

FILED
COURT OF APPEALS
DIVISION II

No. _____

2013 JUN 19 AM 11:57

STATE OF WASHINGTON

IN THE COURT OF APPEALS FOR THE STATE OF WASHINGTON
DIVISION II DEPUTY

IN RE PERSONAL RESTRAINT PETITION OF:

ROBERT T. WHEELER,

PETITIONER.

PERSONAL RESTRAINT PETITION

Jeffrey E. Ellis #17139
B. Renee Alsept #20400
Attorneys for Mr. Wheeler
Law Office of Alsept & Ellis
621 SW Morrison St., Ste 1025
Portland, OR 97205
JeffreyErwinEllis@gmail.com
ReneeAlsept@gmail.com

I. IDENTITY OF PETITIONER

Robert Wheeler, Petitioner, challenges his Pierce County convictions for Rape of a Child and Child Molestation. Mr. Wheeler, (DOC #893003) is currently incarcerated at the Monroe Correctional Complex in Monroe, Washington.

Mr. Wheeler filed a previous PRP which was granted in part and remanded for correction of a sentencing error. The issue raised in this petition was not raised in that petition. After an order correcting the judgment was entered, Mr. Wheeler appealed. After briefing on the issue of the appealability of the order correcting the sentence error, this Court determined that Mr. Wheeler had a right to an appeal. His appeal (No. 44141-1-II) is currently pending with this court.

III. FACTS

Robert Wheeler was born on March 29, 1987. Between December 6, 2000, and December 5, 2001, when Robert Wheeler was between 13 and 14 years old, he committed the crimes of Rape of a Child and Child Molestation. Those crimes were reported on November 1, 2004. On January 3, 2005, the victims were formally interviewed. On January 23, 2005, Mr. Wheeler confessed. At the time of Mr. Wheeler's confession, more than 2 months remained before he turned 18.

According to documents obtained in a public disclosure request and not previously revealed to Wheeler, on March 7, 2005, the State drafted an information charging the aforementioned offenses in juvenile court. However, the charges were not filed at that time.

On March 26, 2005, three days before Wheeler's 18th birthday, the State prepared an information and probable cause statement (which contained less information than the probable cause statement prepared for the unfiled juvenile court charge). Once again, the charges were not filed at that time. Instead, the State waited until May 4, 2005, when it simply crossed out the earlier date and hand-wrote in the new date.

According to notes received from the prosecutor's office, there was no investigation taking place that would have justified the delay from March 7 to May 4, 2005.

As a result of the State's delay, juvenile court jurisdiction lapsed.

IV. ARGUMENT

A. Introduction

This case presents a striking violation of the due process protection against intentional or negligent delays which result in the loss of juvenile court jurisdiction. This Court should review whether the State intentionally or negligently delayed filing resulting in the loss of juvenile court

jurisdiction. This claim is based on newly discovered evidence of the State's delay—the product of a public disclosure request.

B. The State Either Intentionally or Negligently Delayed Filing Charges Resulting in the Prejudicial Loss of Juvenile Court Jurisdiction.

Both the law and the facts on this claim are clear.

The State delayed filing charges from March to May, 2005, not in order to conduct additional investigation and not even because of the press of other business, but simply so that juvenile court jurisdiction could lapse. The State was aware of Wheeler's date of birth. The investigation was largely, if not entirely complete in January 2005. Charges were actually drafted, along with a probable cause statement in early March. In fact, a case number was assigned.

There is only one apparent reason for delay—to prosecute Mr. Wheeler for a crime committed when he was 13 to 14 (and was 17 when the crime as fully investigated) as an adult.

The law is equally clear. Due process plays a limited role in protecting defendants against oppressive delay. *United States v. Lovasco*, 431 U.S. 783, 789, 97 S.Ct. 2044, 52 L.Ed.2d 752 (1977). Where a defendant commits a crime before he is 18 but is not charged until after he is 18, there is a violation of due process if the delay was intentional or negligent. *State v. Dixon*, 114 Wash.2d 857, 858–59, 792 P.2d 137

(1990) (holding that where a defendant committed the crime at age 16 but was not charged until he was 18, due process was not violated because prosecutorial delay was justified); *State v. Calderon*, 102 Wash.2d 348, 349, 684 P.2d 1293 (1984).

To decide if there is prosecutorial delay, a court must apply a three-prong test. First, the defendant must show the charging delay caused prejudice. If the defendant shows prejudice, the court then examines the State's reasons for the delay. Finally, the court balances the delay against the defendant's prejudice to decide if the delay violates the "fundamental conceptions of justice." If the delay is intentional, due process is violated, but if the delay only is negligent, due process may or may not be violated. *Lovasco*, 431 U.S. at 790; *Calderon*, 102 Wash.2d at 352–53; *Dixon*, 114 Wash.2d at 860.

Petitioners fulfill their burden of proof when prosecutorial delay causes a loss of juvenile court jurisdiction because the loss results in a decrease of benefits available to a defendant. *Dixon*, 114 Wash.2d at 860–61 (stating that two benefits lost to the defendant are the avoidance of the stigma attached to an adult conviction and the possibility for less harsh penalties); *Calderon*, 102 Wash.2d at 352–53 (stating that loss of juvenile court jurisdiction results in the loss of juvenile adjudication or the opportunity to argue against a decline from juvenile court jurisdiction); *State v. Alvin*, 109 Wash.2d 602, 604, 746 P.2d 807 (1987).

