

March 15, 2021

Mr. Scott S. Harris
Clerk of the Court
United States Supreme Court
1 First Street, N.E.
Washington, D.C. 20543

**Re: *Washington v. Ali*, No. 20-830
Washington v. Domingo-Cornelio, No. 20-831**

Dear Mr. Harris:

We are counsel for respondents in these cases. We are writing to alert the Court to a new decision just issued by the Washington Supreme Court.

On March 11, 2021, the Washington Supreme Court issued its decision in *In re Monschke*, 2021 WL 923319 (Wash. Mar. 11, 2021), a copy of which is attached to this letter. That decision explained that the ruling in *State v. Houston-Sconiers*, 391 P.3d 409 (Wash. 2017), is grounded in Article I, section 14 of the Washington Constitution. *Monschke*, 2021 WL 923319, at *3. *Monschke* also reaffirmed that Washington’s constitutional prohibition on cruel punishment “provides greater protection than the Eighth Amendment” that is “independent” of that federal guarantee, particularly “in the context of juvenile sentencing.” *Id.* at *3 & n.6. This decision is relevant to the point in our brief in opposition, *see* BIO 15-17, that the Washington Supreme Court would ground the rule of *Houston-Sconiers* in the State’s constitution.

We would appreciate if you would circulate this letter and the enclosed decision to the Justices in advance of their March 26, 2021 conference.

Sincerely,

/s/ Emily M. Gause
Emily M. Gause

/s/ Jeffrey E. Ellis
Jeffrey E. Ellis

Counsel of Record for Domingo-Cornelio

/s/ Corey Evan Parker
Corey Evan Parker

Counsel of Record for Ali