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Form 7. Statement of Additional Grounds for Review
 [Rule 10.10(a)]

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 COURT OF APPEALS DIV I
 STATE OF WASHINGTON
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**IN THE COURT OF APPEALS OF THE STATE OF
 WASHINGTON
 DIVISION I**

State of Washington)
 Respondent,) Washington Appellate Project
) Court of Appeals Cause No. 66526-0
 v.) STATEMENT OF ADDITIONAL
) GROUNDS FOR REVIEW
 David Bryner,)
 Appellant.)

I David Bryner, have received and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this Statement of Additional Grounds for Review when my appeal is considered on the merits.

Additional Ground I

The state failed to comply with Confrontation Clause. I was not prepared for cross examination with Detective Williams because he wasn't on the

~~Additional Ground II~~

witness list be for omnibus. The state is required to have all witness available for defense prior to trial so I can be prepared for

If there are additional grounds, a brief summary is attached to this statement.

Date: _____

Signature: _____

(c) The Confederation Clusters + ext

Crownfield v. Washington for 1355
U.S. 36, 59 121 S. Ct. 1354

The defendant, Crownfield v. Washington for the Sherman Act, examined the opportunity to cross examine the plaintiff's foundation has had a prior

(d) The defendant is unusual and (e)

trial is properly admitted only where sufficient and a witness absent from

aggression than. Accordingly, a testimonia

+ to be confronted with the witness

survivors criminal defendants the right

clause at the eighth amendment, which

Violated his rights under the confrontation

admission of the all call recordings

(f) Williams max+ confounds thus + the

Schaefer v. Williams 136 W. App 486 (S.D. 1982)

cross examination + trial.

2

(3)

does not alone resolve this case, so this court turns to the clauses historical background. The history supports two principal evils at which the clause was directed was the civil law made or criminal procedure, particularly the use of ex parte examination as evidence against the accused. The clauses primary object is testimonial hearsay and interrogations by law enforcement officers fall squarely within that class. Second, the Framers would not have allowed admission of testimonial statements of a witness who did not appear at

trial unless he was unavailable to (4)

testify and the defendant had

had a prior opportunity for

CROSS-examination. English authorities

and early state cases indicate

that this was the common law

at the time of the founding.

And the right to be confronted

~~to~~ with the witnesses against

him. Amdt. 6 is the most naturally

read as a reference to the

common law right of confrontation,

admitting those exceptions established

at the time of the founding.

"The partiality of a witness is subject to exploration at trial and is always relevant as discrediting the witness and effecting the weight of his testimony."

The Sixth Amendment to the constitution guarantees the right of an accused in a criminal prosecution to be confronted with the witness against him. The right is secured for the defendant in state as well as federal proceedings under Pointer v Texas 380 US 407 pg 1070

"Since we hold the right of an accused to be confronted with the witness against him must be determined by the same standards whether the right is denied in a federal or state proceeding, it follows that use of the transcript to convict the petitioner denied him a constitutional right and this conviction must be reversed."