CAPITAL PUNISHMENT CASE STATUS REPORT

September 6, 2006

CAPITAL LITIGATION TEAM

John Scott Blonien, Division Chief
Paul D. Weisser, Senior Counsel
John J. Samson
Donna H. Mullen
Gregory J. Rosen
Assistant Attorneys General

Lisa Ockerman, Paralegal

ROB MCKENNA
Attorney General
State of Washington
Criminal Justice Division
P.O. Box 40116
Olympia, WA 98504-0116
(360) 586-1445

INTRODUCTION

The Capital Punishment Case Status Report is published monthly by the Office of the Attorney General, Criminal Justice Division. It details the legal status of each case where an individual is currently under sentence of death. For easy reference, the names of current counsel for each case are italicized and bolded, and the latest developments on each case are also in bold print. Further information about any of these cases may be obtained by contacting John Scott Blonien, Criminal Justice Division, or the members of the Capital Litigation Team as listed on the cover page of this report.

INDEX

	Page
BROWN, Cal Coburn	3
CROSS, Dayva Michael	7
ELMORE, Clark Richard	9
GENTRY, Jonathan Lee	13
GREGORY, Allen Eugene	20
STENSON, Darold Ray	23
WOODS, Dwayne L.	28
YATES, Robert Lee, Jr.	33

KEY TO COURT ABBREVIATIONS

9CIR United States Court of Appeals for the Ninth Circuit
EDC United States District Court for the Eastern District of Washington
USSC United States Supreme Court
WDC United States District Court for the Western District of Washington
WSSC Washington State Supreme Court

DATE	CAUSE	ACTION

NAME: BROWN, Cal Coburn
D.O.B. April 16, 1958
Race: White

DATE OF CRIME: May 24, 1991

PLACE OF CRIME: King County

BRIEF FACTS: Cal Brown was convicted of aggravated first degree murder for the stabbing and strangulation death of Holly Washa. The aggravating circumstances were that the murder was committed (1) to conceal the identity of the person committing the crime, and (2) in the course of or furtherance of Kidnapping in the First Degree, Rape in the First Degree, and Robbery in the First Degree. *State v. Brown*, King County Superior Court Cause No. 91-1-03233-1.

DATE OF CONVICTION: December 10, 1993

SPECIAL SENTENCING: December 27, 1993

JUDGMENT AND SENTENCE: King County Superior Court
Cause No. 91-1-03233-1
January 28, 1994

TRIAL JUDGE: Honorable Ricardo S. Martinez

DEFENSE ATTYS:
Terry L. Mulligan
Port Orchard, WA
Kern Cleven
Bellingham, WA

Lin-Marie Hupp
Kent, WA

PROSECUTING ATTYS:
Honorable Norm Maleng
King County Prosecutor
Alfred Matthews, Deputy
Theresa Fricke, Deputy
701 Fifth Avenue, Suite 4800
Seattle, WA 98104
(206) 296-9000

APPELLANT'S ATTYS:
(Personal Restraint Petition, WSSC #66686-5)
Gilbert Levy
Seattle, WA

Jeannette Jameson
Mill Creek, WA

Judith Mandel (withdrew 10/28/98)
Port Orchard, WA

Ronald D. Ness (withdrew 10/28/98)
Port Orchard, WA

Michael Trickey (withdrew 05/01/96)
Seattle, WA

PETITIONER'S ATTYS:
(Federal Habeas Corpus, USDC WDC #C01-715C)
GILBERT LEVY
ATTORNEY AT LAW
2001 WESTERN AVENUE
MARKET PLACE TWO, SUITE 200
SEATTLE, WA 98121-2163
(206) 443-0670

SUZANNE LEE ELLIOTT
ATTORNEY AT LAW
1300 HOGE BUILDING
705 SECOND AVENUE
SEATTLE, WA 98104
(206) 623-0291

DATE	CAUSE	ACTION
RESPONDENT'S ATTYS:		(Personal Restraint Petition, WSSC #66686-5) Norm Maleng, Prosecuting Attorney Ann Marie Summers, Deputy Deborah Dwyer, Deputy (Federal Habeas Corpus, USDC WDC #C01-715C) ROB MCKENNA, ATTORNEY GENERAL JOHN J. SAMSON, ASSISTANT ATTORNEY GENERAL DIANA M. SHEYTHE, ASSISTANT ATTORNEY GENERAL (withdrew 11/24/03) CRIMINAL JUSTICE DIVISION PO BOX 40116 OLYMPIA, WA 98504-0116 (360) 586-1445

DATE	CAUSE	ACTION
01/28/94	61320-6 WSSC	*State v. Brown*; Notice of Appeal
02/01/94	61320-6 WSSC	State's Notice of Cross-Appeal
06/27/96	61320-6 WSSC	Oral argument held
07/24/97	61320-6 WSSC	Opinion affirming conviction and death sentence. Justice Smith authored the opinion for the Court. Justice Madsen authored an opinion concurring in part and dissenting in part, in which Justices Alexander and Sanders joined. *State v. Brown*, 132 Wn.2d 529, 940 P.2d 546 (1997).
03/09/98	97-7283 WSSC	Petition for Writ of Certiorari denied. *Brown v. Washington*, 523 U.S. 1007, 118 S. Ct. 1192, 140 L. Ed. 2d 322 (1998)
03/13/98	61320-6 WSSC	Mandate issued
03/16/98	61320-6 WSSC	Amended Mandate (with regards to month, date and year)
04/08/98	66686-5 WSSC	Death Warrant (setting execution for May 13, 1998)
04/08/98	66686-5 WSSC	Application for Stay of Execution and Petitioner's Statement Describing Grounds for Relief Pursuant to RAP 16.24
04/08/98	66686-5 WSSC	Order (application for stay of execution, pursuant to RAP 16.24, is granted and further proceedings in the trial court are stayed until further order of this court)
04/30/99	66686-5 WSSC	Personal Restraint Petition
01/19/00	66686-5 WSSC	State's Response to Personal Restraint Petition
02/18/00	66686-5 WSSC	Petitioner's Reply Brief
04/19/01	66686-5 WSSC	Opinion denying personal restraint petition. Justice Smith authored the opinion for the Court. Justice Sanders dissented. *In re Brown*, 143 Wn.2d 431, 21 P.3d 687 (2001)
05/18/01	C01-715 WDC	Order Appointing Counsel
05/23/01	C01-715 WDC	Motion for Stay of Execution; Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody; Petitioner's Motion for Leave to File Amended Habeas

DATE	CAUSE	ACTION
		Corpus Petition and for Status Conference; Memorandum of Points and Authorities in Support of Motion for Stay of Execution
06/07/01	C01-715 WDC	Respondent's Response to Motion for Stay of Execution
06/14/01	66686-5 WSSC	Certificate of Finality; Supplemental Judgment (costs in the amount of $64,481.44 awarded to the Appellate Indigent Defense Fund and $1,145.00 to the King County Prosecutor's Office to be paid by the Petitioner)
06/15/01	66686-5 WSSC	Order (the stay of execution is hereby lifted as of the date of the issuance of the certificate of finality)
06/19/01	C01-715 WDC	Order Staying Execution
07/15/02	C01-715-WDC	Amended Petition Under 28 U.S.C. § 2254 For Writ of Habeas Corpus
09/13/02	C01-715 WDC	Respondent's Answer to Amended Petition for a Writ of Habeas Corpus
11/04/02	C01-715 WDC	Reply to Traverse
04/11/03	C01-715 WDC	Order (denying Respondent's motion to strike the supplemental declaration of Scher; granting Petitioner's motion to expand the record; and granting Petitioner's motion order for evidentiary hearing)
11/03-4/03	C01-715 WDC	Evidentiary Hearing held
09/16/04	C01-715 WDC	Order (denying petition for writ of habeas corpus); Judgment in a Civil Case
11/09/04	04-35998 9CIR	Petitioner's Notice of Appeal
03/01/05	04-35998 9CIR	Appellant's Opening Brief
03/30/05	04-35998 9CIR	Brief of Respondent-Appellee
04/27/05	04-35998 9CIR	Reply Brief of Petitioner
07/14/05	04-35998 9CIR	Oral argument held
07/20/05	04-35998 9CIR	Order (motion to expand the certificate of appealability is granted)
08/02/05	04-35998 9CIR	Supplemental Brief of Respondent-Appellee
08/17/05	04-35998 9CIR	Appellant's Supplemental Reply Brief
12/08/05	04-35998 9CIR	Opinion (affirming district court's judgment regarding the conviction but reversing and remanding with respect to the death sentence on the juror exclusion claim). Judge Kozinski authored the opinion, with Judges Reinhardt and Berzon concurring. *Brown v. Lambert,* 431 F.3d 661(9th Cir. 2005)
12/20/05	04-35998 9CIR	Petition for Rehearing En Banc
01/27/06	04-35998 9CIR	Answer to Petition for Rehearing En Banc
06/19/06	04-35998 9CIR	Order (Amended Opinion; opinion filed December 8, 2005 and reported at 431 F.3d 661, is withdrawn, and is replaced by the Amended Opinion. The petition for rehearing is otherwise denied. A judge requested a vote on whether to rehear this case en banc, but a majority of the

DATE	CAUSE	ACTION
		non-recused active judges did not vote in favor of en banc consideration. The petition for rehearing en banc is denied. Judge Tallman, joined by Judges O'Scannlain, Kleinfeld, Callahan, and Bea, dissented from denial of rehearing en banc) *Brown v. Lambert*, 451 F.3d 46 (9th Cir. 2006).
06/21/06	04-35998 9CIR	Appellee's Motion to Stay the Mandate
06/27/06	04-35998 9CIR	Order (granting Appellee's Motion to Stay the Mandate for 90 days pending the filing of a writ of certiorari in the Supreme Court. If such petition is filed, and if the writ of certiorari is granted by the Supreme Court, the stay shall continue until final disposition by the Supreme Court.)

