

September 25, 2018

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

In the Matter of the Personal Restraint of:

ANTHONY CORDELL WIGGINS,

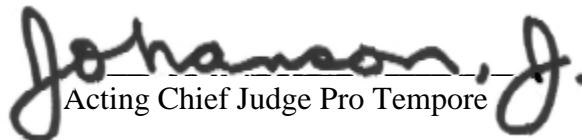
Petitioner.

No. 51503-2-II

ORDER DISMISSING PETITION

Anthony Wiggins seeks relief from personal restraint imposed following his 2017 plea of guilty to unlawful possession of methamphetamine. He argues that his 2017 sentence should have been ordered to run concurrently with a 2013 sentence for theft, identity theft and possession of stolen property. But because he committed the crime in the 2017 judgment and sentence while under the 2013 sentence, RCW 9.94A.589(2)(a) requires that his 2017 sentence run consecutive to his 2013 sentence. Wiggins also argues that his jail time served from October 11, 2016 to February 7, 2017, should be credited against both his 2013 sentence and his 2017 sentence. But that jail time was credited against his 2013 sentence and RCW 9.94A.505(6) prohibits jail time from being credited against more than one sentence. Wiggins' petition is frivolous. Accordingly, it is hereby

ORDERED Wiggins' petition is dismissed under RAP 16.11(b).


Acting Chief Judge Pro Tempore

cc: Anthony C. Wiggins
Mandy L. Rose