

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)	No. 69715-3-I
)	
Respondent,)	
)	DIVISION ONE
v.)	
)	
VINCENT JAMES PIERCE,)	UNPUBLISHED OPINION
)	
Appellant.)	FILED: October 28, 2013
_____)	

FILED
COURT OF APPEALS DIV 1
STATE OF WASHINGTON
2013 OCT 28 AM 10:39

PER CURIAM. Vincent Pierce challenges his conviction for second degree assault and third degree assault of a child. His 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, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (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.

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

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

The material 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:

Did the State prove each element of the offenses beyond a reasonable doubt?

The issue raised by counsel is wholly frivolous. The motion to withdraw is granted and the appeal is dismissed.

FOR THE COURT:






