

July 9, 2024

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

**DIVISION II**

In the Matter of the Post Sentence Review of:

No. 57655-4-II

SHAWN DEE REITE,

UNPUBLISHED OPINION

Respondent.

MAXA, P.J. – The Department of Corrections (DOC) petitions this court for review of the sentence imposed on Shawn Dee Reite in October 2022. In 1990, Reite was sentenced to life without parole. Following the Supreme Court’s decision in *In re Personal Restraint of Monschke*, 197 Wn.2d 305, 482 P.3d 276 (2021), the trial court resentenced Reite to 280 months of confinement plus 36 months of community custody. DOC argues that the trial court erred in imposing community custody without authority.

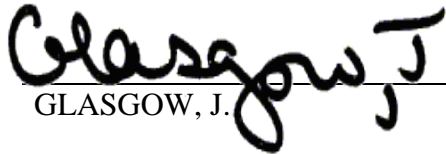
The Supreme Court recently addressed this issue in the consolidated cases of *State v. Carter* and *State v. Reite*, \_\_\_ Wn.3d \_\_\_, 548 P.3d 935 (2024). The court held that community custody was not authorized for Reite’s crime of conviction. *Id.* at 953. Accordingly, the court reversed the trial court’s imposition of community custody in Reite’s sentence and remanded for the trial court to strike the community custody term. *Id.*

Because the Supreme Court now has resolved this issue, DOC’s petition is moot. Therefore, we dismiss the petition.

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.

  
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MAXA, P.J.

We concur:

  
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GLASGOW, J.

  
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PRICE, J.