The delay in this case can only be described as intentional. The charges were ready to be filed before Wheeler turned 18. In fact, charging documents were prepared for both juvenile and adult court before Wheeler turned 18—after the pre-filing investigation was complete. The only possible reason for the delay was so that juvenile court jurisdiction could lapse and Wheeler be prosecuted in adult court.

This Court should either remand for an evidentiary hearing or grant this claim and remand for dismissal.

IV. CONCLUSION

Based on the above, this Court should either grant Wheeler's PRP of remand for an evidentiary hearing.

DATED this 17th day of June, 2013.

Respectfully Submitted:

/s/Jeffrey E. Ellis

Jeffrey E. Ellis #17139

B. Renee Alsept # 20400

Attorneys for Mr. Wheeler

Law Office of Alsept & Ellis

621 SW Morrison St., Ste 1025

Portland, OR 97205

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ReneeAlsept@gmail.com



05-1-02167-7 22891110 INFO 05-05-05

FILED
IN COUNTY CLERK'S OFFICE
A.M. MAY 04 2005 P.M.
PIERCE COUNTY, WASHINGTON
KEVIN STOCK, County Clerk
BY *[Signature]* DEPUTY

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SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 05-1-02167-7

vs.

ROBERT T WHEELER,

INFORMATION

Defendant.

194 33282

DOB: 3/29/1987
PCN#:

SEX : MALE
SID#: UNKNOWN

RACE: WHITE
DOL#: UNKNOWN

COUNT I

I, GERALD A. HORNE, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse ROBERT T WHEELER of the crime of RAPE OF A CHILD IN THE FIRST DEGREE, committed as follows:

That ROBERT T WHEELER, in the State of Washington, during the period between the 6th day of December, 2000 and the 5th day of December, 2001, did unlawfully and feloniously being at least 24 months older than R.L.B., engage in sexual intercourse with R.L.B., who is less than 12 years old and not married to the defendant, contrary to RCW 9A.44.073, and against the peace and dignity of the State of Washington.

COUNT II

And I, GERALD A. HORNE, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse ROBERT T WHEELER of the crime of CHILD MOLESTATION IN THE FIRST DEGREE, a crime of the same or similar character, and/or a crime based on the same conduct or on a series of acts connected together or constituting parts of a single scheme or plan, and/or so closely connected in respect to time, place and occasion that it would be difficult to separate proof of one charge from proof of the others, committed as follows:

That ROBERT T WHEELER, in the State of Washington, during the period between the 6th day of December, 2000 and the 5th day of December, 2001, did unlawfully and feloniously, being at least 36

INFORMATION- 1

ORIGINAL

Office of the Prosecuting Attorney
930 Tacoma Avenue South, Room 946
Tacoma, WA 98402-2171
Main Office (253) 798-7400

05-1-02167-7

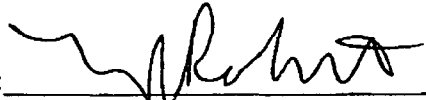
1 months older than K.A.B., have sexual contact with K.A.B., who is less than 12 years old and not married
2 to the defendant, contrary to RCW 9A.44.083, and against the peace and dignity of the State of
3 Washington.

4 DATED this ^{4th MAY} ~~26th~~ day of ~~March~~, 2005.

5 PIERCE COUNTY SHERIFF
WA02700

GERALD A. HORNE
Pierce County Prosecuting Attorney

6
7 mer

8 By: 
9 MARY E. ROBNETT
10 Deputy Prosecuting Attorney
11 WSB#: 21129

NO. *05-1-02167-7*
 DECLARATION FOR DETERMINATION OF PROBABLE CAUSE

MARY E. ROBNETT, declares under penalty of perjury:

That I am a deputy prosecuting attorney for Pierce County and I am familiar with the police report and/or investigation conducted by the PIERCE COUNTY SHERIFF, incident number 043070671;

That the police report and/or investigation provided me the following information;

That in Pierce County, Washington, on or about the period between the 6th day of December 2000 and the 5th day of December 2001, the defendant, ROBERT T WHEELER, did commit the crimes of **Rape of a Child in the First Degree and Child Molestation in the First Degree.**

On November 1, 2004, Pierce County Sheriff's Deputy Larsen contacted a parent who reported that her twin daughters had disclosed that they had been sexually molested by the defendant, Robert T. Wheeler. The parents identified the girls as K.A.B. born 12-06-94 and R.L.B. born 12-06-94. The parent said the defendant is her stepson and is stepbrother to the twins. The parent said this happened when the twins were between 6 and 7 years old; the parent said she and her husband confronted the defendant and he admitted and apologized.

On January 3, 2005, the twins were interviewed by a forensic child interviewer. R.L.B. disclosed that she saw the defendant touch her sister on the front private area with his hand and that the defendant had done the same thing to her. K.A.B. disclosed that the defendant had touched her vaginal area with his hand.