DATE	CAUSE	ACTION

NAME: CROSS, Dayva Michael
D.O.B.: September 19, 1959
Race: Caucasian

DATE OF CRIME: March 6, 1999

PLACE OF CRIME: King County

BRIEF FACTS: Dayva Michael Cross pleaded guilty to three counts of aggravated first degree murder for the stabbing deaths of his wife, Anouchka Baldwin, and two stepdaughters, Amanda Baldwin and Salome Holly. The aggravating circumstances were that there was more than one victim and the murders were part of a common scheme or plan or the result of a single act of the person. *State v. Cross*, King County Cause 99-1-02212-9.

DATE OF GUILTY PLEA: October 23, 2000

SPECIAL SENTENCING: May 7, 2001

JUDGMENT AND SENTENCE: King County Superior Court
Cause No. 99-1-02212-9
June 22, 2001

TRIAL JUDGE: Honorable Joan DuBuque

DEFENSE ATTYS: Mark Larranaga
Richard Warner
Seattle, WA

PROSECUTING ATTYS: Norm Maleng, Prosecuting Attorney
Don Raz, Senior Deputy Prosecutor
Tim Bradshaw, Deputy Prosecutor
King County Courthouse
516 Third Avenue, Suite W554
Seattle, WA 98104-2362
(206) 296-9000

APPELLANT'S ATTYS: (Direct Appeal, WSSC Cause #71267-1)

TODD MAYBROWN
ALLEN HANSEN & MAYBROWN P.S.
600 UNIVERSITY STREET, SUITE 3020
SEATTLE, WA 98101-4105
(206) 447-9681

KATHRYN ROSS
JONES, ROSS, BESMAN &CONNOLLY
828 SECOND STREET, SUITE D
MUKILTEO, WA 98275-1601
(425) 348-7937

RESPONDENT'S ATTYS: NORM MALENG, PROSECUTING ATTORNEY
TIMOTHY BRADSHAW, DEPUTY (withdrew 01/24/03)
DONALD RAZ, DEPUTY
JAMES WHISMAN, DEPUTY

DATE	CAUSE	ACTION
06/29/01	71267-1 WSSC	Notice of Judgment and Sentence
08/23/01	71267-1 WSSC	Order (Todd Maybrown and Kathryn Ross are appointed to represent Appellant)

DATE	CAUSE	ACTION
01/17/03	71267-1 WSSC	Motion to Permit Appellant's Counsel to Review Sealed Documents and Materials
01/24/03	71267-1 WSSC	Respondent's Answer to Motion to Permit Appellant's Counsel to Review Sealed Documents and Materials
01/24/03	71267-1 WSSC	Order (motion to review the sealed documents and materials is granted. The Appellant and Respondent may view the sealed portions of the record. The documents should not be distributed to anyone other than counsel of record.)
04/15/03	71267-1 WSSC	Appellant's Opening Brief
01/15/04	71267-1- WSSC	Appellant's Reply Brief
02/06/04	71267-1 WSSC	Order (The parties may file supplemental briefs setting forth their views on how the trial judge report and attached summary in *State v. Gary Ridgway* should be considered by this Court in its proportionality review in this case. The supplemental briefs are due for service and filing by no later than March 8, 2004, and should not exceed 20 pages.)
03/08/04	71267-1 WSSC	Appellant's Supplemental Brief
03/08/04	71267-1 WSSC	Respondent's Supplemental Brief
05/19/04	71267-1 WSSC	Motion to file Amicus Curiae Brief
05/26/04	71267-1 WSSC	Amicus Curiae Brief
06/09/04	71267-1 WSSC	Respondent's Response to Amicus Curiae Brief of ACLU of Washington
06/18/04	71267-1 WSSC	Appellant's Statement of Additional Grounds for Review
06/22/04	71267-1 WSSC	Oral argument held
03/30/06	71267-1 WSSC	Opinion (affirming conviction and sentence of death). Majority opinion authored by Justice Chambers. Chief Justice Alexander filed a concurring opinion. Justice Madsen, joined by Justices Charles Johnson, Sanders, and Owens, dissented. *State v. Cross*, 156 Wn.2d 580, 132 P.3d 80 (2006).
04/06/06	71267-1 WSSC	Cost Bill [$128,781 to be paid to OPD, $706.18 to King County]
04/19/06	71267-1 WSSC	Appellant's Motion for Reconsideration
06/06/06	71267-1 WSSC	Order (denying Motion for Reconsideration)

NAME: ELMORE, Clark Richard (aka James Elmore aka James Lee Dickey)
D.O.B.: November 17, 1951
Race: White

DATE OF CRIME: April 17, 1995

PLACE OF CRIME: Whatcom County

BRIEF FACTS: Clark Richard Elmore pleaded guilty to one count of aggravated first degree murder of Christy Onstad, the 14-year-old daughter of Elmore's live-in girlfriend. The two aggravating circumstances were (1) the murder was in the course of and in flight from Rape in the Second Degree, and (2) the murder was committed to conceal the commission and perpetrator of the crime. *State v. Elmore*, Whatcom County Cause 95-1-00310-1.

DATE OF CONVICTION: July 6, 1995

SPECIAL SENTENCING: March 12, 1996

JUDGMENT AND SENTENCE: Whatcom County Superior Court
Cause No. 95-1-00310-1
May 3, 1996

TRIAL JUDGE: Honorable David Nichols

DEFENSE ATTYS: John Komorowski
Douglas Hyldahl
Bellingham, WA

PROSECUTING ATTYS: David S. McEachran, Prosecuting Attorney
Whatcom County Prosecutor's Office
Whatcom County Courthouse
311 Grand Avenue
Bellingham, WA 98225
(360) 676-6784

APPELLANT'S ATTYS: (Direct Appeal, Washington Supreme Court #64085-8)

Michael P. Iaria
Seattle, WA

Meredith Martin Rountree
Austin, TX

Rita Griffith
Seattle, WA

Charlotte Cassady (Withdrew 03-06-98)
Mobile, AL

Jon Ostlund (06/17/96)
Bellingham, WA

PETITIONER'S ATTYS: (Personal Restraint Petition, Washington Supreme Court #70233-1)

JEFFREY E. ELLIS
THE DEFENDER ASSOCIATION
810 THIRD AVENUE
SUITE 800
SEATTLE, WA 98104-1655
(206) 447-3900

MEREDITH MARTIN ROUNTREE
510 SOUTH CONGRESS AVENUE
SUITE 308
AUSTIN, TX 78704-1739
(512) 320-0334

RESPONDENT'S ATTYS: DAVID S. MCEACHRAN, PROSECUTING ATTORNEY

DATE	CAUSE	ACTION
05/13/96	64085-8 WSSC	Notice of Appeal
04/16/97	64085-8 WSSC	Appellant's Motion for Appointment of Conflict Counsel
04/24/97	64085-8 WSSC	Order (Appellant's motion is granted. Rita Griffith is hereby appointed as counsel for the sole purpose of briefing the legal issues which pose a conflict to current counsel.)
11/19/98	64085-8 WSSC	Oral argument held
10/07/99	64085-8 WSSC	Opinion affirming conviction and death sentence and granting State's motion to strike Appellant's "Social History". Justice Talmadge authored the opinion for the Court. Justice Sanders dissented. *State v. Elmore*, 139 Wn.2d 250, 985 P.2d 289 (1999)
02/15/00	64085-8 WSSC	Order (denying motion for reconsideration and motion to defer ruling on reconsideration)
10/02/00	99-9587 USSC	Petition for Writ of Certiorari denied, *Elmore v. Washington*, 531 U.S. 837, 121 S. Ct. 98, 148 L. Ed. 2d 57 (2000)
10/09/00	64095-8 WSSC	Mandate issued
10/10/00	70233-1 WSSC	Motion for Appointment of Counsel and for Stay of Execution Pursuant to Rules 16.24 and 16.25 of the Rules of Appellate Procedure
10/31/00	95-1-00310-1	Death Warrant (setting execution for November 28, 2000)
11/07/00	70233-1 WSSC	Notation Order (motion for stay of execution is granted; request for appointment of counsel will be considered upon receipt of a recommendation from the Office of Public Defense)
11/15/00	70233-1 WSSC	Petitioner's Statement Pursuant to RAP 16.25
11/16/00	70233-1 WSSC	Order (appointing Jeffrey Ellis and Meredith Martin Rountree as counsel)
04/06/01	70233-1 WSSC	Petitioner's ex parte motion for appointment of mental health experts and for filing motion under seal
04/10/01	70233-1 WSSC	Petitioner's ex parte motion for appointment of an investigator
04/16/01	70233-1 WSSC	Petitioner's ex parte motion for appointment of an investigator
04/24/01	70233-1 WSSC	Petitioner's ex parte motion for appointment of attorney expert on standards practice
05/03/01	70233-1 WSSC	Petitioner's ex parte motion for appointment of mental health experts
06/04/01	70233-1 WSSC	Notation Order on Motions (motions granted)
06/29/01	70233-1 WSSC	Petitioner's Personal Restraint Petition and Brief in Support

