

July 9, 2024

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

STATE OF WASHINGTON,

Respondent,

v.

KYLE WILLIAM SMITH,

Appellant.

No. 58299-6-II

UNPUBLISHED OPINION

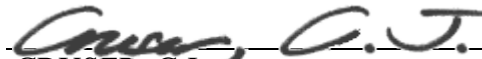
CRUSER, C.J. – Kyle William Smith appeals the imposition of a \$500 crime victim penalty assessment (VPA) following his felony conviction. Smith asks that we remand this matter to the trial court to strike the VPA in light of recent amendments to RCW 7.68.035. *See* LAWS OF 2023, ch. 449, § 1. The State concedes that remand for purposes of striking the VPA from Smith’s judgment and sentence is appropriate.

We accept the State’s concession. Accordingly, we remand to the trial court to strike the VPA from Smith’s judgment and sentence.

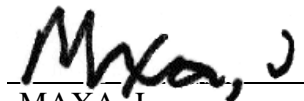
A majority of the panel having determined that this opinion will not be printed in the Washington Appellate Reports, but will be filed for public record in accordance with RCW 2.06.040,

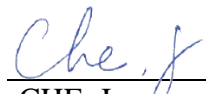
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it is so ordered.

  
CRUSER, C.J.

We concur:

  
MAXA, J.

  
CHE, J.