On January 25, 2005, Deputy Nicholson contacted the defendant. The defendant told her that about 3-4 years earlier, he had touched R.L.B. and K.A.B.; he said he put his hand down their panties and rubbed their vaginal areas; he stated that he placed his finger inside R.L.B.'s vagina.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

MAY 4th
 DATED: ~~March~~ 22, 2005
 PLACE: TACOMA, WA


 MARY E. ROBNETT, WSB# 21129



Pierce County

Office of Prosecuting Attorney

REPLY TO:
CIVIL DIVISION
955 Tacoma Avenue South, Suite 301
Tacoma, Washington 98402-2160
FAX: (253) 798-6713

MARK LINDQUIST
Prosecuting Attorney

Main Office: (253) 798-6732
(WA Only) 1-800-992-2456

April 22, 2013

ALSEPT & ELLIS LLC
Jeff Ellis, Attorney at Law
621 SW Morrison St., Suite 1025
Portland OR 97205

RE: Public Records Request Dated March 21, 2013 Concerning State v. Robert
Wheeler, Pierce County Cause No. 05-1-02167-7; PA Reference No.
31/13-0406

Dear Mr. Ellis:

I have completed my review of the search for the requested records. We believe your public disclosure request received March 2, 2013 asked for the following records from the files of the Pierce County Prosecuting Attorney's Office:

Any documents relating to the filing of charges in this case, included but not limited to the receipt of the case for filing, the length of time from receipt to filing, information regarding the defendant's juvenile status at the time of the crime, and other information relevant to the delay between receipt of the case and filing.

We do not know what records you believe are "relevant to the delay between receipt of the case and filing." We have therefore interpreted your request to ask for any record relating to charging that existed prior to the filing date of 05/04/05.

Seventy-one (71) pages were located that are responsive to your request. Of those pages, 19 pages will be released to you. Please see the attached exemption log for additional information regarding these pages.

You have indicated that you would like to view these records. Please contact me at 253-798-4149 to set up a mutually agreeable time for you to come to this office to view these records. Please bring your own supplies. If at that point you select documents to be copied, copies will be made for you at a later time. Prior to copying we will let you know what the fees are associated with copying and anticipated delivery costs. Note that copies will not be made until after payment is received.



Letter to: Jeff Ellis
Date: April 22, 2013
Page 2

If you elect to receive these records by mail rather than view, RCW 42.56.120 authorizes the charging of a copy fee of fifteen (15) cents per page plus mailing costs. 19 pages at 15 cents per page = \$2.85. The cost of delivery to you by United States Postal Services is ninety-two cents (\$.92). If you wish a copy of the non-exempt records, I will, upon receipt of a money order or certified check in the total and exact amount of three dollars and seventy-seven cents (\$3.77) payable to Pierce County, cause copies to be made and distributed to you as soon as we can.

Please note that we are unable to make change for you, we do not waive costs associated with production of public records and we do not accept personal checks.

If you have any questions, believe we have somehow misunderstood your request(s) or wish to clarify your request, please do not hesitate to contact me. Be advised, if we have not heard from you within thirty (30) days of this letter, this matter will be considered to be abandoned and it will be closed.

Sincerely



J. GLASS

Public Records Officer

JG

Enclosure

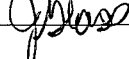
DECLARATION OF MAILING

I declare under penalty of perjury under the laws of the State of Washington that on this date I deposited a properly addressed envelope/document directed to the individual and address referenced above, into the receptacle for

inter-departmental courier with instructions attached to affix prepaid postage and obtain postmark on this date.
 mails of the USA with appropriate pre-paid postage.

At time of deposit, said envelope/contained held the document to which this declaration is affixed and if any noted, the documents indicated.

Dated: 4/23/13 at Tacoma Washington.

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	A	B	C	D	E	F	G	H	I	J
	Produced	Produced, portions redacted. See Column I.	Not Produced. See Column I.	PRR Bates Stamp Page Number	Record Type	Date of Creation (### Denotes Work Product)	Brief Description of Record (### Denotes Work Product)	Author (and recipient if record is a communication) (### Denotes Work Product)	Statute Description of Exemption How Exemption Applies to Prosecutor Records	Additional Identification
2	X			1-4						
3		X		5-19	Core Work Product	See Record	See Record	See Record	RCW 42.56.290, CR 26, Koenig v. Pierce County, 151 Wash.App. 221(2009) Work Product - Mental Impressions/legal opinions Documents contain mental impressions, legal opinions, legal research generated by or for an attorney.	Redacted material reveals content of protected work product
4			X	20	Core Work Product	Unknown	LINX Notes	Printed by tmurdoc	RCW 42.56.290, CR 26, Koenig v. Pierce County, 151 Wash.App. 221(2009) Work Product - Mental Impressions/legal opinions Documents contain mental impressions, legal opinions, legal research generated by or for an attorney.	
5			X	21-30	Law Enforcement Investigative	###	###	###	RCW 42.56.290, CR 26, Koenig v. Pierce County, 151 Wash.App. 221(2009) Work Product Document Prosecutors file contains documents gathered by an attorney and legal staff in anticipation of actual litigation in State v. Robert Wheeler Pierce County Cause No.05-1-02167-7.	
6			X	31	Core Work Product	3/26/2005	Worksheet	Mary Robnett	RCW 42.56.290, CR 26, Koenig v. Pierce County, 151 Wash.App. 221(2009) Work Product - Mental Impressions/legal opinions Documents contain mental impressions, legal opinions, legal research generated by or for an attorney.	
7			X	32	Core Work Product	3/7/2005	Worksheet	Pat Oishi	RCW 42.56.290, CR 26, Koenig v. Pierce County, 151 Wash.App. 221(2009) Work Product - Mental Impressions/legal opinions Documents contain mental impressions, legal opinions, legal research generated by or for an attorney.	
8			X	33	Core Work Product	3/17/2005	Worksheet	Pat Oishi	RCW 42.56.290, CR 26, Koenig v. Pierce County, 151 Wash.App. 221(2009) Work Product - Mental Impressions/legal opinions Documents contain mental impressions, legal opinions, legal research generated by or for an attorney.	
9			X	34-71	Core Work Product	1/3/2005	Notes	Kim Brune	RCW 42.56.290, CR 26, Koenig v. Pierce County, 151 Wash.App. 221(2009) Work Product Document Prosecutors file contains documents gathered by an attorney and legal staff in anticipation of actual litigation in State v. Robert Wheeler Pierce County Cause No.05-1-02167-7.	
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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE
JUVENILE COURT

