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December 2, 2008

The following are the petitions for review to be considered by a department of the Supreme Court on December 2, 2008

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Department One

[December 2, 2008](#)

Petitions for Review:

Note: Granted petitions are shaded.

| No | Court of Appeals Cause Number | Supreme Court Cause Number | Case Name |
|----|--|----------------------------|--|
| 1 | 57445-1-I cons. w/57446-9-I & 57447-7-I | 81478-3 | Kustura v. Dep't of Labor & Indus. <i>Granted only on the interpreter services issues (consolidated with 81480-5, 81481-3, 81758-8 & 81759-6)</i> |
| 2 | 58200-3-I cons. w/58505-3-I | 81480-5 | Meštrovac v. Dep't of Labor & Indus. <i>Granted only on the interpreter services issues (consolidated under 81478-3)</i> |
| 3 | 58878-8-I | 81481-3 | Ferenčak v. Dep't of Labor & Indus. <i>Granted only on the interpreter services issues (consolidated under 81478-3)</i> |
| 4 | 59614-4-I | 81758-8 | Resulović v. Dep't of Labor & Indus. <i>Granted only on the interpreter services issues (consolidated under 81478-3)</i> |
| 5 | 60139-3-I | 81759-6 | Mašić v. Dep't of Labor & Indus. <i>Granted only on the interpreter services issues (consolidated under 81478-3)</i> |
| 6 | 57396-9-I | 81619-1 | Vanguard Int'l, Inc. v. Guangdong Fully, Ltd. <i>Denied</i> |
| 7 | 59533-4-I | 81623-9 | In re Estate of Mauser <i>Deny petition for review; Respondent's attorney fee request is remanded to the trial court for final determination</i> |
| 8 | 35345-8-II | 81624-7 | State v. Meridieth <i>Denied</i> |
| 9 | 33678-2-II | 81626-3 | State v. Turner <i>Granted</i> |

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| 10 | 26269-3-III | 81630-1 | McCoy v. Alderson <i>Denied</i> |
| 11 | 25748-7-III | 81633-6 | State v. Bashaw <i>Granted</i> |
| 12 | 26212-0-III | 81634-4 | Engle v. DOC <i>Denied</i> |
| 13 | 35829-8-II | 81635-2 | Doty-Fielding v. Town of South Prairie <i>Denied</i> |
| 14 | 59998-4-I | 81637-9 | Serrano on Cal. Condo. Homeowners Ass'n v. First Pac. Dev., Ltd. <i>Deferred pending Chadwick Farms # 80450-8</i> |
| 15 | 25952-8-III cons. w/25953-6-III, 25954-4-III, 25955-2-III | 81639-5 | Kelly v. DSHS <i>Denied</i> |
| 16 | 57858-8-I | 81648-4 | State v. Penwell <i>Denied</i> |
| 17 | 36018-7-II | 81649-2 | Jenkins v. Weyerhaeuser Co. <i>Denied</i> |
| 18 | 25995-1-III | 81656-5 | Gebbers v. Okanogan County PUD 1 <i>Denied</i> |
| 19 | 26004-6-III | 81660-3 | State v. Sohler <i>Denied</i> |
| 20 | 25912-9-III | 81661-1 | Veith v. Xterra Wetsuits, L.L.C. <i>Denied</i> |
| 21 | 57364-1-I | 81667-1 | State v. Kirkham <i>Denied</i> |
| 22 | 60054-1-I | 81672-7 | Lallas v. Skagit County <i>Granted</i> |
| 23 | 59879-1-I | 81675-1 | Northlake Apartments, LLC v. Egypt Ltd. P'ship <i>Denied</i> |
| 24 | 60807-0-I | 81914-9 | State v. Mutch <i>Deny petition for review</i> |
| 25 | 59322-6-I cons. w/ 59536-9-I | 81921-1 | State v. Bunker; State v. Williams <i>Grant Bunker & Williams petitions for review and consolidate with State v. Vincent #81940-8</i> |
| 26 | 27004-1-III | 82239-5 | Creveling v. Newell <i>Denied</i> |

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| 27 | 59325-1-I | 81392-2 | State v. Moynihan <i>Denied</i> |
| 28 | 60546-1-I | 81554-2 | Freeman v. Bergan <i>Denied</i> |
| 29 | 25599-9-III | 81628-0 | State v. Baker <i>Denied</i> |
| 30 | 25513-1-III | 81657-3 | State v. Cranford <i>Denied</i> |
| 31 | 25978-1-III | 81658-1 | State v. Smith <i>Denied</i> |
| 32 | 25227-2-III | 81659-0 | State v. Adcock <i>Denied</i> |
| 33 | 59064-2-I | 81668-9 | State v. Orozco <i>Denied</i> |
| 34 | 59522-9-I | 81673-5 | State v. Burke <i>Denied</i> |
| 35 | 59127-4-I | 81676-0 | State v. Williams <i>Denied</i> |
| 36 | 59046-4-I | 81680-8 | State v. Marshall <i>Denied</i> |
| 37 | 60756-1-I | 81710-3 | Gray-Eggum v. Eggum <i>Deny expenditure of public funds; deny petition for review; and deny motion for interim order</i> |
| 38 | 25933-1-III | 81715-4 | State v. Orman <i>Continued to February 3, 2009, Department II</i> |

