

blood samples.<sup>38</sup> We rejected this argument in *State v. S.S.*<sup>39</sup> Although WAC 446-75-060 specifies procedures for blood collection, it does not expressly limit sampling to this method. Further, the legislature amended RCW 43.43.754 in 2002 and changed the term “blood sample” to “biological sample,” thus indicating that blood sampling is not the sole means of DNA extraction under the statute.<sup>40</sup> We hold that RCW 43.43.754 is constitutional and cheek swabbing is a lawful means of collecting DNA samples under the statute.

### C. Statement of Additional Grounds for Review

¶21 Davis’s additional arguments must be rejected. First, Davis claims the guilty plea was incorrectly dated as August 28, 2002. To the contrary, the plea is dated May 22, 2003, and the date Davis refers to is the date he committed the crime. Second, Davis claims the guilty plea reflects that he was only supposed to receive a 9-to-12-month sentence. Again, he has incorrectly read the plea. It states that the standard range for his crime is 41 to 54 months, with 9 to 12 months of community confinement. Third, Davis claims he never signed the guilty plea. However, the plea has a signature on it and the transcript of the hearing indicates that he entered the plea. Finally, Davis submitted documents indicating that he has copyrighted his name. He also warned that any unauthorized use of his name during this appeal would result in a \$500,000 fee.<sup>41</sup> These documents appear to support his belief that the superior court did not have personal jurisdiction over him because he did not volunteer his name and identity to the court. This legal argument has no merit, and must also be dismissed.

<sup>38</sup> WAC 446-75-060. RCW 43.43.759 authorizes the Washington State Patrol to adopt rules implementing the statute.

<sup>39</sup> 122 Wn. App. 725, 94 P.3d 1002 (2004).

<sup>40</sup> S.S., 122 Wn. App. at 728; LAWS OF 2002, ch. 289, § 2.

<sup>41</sup> Davis also submitted a statement of account due, which indicates that King County Prosecutor Norm Maleng, the Department of Corrections, and other debtors collectively owe him four million dollars for the unauthorized use of his name on the guilty plea and judgment and sentence.

¶22 The case is remanded to the superior court for a decision on the merits of Davis’s CrR 4.2(f) motion to withdraw his guilty plea.

[No. 52135-7-I. Division One. January 3, 2005.]

LAKEMONT RIDGE HOMEOWNERS ASSOCIATION, *Respondent*, v.  
LAKEMONT RIDGE LIMITED PARTNERSHIP, ET AL., *Petitioners*.

- [1] **Statutes — Construction — Question of Law or Fact — Review — Standard of Review.** The interpretation of a statute is a question of law that an appellate court reviews de novo.
- [2] **Statutes — Construction — Legislative Intent — In General.** A court’s primary objective when interpreting a statute is to ascertain and carry out the intent and purpose of the legislature. To determine legislative intent, a court first looks at the language of the statute. If the statute is plain and unambiguous, its meaning is derived from the language of the statute alone.
- [3] **Statutes — Construction — Ambiguity — What Constitutes — Different Plausible Interpretations.** A statute is not ambiguous unless it can reasonably be interpreted in two or more ways. A statute is not ambiguous simply because different interpretations are conceivable; a court is not obliged to discern any ambiguity by imagining a variety of alternative interpretations.
- [4] **Statutes — Construction — Rational Interpretation — Avoiding Absurdity.** A statute should be construed to avoid unlikely, absurd, or strained consequences.
- [5] **Vendor and Purchaser — Defect in Property — Construction Defect — Claim Notice — Statutory Provisions — Purpose.** The purpose of the construction defect claim statute (chapter 64.50 RCW) is to reduce the costs and delays associated with construction defect claims.
- [6] **Vendor and Purchaser — Defect in Property — Construction Defect — Claim Notice — Prerequisite Construction Work — Absence of Notice of Requirement.** The 45-day prelitigation claim filing requirement of RCW 64.50.020 applies to construction defect claims based on construction work performed prior to the enactment of the statute despite the fact that no notice of the claim filing requirement was provided to the claimant at the time of contracting as generally required by RCW 64.50.050 because the statute was not yet in effect.