THE STATE OF WASHINGTON,

Plaintiff,

vs.

ROBERT T WHEELER,
DOB: 3/29/1987
JUVIS #: 739179-R010

Respondent.

CAUSE NO. 05 8 00438 6

INFORMATION

COUNT I

I, GERALD A. HORNE, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse ROBERT T WHEELER of the crime of RAPE OF A CHILD IN THE FIRST DEGREE, committed as follows:

That ROBERT T WHEELER, in the State of Washington, during the period between the 1st day of November, 2001 and the 1st day of November, 2002, did unlawfully and feloniously being at least 24 months older than R.B., engage in sexual intercourse with R.B., who is less than 12 years old and not married to the defendant, contrary to RCW 9A.44.073, and against the peace and dignity of the State of Washington.

COUNT II

And I, GERALD A. HORNE, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse ROBERT T WHEELER of the crime of CHILD MOLESTATION IN THE FIRST DEGREE, a crime of the same or similar character, and/or a crime based on the same conduct or on a series of acts connected together or constituting parts of a single scheme or plan, and/or so closely connected in respect to time, place and occasion that it would be difficult to separate proof of one charge from proof of the others, committed as follows:

INFORMATION - 1

Office of the Prosecuting Attorney
Juvenile Division
5501 Sixth Avenue
Tacoma, WA 98406-2697
Telephone: (253) 798-3400 / Fax (253) 798-4019

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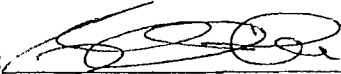
That ROBERT T WHEELER, in the State of Washington, during the period between the 1st day of November, 2001 and the 1st day of November, 2002, did unlawfully and feloniously, being at least 36 months older than K.B., have sexual contact with K.B., who is less than 12 years old and not married to the defendant, contrary to RCW 9A.44.083, and against the peace and dignity of the State of Washington.

DATED this 7th day of March, 2005.

043070671
WA2700

GERALD A. HORNE
Pierce County
Prosecuting Attorney

pho

By: 
PATRICK H. OISHI
Deputy Prosecuting Attorney
WSB#: 26045

INFORMATION - 2

Office of the Prosecuting Attorney
Juvenile Division
5501 Sixth Avenue
Tacoma, WA 98406-2697
Telephone: (253) 798-3400 / Fax (253) 798-4019

1 NO.
2 DECLARATION FOR DETERMINATION OF PROBABLE CAUSE

3 PATRICK H. OISHI, declares under penalty of perjury:

4 That I am a deputy prosecuting attorney for Pierce County and I am familiar with the police
5 report and/or investigation conducted by the PIERCE COUNTY SHERIFF, incident number 043070671;

6 That the police report and/or investigation provided me the following information;

7 That in Pierce County, Washington, on or about time period between the 1st day of November,
8 2001, and the 1st day of November 2002, the respondent, ROBERT T WHEELER, did commit the crime
9 of Rape of a Child First Degree against R.B. (DOB 12/6/94) who is more than 24 months younger and not
10 married to the respondent, and did commit the crime of Rape of a Child First Degree against R.B. (DOB
11 1/6/94), who is more than 24 months younger and not married to the respondent, and Child Molestation
12 First Degree against K.B. (DOB 12/6/94), who is more than 36 months younger and not married to the
13 respondent.

14 Victims R.B. and K.B. are twin sisters and are stepsisters of the respondent, ROBERT
15 WHEELER. School officials noted that victim, R.B. would act out sexually at school. When questioned
16 about this, R.B. disclosed to her mother (Mrs. Wheeler) that the respondent had touched she and her sister
17 around 2001. The respondent was then confronted by Mrs. Wheeler and her husband. The respondent
18 admitted that there had been two incidents where he had touched the vaginas of both victims (R.B. and
19 K.B.).

