# Introduction

On February 25, 2021, the Washington State Supreme Court decided *State v. Blake*, No. 968373-0. In that decision, the Court determined RCW 69.50.4013(1) violated the Constitutions of the United States and the State of Washington. In addition, when the analysis is applied to other criminal possessory charges, such an analysis would require the same result.

This decision ***does not*** impact drug offenses beyond simple possession (e.g., Possession with Intent to Deliver). In addition, if the conviction was the result of plea negotiations, the ***original charges may be reinstated and prosecuted****.* Such a result may be unwanted and *may* result in a conviction for a different and/or more serious crime and additional time in custody.

If you have been convicted of a possessory drug offense the conviction(s) may *potentially* be vacated. In addition, if you have subsequent criminal history, those convictions and/or sentences may be impacted as well. If you have criminal history in Lewis County (either a conviction for a possessory drug offense or a subsequent conviction) and would like it reviewed by this Office in an expedited manner, please provide the information requested below. Otherwise, cases will be reviewed in order of conviction date and filing date beginning with the most recent cases.

# Personal Information

|  |  |
| --- | --- |
| **Name (First, Middle, Last)** |  |
| **Current Address (Street, City, State, Zip)** |  |
| **Date of Birth (Month/Day/Year)** |  |
| **Other Names Used** |  |
| **Best Contact Number (Including Area Code)** |  |
| **Case Number(s) Impacted (If Known)** |  |

# Signature

I understand that by submitting this form, I am indicating that I am not currently represented by counsel and am acting *pro se* (on my own). In some circumstances, I could qualify for counsel (possibly at public expense) if I file court paperwork on my own, but I choose to use this form *pro se* to speed up the process. I understand the Lewis County Prosecutor’s Office will conduct a criminal background check to cover the State of Washington and other states. I understand the Lewis County Prosecutor’s Office does not represent me in this matter and is prohibited by law from providing legal advice regarding this, or any other, matter, criminal or civil.

If a non-felony possessory drug offense conviction is vacated, I understand such a result is not mandated under *State v. Blake.* As a result, the collateral benefits resulting from the vacation of the conviction may differ from the relief available in other matters.

I understand that I am not required to submit this form and can, if I choose, present matters directly to the Court either through an attorney or *pro se* (without an attorney). I further agree the Lewis County Prosecutor’s Office is providing this service as a courtesy in the interests of justice and may cease to assist in the process at any stage.

Dated this day of , 20 .

Print Name:

Requesting Party