

Paul Hiatt POB 122 Gig Harbor WA 98335 April 15, 2009

Ms. Melinda Campbell, Legal Affairs Coordinator
State of Washington, Office of the Governor
Delivered by FAX to: 360-753-4110

RE: Open Letter in formal Request for Gubernatorial Pardon delivered April 13, your letter of April 13.

Dear Ms. Campbell,

Thank you for your letter of April 13, 2009, directing me to the Clemency Board for formal petition. My Request is a direct request for review by the Governor, and I request that any letters, faxes or e-mails addressed to the Governor in support be forwarded directly to the Governor for consideration in deciding this matter. Though I appreciate your having sent me a copy of one such letter received April 13, I am including a copy with this fax, in the event you did not keep a copy for the Governor.

I apologize for any confusion the typo in my Request may have caused, in citing subsection (6) of RCW 9.94A 150 Exceptions, instead of the appropriate section authorizing my Request, subsection (7), "The governor may pardon any offender". I am distinctly not applying by Petition to the Clemency Board under subsection (5), which covers recommendation of the Clemency Board for felony offenders, but am applying directly by Request under subsection (7), pursuant to the Governor's powers granted by our Constitution, Article III § 9, Pardoning Power. The Petition process you have graciously outlined the time tables for in your letter would do me absolutely no good, first because I am unaware they are even authorized to hear petitions for misdemeanor crimes, and as certainly because I am facing jail time within a few weeks time at most, and would have served the sentence imposed by the time any Petition under subsection (5) could possibly be heard, were it even heard. Perhaps it will help clarify to cite to the intent clause from RCW 9.94A.394 Governor's powers. "(1) Nothing in chapter 1, Laws of 1994 shall ever be interpreted or construed as to reduce or eliminate the power of the governor to grant a pardon or clemency to any offender on an individual case-by-case basis." Insofar as the legislative intent for input of victims, there are none, and no state compelling interest study was ever advanced, despite request.

I believe the Governor will find, upon review of my Request and the letters in support received, that this certainly is not only the most extraordinary of circumstances, but that I have been denied all meaningful right of appeal, have exhausted my available remedies in the courts of our State, and this Request is my only timely and adequate recourse for remedy to stop and prevent a total miscarriage of justice which continues to cause me real harm and injury.

I realize my Request is unorthodox, and may even be without precedent for a misdemeanor conviction, but I find no law prohibiting such a Request, nor any law which could possibly prohibit the Governor from hearing it, and my cause is just. Please forward my Request and all communications addressed to the Governor in support, directly to the Governor for due consideration.

Respectfully,

Paul W. Hiatt

cc: Representatives McCune, Angel, and Shea