DATE	CAUSE	ACTION
07/17/01	70233-1 WSSC	Order (the motion to transport is granted with the following conditions: no one other than the Department of Corrections personnel, relevant medical personnel, and counsel for Mr. Elmore shall be notified of the date, time or place of the testing or be present during testing. Counsel shall give notice to the Department of Corrections at least 24 hours prior to the medical procedures if counsel elects to be present. The Department of Corrections shall have the ultimate authority over the arrangements for transporting Mr. Elmore)
07/23/01	70233-1 WSSC	Declaration from Petitioner (acknowledging receipt of the personal restraint petition and his consent to the petition being filed on his behalf)
10/19/01	70233-1 WSSC	Motion for Discovery Pursuant to RAP 16.26; Motion for Order Directing Counsel to Comply with RAP 18.7 and APR 13(a); Motion to Direct Counsel to File Oath in Compliance with RAP 16.7(a)(5); and Motion for Order Directing Counsel to Verify Petition filed by Court Appointed Counsel
11/13/01	70233-1 WSSC	Petitioner's Response to State's Procedural Motions and Motion for Discovery
11/14/01	70233-1 WSSC	Petitioner's Ex Parte Motion for Additional Funds for Court Reporter [filed under seal]
11/20/01	70233-1 WSSC	Response to Personal Restraint Petition and Brief
12/31/01	70233-1 WSSC	Petitioner's Reply in Support of Personal Restraint Petition [Tab D of the brief is a sealed document]
01/02/02	70233-1 WSSC	Petitioner's Motion for Subpoena Duces Tecum for Medical Records
01/10/02	70233-1 WSSC	Order (Petitioner's motion for subpoena duces tecum for medical records of Juror #12 is denied without prejudice)
01/10/02	70233-1 WSSC	Order (Respondent's motion for order directing Petitioner to personally verify petition filed by court appointed attorney, motion for order directing counsel to file oath in compliance with RAP 16.27(a)(5) and motion for order directing counsel to comply with RAP 18.7 and APR 13(a) are denied. The motion for discovery is denied without prejudice.)
04/01/02	70233-1 WSSC	Petitioner's Statement of Additional Authorities; Petitioner's Ex Parte Motion for Additional Compensation for Expert Services (Sealed); Petitioner's Motion for Oral Argument
06/10/02	70233-1 WSSC	Order (Petitioner's motion for oral argument is denied)
09/27/02	70233-1 WSSC	Order (trial court is directed to hold a reference hearing on the issue of whether counsel's failure to consult and call mental health experts in the penalty phase was deficient performance. The court is directed to take evidence on whether counsel's representation in this regard fell below an objective standard of reasonableness based on consideration of all circumstances, including whether any legitimate strategic or tactical reasons supported the decision not to consult and call such experts. The trial court at the conclusion is to enter findings of fact on the issue referred and expedite the process)
03/14/03	70233-1 WSSC	Petitioner's Motion to Expand Scope of Reference Hearing
04/03/03	70233-1 WSSC	Order (Petitioner's motion to expand scope of reference hearing is denied)

DATE	CAUSE	ACTION
06/05/03	70233-1 WSSC	Order (Petitioner has not established facts that give rise to a substantial reason to believe that the renewed motion for appointment of attorney expert and renewed motion for funds to hire an investigator will produce information that would support relief under RAP 16.4(c). The order for the reference hearing does not require the trial court to make a legal conclusion regarding the adequacy of trial counsel's performance. The trial court is directed to find the facts regarding the performance of trial counsel, leaving for this court the determination whether trial counsel's performance was legally adequate. Therefore, no funds are authorized for attorney experts or an investigator. The request to file this order under seal is denied)
01/27/05	70233-1 WSSC	Trial Court Findings of Fact
04/12/05	70233-1 WSSC	Supplemental Brief of Petitioner
05/11/05	70233-1 WSSC	Respondent's Supplemental Brief
06/02/05	70233-1 WSSC	Report of Proceedings (4 volumes for the dates of 6/7/04, 6/8/04, 6/9/04 and 6/10/04)
06/17/05	70233-1 WSSC	Petitioner's Additional Authorities
06/20/05	70233-1 WSSC	Petitioner's Additional Authorities
06/29/05	70233-1 WSSC	Clerk's Papers (related to Reference Hearing)
07/06/06	70233-1 WSSC	Petitioner's Additional Authorities

NAME: GENTRY, Jonathan Lee
D.O.B.: August 7, 1956
Race: Black

DATE OF CRIME: June 13, 1988

PLACE OF CRIME: Kitsap County

BRIEF FACTS: Jonathan Gentry was convicted of the aggravated first degree murder of Cassie Holden. The aggravating circumstance was that the murder was committed to protect or conceal the identity of the person committing the crime. *State v. Gentry*, Kitsap County Superior Court Cause No. 88-1-00395-3.

DATE OF CONVICTION: June 26, 1991

SPECIAL SENTENCING: July 2, 1991

JUDGMENT AND SENTENCE: Kitsap County Superior Court
Cause No. 88-1-00395-3
July 22, 1991

TRIAL JUDGE: Honorable Terence Hanley

DEFENSE ATTYS: Frederick D. Leatherman, Jr.
Jeffery P. Robinson (trial)

PROSECUTING ATTYS: Russell Hauge, Prosecuting Attorney
C. Danny Clem (former Prosecuting Attorney)
Irene K. Asai, Deputy Prosecuting Attorney
Brian T. Moran, Deputy Prosecuting Attorney

APPELLANT'S ATTYS: (Direct Appeal, Washington Supreme Court #58415-0)

Michael P. Iaria	Frederick D. Leatherman, Jr.
Seattle, WA	Seattle, WA

PETITIONER'S ATTYS: (Personal Restraint Petition, Washington Supreme Court #62677-4; Federal Habeas Corpus, USDC WDC #C99-0289L)

SCOTT ENGELHARD	MEREDITH M. ROUNTREE
320 MAYNARD BUILDING	510 SOUTH CONGRESS AVENUE
119 FIRST AVENUE SOUTH	SUITE 308
SEATTLE, WA 98104	AUSTIN, TX 78704
(206) 749-0117	(512) 320-0334

BRIAN TSUCHIDA (Federal Habeas)
FEDERAL PUBLIC DEFENDER
1111 THIRD AVENUE, SUITE 1100
SEATTLE, WA 98101
(206) 553-1100

RESPONDENT'S ATTYS: (Personal Restraint Petition, Washington Supreme Court #62677-4)
Russell Hauge, Prosecuting Attorney
Randy Sutton, Deputy

Pamela B. Loginsky, Special Deputy
Washington Association Of Prosecuting Attorneys

RESPONDENT'S ATTYS: (Federal Habeas Corpus, USDC WDC #C99-0289L)
ROB MCKENNA, ATTORNEY GENERAL
PAUL D. WEISSER. SENIOR COUNSEL
GREGORY J. ROSEN, ASSISTANT ATTORNEY GENERAL
CRIMINAL JUSTICE DIVISION
P.O. BOX 40116
OLYMPIA, WA 98504-0116
(360) 586-1445

AMICI ATTYS: (Personal Restraint Petition, Washington Supreme Court #62677-4)
Washington Association of Criminal Defense Lawyers
Nancy Lynn Talner

(Direct Appeal, Washington Supreme Court #58415-0)

Washington Attorney General's Office
Leslie Johnson, AAG

Washington Chapter of Murder Victims' Families
Jeffrey Ellis

Parents of Murdered Children Inc. &
West Cascade Chapter of Parents of Murdered Children, Inc.
Mark Panitch

Families and Friends of Violent Crime Victims & Friends of Diane
Seth Fine

American Civil Liberties Union of Washington Foundation
Gregory Wrenn

Loren Miller Bar Association
Lawrance Edwards

DATE	CAUSE	ACTION
08/08/91	58415-0 WSSC	*State v. Gentry*; Notice of Appeal
11/09/93	58415-0 WSSC	Oral argument held
01/06/95	58415-0 WSSC	Opinion (affirming conviction and sentence of death). Majority opinion authored by Justice Andersen. Justices Utter, Johnson and Madsen dissented. *State v. Gentry*, 125 Wn.2d 570, 888 P.2d 1105 (1995)
10/02/95	94-9582 USSC	Petition for Writ of Certiorari denied. *Gentry v. Washington*, 516 U.S. 843, 116 S.Ct. 131, 133 L.Ed.2d 79 (1995)
10/05/95	58415-0 WSSC	Mandate issued
11/02/95	88-1-00395-3	Death Warrant (setting execution for December 5, 1995)
11/14/95	58415-0 WSSC	Order staying execution date of December 5, 1995 pending certificate of finality or further order of the court

