## IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

## **DIVISION II**

STATE OF WASHINGTON,

No. 44815-7-II

ORDER GRANTING MOTION TO PUBLISH IN PART AND WITHDRAWING OPINION

2014 DEC 16

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STATE OF WASHINGTON

AM 8:29

Respondent,

v.

## SHERMAN ROBERTS,

Respondent.

Appellant has filed a motion to publish in part our unpublished opinion filed on November 18, 2014. Having determined that a portion of the opinion satisfies RCW 2.06.040 publication criteria, we grant the motion to publish in part. The previously filed opinion is hereby withdrawn and will be re-filed as a part-published opinion in due course.

## IT IS SO ORDERED.

DATED this 16 day of DECEMBER , 2014.

PANEL: Jj. Bjorgen, Maxa, Melnick

FOR THE COURT:

A.C.J.