

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,  
Respondent,  
v.  
KEVIN SCOTT SPAULDING,  
Appellant.

No. 74918-8-I  
DIVISION ONE  
UNPUBLISHED OPINION  
FILED: APR 17 2017

FILED  
COURT OF APPEALS DIV 1  
STATE OF WASHINGTON  
2017 APR 17 AM 9:01

PER CURIAM. — Kevin Spaulding appeals from his conviction for possession of burglary tools. RCW 9A.52.060(1). We accept the State of Washington's concession that the jury may have convicted Spaulding on the basis of an uncharged theory of the offense. Accordingly, we reverse the conviction for possession of burglary tools and remand for further proceedings.

Reversed and remanded for further proceedings.

For the Court:

*Speckman, J.*  
*D. ...*  
*Walker, CJ.*