DATE	CAUSE	ACTION
12/15/95	62677-4 WSSC	Order appointing counsel
06/21/96	62677-4 WSSC	Order (Petitioner's motion for authorization of expenses necessary to conduct investigation relevant to personal restraint petition and response to Petitioner's motion will be considered by the Court at the same time as the personal restraint petition)
07/01/96	62677-4 WSSC	First Amended Personal Restraint Petition
08/07/96	62677-4 WSSC	Order (Petitioner's motion for issuance of subpoena duces tecum and the State's response will be considered by the Court at the same time as the personal restraint petition)
10/30/96	62677-4 WSSC	Response to Personal Restraint Petition and Authorities; State's Appendices
01/14/97	62677-4 WSSC	Reply in Support of First Amended Personal Restraint Petition
10/20/97	62677-4 WSSC	Order (motion to amend the petition is granted; motion to supplement the record is granted; motions for discovery and for appointment of an investigator are denied; motion to defer consideration of the petition pending additional discovery and investigation is denied. The case is transferred to the superior court under RAP 16.11(b) for a reference hearing solely on Mr. Gentry's claim that one or more of the jurors spoke to the victim's family and a deputy sheriff during trial. The trial court shall enter findings of fact on the following questions only (1) did the claimed contact occur? and (2) if so, under what circumstances did the contact occur? The trial court shall transmit those findings to this court not later than January 30, 1998)
01/06-9/98	88-1-00395-3	Reference Hearing held with Petitioner present
01/26/98	88-1-00395-3	Findings of Fact and Conclusions of Law re: Reference Hearing
02/18/99	62677-4 WSSC	Opinion denying personal restraint petition. Justice Talmadge authored the opinion for the Court. Justice Sanders, joined by Justice Johnson, dissented in part. *In re Gentry*, 137 Wn.2d 378, 972 P.2d 1250 (1999)
03/01/99	C99-0289 WDC	Application for Appointment of Counsel
03/08/99	C99-0289 WDC	Order Appointing Counsel (Scott J. Engelhard and Meredith Martin Rountree)
03/09/99	62677-4 WSSC	Petitioner's Motion for Reconsideration
06/30/99	62677-4 WSSC	Order (Petitioner's motion for reconsideration is denied); Order Changing Opinion; Order (Respondent's motion, to dissolve the stay of execution upon issuance of the certificate of finality, is granted)
07/19/99	C99-0289 WDC	Order (staying execution of Jonathan Lee Gentry)
07/21/99	62677-4 WSSC	Certificate of Finality
07/26/99	62677-4 WSSC	Order (the State of Washington is awarded costs in the total amount of $178,869.57 to be paid by the Petitioner, Jonathan Lee Gentry)
10/22/99	C99-0289 WDC	Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254
01/24/00	C99-0289L WDC	Respondent's Answer and Memorandum of Authorities
01/24/00	C99-0289L WDC	First Amended Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. §2254

DATE	CAUSE	ACTION
02/11/00	C99-0289 WDC	Respondent's Amended Answer and Memorandum of Authorities
04/07/00	C99-0289 WDC	Petitioner's Brief on Exhaustion of Claims
05/08/00	C99-0289 WDC	Respondent's Reply to Petitioner's Brief on Exhaustion
06/02/00	C99-0289 WDC	Order (denying motion to prohibit Assistant Attorney General Brian Moran from participating in the litigation of this case); Order (granting in part and denying in part Petitioner's motion for leave to conduct discovery)
07/07/00	C99-0289 WDC	State of Washington's (Kitsap County) Motion for Protective Order; Memorandum in Support of Motion for Protective Order
07/24/00	C99-0289 WDC	Petitioner's Response to Kitsap County Prosecuting Attorney's Motion for Protective Order
09/07/00	C99-0289 WDC	Motion for Order Directing Release of Nonconviction Data
05/10/01	C99-0289 WDC	Order Directing Release of Nonconviction Data
07/12/01	C99-0289 WDC	Order Regarding Exhaustion of Claims (the following claims presented were in fact exhausted in the Washington courts and may be considered here: (1) the Brady/Napue claim regarding Brian Dyste; (2) the victim impact statement claims; (3) the claim regarding the admission of petitioner's previous conviction; and (4) the juror exclusion claim. The following claims were unexhausted and cannot be considered here: (1) the Brady/Napue claims regarding Leonard Smith, Timothy Hicks, and detective misconduct; and (2) the ineffective assistance of counsel claims.)
07/13/01	C99-0289 WDC	Respondent's Motion to Conduct Discovery
07/20/01	C99-0289 WDC	Motion for Clarification of Exhaustion Order and Memorandum in Support
07/23/01	C99-0289 WDC	Response to State's Motion to Conduct Discovery
08/08/01	C99-0289 WDC	Respondent's Response to Motion for Clarification of Exhaustion Order
08/16/01	C99-0289 WDC	Petitioner's Reply in Support of Motion for Clarification of Exhaustion Order
08/30/01	C99-0289 WDC	Order for Clarification of Exhaustion Order; Order Deferring Motion to Conduct Discovery
01/28/02	C99-0289 WDC	Response to this Court's Order Regarding Exhaustion of Claims
02/11/02	C99-0289 WDC	Respondent's Reply to Petitioner's Response to This Court's Order Regarding Exhaustion of Claims
04/12/02	C99-0289 WDC	Motion for Reconsideration of Order Regarding Exhaustion of Claims
04/23/02	C99-0289 WDC	Response to Motion for Reconsideration of Order Regarding Exhaustion of Claims
04/30/02	C99-0289 WDC	Reply Memorandum in Support of Motion for Reconsideration
03/25/03	C99-0289 WDC	Order Denying Motion for Reconsideration and Regarding Related Matters
04/23/03	C99-0289 WDC	Memorandum Regarding Procedural Default
05/21/03	C99-0289 WDC	Response Memorandum Regarding Procedural Default

DATE	CAUSE	ACTION
06/06/03	C99-0289 WDC	Reply to Respondent's Memorandum Regarding Procedural Default
07/02/03	C99-0289 WDC	Order Regarding Procedural Default (the claims identified as unexhausted in the Court's Order of Clarification [08/30/01] are now procedurally barred; directing the parties to file memoranda regarding cause and prejudice)
09/26/03	C99-0289 WDC	Opening Brief Regarding Cause and Prejudice (Oral Argument Requested)
10/24/03	C99-0289 WDC	Respondent's Response to Opening Brief Regarding Cause and Prejudice
11/07/03	C99-0289 WDC	Brief in Reply Regarding Cause and Prejudice and Motion to Strike Declaration Attached to Respondent's Brief
11/21/03	C99-0289 WDC	Respondent's Reply to Petitioner's Motion to Strike
11/25/03	C99-0289 WDC	Reply Memorandum Regarding Motion to Strike Declaration Attached to Respondent's Brief
03/08/04	C99-0289 WDC	Oral argument held re: cause and prejudice; Court directs the filing of supplemental briefs not to exceed two pages re: applicability of *Banks v. Dretke* by March 15, 2004
03/15/04	C99-0289 WDC	Petitioner's Brief Regarding *Banks v. Dretke*
03/15/04	C99-0289 WDC	Respondent's Supplemental Brief re: Applicability of *Banks v. Dretke* to the Cause and Prejudice Issue in this Case
03/26/04	C99-0289 WDC	Order Regarding Cause and Prejudice (reconsidering *sua sponte*, and reversing, the Court's prior decision that the *Brady/Napue* claims concerning Timothy Hicks and Detectives Wright and Wagner are unexhausted and procedurally defaulted; reserving ruling as to whether Gentry has shown cause for his default regarding the Leonard Smith claims pending an evidentiary hearing; concluding that Gentry has failed to show cause to excuse his default of the penalty phase ineffective assistance claim; denying Gentry's motion to strike)
06/14/04	C99-0289 WDC	Petitioner's Memorandum Regarding an Evidentiary Hearing, Discovery and Proposed Timeline
06/14/04	C99-0289 WDC	Respondent's Memorandum Regarding Evidentiary Hearing, Discovery and Timelines
06/28/04	C99-0289 WDC	Respondent's Reply Brief Regarding Evidentiary Hearing, Discovery and Timelines
06/28/04	C99-0289 WDC	Petitioner's Reply Memorandum Regarding an Evidentiary Hearing, Discovery and Proposed Timeline
09/27/04	C99-0289 WDC	Oral Argument (as to scope of discovery, evidentiary hearing and proposed timeline)
08/03/05	C99-0289 WDC	Order Regarding Discovery and Evidentiary Hearing (granting Petitioner's request to conduct depositions of Brian Moran, Timothy Hicks, Brian Dyste, Detective Wright, Detective Wagner, and CCO Karen Adams; denying Respondent's request for depositions; scheduling evidentiary hearing on Petitioner's *Brady/Napue* claims)
12/15/05	C99-0289 WDC	Petitioner's Motion for Permission to Conduct Additional Discovery
12/20/05	C99-0289 WDC	Motion for Extension of Time
12/27/05	C99-0289 WDC	Order on Motion for Extension of Time to Respond to Motion for Additional Discovery

DATE	CAUSE	ACTION
12/30/05	C99-0289 WDC	Petitioner's Motion for Order Compelling Irene Asai to Answer Interrogatories and Declaration in Support
01/03/06	C99-0289 WDC	Respondent's Response to Petitioner's Motion for Permission to Conduct Additional Discovery
01/05/06	C99-0289 WDC	Petitioner's Motion for Summary Judgment
01/18/06	C99-0289 WDC	Petitioner's Motion to Depose Irene Asai for Failing to Answer Interrogatories or Show Cause Why She Should Not Be Held In Contempt and Memo in Support
01/23/06	C99-0289 WDC	Response in Opposition to Motion for Summary Judgment
01/24/06	C99-0289 WDC	Order on Motion to Depose Irene Asai; Order on Reconsideration of Order on Scheduling
01/26/06	C99-0289 WDC	Motion for Order Commanding Petitioner's Presence at March 6, 2006 Evidentiary Hearing; Application for Writ of Habeas Corpus Ad Testificandum [re: Brian Dyste]
01/27/06	C99-0289 WDC	Reply in Support of Motion for Summary Judgment
01/30/06	C99-0289 WDC	Memorandum in Support of Evidentiary Hearing on Denial of Effective Assistance of Counsel Claim Due to Failure to Investigate
02/06/06	C99-0289 WDC	Response in Opposition to Motion for Order Commanding Petitioner's Presence at March 6, 2006 Evidentiary Hearing
02/10/06	C99-0289 WDC	Reply Memorandum in Support of Motion for Order Commanding Petitioner's Presence at March 6, 2006 Evidentiary Hearing
02/14/06	C99-0289 WDC	Writ of Habeas Corpus Ad Testificandum
02/21/06	C99-0289 WDC	Respondent's Memorandum in Opposition to Evidentiary Hearing on Denial of Effective Assistance of Counsel Claims
02/24/06	C99-0289 WDC	Respondent's Motion to Quash Portions of Subpoenas
02/28/06	C99-0289 WDC	Petitioner's Reply in Support of Hearing on Ineffective Assistance of Counsel Claims
03/03/06	C99-0289 WDC	Pre-Hearing Brief of Petitioner
03/03/06	C99-0289 WDC	Pre-Hearing Memorandum of Respondent
03/6-9/06	C99-0289 WDC	Evidentiary Hearing held
03/15/06	C99-0289 WDC	Minute Order (the Court has conducted an in camera review of witness Jan Mahan's taped interview and written notes from her subsequent telephone conversation with Brian Dyste. The Court concludes that the *Gentry* case is never mentioned or referenced in these materials and that they have no bearing on this proceeding).
03/28/06	C99-0289 WDC	Petitioner's Report of Kay Sweeney in Support of Claim that Counsel was Ineffective for Failing to Investigate Crime Scene Evidence
04/06/06	C99-0289 WDC	Transcript of Proceedings (March 6, 7, 8 & 9, 2006, Evidentiary Hearing)
05/22/06	C99-0289 WDC	Petitioner's Post-Evidentiary Hearing Brief

