

June 25, 2024

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

In the Matter of the Postsentence Review of:

No. 58102-7-II

DWAYNE RUSSELL SATTERFIELD,

UNPUBLISHED OPINION

Respondent.

PRICE, J. — The Department of Corrections (DOC) petitions for review of Dwayne R. Satterfield’s sentence for aggravated first degree murder, arguing Satterfield’s sentence of life *with the possibility of release* is not authorized by statute. DOC chose to bring its petition under the Sentencing Reform Act of 1981¹ (SRA). The State moves to dismiss DOC’s petition, arguing that the SRA does not authorize DOC’s petition for review of Satterfield’s non-SRA sentence.

We dismiss DOC’s petition as moot because we have reversed Satterfield’s sentence and remanded for resentencing in a related direct appeal and we can therefore not offer effective relief to DOC. We do not further consider the State’s motion to dismiss.

FACTS AND ANALYSIS

In 1991, Satterfield was convicted of aggravated first degree murder for a fatal shooting Satterfield committed when he was 18 years old, and he was sentenced to life imprisonment without the possibility of release. But in 2021, our Supreme Court determined that for defendants under 21 years old who were convicted of aggravated first degree murder, a mandatory sentence

¹ Chapter 9.94A RCW.

of life imprisonment without the possibility of release was unconstitutional. *In re Pers. Restraint of Monschke*, 197 Wn.2d 305, 325-26, 482 P.3d 276 (2021) (plurality opinion).

Following *Monschke*, Satterfield moved for resentencing and received a sentence of life imprisonment *with* the possibility of release. Satterfield was thereafter assigned to DOC's custody. DOC filed a petition for us to review Satterfield's sentence pursuant RCW 9.94A.585(7), asserting that Satterfield's sentence was unworkable.


Meanwhile, Satterfield also filed a direct appeal challenging his sentence. *See State v. Satterfield*, No. 57866-2-II, slip op. at 2 (Wash. Ct. App. June 18, 2024), <https://www.courts.wa.gov/opinions/pdf/D2%2057866-2-II%20Unpublished%20Opinion.pdf>. In that direct appeal, we recently reversed the sentence DOC now challenges and remanded for Satterfield to be resentenced again. *Id.* at 4.

A case is moot if a court can no longer provide effective relief. *Harbor Lands LP v. City of Blaine*, 146 Wn. App. 589, 592, 191 P.3d 1282 (2008). Here, DOC requests a review of Satterfield's sentence and for us to remand for correction of the sentence. However, because we have already reversed and remanded Satterfield's sentence in his direct appeal, no sentence remains for us to review or reverse. Because we cannot offer DOC effective relief, we dismiss DOC's petition as moot.²

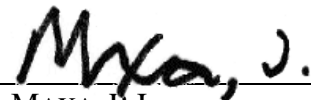
² With DOC's petition being moot, we do not further consider the State's motion to dismiss DOC's petition.

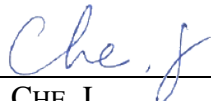
No. 58102-7-II

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.


PRICE, J.

We concur:


MAXA, P.J.


CHE, J.