

**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON**

STATE OF WASHINGTON,	)	
	)	No. 67318-1-I
Respondent,	)	
	)	
v.	)	DIVISION ONE
	)	
ALFONZIA ALLEN, SR.,	)	UNPUBLISHED OPINION
	)	
Appellant.	)	FILED: March 26, 2012

Per Curiam. Alfonzia Allen was found not guilty of assault by reason of insanity and committed to Western State Hospital. He appeals a June 22, 2011 order denying his petition for conditional release from his commitment. Allen’s court-appointed attorney has filed a motion to withdraw on the ground that there is no basis for a good faith argument on review. Pursuant to State v. Theobald, 78 Wn.2d 184, 470 P.2d 188 (1970), and Anders v. California, 386 U.S. 738, 18 L. Ed. 2d 493, 87 S. Ct. 1396 (1967), the motion to withdraw must:

[1] be accompanied by a brief referring to anything in the record that might arguably support the appeal. [2] A copy of counsel's brief should be furnished the indigent and [3] time allowed him to raise any points that he chooses; [4] the court--not counsel--then proceeds, after a full examination of all the proceedings, to decide whether the case is wholly frivolous.

State v. Theobald, 78 Wn.2d at 185 (quoting Anders v. California, 386 U.S. at 744).

This procedure has been followed. Allen’s counsel filed a brief with the motion to withdraw. Allen was served with a copy of the brief and informed of his right to file a statement of additional grounds for review. He did not file a statement

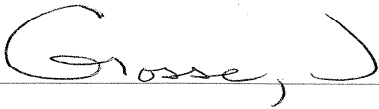
of additional grounds.

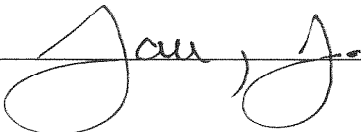
The facts are accurately set forth in counsel's brief in support of the motion to withdraw. The court has reviewed the briefs filed in this court and has independently reviewed the entire record. The court specifically considered the following potential issue raised by counsel:

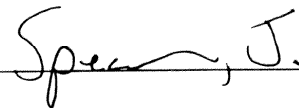
Does substantial evidence support the court's finding that Allen failed to prove his fitness for conditional release?

The potential issue is wholly frivolous. Counsel's motion to withdraw is granted and the appeal is dismissed.

For the court:

  
\_\_\_\_\_

  
\_\_\_\_\_

  
\_\_\_\_\_