20 On 1/3/05, R.B. and K.B. were interviewed at the Mary Bridge Child Abuse Intervention
21 Department by Child Forensic Interviewer Kim Brune. R.B. reported that that she observed the
22 respondent touch her sister, K.B. in her front private with his hand and that the respondent had done the
23 same thing to her. K.B. disclosed that the respondent had touched her potty with his hand.

24 On 1/25//05, the respondent was contacted by Pierce County Sheriff Deputy Joanna Nicholson
and advised of his constitutional rights. The respondent stated that approximately 3-4 years prior he had
inappropriately touched R.B. and K.B. He stated he placed his hand down K.B.'s pants and panties and
rubbed his hand on her vagina. He stated he then placed his hand down R.B. pants and panties and
rubbed her vagina with his hand and placed his finger into her vagina.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF
WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: March 7, 2005
PLACE: TACOMA, WA


PATRICK H. OISHI, WSB# 26045

DECLARATION FOR DETERMINATION
OF PROBABLE CAUSE -1

Office of the Prosecuting Attorney
Juvenile Division
5501 Sixth Avenue
Tacoma, WA 98406-2697
Telephone: (253) 798-3400 / Fax (253) 798-4019

Christa Sommerfeld - V: Rebecca Barney (9) & V: Kristin Barney (9) have an interview w/ Kim on 1/3/05 at 2 pm at the CAC

From: Christa Sommerfeld
To: cindy.kydd@multicare.org; Joanna Nicholson; Stacie.adams@multicare.org
Subject: V: Rebecca Barney (9) & V: Kristin Barney (9) have an interview w/ Kim on 1/3/05 at 2 pm at the CAC

P# 200424418
PCSD: 043070671
Dep. Joanna Nicholson
SUS: Robert Wheeler (17)

04/04/13	Person:	WHEELER, ROBERT TROY		Type:	Person
TMURDOC	Note Text:	RECEIVED FILE FROM RECORDS FOR PRR		Dept:	PROS
04/01/13	Note Desc:	RESENTENCING	10/12/12 1:30 PM	Type:	Proceeding
CMACCON	Note Text:	ARCHIVED FILE TO TANYA		Dept:	PROS
10/22/12	Note Desc:	RESENTENCING	10/12/12 1:30 PM	Type:	Proceeding
ELILLEY	Note Text:	FILE TO ARCHIVES.		Dept:	PROS
10/22/12	Note Desc:	RESENTENCING	10/12/12 1:30 PM	Type:	Proceeding
WJONES	Note Text:	NO FUTURE DATES--FILE TO RECORDS		Dept:	PROS
10/17/12	Note Desc:	RESENTENCING	10/12/12 1:30 PM	Type:	Proceeding
WJONES	Note Text:	MOTION & ORDER CORRECTING J & S DIST W/FBI TO WASIS		Dept:	PROS
10/15/12	Note Desc:	RESENTENCING	10/12/12 1:30 PM	Type:	Proceeding
MDAIGLE	Note Text:	FILE TO DISPO SHELF		Dept:	PROS
09/26/12	Person:	BARNEY, RICHARD		Type:	Person
DHANSEN	Note Text:	[REDACTED]		Dept:	PROS
09/25/12	Person:	BARNEY, RICHARD		Type:	Person
DHANSEN	Note Text:	TCF RICHARD BARNEY - [REDACTED]		Dept:	PROS
09/24/12	Note Desc:	RESENTENCING	10/12/12 1:30 PM	Type:	Proceeding
MDAIGLE	Note Text:	FILE TO SAU SHELF FOR 10/12/12 RESENTENCING.		Dept:	PROS
09/24/12	Person:	BARNEY, RICHARD		Type:	Person
KSHULL	Note Text:	MSG RECVD FROM RICHARD [REDACTED]		Dept:	PROS
09/14/12	Person:	WHEELER, SONYA		Type:	Person
DHANSEN	Note Text:	[REDACTED]		Dept:	PROS
08/24/12	Note Desc:	HEARING	9/7/12 1:30 PM	Type:	Proceeding
SSMITH3	Note Text:	MAILED STATE'S RESPONSE TO DEF'S MTN TO MODIFY SENTENCE TO CLOWER AND TO DEFENDANT. EFILED ORIG. DOCS TO JENNIFER.		Dept:	PROS
08/24/12	Note Desc:	HEARING	9/7/12 1:30 PM	Type:	Proceeding
ELILLEY	Note Text:	ARCHIVE FILE TO JENNIFER SIEVERS.		Dept:	PROS
08/21/12	Note Desc:	HEARING	9/7/12 1:30 PM	Type:	Proceeding
MCOOK	Note Text:	[REDACTED]		Dept:	PROS
06/22/10	Note Desc:	SSOSA REVIEW HEARING	9/11/09 1:30 PM	Type:	Proceeding
ELILLEY	Note Text:	FILE RET'D TO ARCHIVES.		Dept:	PROS