DATE	CAUSE	ACTION
05/22/06	C99-0289 WDC	Petitioner's Motion for Discovery Deposition of Leonard Smith; Petitioner's Motion to Admit Supplemental Exhibits
06/05/06	C99-0289 WDC	Response to Motion to Depose Leonard Smith; Response to Motion to Supplement Evidentiary Hearing Exhibits
06/08/06	C99-0289 WDC	Petitioner's Reply to Response Motion for Discovery Deposition of Leonard Smith; Petitioner's Reply to Response to Motion to Admit Supplemental Exhibits
06/20/06	C99-0289 WDC	Respondent's Motion for Extension of Time to File Post Hearing Brief
06/21/06	C99-0289 WDC	Petitioner's Response to Respondent's Motion for Extension of Time
06/29/06	C99-0289 WDC	Respondent's Post Hearing Brief
07/10/06	C99-0289 WDC	Minute Order (granting Respondent's motion for extension of time, setting July 25, 2006 as due date for Petitioner's reply brief)
07/17/06	C99-0289 WDC	Reply in Support of Petitioner's Post-Evidentiary Hearing Brief
08/28/06	**C99-0289 WDC**	**Order on Motion for Summary Judgment (denying Petitioner's motion for summary judgment re: claim A (dismissal of juror for cause))**

NAME: GREGORY, Allen Eugene
D.O.B.: June 9, 1972
Race: Black

DATE OF CRIME: July 27, 1996

PLACE OF CRIME: Pierce County

BRIEF FACTS: Allen Eugene Gregory was convicted of one count of aggravated first degree murder for the stabbing death of his neighbor, Geneine Harshfield. The aggravating circumstances were that the murder was committed: (1) in the course of or furtherance of Robbery in the First Degree, and (2) in the course of or furtherance of Rape in the First or Second Degree. *State v. Gregory*, Pierce County Cause No. 98-1-04967-9.

DATE OF CONVICTION: March 22, 2001

SPECIAL SENTENCING: April 12, 2001

JUDGMENT AND SENTENCE: Pierce County Superior Court
Cause No. 98-1-04967-9

TRIAL JUDGE: Honorable Rosanne Buckner

DEFENSE ATTYS:

Michael E. Schwartz
Tacoma, WA

Philip Thornton
Tacoma, WA

PROSECUTING ATTYS: Gerald Horne, Prosecuting Attorney
John Neeb, Deputy Prosecuting Attorney
Mary Robnett, Deputy Prosecuting Attorney
Pierce County Prosecutor's Office
County-City Building
930 Tacoma Avenue South, Room 946
Tacoma, WA 98402-2102
(253) 798-7400

APPELLANT'S ATTYS:

SUZANNE LEE ELLIOTT
ATTORNEY AT LAW
1300 HOGE BUILDING
705 SECOND AVENUE
SEATTLE, WA 98104-1741
(206) 623-0291

DAVID ZUCKERMAN
ATTORNEY AT LAW
1300 HOGE BUILDING
705 SECOND AVENUE
SEATTLE, WA 98104-1741
(206) 623-1595

RESPONDENT'S ATTYS: GERALD HORNE, PROSECUTING ATTORNEY
JOHN MARTIN NEEB, DEPUTY

DATE	CAUSE	ACTION
06/06/01	71155-1 WSSC	Notice of Judgment and Sentence
06/06/01	71155-1 WSSC	Petitioner's Notice of Appeal
06/06/01	71155-1 WSSC	Respondent's Notice of Appeal
06/25/01	71155-1 WSSC	Order (Suzanne Elliott and David Zuckerman are appointed to represent Allen Eugene Gregory)

DATE	CAUSE	ACTION
09/25/01	71155-1 WSSC	Motion to Transfer Pursuant to RAP 14.4 and Consolidate with Supreme Court No. 71155-1
10/08/01	71155-1 WSSC	Order (Appellant's motion is granted. Court of Appeals Case No. 26669-5-II should be transferred to this Court and consolidated under Supreme Court Case Number 71155-1)
11/26/01	71155-1 WSSC	Motion for Discretionary Review (re: DNA blood draw issue)
12/24/01	71155-1 WSSC	State's Response to Motion for Discretionary Review
01/10/02	71155-1 WSSC	Order (Appellant's motion for discretionary review is denied)
06/06/02	71155-1 WSSC	Order (Appellant's motion to unseal portions of September 9, 1999 transcript is granted. The transcript for September 9, 1999 is unsealed)
11/26/02	71155-1 WSSC	Order (Appellant's motion for completion of trial record is granted in part. The parties should submit an agreed narrative report of proceedings for the hearing date of March 20, 2001, where the Clerk's notes indicate that the jury was permitted to view in open court a videotape exhibit. The report is due by December 13, 2002. All other requests to supplement the record are denied for failure to provide any evidence that the matters where the defendant's presence is not indicated were anything but ministerial)
12/13/02	71155-1 WSSC	Summary of March 20, 2001 Proceedings
04/11/03	71155-1 WSSC	Appellant's Brief
10/17/03	71155-1 WSSC	Statement in Compliance with RCW 10.95.150
03/23/04	71155-1 WSSC	Respondent's Brief; Motion for Dismissal (Motion to Dismiss Cross Appeal Under RAP 18.9)
03/26/04	711551-1 WSSC	Order (Respondent's cross appeal dismissed)
05/25/04	71155-1 WSSC	Motion for Leave to Supplement Opening Brief with Additional Claim
06/03/04	71155-1 WSSC	Appellant's Reply Brief
06/03/04	71155-1 WSSC	State's Response to Motion to Supplement Opening Brief with Additional Claim
06/07/04	71155-1 WSSC	Reply to State's Response to Motion for Leave to Supplement Opening Brief with Additional Claim and for Modification of Briefing Schedule
06/10/04	71155-1 WSSC	Appellant's Supplemental brief
07/06/04	71155-1 WSSC	Appellant's Reply brief
08/16/04	71155-1 WSSC	Respondent's Supplemental Brief
09/17/04	71155-1 WSSC	Appellant's Supplemental Reply Brief
03/22/05	71155-1 WSSC	Oral argument held
03/29/05	71155-1 WSSC	Order (the superior court is directed to conduct an in camera review of the dependency files of Robin Sehmel's children in dependency proceedings that were pending at the time of *State v. Gregory*. The court shall enter findings as to whether the dependency files

DATE	CAUSE	ACTION
		contained evidence or information relevant to *State v. Gregory*. The court shall transmit its findings and the complete record of its review by not later than June 27, 2005).
06/07/05	71155-1 WSSC	Report of Proceedings (1 volume for hearing date of 5/18/05)
06/27/05	71155-1 WSSC	Report of Proceedings (1 volume for 5/23/05)
06/29/05	71155-1 WSSC	Clerk's Papers (pages 597-932; 2 volumes including superior court's findings of fact)
06/30/05	71155-1 WSSC	Statement of Arrangements
07/11/05	71155-1 WSSC	Report of Proceedings (for hearing date of 6/15/05)
07/18/05	71155-1 WSSC	Appellant's Motion to Unseal Trial Court Findings and Supporting Exhibits
07/27/05	71155-1 WSSC	Respondent's Response to Motion to Unseal Trial Court Findings and Supporting Exhibits
08/10/05	71155-1 WSSC	Appellant's Reply re: Motion to Unseal Trial Court Findings and Supporting Exhibits
08/16/05	71155-1 WSSC	Order (granting sealed pages 248-49, 299-300 and 377, of dependency files unsealed subject to limitations)

NAME: STENSON, Darold Ray aka Darold R. J. Stenson
D.O.B. November 24, 1952
Race: White

DATE OF CRIME: March 25, 1993

PLACE OF CRIME: Clallam County

BRIEF FACTS: Darold Stenson was convicted of two counts of aggravated first degree murder for the shooting deaths of his wife, Denise Ann Stenson, and his business partner, Frank Clement Hoerner. The aggravating circumstances were (1) the murders were part of a common scheme or plan, and (2) the murders were committed to protect or conceal the identity of the perpetrator of a crime. *State v. Stenson*, Clallam County Superior Court Cause No. 93-1-00039-1.

