

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

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DIVISION II
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STATE OF WASHINGTON
BY DEPUTY

In re the Personal Restraint Petition of
JOHN LESTER COX,
Petitioner.

No. 47560-0-II

ORDER DISMISSING PETITION

John Cox seeks relief from the trial court's order extending its jurisdiction to enforce his legal financial obligations (LFOs). As part of his 1991 judgment and sentence, the trial court imposed LFOs against him. He was released from total confinement in 2000, but has since been re-committed to the Department of Corrections. On February 5, 2010, the court entered an ex parte order extending its jurisdiction to enforce Cox's LFOs for ten years.

Cox claims that the court entered another ex parte order extending jurisdiction in 2012. But there is no evidence of such an order. He argues that the deadline for extending jurisdiction had expired before the court entered its order extending jurisdiction. It had not. Under RCW 9.94A.760(4), for crimes committed before July 1, 2000, LFOs may be enforced for "the ten-year period following the offender's release from total confinement." Thus, the ten-year period for collecting Cox's LFOs began running in 2000. RCW 9.94A.760(4) further provides that "prior to the expiration of the initial ten-year period, the superior court may extend the criminal judgment an additional ten years for payment of legal financial obligations." Before Cox's initial ten-year period expired in 2010, the court entered its order extending jurisdiction for an additional ten years. Thus, the court still has

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jurisdiction to enforce Cox's LFOs and the Department of Corrections may collect on those LFOs.

Finally, Cox argues that he was entitled to notice before the February 5, 2010 order extending jurisdiction was entered. But there is no requirement for notice under RCW 9.94A.760(4), nor would there be any purpose to notice because the extension of jurisdiction is automatic upon the State's timely request that jurisdiction be extended.

Cox does not demonstrate any grounds for relief from restraint. Accordingly, it is hereby

ORDERED that Cox's petition is dismissed under RAP 16.11(b).

DATED this 13th day of November, 2015.



Acting Chief Judge Pro Tempore

cc: John L. Cox
Brian D. Considine
Department of Corrections