06/08/10 THALL1	Person: BARNEY, RICHARD Note Text: CALL TO 		Type: Person Dept: PROS
06/07/10 ELILLEY	Note Desc: SSOSA REVIEW HEARING Note Text: ARCHIVE FILE TO BRIAN WASANKARI.	9/11/09 1:30 PM	Type: Proceeding Dept: PROS
10/01/09 CMACCON	Note Desc: SSOSA REVIEW HEARING Note Text: FILE TO ARCHIVES	9/11/09 1:30 PM	Type: Proceeding Dept: PROS
10/01/09 SSMITH3	Note Desc: SSOSA REVIEW HEARING Note Text: ORDER REVOKING SSOSA SENTENCE FILED. FILE TO RECORDS.	9/11/09 1:30 PM	Type: Proceeding Dept: PROS
09/30/09 MCOOK	Note Desc: Note Text: REC'D PSI REQ FROM DOC, 		Type: Case Dept: PROS
09/25/09 CMACCON	Business: CVC Note Text: J & S EMAILED FOR DEF WHEELER FOR BOTH CLAIMS		Type: Business Dept: PROS
09/22/09 CMACCON	Person: BARNEY, RICHARD Note Text: J & S SENT FOR DEF WHEELER		Type: Person Dept: PROS
09/10/09 CFANKEL	Note Desc: SSOSA REVIEW HEARING Note Text: FILE TO BRIAN.	9/11/09 1:30 PM	Type: Proceeding Dept: PROS
08/31/09 TCLINE	Note Desc: SSOSA REVIEW HEARING Note Text: FILE TO SSOSA DRAWER BEHIND 11.	9/11/09 1:30 PM	Type: Proceeding Dept: PROS
08/26/09 SSMITH3	Note Desc: SSOSA REVIEW HEARING Note Text: FILE TO BRIAN.	8/28/09 1:30 PM	Type: Proceeding Dept: PROS
08/05/09 TCLINE	Note Desc: SSOSA REVIEW HEARING Note Text: FILE TO SSOSA DRAWER BEHIND 28.	8/28/09 1:30 PM	Type: Proceeding Dept: PROS
07/21/09 CFANKEL	Note Desc: SSOSA REVIEW HEARING Note Text: FILE TO BRIAN.	7/24/09 1:30 PM	Type: Proceeding Dept: PROS
07/10/09 TCLINE	Note Desc: SSOSA REVIEW HEARING Note Text: FILE TO SSOSA DRAWER BEHIND 24.	7/24/09 1:30 PM	Type: Proceeding Dept: PROS
07/09/09 BSMITH2	Note Desc: PRELIMINARY HEARING (REV) Note Text: FILE TO CATHY IN RECORDS	7/9/09 1:30 PM	Type: Proceeding Dept: PROS
07/09/09 CMACCON	Note Desc: PRELIMINARY HEARING (REV) Note Text: DEF IC-- DETAINER FAXED & FILE TO WENDY	7/9/09 1:30 PM	Type: Proceeding Dept: PROS
01/09/09 SSMITH3	Note Desc: SSOSA REVIEW HEARING Note Text: FILE TO SSOSA DRAWER UNDER 24TH.	7/24/09 1:30 PM	Type: Proceeding Dept: PROS

01/07/09	Note Desc:	REVIEW HEARING	1/9/09 1:30 PM	Type:	Proceeding
CFANKEL	Note Text:	FILE TO BRIAN.		Dept:	PROS
03/11/08	Note Desc:	REVIEW HEARING	1/9/09 1:30 PM	Type:	Proceeding
BSMITH2	Note Text:	FILE TO SSOSA DRAWER BEHIND THE 9TH.		Dept:	PROS
03/03/08	Note Desc:	REVIEW HEARING	1/9/09 1:30 PM	Type:	Proceeding
SSMITH3	Note Text:	NOTICE OF VIOLATION/STIP. AGREEMENT RECEIVED & GIVEN TO WASANKARI FOR SIGNATURE.		Dept:	PROS
06/20/06	Business:	CVC		Type:	Business
CMACCON	Note Text:	REST ORDER & LTR SENT FOR DEF WHEELER		Dept:	PROS
06/16/06	Note Desc:	RESTITUTION HEARING	6/16/06 1:30 PM	Type:	Proceeding
BSMITH2	Note Text:	REST ORDERED; FILE TO SSOSA DRAWER BEHIND THE 9TH.		Dept:	PROS
05/25/06	Person:	WHEELER, ROBERT TROY		Type:	Person
CKELLEY	Note Text:	ORCHID TO FILE; COPIES TO DEFENSE.		Dept:	PROS
05/25/06	Person:	WHEELER, ROBERT TROY		Type:	Person
CKELLEY	Note Text:	FILE TO DOCKET DRAWER UNDER THE 16TH.		Dept:	PROS
05/25/06	Business:	CVC		Type:	Business
CKELLEY	Note Text:	REC'D COSTS FOR KRISTIN A BARNEY IN THE AMOUNT OF \$185.13		Dept:	PROS
05/25/06	Business:	CVC		Type:	Business
CKELLEY	Note Text:	REC'D COSTS FOR REBECCA L BARNEY (JUV) IN THE AMOUNT OF \$185.13 FOR VR61374		Dept:	PROS
05/04/06	Person:	BARNEY, RICHARD		Type:	Person
CKELLEY	Note Text:	MAILED CERTIFIED COPIES OF NCOS *AS A CONDITION OF SENTENCE* TO V'S DAD AS V IS A JUVENILE. ORIGINAL TO CLERK'S OFFICE; COPY TO FILE.		Dept:	PROS
05/01/06	Person:	WHEELER, ROBERT TROY		Type:	Person
CKELLEY	Note Text:	FILE TO ME FOR REST.		Dept:	PROS
05/01/06	Note Desc:	PLEA ON TRIAL DAY	4/17/06 8:30 AM	Type:	Proceeding
BSMITH2	Note Text:	JS DIST W/FBI; FILE W/ADVOCATE		Dept:	PROS
04/28/06	Note Desc:	PRESENTATION OF ORDER	4/27/06 1:30 PM	Type:	Proceeding
CFANKEL	Note Text:	TERMS AND NCOS DIST FOR KAB & RLB. FILE TO ADVOCATE		Dept:	PROS
04/12/06	Note Desc:	PLEA ON TRIAL DAY	4/17/06 8:30 AM	Type:	Proceeding
CFANKEL	Note Text:	FILE TO BRIAN WASANKARI WITH JS PAPERWORK.		Dept:	PROS
04/04/06	Note Desc:	PLEA ON TRIAL DAY	4/17/06 8:30 AM	Type:	Proceeding
SSULLIN	Note Text:	PSI TO BW		Dept:	PROS
03/30/06	Note Desc:	PLEA ON TRIAL DAY	4/17/06 8:30 AM	Type:	Proceeding
CFANKEL	Note Text:	PSI COMPLETED AND RETURNED TO DOC.		Dept:	PROS
03/29/06	Person:	WHEELER, ROBERT TROY		Type:	Person
THALL1	Note Text:	[REDACTED]		Dept:	PROS

