

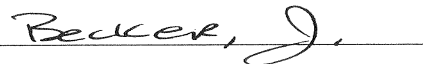
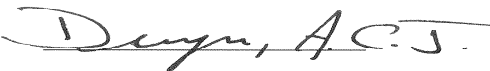
IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)	
)	No. 62468-7-I
Respondent,)	
)	DIVISION ONE
v.)	
)	
TONY COOPER,)	UNPUBLISHED OPINION
)	
Appellant.)	FILED: December 28, 2009

PER CURIAM. Tony Cooper appeals his convictions for second degree burglary and second degree malicious mischief. He contends the convictions violate double jeopardy principles because a minute entry from an earlier proceeding stated that the original charge was dismissed with prejudice. He concedes, however, that the written order from that proceeding dismissed the original charge *without* prejudice. A court's written rulings control over its oral rulings or a clerk's minute entries. State v. Eppens, 30 Wn. App. 119, 126, 633 P.2d 92 (1981) (oral ruling); McGuire v. Bryant Lumber & Shingle Mill Co., 53 Wash. 425, 102 P. 237 (1909) (minute entry). In any event, there would be no double jeopardy violation even if the charge had been dismissed with prejudice because the dismissal occurred before arraignment and, therefore, before jeopardy attached. See State v. George, 160 Wn.2d 727, 741-43, 158 P.3d 1169 (2007).

Affirmed.

For the court:

Cox, J.