

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

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STATE OF WASHINGTON
DIVISION II
BY DEPUTY

In re the
Personal Restraint Petition of

TRAVIS J. SCHOEPFER,

Petitioner.

No. 47306-2-II

ORDER DISMISSING PETITION

Travis J. Schoepfer seeks relief from personal restraint imposed after he pleaded guilty to three offenses under two separate cause numbers and received concurrent prison-based DOSA¹ sentences. Schoepfer contends that the Department of Corrections (DOC) revoked his DOSA sentences without providing him with any opportunity for drug treatment.

To obtain relief, Schoepfer must show that he is under unlawful restraint. RAP 16.4(a); *In re Pers. Restraint of Grantham*, 168 Wn.2d 204, 212-13 (2010). DOC explains that Schoepfer committed infractions that resulted in him being placed in segregation. Because he was in segregation, prison officials could not conduct the chemical dependency assessments that are mandated under a prison-based DOSA sentence. RCW 9.94A.662(2). DOC terminated his DOSA sentences according to a

¹ DOSA is the abbreviation for a Drug Offender Sentencing Alternative imposed under RCW 9.94A.660.

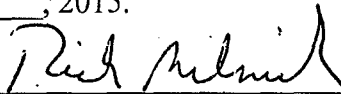
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policy that authorizes revocation of a prison-based DOSA sentence where an offender commits a major infraction resulting in a change in custody level. DOC Policy 670.655, at 7.

Schoepfer fails to demonstrate that his restraint is unlawful. Accordingly, it is hereby

ORDERED that this petition is dismissed under RAP 16.11(b), and the petitioner's request for the appointment of counsel is denied.

DATED this 5th day of August, 2015.



Acting Chief Judge, Pro Tem

cc: Travis J. Schoepfer
Dept. of Corrections
Thurston County Cause Nos. 13-1-01371-5; 13-1-00802-9
Timothy N. Lang, Department Of Corrections
Alex Kostin, Assistant Attorney General, Corrections Division