03/29/06	Note Desc:	PLEA ON TRIAL DAY	4/17/06 8:30 AM	Type:	Proceeding	
KSHULL	Note Text:	[REDACTED]			Dept:	PROS
03/21/06	Person:	BARNEY, RICHARD		Type:	Person	
CKELLEY	Note Text:	[REDACTED]			Dept:	PROS
03/21/06	Person:	BARNEY, RICHARD		Type:	Person	
CKELLEY	Note Text:	TCTV'S DAD - [REDACTED]		Dept:	PROS	
02/01/06	Person:	BARNEY, RICHARD		Type:	Person	
CKELLEY	Note Text:	TCTV - RETURNING HIS MESSAGE FROM EARLIER THIS MORNING. L/M ON HOME PHONE REQUESTING A RETURN PHONE CALL.		Dept:	PROS	
01/31/06	Person:	BARNEY, RICHARD		Type:	Person	
CKELLEY	Note Text:	CONT..... [REDACTED]		Dept:	PROS	
01/31/06	Person:	BARNEY, RICHARD		Type:	Person	
CKELLEY	Note Text:	TCTV'S DAD - [REDACTED]		Dept:	PROS	
01/26/06	Note Desc:	QUASH	1/31/06 1:30 PM	Type:	Proceeding	
ABECKER	Note Text:	FILE WITH UNIT. QUASH ON 1-31-06. SCHEDULING ORDER TO UNIT.		Dept:	PROS	
01/24/06	Note Desc:	QUASH	1/31/06 1:30 PM	Type:	Proceeding	
BSMITH2	Note Text:	QUASH PAPERWORK IN FILE; FILE TO SAU DRAWER BEHIND THE 31ST.		Dept:	PROS	
01/24/06	Note Desc:	CONTINUANCE	1/23/06 8:30 AM	Type:	Proceeding	
BSMITH2	Note Text:	BW TO CLERK FOR CERT; BW DIST; FILE TO SAU DRAWER BEHIND THE 26TH.		Dept:	PROS	
01/04/06	Note Desc:	PLEA DATE	1/17/06 9:00 AM	Type:	Proceeding	
PSTAN	Note Text:	WITNESS LIST & SUBPOENAS DISTRIB - COPY TO CLOWER - FILE BACK TO WASANKARI		Dept:	PROS	
12/22/05	Note Desc:	CONTINUANCE	1/3/06 8:30 AM	Type:	Proceeding	
PSTAN	Note Text:	FILE TO BRIAN WASANKARI		Dept:	PROS	
12/20/05	Person:	BARNEY, RICHARD		Type:	Person	
CKELLEY	Note Text:	TCTV'S DAD - [REDACTED]		Dept:	PROS	
12/20/05	Person:	BARNEY, RICHARD		Type:	Person	
CKELLEY	Note Text:	[REDACTED]		Dept:	PROS	
12/19/05	Person:	BARNEY, RICHARD		Type:	Person	
CKELLEY	Note Text:	[REDACTED]		Dept:	PROS	
12/19/05	Person:	BARNEY, RICHARD		Type:	Person	
CKELLEY	Note Text:	TCTV'S DAD - [REDACTED]		Dept:	PROS	

