

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
May 18, 2021

DIVISION II

In the Matter of the Personal Restraint of:

STEPHEN BOONE,

Petitioner.

No. 51593-8-II (consolidated with)
No. 54227-7-II

UNPUBLISHED OPINION

SUTTON, J. — Stephen Boone seeks relief from personal restraint imposed following his 2005 conviction for first degree felony murder, attempted first degree kidnapping, first degree kidnapping, attempted first degree robbery, second degree unlawful possession of a firearm and three counts of first degree robbery, crimes that he committed when he was 16 years old but for which he was tried in adult court. The trial court sentenced him to 932.25 months in total confinement, including 434 of months of firearm enhancements. Boone filed petitions arguing that he is entitled to be resentenced, taking into account his youth at the time of his crimes, under *State v. Houston-Sconiers*, 188 Wn.2d 1, 391 P.3d 409 (2017) and *State v. Bassett*, 192 Wn.2d 67, 428 P.3d 343 (2018). *In re the Pers. Restraint of Ali*, 196 Wn.2d 220, 474 P.3d 507 (2020), *cert. denied*, 2021 WL 1163869 (2021) and *In re the Pers. Restraint of Domingo-Cornelio*, 196 Wn.2d 266, 474 P.3d 247 (2020), *cert. denied*, 2021 WL 1163870 (2021), the Washington State Supreme Court held that *Houston-Sconiers* is to be applied retroactively.

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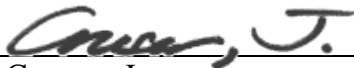
Boone and the State now agree that Boone is entitled to be resentenced under *Houston-Sconiers, Ali, and Domingo-Cornelio*. They move that we remand Boone's judgment and sentence for resentencing. We grant their motion, grant Boone's petitions and remand Boone's judgment and sentence for resentencing.

A majority of the panel having determined that this opinion will not be printed in the Washington Appellate Reports, but will be filed for public record in accordance with RCW 2.06.040, it is so ordered.




SUTTON, P.J.

We concur:



CRUSER, J.



VELJACIC, J.