



FILED
SUPERIOR COURT
THURSTON COUNTY, WA

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Linda Myhre Enlow
Thurston County Clerk

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF THURSTON

STATE OF WASHINGTON,

Plaintiff,

No. 21-1-00676-34

vs.

OMNIBUS APPLICATION AND ORDER

SELENA URSA SMITH,

Defendant.

Docket # / @llan

The Clerk shall not docket dates from this order.

CURRENT TRIAL DATE: ~~December 15, 2025;~~

February 17, 2026

I. DEADLINES

THE COURT ORDERS that all witnesses (including experts) will be disclosed and witness interviews must be completed no later than 2 weeks before the trial date.

THE COURT ORDERS that any motions, including those reserved within this document, will be briefed, and shall be heard no later than 2 weeks before the trial date.

THE COURT ORDERS that all motions *in limine*, proposed jury instructions, and trial briefs are due no later than 1 court day before the trial date, at noon.

II. DISCOVERY

The parties agree that discovery is complete not complete in the following respects: defense needs to speak with assigned DPA to ensure that all discovery has been received.

III. MOTIONS BY DEFENSE

Comes now the Defendant and makes the following applications or motions:

1. **To waive the right to a jury trial and proceed to bench trial by the Court under RCW 10.01.060.**

No such motion made. Defendant demands jury trial

Motion made and GRANTED

2. **To sever Defendant's case and/or counts and for separate trial under CrR 4.4.**

No such motion anticipated

Reserved

- 1 **3. For the State to provide a bill of particulars under CrR 2.1(c).**
- 2 No such motion anticipated
- 3 Motion made and GRANTED without objection, State will provide
- 4 Motion made, State objects. Parties will schedule hearing.
- 5 **4. To inspect physical or documentary evidence in State's possession.**
- 6 No such motion anticipated
- 7 Motion made and GRANTED without objection, parties will schedule.
- 8 **5. To suppress physical, oral, or identification evidence in the State's possession pursuant to CrR 3.6.**
- 9 No such motion anticipated
- 10 Hearing is necessary and will be scheduled by Defense.
- 11 Reserved
- 12 **6. For a hearing to determine the admissibility of the defendant's custodial statements to State actors pursuant to CrR 3.5.**
- 13 No such motion is made. Defendant stipulates to admissibility
- 14 State stipulates that said statements are not admissible in its case in chief and in rebuttal.
- 15 Motion made, parties will schedule
- 16 Reserved, State has not completed disclosure of statements
- 17 **7. For the State to disclose if there was informant involved and whether they will be called as a witness.**
- 18 State advises there was no informant
- 19 State advises there was an informant but that they will not be identifying them unless ordered by the court.
- 20 State advises there was an informant and that they will be called as a witness. Defense does not request disclosure at this time.
- 21 State advises there was an informant and that they will be called as a witness. Defense requests immediate disclosure and understands that offers for resolution are revoked.
- 22 **8. For the State to disclose whether it will rely on prior crimes, wrongs, or acts under ER 404(b).**
- 23 State does not anticipate introducing prior crimes, wrongs, or acts with the possible exception of crimes under ER 609.
- 24 In addition to possible ER 609 offenses, the State will be seeking to introduce prior crimes, wrongs, or acts. The parties will schedule a hearing.
- 25 **9. To supply any information known concerning a prior conviction of persons whom the prosecution intends to call as witnesses at the hearing or trial under CrR 4.7(a)(vi).**
- 26 State advises that its witnesses have no convictions.
- 27 State advises that at least one of its witnesses ^{may have} has a criminal conviction and this information will be provided no later than the discovery deadline.
- 28 **10. To supply any information known concerning prior convictions of the Defendant under CrR 4.7(a)(vi).**

- 1 State advises it has already supplied this information to the Defense.
- 2 Motion made and GRANTED without objection, State will provide this information no later than the
discovery deadline. *-it^e prev. provided but has not re-reviewed*
- 3 11. To supply any information pursuant to CrR 4.7(a)(3) and/or Brady v. Maryland, 373 U.S. 83
4 (1963), including any Potential Impeachment Disclosure (PID) information about state agents
involved in this matter.
- 5 State advises that it has already supplied this information to the Defense.
- 6 State advises that it has sought out this information and that it does not exist.
- 7 State advises that this information *may* ~~does~~ exist and that it will be provided no later than the discovery
deadline.

