

**RCW 10.05.160 Appeal of deferred prosecution order.** The prosecutor may appeal an order granting deferred prosecution on any or all of the following grounds:

- (1) Prior deferred prosecution has been granted to the defendant;
- (2) For a present petition alleging a domestic violence behavior problem, a prior stipulated order of continuance has been granted to the defendant;
- (3) Failure of the court to obtain proof of insurance or a treatment plan conforming to the requirements of this chapter;
- (4) Failure of the court to comply with the requirements of RCW 10.05.100;
- (5) Failure of the evaluation facility to provide the information required in RCW 10.05.040 and 10.05.050, if the defendant has been referred to the facility for treatment. If an appeal on such basis is successful, the trial court may consider the use of another treatment program;
- (6) Failure of the court to order the installation of an ignition interlock or other device under RCW 10.05.140. [2019 c 263 s 707; 2010 c 269 s 11; 2008 c 282 s 19; 1999 c 143 s 44; 1998 c 208 s 4; 1985 c 352 s 18.]

**Findings—Intent—2019 c 263 ss 202-803:** See note following RCW 10.01.240.

**Effective date—2019 c 263 ss 501-504, 601, 602, and 701-708:** See note following RCW 9.94A.500.

**Effective date—2010 c 269:** See note following RCW 46.20.385.

**Effective date—1998 c 208:** See note following RCW 10.05.010.

**Legislative finding—Severability—1985 c 352:** See notes following RCW 10.05.010.