

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)
)
 Respondent,)
)
 v.)
)
 RICHARD WILLIAM TRAINER,)
)
 Appellant.)

No. 70458-3-I

DIVISION ONE

UNPUBLISHED OPINION

FILED: JUL 7 2014

PER CURIAM -- Richard Trainer appeals his conviction for attempted first degree theft, arguing that the trial court erred in instructing the jury that it had a “duty to return a verdict of guilty” if it found all the elements of the offense beyond a reasonable doubt. This argument is controlled by our decision in State v. Ryan P. Moore, ___ Wn. App. ___, 318 P.3d 296 (2014) and the cases cited therein.

Affirmed.

For the court:

COX, J.
Appelwick, J.
Dryden, J.

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