DATE OF CONVICTION: August 11, 1994

SPECIAL SENTENCING: August 18, 1994

JUDGMENT AND SENTENCE: Clallam County Superior Court
Cause No. 93-1-00039-1
August 19, 1994

TRIAL JUDGE: Honorable Kenneth D. Williams

DEFENSE ATTYS:

Frederick D. Leatherman, Jr.
Seattle, WA

Dave Neupert
Port Angeles, WA

PROSECUTING ATTYS: Deborah Snyder Kelly, Prosecuting Attorney
David H. Bruneau, trial counsel and former Prosecuting Attorney
Stephen Traylor, Deputy Prosecuting Attorney
Clallam County Prosecutor's Office
Clallam County Courthouse
223 East Fourth Street
Port Angeles, WA 98362-3098
(360) 417-2301

APPELLANT'S ATTYS: (Direct Appeal, Washington Supreme Court #61965-4)
James E. Lobsenz
Seattle, WA

PETITIONER'S ATTYS: (Personal Restraint Petition, Washington Supreme Court #66565-6)

Judith Mandel (1/29/01)
Port Orchard, WA

Ronald D. Ness (1/29/01)
Port Orchard, WA

(Habeas Corpus Petition, USDC WDC Cause #C01-252P)

SHERYL GORDON MCCLOUD
ATTORNEY AT LAW
1301 FIFTH AVENUE
SUITE 3401
SEATTLE, WA 98101-2630
(206) 224-8777

ROBERT H. GOMBINER
FEDERAL PUBLIC DEFENDERS OFFICE
1551 BROADWAY STREET
SUITE 501
TACOMA, WA 98402
(253) 593-6710

PETITIONER'S ATTYS (cont.): (Personal Restraint Petition, WSSC 72009-6)

SHERYL GORDON MCCLOUD

NANCY LYNN TALNER
PMB 200
6016 NE BOTHELL WAY
KENMORE, WA 98028-9403
(425) 489-0569

RESPONDENT'S ATTYS: (Personal Restraint Petition #1 WSSC #66565-6)
(Personal Restraint Petition #2 WSSC #72009-6)
DEBORAH SNYDER KELLY, PROSECUTING ATTORNEY
CHRISTOPHER O. SHEA, former PROSECUTING ATTORNEY
LAUREN ERICKSON, DEPUTY

(Habeas Corpus Petition, WDC Cause No. C01-252P)
(Federal Habeas Corpus, USDC EDC #CT98-5028-JLQ)
ROB MCKENNA, ATTORNEY GENERAL
JOHN J. SAMSON, ASSISTANT ATTORNEY GENERAL
DONNA H. MULLEN, ASSISTANT ATTORNEY GENERAL
CRIMINAL JUSTICE DIVISION
P.O. BOX 40116
OLYMPIA, WA 98504-0116
(360) 586-1445

DATE	CAUSE	ACTION
08/22/94	61965-4 WSSC	Notice of Appeal
12/10/96	61965-4 WSSC	Oral argument held
07/24/97	61965-4 WSSC	Opinion affirming conviction and death sentence. Justice Guy authored the opinion for the Court. Justice Sanders filed a dissenting opinion. *State v. Stenson*, 132 Wn.2d 668, 940 P.2d 1239 (1997)
03/09/98	97-7347 WSSC	Petition for Writ of Certiorari denied. *Stenson v. Washington*, 523 U.S. 1008, 118 S.Ct. 1193, 140 L. Ed. 2d 323 (1998)
03/16/98	61965-4 WSSC	Mandate issued
04/03/98	61965-4 WSSC	Death Warrant (setting execution for May 20, 1998)
04/07/98	66565-6 WSSC	Application for Stay of Execution Pursuant to RAP 16.24
04/08/98	66565-6 WSSC	Order (the application for stay of execution pursuant to RAP 16.24 is granted and further proceedings in trial court are stayed until further order of this Court)
10/28/98	66565-5 WSSC	Order (Ronald Ness and Judith Mandel are appointed as counsel)
04/26/99	66565-6 WSSC	Personal Restraint Petition with legal argument and authorities

DATE	CAUSE	ACTION
07/06/99	66565-6 WSSC	Order (the motion to require Defendant to personally verify the personal restraint petition filed by his Court appointed counsel is granted. The State's motion for discovery is granted)
12/17/99	66565-6 WSSC	Response to Personal Restraint Petition; Depositions of Darold Stenson, David Neupert, and Fred Leatherman
02/03/00	66565-6 WSSC	Petitioner's Reply Brief
01/04/01	66565-6 WSSC	Opinion denying personal restraint petition. Chief Justice Guy authored the opinion. Justice Sanders dissented. *In re Stenson*, 142 Wn.2d 710, 16 P.3d 1 (2001)
01/29/01	66565-6 WSSC	Certificate of Finality; Order Dissolving Stay of Execution
02/20/01	01-096M WDC	Motion for Stay of Execution
02/20/01	01-096M WDC	Response to Petitioner's Application for Stay
02/21/01	01-096M WDC	Order Appointing Public Defender (Robert H. Gombiner of Federal Public Defender's Office)
03/06/01	C01-252 WDC	Order Granting Motion for Stay of Execution
05/01/01	C01-252 WDC	Order (on Respondent's motion regarding 28 U.S.C § 2261)
12/28/01	72009-6 WSSC	Personal Restraint Petition [Second]; Opening Brief in Support of Personal Restraint Petition
01/02/02	C01-252 WDC	Petition for Writ of Habeas Corpus; Memorandum in Support of Petition for Writ of Habeas Corpus; Declaration of John A. Strait
01/11/02	72009-6 WSSC	Personal Restraint Petition Verification
03/04/02	C01-252 WDC	Respondent's Answer, Memorandum of Authorities and Motion to Strike
03/14/02	72009-6 WSSC	Motion of the American Civil Liberties Union of Washington for Leave to File Amicus Brief and Motion of ACLU-WA to File an Overlength Brief
04/04/02	72009-6 WSSC	Response to Personal Restraint Petition; Motion to Strike Petitioner's Personal Restraint Petition
04/30/02	C01-252 WDC	Petitioner's Memorandum Regarding Procedural Defenses Only
05/01/02	72009-6 WSSC	Petitioner's Opposition to Motion to Strike Personal Restraint Petition; Motion for Oral Argument
05/06/02	C01-252 WDC	Motion to Expand the Record; Opposition to State's Motion to Strike
05/15/02	C01-252 WDC	Response to Motion to Expand the Record and Reply to Opposition to State's Motion to Strike
06/25/02	C01-252 WDC	Reply to Petitioner's Memorandum Regarding Procedural Defenses

DATE	CAUSE	ACTION
09/11/02	C01-252 WDC	Order Staying Petition (the petition for writ of habeas corpus is stayed until further order of the Court. Counsel shall notify the court within 24 hours of any order issued by the Washington State Supreme Court which addresses Petitioner's personal restraint petition)
09/26/02	C01-252 WDC	Minute Order (for purposes of docket management, in accordance with the court's order temporarily staying this matter, Petitioner's motion to expand the record is stricken. On expiration of the stay, the court will re-note the motion for reconsideration)
09/11/03	72009-6 WSSC	Opinion granting State's motion to strike Petitioner's Second Personal Restraint Petition. Chief Justice Alexander authored the opinion for the Court, holding that the petition is a mixed petition, containing both claims that are time-barred under RCW 10.73.090 and also claims that may fall within one of the exceptions to the time bar rule, RCW 10.73.100. The petition is dismissed. *State v. Stenson*, 150 Wn.2d 207, 76 P.3d 241 (2003).
10/06/03	72009-6 WSSC	Certificate of Finality
10/13/03	74593-5 WSSC	Personal Restraint Petition [Third]
10/22/03	72009-6 WSSC	Clerk's Ruling on Costs
10/23/03	C01-252 WDC	Respondent's Motion to Lift Stay, and to Proceed with Habeas Corpus Proceedings
11/18/03	C01-252 WDC	Order Granting Motion to Lift Stay, and to Proceed with Habeas Corpus Proceedings
11/24/03	74593-5 WSSC	Response to Personal Restraint Petition
11/24/03	72009-6 WSSC	Supplemental Judgment
01/26/04	74593-5 WSSC	Motion of American Civil liberties Unions of Washington for Leave to File Amicus Brief and Motion to File Overlength Brief
01/27/04	74593-5 WSSC	Petitioner's Reply Brief
02/02/04	C01-252 WDC	Petitioner's Motion to Take Judicial Notice [re: *State v. Ridgeway* court documents]
02/04/04	74593-5 WSSC	Amicus Curiae Brief
02/11/04	C01-252 WDC	Respondent's Response to Motion to Take Judicial Notice
02/23/04	C01-252 WDC	Petitioner Stenson's Reply re: Motion to Take Judicial Notice
04/27/04	C01-252 WDC	Order Granting Petitioner's Motion to Take Judicial Notice
04/30/04	C01-252 WDC	Petitioner's Reply Brief
05/25/04	C01-252 WDC	Order Directing Parties to File Joint Status Report; Sealed Order Regarding Budget
06/16/04	C01-252 WDC	Parties' Joint Status Report
11/24/04	74593-5 WSSC	Opinion denying third personal restraint petition as an abuse of the writ. Chief Justice Alexander authored the opinion for the Court. Justice Sanders dissented. *In re Stenson*, 153 Wn.2d 137, 102 P.3d 151 (2004).
05/26/05	C01-252 WDC	Petitioner Stenson's Response Regarding Exhaustion or Election of Claims
05/29/05	C01-252 WDC	Reply to Petitioner's Response Regarding Exhaustion or Election of Claims

