal of one possession of a controlled substance with intent to deliver charge. Thus, Blakeman pleaded guilty to one count of possession of a controlled substance with intent to deliver and one count of misdemeanor bail jumping.

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vehicle, which is already referenced in section 3.1. Blakeman's judgment and sentence, section 3.1, accordingly appears to contain a scrivener's error.

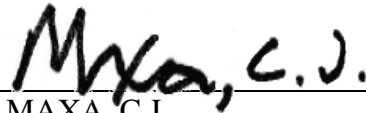
We remand for the superior court to correct the scrivener's error in section 3.1 of Blakeman's judgment and sentence.

A majority of the panel having determined that this opinion will not be printed in the Washington Appellate Reports, but will be filed for public record in accordance with RCW 2.06.040, it is so ordered.



J. JOHANSON, J.

We concur:



MAXA, C.J.



SUTTON, J.