

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)
)
 Respondent,) No. 66132-9-1
)
 v.) DIVISION ONE
)
 KERMIT RICHARD SCHREIBER,) UNPUBLISHED OPINION
)
 Appellant.) FILED: July 5, 2011

PER CURIAM. Kermit Schreiber appeals a ruling denying his post-judgment motion to withdraw his guilty plea to one count of third degree assault. He contends, and the State concedes, that his plea was involuntary because it was based on misinformation regarding a direct consequence of the plea, i.e. his sentencing range. See In re Isadore, 151 Wn.2d 294, 302, 88 P.3d 390 (2004) (guilty plea invalid if defendant was not informed of a direct consequence of the plea). We accept the concession and reverse and remand for entry of an order granting Schreiber's motion to withdraw his plea.

Reversed and remanded for further proceedings.

For the Court:

Dupont, C. S.

Grosset, J.

Cox, J.