8 12. OTHER: _____
9 _____

10 IV. MOTIONS BY STATE

11 Comes now the State and makes the following applications or motions:

- 12 1. For Defendant to state the general nature of their defense.
- 13 General Denial Self Defense Necessity Duress Insanity
- 14 Alibi Defense of Property Voluntary Intoxication Diminished Capacity
- 15 Statutory Defense RCW _____ _____
- 16 2. For the Defendant to submit to examination or testing pursuant to CrR 4.7(b)(2)(i)-(viii) and/or
17 (x), specifically _____
- 18 No such motion anticipated.
- 19 Motion made and GRANTED without objection, parties will schedule.
- 20 Motion made, Defense objects. Parties will schedule a hearing.
- 21 3. For Defendant to state whether their prior predicate convictions will be stipulated to pursuant to
22 Old Chief, 519 U.S. 172 (1997).
- 23 Not applicable to this case.
- 24 Defense advises they will *not* stipulate.
- 25 Defense advises they will stipulate.
- 26 4. For Defendant to state whether they will stipulate to the continuous chain of custody of evidence
27 from acquisition to trial.
- 28 Not applicable to this case.
- Defense advises they will *not* stipulate.
- Defense advises they will stipulate.
- 5. To join defendants or offenses under CrR 4.3.
- No such motion anticipated.
- Reserved.
- 6. To introduce child hearsay under RCW 9A.44.120.

1 No such motion anticipated.

2 Reserved.

3 **7. For the Defense to disclose whether it will seek to introduce prior crimes, wrongs, or acts of a State's witness under ER 404(b).**

4 Defense does not anticipate introducing prior crimes, wrongs, or acts with the possible exception of crimes under ER 609.

5 In addition to possible ER 609 offenses, the Defense will be seeking to introduce prior crimes, wrongs, or acts. The parties will schedule a hearing.

6 **8. OTHER:** _____
7 _____

8 **V. CASE MANAGEMENT**

9 A case management conference serves the purpose of determining if the aforementioned motions have been
10 addressed, if other motions need to be addressed, if witnesses are in fact available for the trial date, and if the
11 trial date is realistic.

12 The parties agree that a case management conference is not necessary at this time.

13 The parties agree that a case management conference is necessary for the following reasons:
14 _____
15 _____

16 The parties do not agree about the need for a case management conference and request that the
17 Court make a determination on the record at omnibus.

18 **VI. TRIAL**

19 The parties anticipate that the Defendant, a defense witness, and/or a State's witness will need a
20 _____ language interpreter.

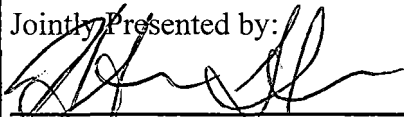
21 The parties anticipate that a special questionnaire will be needed in *voir dire*.

22 The parties anticipate that a portion of the trial may be bifurcated under RCW 9.94A.537(4).

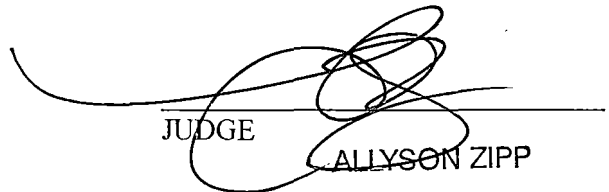
23 **Given all of the aforementioned information, the parties anticipate that trial can be completed in**
24 **3 court days, to exclude jury deliberation.**

25 Entered this ⁴20th day of November, 2025.

26 Jointly Presented by:

27 

28 HEATHER STONE, WSBA# 42093
Deputy Prosecuting Attorney


JUDGE ALLYSON ZIPP

Kari Reardon

KARI LEIGH REARDON, WSBA# 26142
Attorney for Defendant