

2017 DEC 18 AM 11:18

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)	
)	No. 76560-4-1
Respondent,)	
)	UNPUBLISHED OPINION
v.)	
)	
DOMINIQUE JAY WARE,)	
)	
Appellant.)	FILED: DEC 18 2017

PER CURIAM — Dominique Ware appeals the sentence imposed following his conviction for unlawful possession of a firearm. Ware contends, and the State concedes, that the State failed to carry its burden of proving that his 2008 conviction for possession of marijuana with intent to deliver did not wash out. After the State filed its brief conceding error and requesting a remand “to allow the parties to present any evidence relevant to ensure the accuracy of [Ware’s] criminal history and offender score,” Ware moved for accelerated review. Ware argues that if the State fails to carry its burden of proof on remand, and “[i]f he is to benefit from a reduction in his sentence, his appeal must be resolved expeditiously.” We accept the State’s concession, grant accelerated review, and remand for further proceedings consistent with this opinion.

Remanded.

FOR THE COURT:

Speckman, J.
Appelwick J.
Becker, J.