MOTION FOR EXTENSION TO FILE PETITION FOR REVIEW

| No | Court of Appeals Cause Number | Supreme Court Cause Number | Case Name |
|----|-------------------------------|----------------------------|---|
| 17 | 36471-9-II | 82087-2 | Brentwood NKA Rafnar v. Ruth <i>Extension of time to file petition for review granted; petition for review is denied</i> |
| 20 | 35739-9-II | 82271-9 | State v. Steward <i>Extension of time to file petition for review granted; petition for review is denied</i> |

Department Two

December 2, 2008

Petitions for Review:**Note: Granted petitions are shaded.**

| No | Court of Appeals Cause Number | Supreme Court Cause Number | Case Name |
|----|-------------------------------|----------------------------|--|
| 1 | 59605-5-I | 81477-5 | Moon v. City of Bellevue <i>Denied</i> |
| 2 | 36216-3-II | 81732-4 | Nunez v. Am. Bldg. Maint. Co. <i>Denied</i> |
| 3 | 35130-7-II | 81733-2 | Doe III v. DSHS <i>Denied</i> |
| 4 | 34261-8-II | 81746-4 | State v. Magee <i>Granted</i> |
| 5 | 59792-2-I | 81765-1 | Hick v. King County <i>Denied</i> |
| 6 | 59034-1-I | 81769-3 | In re Detention of Pouncy, aka Pouncey <i>Grant petition for review and review of issues raised in the answer</i> |
| 7 | 59418-4-I | 81770-7 | State v. Waterman <i>Denied</i> |
| 8 | 60069-9-I | 81776-6 | Sammy Enters., Inc. v. O.P.E.N. Am., Inc. <i>Deny petition for review; deny Open Work's request for attorney fees</i> |
| 9 | 59321-8-I | 81778-2 | Pace-Knapp v. Pelascini <i>Deny petition for review; grant Respondent's attorney fee request</i> |
| 10 | 58968-7-I | 81781-2 | State v. Turner <i>Denied</i> |
| 11 | 59822-8-I | 81784-7 | Spokoiny v. Guarnero <i>Continued to January 8, 2009, En Banc Conference</i> |
| 12 | 59938-1-I | 81787-1 | Tharp v. Univ. of Wash. <i>Denied</i> |
| 13 | 58378-6-I | 81794-4 | State v. Naicker <i>Denied</i> |
| 14 | 59299-8-I | 81808-8 | State v. Dodgen <i>Denied</i> |
| 15 | 60158-0-I | 81812-6 | Shoemake v. Ferrer <i>Grant petition for review; deny review of attorney fee issue raised in answer</i> |

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| 16 | 58303-4-I | 81813-4 | Torkild v. Johnston <i>Grant petition for review; deny Respondent's motion to dismiss and grant Respondent's motion to supplement answer</i> |
| 17 | 35549-3-II | 81826-6 | State v. DeFrang <i>Denied</i> |
| 18 | 58762-5-I | 81373-6 | State v. Newlun <i>Denied</i> |
| 19 | 25347-3-III | 81442-2 | Genoway v. Genoway <i>Denied</i> |
| 20 | 35693-7-II | 81513-5 | State v. Pink <i>Petitioner's motion to file amended petition for review is granted; deny petition for review; Petitioner's motion to produce trial court records at State expense is denied as moot;</i> |
| 21 | 35845-0-II | 81662-0 | State v. Lindahl <i>Denied</i> |
| 22 | 59290-4-I cons. w/59790-6-I | 81685-9 | State v. Holden <i>Denied</i> |
| 23 | 36133-7-II | 81739-1 | State v. Armstrong <i>Denied</i> |
| 24 | 25703-7-III 25704-5-III 25705-3-III 25706-1-III | 81743-0 | In re Welfare of Hurd <i>Denied</i> |
| 25 | 59547-4-I | 81766-9 | State v. Clarke <i>Deny petition for review; deny State's motion to strike</i> |
| 26 | 59241-6-I | 81768-5 | State v. Gonzalez <i>Denied</i> |
| 27 | 59104-5-I | 81775-8 | State v. Brooks <i>Denied</i> |
| 28 | 60226-8-I | 81777-4 | State v. Toms <i>Denied</i> |
| 29 | 59528-8-I | 81780-4 | State v. Reeves <i>Deferred pending State v. Sutherby #80169-0</i> |
| 30 | 59726-4-I | 81783-9 | State v. Parmer <i>Denied</i> |
| 31 | 35980-4-II | 81786-3 | State v. Hoshall <i>Denied</i> |
| 32 | 58828-1-I | 81793-6 | State v. Martinez <i>Denied</i> |

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| 33 | 36160-4-II | 81798-7 | State v. Ames <i>Denied</i> |
| 34 | 35994-4-II | 81799-5 | State v. Hodge <i>Denied</i> |
| 35 | 35794-1-II | 81800-2 | State v. Pullen <i>Denied</i> |
| 36 | 59095-2-I | 81820-7 | State v. Kiner <i>Denied</i> |
| 37 | 57991-6-I | 81829-1 | Joubert v. Nw. Hosp., Sanai <i>Grant Petitioner's motion to file overlength petition for review; deny Petitioner's motion to amend petition for review and deny the petition for review</i> |
| 38 | 35971-5-II | 81831-2 | State v. Phillips <i>Denied</i> |

MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR REVIEW

| No | Court of Appeals Cause Number | Supreme Court Cause Number | Case Name |
|----|-------------------------------|----------------------------|---|
| 16 | 359766-II | 82169-1 | State v. Hockaday <i>Grant motion for extension of time to file petition for review; remand petition for review to the court of appeals for further consideration in light of State v. Quismundo, 164 Wn.2d 499 (2008)</i> |

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