

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

STATE OF WASHINGTON,

Respondent,

v.

JAMES LEE COOLEY,

Appellant.

No. 38510-4-II

UNPUBLISHED OPINION

Penoyar, A.C.J. — James L. Cooley appeals a trial court order denying his petition for final discharge and restoration of his civil rights. He contends that the court’s jurisdiction to collect legal financial obligations has expired. We agree that those financial obligations have terminated, and Cooley is entitled to a certificate of discharge.¹ We reverse and remand for a certificate of discharge.

FACTS

On January 13, 1992, Cooley pleaded guilty to three counts of forgery, and the trial court sentenced him to 3 months’ confinement and 12 months’ community supervision. The court ordered Cooley to pay \$3,565.55 in restitution and \$528 in other legal financial obligations (LFOs).

On April 30, 2002, the trial court terminated Cooley’s community supervision although he had paid only a small portion of those financial obligations. On March 14, 2008, Cooley requested termination of his LFOs. The trial court denied that petition on March 27, 2008.

¹ A commissioner of this court initially considered this matter pursuant to RAP 18.14 and referred it to a panel of judges.

ANALYSIS

In *State v. Gossage* our Supreme Court held that under RCW 9.94A.760's plain language, unless the superior court extends jurisdiction, LFOs from pre-July 2000 offenses expire after the 10 year limitation period. 165 Wn.2d 1, 7, 195 P.3d 525 (2008). The trial court did not extend its jurisdiction in this case. The State concedes that the trial court erred when it denied Cooley's request for discharge. We reverse and remand for a certificate of discharge.

A majority of the panel having determined that this opinion will not be printed in the Washington Appellate Reports, but will be filed for public record pursuant to RCW 2.06.040, it is so ordered.

Penoyar, A.C.J.

We concur:

Bridgewater, J.

Armstrong, J.