


IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

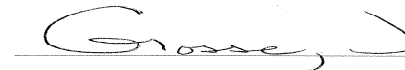
STATE OF WASHINGTON)	
)	No. 65803-4-I
Respondent,)	
)	DIVISION ONE
v.)	
)	
DAVID A. GILLUM,)	UNPUBLISHED OPINION
)	
Appellant.)	FILED: July 5, 2011
_____)	


PER CURIAM -- David Gillum appeals his conviction for first degree assault. He contends, and the State concedes, that the conviction must be reversed because it was based on an uncharged alternative means. See State v. Chino, 117 Wn. App. 531, 540, 72 P.3d 256 (2003) (defendant cannot be tried for uncharged offense). We accept the concession, reverse the conviction, and remand for further proceedings.¹

Reversed and remanded.

For the Court:







¹ Although Gillum has asserted other trial errors on appeal, the parties agree that these errors are not likely to recur in any retrial. Accordingly, we need not address them.