

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

STATE OF WASHINGTON,)
)
 Respondent,)
)
 v.)
)
 GARY CHARLES NESKEY,)
)
 Appellant.)

No. 73011-8-I

UNPUBLISHED OPINION

FILED: July 18, 2016

FILED
COURT OF APPEALS
STATE OF WASHINGTON
2016 JUL 18 AM 9:25

SCHINDLER, J. — For the first time on appeal, Gary Charles Neskey argues the mandatory deoxyribonucleic acid (DNA) fee statute is unconstitutional as applied to an indigent defendant and violates equal protection. We considered and rejected the same arguments in State v. Shelton, No. 72848-2-I, slip op. at 1 (Wash. Ct. App. June 20, 2016), and State v. Lewis, No. 72637-4-I, slip op. at 1 (Wash. Ct. App. June 27, 2016).

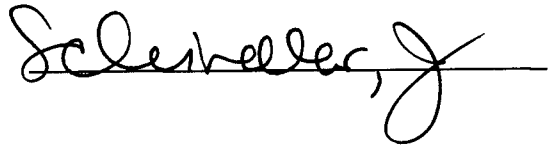
Neskey also argues the court erred in ordering him to submit another DNA sample. But Neskey does not show the court abused its discretion in ordering him to submit a DNA sample. Lewis, slip op. at 10-11.

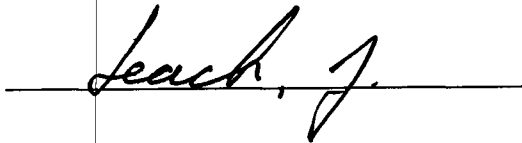
And because the statement of additional grounds does not inform us of the “nature and occurrence of [the] alleged errors,” we do not consider it. RAP 10.10(c);

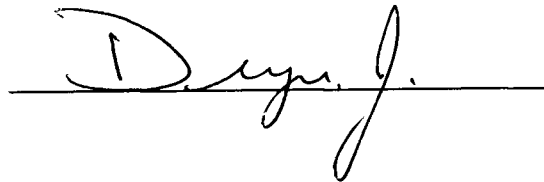
State v. Alvarado, 164 Wn.2d 556, 569, 192 P.3d 345 (2008).

We affirm the judgment and sentence.

WE CONCUR:

Handwritten signature of Schneider, J. in cursive script, written over a horizontal line.

Handwritten signature of Leach, J. in cursive script, written over a horizontal line.

Handwritten signature of Dwyer, J. in cursive script, written over a horizontal line.