

2014 JUL -7 AM 9:46

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)	
)	No. 70842-2-1
Respondent,)	
)	DIVISION ONE
v.)	
)	
MANUULA MASAWIAI,)	UNPUBLISHED OPINION
)	
Appellant.)	FILED: JUL 7 2014

PER CURIAM. Manuula Masawiai appeals a first degree rape conviction based on a guilty plea in King County Superior Court No. 12-1-02405-3 KNT. Masawiai's court-appointed attorney has filed a motion to withdraw on the ground that there is no basis for a good faith argument on review. Pursuant to State v. Theobald, 78 Wn.2d 184, 470 P.2d 188 (1970), and Anders v. California, 386 U.S. 738, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (1967), the motion to withdraw must:

[1] be accompanied by a brief referring to anything in the record that might arguably support the appeal. [2] A copy of counsel's brief should be furnished the indigent and [3] time allowed him to raise any points that he chooses; [4] the court--not counsel--then proceeds, after a full examination of all the proceedings, to decide whether the case is wholly frivolous.

Theobald, 78 Wn.2d at 185 (quoting Anders v. California, 386 U.S. at 744).

This procedure has been followed. Masawiai's counsel on appeal filed a brief with the motion to withdraw. Masawiai was served with a copy of the brief and informed of the right to file a statement of additional grounds for review. He filed a statement of additional grounds.

The facts are accurately set forth in counsel's brief in support of the motion to withdraw. The court has reviewed the briefs filed in this court and has independently reviewed the entire record. The court specifically considered the following potential issue raised by counsel:

Was Masawiai's plea made knowingly, intelligently and voluntarily?

Appellant pro se also raised and considered the following potential issue:

Does Masawiai identify grounds for relief in his pro se brief?

The potential issues are wholly frivolous. Counsel's motion to withdraw is granted and the appeal is dismissed.

For the court:

Appelwhite, J.
COX, J.
Dargatzis, J.