DATE	CAUSE	ACTION
07/06/05	C01-252 WDC	Oral argument held
07/26/05	C01-252 WDC	Order (denying Petitioner's petition for writ of habeas corpus, granting Respondent's Motion to Strike; denying Petitioner's Motion to Expand the Record, denying Petitioner's Motion re: Evidentiary Hearing; and granting Petitioner's Motion to Take Judicial Notice); Judgment in a Civil Case
08/08/05	C01-252 WDC	Petitioner's Motion for Reconsideration
08/19/05	C01-252 WDC	Response to Motion for Reconsideration
08/22/05	C01-252 WDC	Reply Re: Petitioner's Motion for Reconsideration
09/06/05	C01-252 WDC	Order Denying Petitioner's Motion for Reconsideration
09/14/05	C01-252 WDC	Notice of Civil Appeal
09/15/05	C01-252 WDC	Notice of Civil Appeal (re-file)
09/21/05	C01-252 WDC	Petitioner's Motion for Certificate of Appealability
09/26/05	C01-252 WDC	Response to Petitioner's Motion for a Certificate of Appealability
10/06/05	C01-252 WDC	Order on Petitioner's Motion for Certificate of Appealability
10/13/05	C01-252 WDC	Stipulated Motion for Stay of Execution
10/13/05	C01-252 WDC	Order (Granting Motion for Stay of Execution)
02/06/06	05-99011 9CIR	Appellant/Petitioner's Opening Brief; Appellant's Motion to File Oversized Opening Brief
03/22/06	05-99011 9CIR	Appellee's Motion to Strike Portions of the Excerpts of Record
03/27/06	05-99011 9CIR	Petitioner/Appellant's Opposition to Motion to Strike
03/30/06	05-99011 9CIR	Appellee's Addendum to Motion to Strike Portions of the Excerpts of Record
04/14/06	05-99011 9CIR	Appellee/Respondent's Answering Brief
04/19/06	05-99011 9CIR	Appellee/Respondent's Motion to Strike Pages 21-27, 36-41 and 43 from Petitioner's Excerpts of Record is Granted
05/09/06	05-99011 9CIR	Petitioner/Appellant's Reply Brief
06/06/06	05-99011 9CIR	Appellee/Respondent's Additional Citations
09/14/06	**05-99011 9CIR**	**Oral Argument Scheduled**

DATE	CAUSE	ACTION

NAME: WOODS, Dwayne
D.O.B.: 07-04-69
Race: Black

DATE OF CRIME: April 27, 1996

PLACE OF CRIME: Spokane County

BRIEF FACTS: Dwayne Woods was convicted of two counts of aggravated first degree murder for the murders of Telisha Shaver (Count 1) and Jade Moore (Count 2). As to Count 1, the aggravating circumstances were: (1) the murder was committed to conceal the commission of a crime or to protect or conceal the identity of any person committing a crime; and (2) there was more than one victim and the murders were part of a common scheme or plan of the defendant. As to Count 2, the aggravating circumstances were: (1) [same as #1 above]; and (2) the murder was committed in the course of or in furtherance of the crime of first degree rape; and (3) [same as #2 for Count 1]. *State v. Woods*, Spokane County Superior Court Cause No. 96-1-01143-7.

DATE OF CONVICTION: June 20, 1997

SPECIAL SENTENCING: June 25, 1997

JUDGMENT AND SENTENCE: Spokane County Superior Court
Cause No. 96-1-01143-7
July 23, 1997

TRIAL JUDGE: Honorable Michael E. Donohue

DEFENSE ATTYS: Richard Fasey
James Sheehan
James Ames
Spokane, WA

PROSECUTING ATTYS: Steven Tucker, Prosecuting Attorney
James R. Sweetser, prior counsel and former Prosecuting Attorney
John F. Driscoll, Senior Deputy Prosecutor
Spokane County Prosecutor's Office
Public Safety Building
West 1100 Mallon Avenue
Spokane, WA 99260
(509) 477-3662

APPELLANT'S ATTYS: Lenell Rae Nussbaum, Seattle, WA; Joan M. Fisher, Moscow, ID

PETITIONER'S ATTYS:

LENELL RAE NUSSBAUM
MARKET PLACE TWO
2001 WESTERN AVENUE
SUITE 200
SEATTLE, WA 98121-2163
(206) 728-0996

JOAN M. FISHER
OLIVER W. LOEWY
FEDERAL PUBLIC DEFENDER - ID
317 WEST SIXTH STREET
SUITE 204
MOSCOW, ID 83843
(208) 883-0180

RESPONDENT'S ATTYS: (Personal Restraint Petition #71780-0)
STEVEN TUCKER, PROSECUTING ATTORNEY
KEVIN KORSMO, SENIOR DEPUTY

DATE	CAUSE	ACTION
		(Federal Habeas Corpus, USDC EDC #CV05-00319-LRS) ROB MCKENNA, ATTORNEY GENERAL JOHN J. SAMSON, ASSISTANT ATTORNEY GENERAL CRIMINAL JUSTICE DIVISION P.O. BOX 40116 OLYMPIA, WA 98504-0116 (360) 586-1445
08/04/97	65585-5 WSSC	Notice of Appeal
10/11/99	65585-5 WSSC	Statement of Compliance with RCW 10.95.150
03/22/00	65585-5 WSSC	Oral argument held
05/24/01	65585-5 WSSC	Opinion affirming conviction and death sentence. Chief Justice Alexander authored the opinion for the Court. Justice Sanders dissented. *State v. Woods*, 143 Wn.2d 561, 23 P.3d 1046 (2001)
06/01/01	65585-5 WSSC	Cost Bill ($50,975.71 to AIDF & $535.01 to Spokane County Prosecutor)
08/20/01	01-5921 USSC	Petition for Writ of Certiorari
10/09/01	01-5921 USSC	Petition for Writ of Certiorari denied. *Woods v. Washington*, 534 U.S. 964, 122 S.Ct. 374, 151 L. Ed. 2d 285 (2001)
10/15/01	65585-5 WSSC	Mandate issued
10/26/01	71780-0 WSSC	Letter (from Dwayne Anthony Woods requesting the appointment of Lenell Nussbaum as personal restraint counsel)
11/27/01	96-1-01143-7	Death Warrant (setting execution for December 12, 2001)
11/27/01	71780-0 WSSC	Application for Stay of Execution Pursuant to RAP 16.24
11/27/01	71780-0 WSSC	Notation Order (the application for stay of execution is granted)
01/07/02	71780-0 WSSC	Order (appointing Judith Mandel and Lenell Nussbaum as counsel)
04/12/02	71780-0 WSSC	Ex Parte Motion for Investigative Services and Declaration of Judith Mandel in Support of Motion for Investigative Services
05/02/02	71780-0 WSSC	Letter (copy of letter from Petitioner to Lenell Nussbaum regarding his wishes to waive certain portions of his case)
05/10/02	71780-0 WSSC	Petitioner's Motion for Depositions of Dr. John Anthony Brown, Donald Maclaren and William Morig
05/15/02	71780-0 WSSC	Letter (requesting that Lenell Nussbaum and Judith Mandel be withdrawn from the case and an order entered to proceed *pro se*)
05/28/02	71780-0 WSSC	Answer to Motion for Depositions
05/28/02	71780-0 WSSC	Response of Counsel to Petitioner's Letter Asking to Proceed *Pro Se*

DATE	CAUSE	ACTION
06/03/02	71780-0 WSSC	Letter (the motion for depositions, motion for appointment of mitigation expert and Respondent's motion to compel will be considered at the same time as the personal restraint petition).
06/05/02	71780-0 WSSC	Petitioner's Reply Memorandum in Support of Motion for Depositions
07/02/02	71780-0 WSSC	Order (the matter is referred to the Spokane County Superior Court to hold a hearing and enter findings in answer to the following questions: (1) Is it Woods' desire to pursue a post-conviction relief by means of a personal restraint petition? (2) If the answer is yes, is it Woods' desire to proceed *pro se* in preparing and filing such a petition? (3) If Woods' answer to question two is no, or is a conditional or qualified yes, are his present counsel willing to abide by Woods' instructions regarding issues to be raised in such a petition? The court should make a thorough record and transmit by not later than August 15, 2002, its findings along with a complete record of the hearing)
07/11/02	71780-0 WSSC	Petitioner's Brief
07/15/02	71780-0 WSSC	Reference Hearing Report (with attached transcript of hearing)
07/22/02	71780-0 WSSC	Letter from Dwayne Woods dated July 17, 2002
08/12/02	71780-0 WSSC	Additional Reference Hearing Report
09/30/02	71780-0 WSSC	Respondent's Motion to Clarify Status of Petition and Response
10/14/02	71780-0 WSSC	Order (motion to clarify will not be decided at this time. The State should respond to all issues raised in the Personal Restraint Petition and Supplemental Personal Restraint Petition filed by Petitioner's counsel. At the time the Court considers the Personal Restraint Petition and Supplemental Personal Restraint Petition, it will resolve whether it will address issues other than those verified by the Petitioner.)
04/01/03	71780-0 WSSC	Petitioner's Ex Parte Motion for Appointment of Investigator [filed under seal]
04/02/03	71780-0 WSSC	Petitioner's Motion to Recall Mandate and Reopen Direct Appeal of Judgment and Sentence
04/07/03	71780-0 WSSC	Petitioner's Supplemental Brief in Support of Motion to Recall Mandate; Petitioner's Second Motion for Continuance of Due Date for Amended Petition and for the Supreme Court to Order Office of Public Defense to Authorize Sufficient Funds for Counsel
04/09/03	71780-0 WSSC	Petitioner's Ex Parte Motion for Authorization of Additional Investigative Hours [filed under seal]
04/14/03	71780-0 WSSC	Answer to Motion to Recall Mandate
04/16/03	71780-0 WSSC	Amended Personal Restraint Petition
04/21/03	71780-0 WSSC	Petitioner's Ex Parte Motion for Authorization of Additional Investigative Hours; Declaration of Lenell Nussbaum in Support of Ex Parte Motion for Additional Investigative Hours [filed under seal]
04/25/03	71780-0 WSSC	Petitioner's Reply Re: Motion to Recall Mandate
05/07/03	71780-0 WSSC	Verification of Petitioner on Amended Personal Restraint Petition

