

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

DONALD CLARENCE FORTIN,

Appellant.

No. 75128-0-I

DIVISION ONE

UNPUBLISHED

FILED: DEC 27 2016

PER CURIAM. Appellant Donald Fortin appeals from the judgment and sentence entered after he pleaded guilty to one count of failing to register. The State of Washington concedes that Fortin was misinformed of the statutory maximum sentence before pleading guilty. See State v. Mendoza, 157 Wn.2d 582, 591, 141 P.3d 49 (2006) (guilty plea may be deemed involuntary when defendant is misinformed about length of sentence). The State further concedes that Fortin was sentenced to an excessive term of community custody. We accept the State's concessions and remand for further proceedings to permit Fortin to withdraw his guilty plea should he so desire or for correction of the erroneous statutory maximum sentence and term of community custody.

Remanded for further proceedings.

FOR THE COURT:

Unellee
Schubert
Appellant

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COURT OF APPEALS
STATE OF WASHINGTON