

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

In the Matter of the Personal Restraint of:

JAMES RICHARD FERRELL,

Petitioner.

Nos. 57374-1-II and 57377-6-II

ORDER DISMISSING
PETITIONS

James R. Ferrell seeks relief from personal restraint imposed following his 2001 plea of guilty to aggravated first degree murder and first degree assault. In his first petition, No. 57374-1-II,¹ he seeks an order requiring the Department of Corrections to fingerprint him, so that he can obtain his criminal history record. In his second petition, No. 57377-6-II, he asks this court to appoint him with experts on “familial biological status” and “to prove penmanship.”² PRP No. 57377-6-II at 1.

Farrell’s judgment and sentence became final on May 31, 2001, when the trial court entered it. RCW 10.73.090(3)(a). He did not file his petitions until September 8, 2022, and September 13, 2022, more than one year later. Unless he shows that one of the exceptions in RCW 10.73.100 applies or shows that his judgment and sentence is facially invalid, his petition is time-barred. *In re Pers. Restraint of Hemenway*, 147 Wn.2d 529, 532-33, 55 P.3d 615 (2002).

¹ On this court’s own motion we consolidate case numbers 57374-1-II and 57377-6-II.

² Farrell makes similar requests regarding a probate matter, which is beyond the scope of a personal restraint petition.

Ferrell fails to show that his petitions fall within any of RCW 10.73.100's exceptions to the time bar. He fails to show that his judgment and sentence is facially invalid. Therefore, Ferrell's petitions must be dismissed as untimely. Accordingly, it is hereby

ORDERED that Ferrell's petitions are dismissed under RAP 16.11(b). His request for appointment of counsel is denied.



Acting Chief Judge Pro Tempore

cc: James R. Ferrell
Clark County Prosecuting Attorney
Clark County Clerk
County Cause No. 00-1-02054-6