DATE	CAUSE	ACTION
05/07/03	71780-0 WSSC	Respondent's Motion to Strike Unverified Claims in Amended Personal Restraint Petition; Motion to Strike Time Barred Claims
05/08/03	71780-0 WSSC	Order (Petitioner's motion to recall mandate and reopen direct appeal of judgment and sentence is denied); Order (Petitioner's second motion for continuance of due date for the Amended Petition and for the Supreme Court to order Office of Public Defense to authorize sufficient funds for counsel is denied)
05/09/03	71780-0 WSSC	Letter (Respondent's motions to strike will be passed to the merits and considered at the same time as the personal restraint petition)
05/23/03	71780-0 WSSC	Response to Personal Restraint Petition and Brief of Respondent; Response to Motion for Evidentiary Hearing
05/30/03	71780-0 WSSC	Petitioner's Response to Motions to Strike Time Barred and Unverified Claims
06/13/03	71780-0 WSSC	Response to Motion to Compel Depositions; Response to Motion to Strike
06/24/03	71780-0 WSSC	Reply Brief in Support of Amended Personal Restraint Petition; Petitioner's Second Motion for Deposition and for Protective Order
06/25/03	71780-0 WSSC	Response to State's Motion to Compel Discovery of DNA Testing
06/27/03	71780-0 WSSC	Letter (the following motions were recently filed and the Court has determined to pass them to the merits to be considered at the same time as the Personal Restraint Petition: Respondent's motion to compel deposition; Respondent's motion to strike hearsay and incompetent evidence; Respondent's motion to strike time barred claims and Petitioner's motion to strike. Respondent should file answers to the Petitioner's motion to strike, second motion for deposition and for protective order and motion for order for production and inspection of documents)
07/16/03	71780-0 WSSC	Answer to Motions for Production and Inspection; Answer to Motion to Strike
07/23/03	71780-0 WSSC	Petitioner's Reply Memorandum in Support of Motion for Production and Inspection of Documents
06/16/05	71780-0 WSSC	Opinion denying personal restraint petition. Chief Justice Alexander authored the opinion for the Court. Justice Sanders dissented. *In re Woods*, 154 Wn.2d 400, 114 P.3d 607 (2005)
06/21/05	71780-0 WSSC	Motion to Extend Time to File Motion for Reconsideration
06/23/05	71780-0 WSSC	Respondent's Cost Bill filed
08/01/05	71780-0 WSSC	Petitioner's Motion for Reconsideration
08/29/05	71780-0 WSSC	Answer to Motion for Reconsideration
09/30/05	71780-0 WSSC	Order (denying motion for reconsideration)
10/03/05	71780-0 WSSC	Certificate of Finality
10/12/05	C05-319 EDC	Emergency Motion for Stay of Execution

DATE	CAUSE	ACTION
10/14/05	C05-319 EDC	Stipulated Emergency Order Staying Execution of Dwayne Anthony Woods; Emergency Order Staying Execution of Dwayne Anthony Woods
11/16/05	C05-319 EDC	Order (Re: Appointment of Additional Counsel and Referring Case to Magistrate for Appointment of Counsel)
12/16/05	C05-319 EDC	Order (Granting application to proceed in forma pauperis and setting status conference)
12/29/05	C05-319 EDC	Notice of Appearance of Oliver W. Loewy
01/04/06	C05-319 EDC	Telephonic Status Conference held
02/03/06	C05-319 EDC	Telephonic Motion Hearing (Petitioner's Motion to Continue Stay of Execution and Due Date granted; new petition filing date is 6/16/06)
04/12/06	C05-319 EDC	Order of Appointment and General Procedures (Attorney Lenell Nussbaum, Judith Mandel and Oliver Loewy's motions to withdraw as appointed counsel are granted; Susanne Elliott (as lead counsel) and David B. Zuckerman (as second lead counsel) are appointed as counsel)
04/13/06	C05-319 EDC	Amended Order (Oliver Loewy did not join the motion to withdraw in response to petitioner's request for reappointment of counsel and that his representation of petitioner is terminated)
04/26/06	C05-319 EDC	Telephonic Status Conference
04/28/06	C05-319 EDC	Case Management Order #1
06/14/06	C05-319 EDC	Telephonic Status Conference Held
07/21/06	C05-319 EDC	Petitioner's Writ of Habeas Corpus
07/28/06	C05-319 EDC	Telephonic Case Management Conference
07/31/06	C05-319 EDC	Order (re: July 28, 2006 case management status conference)
08/14/06	**C05-319 EDC**	**Petitioner's Supplement to Writ Petition Under 28 U.S.C. 2254 for Habeas Corpus**
08/15/06	**C05-319 EDC**	**Petitioner's Motion for Order to Show Cause Why Petitioner Remains in the Intensive Management Unit; Motion to Expedite Time on Motion to Show Cause**
08/16/06	**05-319 EDC**	**Respondent's Response to Motion to Expedite Time on Motion to Show Cause Why Petitioner Remains in the Intensive Management Unit**
08/24/06	**C05-319 EDC**	**Respondent's Response to Motion for Order to Show Cause Why Petitioner Remains in the Intensive Management Unit**

NAME:	YATES, Robert Lee, Jr. D.O.B.: May 27, 1952 Race: White
DATE OF CRIME:	1997 and 1998
PLACE OF CRIME:	Pierce County
BRIEF FACTS:	Robert Lee Yates, Jr. was convicted of two counts of aggravated first degree murder for the murders of Melinda Mercer in 1997 and Connie LaFontaine Ellis in 1998. The aggravating circumstances were: (1) there was more than one victim and the murders were part of a common scheme or plan or the result of a single act of the defendant; (2) the murders were committed to conceal the commission of a crime or to protect or conceal the identity of any person committing a crime; and (3) the murders were committed in the course of, in furtherance of, or in immediate flight from the crime of Robbery in the First Degree. *State v. Yates,* Pierce County Cause No. 00-1-03253-8
DATE OF CONVICTION:	September 19, 2002
SPECIAL SENTENCING:	October 3, 2002
JUDGMENT AND SENTENCE:	Pierce County Superior Court Cause No. 00-1-03253-8 October 9, 2002
TRIAL JUDGE:	Honorable John McCarthy
DEFENSE ATTYS:	Roger Hunko Port Orchard, WA Mary Kay High Tacoma, WA
PROSECUTING ATTYS:	Gerald Horne, Prosecuting Attorney Jerry Costello, Deputy Prosecutor Barbara Corey-Boulet, Deputy Prosecutor County-City Building 930 Tacoma Avenue South Tacoma, WA 98402 (253) 798-7400
APPELLANT'S ATTYS:	GREGORY LINK THOMAS KUMMEROW COBB BUILDING WASHINGTON APPELLATE PROJECT 1305 FOURTH AVENUE SUITE 802 SEATTLE, WA 98101-2402 (206) 587-2711 Roger Hunko (withdrew 11/04/02) Port Orchard, WA
RESPONDENT'S ATTYS:	GERALD HORNE, PROSECUTING ATTORNEY JERRY COSTELLO, DEPUTY PROSECUTOR KATHLEEN PROCTOR, PROSECUTOR

DATE	CAUSE	ACTION
10/17/02	73155-1 WSSC	Notice of Appeal
11/04/02	73155-1 WSSC	Order (Thomas Kummerow and Gregory Link are appointed to represent Appellant)
03/03/03	73155-1 WSSC	Letter (establishing due date for verbatim report of proceedings and provisions for juror questionnaires and clerk's papers. Verbatim report of proceedings due May 5, 2003)
03/24/03	73155-1 WSSC	Second List of Hearings from Pierce County
05/05/03	73155-1 WSSC	Request from the Court Reporter for Extension of Time to Complete VRP
05/08/03	73155-1 WSSC	Order (the request for a six month extension of time for the completion of the transcripts is granted. The final volume of the transcripts should be filed by no later than November 5, 2003. The court reporters should continue to file transcripts during this period as they are completed)
10/10/03	73155-1 WSSC	Motion to Extend to File (request for six month extension of time to complete record due November 5, 2003)
03/30/04	73155-1 WSSC	Notice of Substitution of Counsel (Kathleen Proctor)
01/01/05	73155-1 WSSC	Briefing Schedule (Appellant's brief is due May 5, 2005; Respondent's brief is due 120 days after the filing of Appellant's brief; pro se supplemental brief is due 60 days after filing of Respondent's brief; Appellant's reply brief is due 30 days after filing of Respondent's brief; Respondent's reply to pro se supplemental brief is due 30 days after filing of pro se brief)
03/29/05	73155-1 WSSC	Appellant's Motion to Authorize Counsel to View Trial Exhibits filed
04/13/05	73155-1 WSSC	Respondent's Answer to Motion to Authorize Counsel to View Trial Exhibits
06/30/05	73155-1 WSSC	Appellant's Brief
10/27/05	73155-1 WSSC	Respondent's Motion to Extend Time to File Brief
01/27/06	73155-1 WSSC	Motion to Extend Time to File Brief (granted to March 31, 2006)
03/31/06	73155-1 WSSC	Respondent's Brief
06/30/06	73155-1 WSSC	Appellant's Reply Brief
11/30/06	**73155-1 WSSC**	**Oral Argument scheduled**