

FILED
SUPREME COURT
STATE OF WASHINGTON
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BY SUSAN L. CARLSON
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No. 95707-0

IN THE SUPREME COURT FOR THE STATE OF WASHINGTON

CITY OF SHORELINE,

Respondent

v.

SOLOMON MCLEMORE

Petitioners.

**SUPPLEMENTAL MOTION FOR LEAVE TO FILE *AMICI*
CURIAE BRIEF OF THE AMERICAN CIVIL LIBERTIES UNION
OF WASHINGTON, WASHINGTON ASSOCIATION OF
CRIMINAL DEFENSE LAWYERS, AND WASHINGTON
DEFENDER ASSOCIATION**

ACLU OF WASHINGTON
FOUNDATION

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Washington Association of Criminal Defense Lawyers, and Washington
Defender Association*

I. RELIEF REQUESTED

Pursuant to RAP 10.6(b), amici file this supplemental motion adding organizations joining the amicus brief.

II. IDENTITY AND INTEREST OF *AMICI CURIAE*

The identity and interest of the American Civil Liberties Union of Washington (“ACLU”) has already been provided in the original amicus motion in this case.

The Washington Association of Criminal Defense Lawyers (WACDL) is a statewide, nonprofit organization formed to improve the quality and administration of justice. A professional bar association founded in 1987, WACDL has over 800 members—private criminal defense lawyers, public defenders, and related professionals—committed to preserving fairness and promoting a rational and humane criminal justice system.

The Washington Defender Association is a non-profit association of over a 1400 public defenders, criminal defense attorneys, investigators, social workers and children’s civil rights attorneys throughout the state of Washington. WDA and its members are committed to supporting and improving indigent defense and the lives of indigent defendants and their families. A primary purpose of WDA is to improve the administration of justice and stimulate efforts to remedy inadequacies in substantive and

procedural law that contribute to injustice. WDA and its members are familiar with the law at issue in this case, based on their work in the criminal justice system, and they have previously been granted leave to file amicus briefs on many issues related to criminal law and criminal defense.

III. FAMILIARITY WITH ISSUES AND RECORD

Undersigned counsel have read the parties' briefs and the lower court rulings.

IV. ISSUE TO BE ADDRESSED BY *AMICI*

Whether the defendant's conviction for obstruction of a law enforcement officer is constitutionally invalid when he was asserting his right to refuse consent to a warrantless search of his home.

V. WHY AMICUS BRIEFING WILL ASSIST THE COURT

The court's issue statement and the parties' briefing in the lower courts indicate that this case involves significant constitutional law issues. The issues presented impact the public interest. Amici are longstanding advocates and supporters of reform efforts aimed at ensuring that RCW 9A.76.020 is applied in a constitutional manner. Amici can provide a wider perspective than the parties on the issues before the Court. A fully informed decision is essential, and the additional authority provided by the amicus brief will be helpful to the Court. RAP 10.6(a).

VI. CONCLUSION

Amici respectfully request that the Court grant leave to file for them to join the amicus brief.

RESPECTFULLY SUBMITTED this 14th day of September,
2018.

By: /s/Nancy L. Talner

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AMERICAN CIVIL LIBERTIES UNION OF WASHINGTON FOUNDATION

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Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 95707-0
Appellate Court Case Title: City of Shoreline v. Solomon McLemore
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