SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

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| STATE OF WASHINGTON,  Plaintiff,  vs.  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,  Defendant, |  | )  ) ) ) ) ) ) ) ) )  ) )  ) | No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  ORDER VACATING AND DISMISSING JUDGMENT AND SENTENCE FOR POSSESSION-ONLY OFFENSES PURSUANT TO STATE V. BLAKE.  CODE: ORVCD  [Clerk’s Action Required] |

THIS MATTER having come on regularly before the undersigned judge of the above-entitled court upon the motion of the State of Washington, plaintiff, for an order vacating and dismissing the prior judgement and sentence in this case, pursuant to the Washington Supreme Court decision in State v. Blake, No. 96873-0 (Feb. 25, 2021). All counts in the prior judgment and sentence are limited to possession offenses that are now void pursuant to Blake:

**VACATION.** IT IS HEREBY ORDERED, ADJUDGED and DECREED that based on the ruling of the Washington Supreme Court in State v. Blake, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that convictions under RCW 69.50.4013 are unconstitutional, the judgment and sentence previously entered by the court in this cause number is vacated under CrR 7.8 and dismissed with prejudice.

The Department of Correction is ordered to terminate any supervision or community custody on the above cause number.

**LEGAL FINANCIAL OBLIGATIONS.** *All* counts from the judgement and sentence previously entered in this cause number were for violations of RCW 69.50.4013(1) that have been vacated by this order and no other counts remain. As such, the Clerk shall compute the amount of all legal financial obligations, fees, fines, costs, charges assessments, or interest (“LFOs”) actually paid by defendant that arise solely from the conviction(s) vacated by this order (“LFO Amount”). The Clerk shall refund the LFO Amount to defendant on behalf of plaintiff State of Washington, or certify the amounts owing to defendant for direct payment by the State of Washington from the “Blake Reimbursement Account” established by Section 21 of ESB 5476.  The Clerk shall also delete or cancel any unpaid LFO balances that arise solely from the conviction(s) vacated by this order, including any interest or collection fees. The Clerk shall send the refund or certification form in the defendant’s name to the following address:

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Street Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State:\_\_\_\_\_\_\_\_ Zip Code: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**WASHINGTON STATE PATROL.** The clerk of the court shall transmit a certified copy of this order to the Washington State Patrol, which agency shall immediately update its records to reflect the vacation and dismissal of the above counts ONLY. The Washington State Patrol shall transmit a copy of this order to the Federal Bureau of Investigation.

DONE this \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 2021.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The Honorable

Presented by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attorney WSBA# \_\_\_\_\_\_\_\_\_\_

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Attorney WSBA# \_\_\_\_\_\_\_\_\_\_