

Hoyt, Trina (ATG)

From: ATG MI COR Oly CE Reader
Sent: Tuesday, May 05, 2015 1:06 PM
To: Kostin, Alex (ATG); ATG MI COR OLY LA EF
Cc: Ronning, Kate (ATG); Hoyt, Trina (ATG)
Subject: FW: D2 464128--PERSONAL RESTRAINT PETITION OF BRIAN ALAN MICKELSON--Order
Attachments: Order PRP of Brian Mickelson.pdf

Importance: High

From: Marks, Debbie [<mailto:Debbie.Marks@courts.wa.gov>]
Sent: Tuesday, May 05, 2015 10:59 AM
To: 'Tricia Croston'; ATG MI COR Oly CE Reader
Subject: D2 464128--PERSONAL RESTRAINT PETITION OF BRIAN ALAN MICKELSON--Order
Importance: High

Office Hours

9:00 am to 12:00 pm
1:00 pm to 4:00 pm

You may file documents electronically as provided below. Briefs are considered filed as of the postmark date. RAP 18.6(c). Briefs may only be filed electronically through the portal website. Close of business remains 5 pm .

To Counsel and Interested Parties:

Attached is an Order filed today, 5/5/2015.

This will be the only notice you will receive from the court.

The court requests that motions and other correspondence be sent to coa2filings@courts.wa.gov, or, if counsel has a JIS USERID (can access SCOMIS/ACORDS), please use the newly established attorney portal at <http://www.courts.wa.gov/coa2efiling>. If you have difficulty accessing or using either method, please contact this office. When filing electronically, please do NOT follow up with a paper copy.

Please contact the court at (253) 593-2970 if you have any questions or comments.

Thank you.

Debbie L. Marks
Case Manager

Handwritten signature:
S. Smith
Date 5/5/15

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

FILED
COURT OF APPEALS
DIVISION II
2015 MAY -5 AM 10:37
STATE OF WASHINGTON
BY DEPUTY

In re the Matter of the
Personal Restraint Petition of

BRIAN A. MICKELSON,

Petitioner.

No. 46412-8-II

ORDER DISMISSING PETITION

Brian A. Mickelson seeks relief from personal restraint imposed following his 2014 conviction of failing to register as a sex offender. He claims that his restraint is unlawful because the Department of Corrections has failed to credit him with 23 days he served before trial.

According to the Department, it released petitioner on November 12, 2014, and therefore, he is no longer in confinement. Thus, this matter is moot as there is no relief this court can provide. *In re Pers. Restraint of Huffman*, 34 Wn. App. 570, 572, 662 P.2d 408 (1983) (relief through personal restraint petition unavailable because petitioner was no longer under any restraint or disability resulting from his confinement, citing RAP 16.4(d)). Accordingly, it is hereby

ORDERED that this petition is dismissed under RAP 16.11(b).

DATED this 5th day of May, 2015.



Acting Chief Judge

cc: Brian A. Mickelson
Dept. of Corrections
Kitsap County Cause No(s). 14-1-00176-1
Alex Kostin