

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

STATE OF WASHINGTON,

Respondent,

v.

FLAVIO SERRANO-GALVEZ,

Appellant.

No. 40908-9-II

UNPUBLISHED OPINION

Quinn-Brintnall, J. — A jury found Flavio Serrano-Galvez guilty of second degree child molestation. The trial court sentenced him to 20 months of confinement and 36 months of community custody. It also entered a post-conviction sexual assault protection order prohibiting him from contacting the victim before June 23, 2020, which would be 10 years from the date of sentencing.

Serrano-Galvez appeals the protection order, arguing that RCW 7.90.150(6)(c) limits the duration of post-conviction sexual assault protection orders to “two years following the expiration of any sentence of imprisonment and subsequent period of community supervision, conditional release, probation, or parole.” He contends that the 10-year duration of his protection order violates RCW 7.90.150(6)(c). The State concedes that he is correct. We accept the State’s concession.¹

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In a statement of additional grounds filed under RAP 10.10, Serrano-Galvez complains that there were no medical tests about the sexual assault, that there was no evidence presented of marks that the police told him they saw on the victim, and that there was no evidence presented about the personality of the victim. But he does not show any reversible errors in these regards.

We remand Serrano-Galvez's judgment and sentence to the trial court for correction of the expiration date of the post-conviction sexual assault protection order consistent with RCW 7.90.150(6)(c).

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 pursuant to RCW 2.06.040, it is so ordered.

QUINN-BRINTNALL, J.

We concur:

ARMSTRONG, P.J.

JOHANSON, J.

¹ A commissioner of this court initially considered Serrano-Galvez's appeal as a motion on the merits under RAP 18.14 and then transferred it to a panel of judges.