

FILED

2014 MAY 16 PM 3:45



CL16587921

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR SNOHOMISH COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

ALAN J. SMITH,

Defendant.

No.: 13-1-01546-8

DECLARATION OF COUNSEL

I, Caroline Mann, attorney for Defendant, hereby make the following declaration upon  
information and belief:

1. To date, there are over 7,100 pages of discovery materials in this case. In the last six weeks alone, the state has provided nearly 1,500 pages of additional discovery. In the last three weeks, the defense has received 14 additional cd's of materials, including seven audio discs which contain recordings of phone conversations that must be listened to in order to adequately prepare for trial. Many of the remaining new discs also contain material that is not part of the numbered discovery pages. The most recent discovery materials in this case were picked up from the prosecutor's office the morning of May 15 and have not yet been processed and provided to counsel and contain an unknown number of additional pages of material.

MOTION TO CONTINUE - I

Snohomish County Public Defenders  
1721 Hewitt Avenue #100  
Everett, WA 98201  
(425) 339-6300

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- 1 2. The defense has hired Chesterene Cwiklik as a forensic expert in this case. She has stated that  
2 she cannot complete her work on the case by June 13. The earliest date she can possibly  
3 complete her work on the case and provide a report of her findings is in 45 days, which would not  
4 allow time to have the materials to the prosecutor in order to give them time to respond.
- 5 3. I currently have a full caseload and have approximately 60 active cases in addition to this case.  
6 Even if we were able to be relieved of all other obligations, it is not possible to complete  
7 preparations in time for the currently set trial date, given the amount of necessary work remaining  
8 to be done. Nor is it possible to provide effective assistance of counsel on the currently set trial  
9 date.
- 10 4. For purposes of scheduling, I have one scheduled vacation from September 7 – 21. I have no  
11 other planned vacations for the rest of 2014.

12  
13 I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true  
14 and correct.

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16  
17 Signed this 16th day of May, 2014.

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19 CAROLINE MANN, WSBA #17790  
20 Attorney for Defendant  
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