10/25/05	Person:	BARNEY, RICHARD	Type:	Person
CKELLEY	Note Text:	TCTV'S DAD - [REDACTED]	Dept:	PROS
10/25/05	Person:	BARNEY, RICHARD	Type:	Person
CKELLEY	Note Text:	[REDACTED]	Dept:	PROS
09/15/05	Note Desc:	PLEA DATE	10/6/05 9:00 AM	Type: Proceeding
PSTAN	Note Text:	WITNESS LIST & SUBPOENAS DIST - COPY OF LIST TO CLOWER - FILE BACK TO B. WASANKARI	Dept:	PROS
09/12/05	Person:	WHEELER, SONYA	Type:	Person
CKELLEY	Note Text:	TCFV'S MOM - [REDACTED]	Dept:	PROS
09/12/05	Person:	BARNEY, RICHARD	Type:	Person
CSEYMOU	Note Text:	CONT.2 [REDACTED]	Dept:	PROS
09/12/05	Person:	BARNEY, RICHARD	Type:	Person
CSEYMOU	Note Text:	CONT. [REDACTED]	Dept:	PROS
09/12/05	Person:	BARNEY, RICHARD	Type:	Person
CSEYMOU	Note Text:	V FAHTER CALLED [REDACTED]	Dept:	PROS
09/02/05	Note Desc:	OMNIBUS HEARING	9/12/05 8:30 AM	Type: Proceeding
PSTAN	Note Text:	WITNESS LIST & SUBPOENAS DISTRIB - FILE BACK TO B WASANKARI	Dept:	PROS
08/30/05	Person:	BARNEY, RICHARD	Type:	Person
CKELLEY	Note Text:	TCFV'S FATHER - [REDACTED]	Dept:	PROS
08/02/05	Person:	WHEELER, SONYA	Type:	Person
SGOTWAL	Note Text:	TCT [REDACTED] WENDY, RETURNING HER CALL FROM 11:32AM TODAY.	Dept:	PROS
06/24/05	Person:	B., K. A.	Type:	Person
CMACCON	Note Text:	CVC--# VK47649 ---- #VR61373 COSTS OF \$185.13	Dept:	PROS
06/24/05	Person:	B., R. L.	Type:	Person
CMACCON	Note Text:	CVC--#VK 47984--NO COSTS #VR61374 COSTS OF \$185.13	Dept:	PROS
06/10/05	Note Desc:	OMNIBUS HEARING	6/30/05 8:30 AM	Type: Proceeding
BFUCETO	Note Text:	DISC 1-30 TO CLOWER.	Dept:	PROS
05/27/05	Person:	WHEELER, SONYA	Type:	Person
SGOTWAL	Note Text:	***MAILED CERT COPIES OF NCO *PENDING DISPO.* ORIGINALS TO CLERKS, COPIES TO FILE.***	Dept:	PROS
05/24/05	Person:	B., R. L.	Type:	Person
SGOTWAL	Note Text:	REC'D FAX FROM DSHS- V IS NOT IN THEIR SYSTEM- \$0 PAID.	Dept:	PROS

05/24/05	Person:	B., K. A.	Type:	Person
SGOTWAL	Note Text:	REC'D FAX FROM DSHS- V IS NOT IN THEIR SYSTEM- \$0 PAID.	Dept:	PROS
05/23/05	Note Desc:	PRE-TRIAL CONFERENCE	6/7/05 1:30 PM	Type: Proceeding
BFUCETO	Note Text:	NO NOA FILED; DISC 1-30 COPIED AND W/UNIT; FILE TO MARY TO BE ASSIGNED.	Dept:	PROS
05/19/05	Person:	WHEELER, ROBERT TROY	Type:	Person
SGOTWAL	Note Text:	FILE TO SS FOR DISCOVERY.	Dept:	PROS
05/19/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	[REDACTED]	Dept:	PROS
05/19/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	REC'D VIS FROM RICHARD BARNEY AND CHRIS BARNEY. ORIGINALS TO CLERKS, COPIES TO FILE.	Dept:	PROS
05/18/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	[REDACTED]	Dept:	PROS
05/18/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	[REDACTED]	Dept:	PROS
05/16/05	Person:	WHEELER, SONYA	Type:	Person
SGOTWAL	Note Text:	REC'D VICTIM IMPACT LTR FROM VS MOM- ORIGINAL TO CLERKS, COPY TO FILE.	Dept:	PROS
05/13/05	Person:	B., K. A.	Type:	Person
CMACCON	Note Text:	CVC/DSHS FAXED DUE BACK ON 06-03-05	Dept:	PROS
05/13/05	Person:	B., R. L.	Type:	Person
CMACCON	Note Text:	CVC/DSHS FAXED DUE BACK ON 06-03-05	Dept:	PROS
05/12/05	Note Desc:	CASE ISSUED-SUMM/ARRAIGN	5/18/05 1:30 PM	Type: Proceeding
LWORDEN	Note Text:	FILE TO SAU DRAWER	Dept:	PROS
05/12/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	MAILED TWO CVC APPLICATIONS: VK 70469 AND VK 70401.	Dept:	PROS
05/11/05	Person:	WHEELER, SONYA	Type:	Person
SGOTWAL	Note Text:	TCT SONYA RETURNING HER CALL FROM 1:11PM TODAY [REDACTED]	Dept:	PROS
05/11/05	Note Desc:	CASE ISSUED-SUMM/ARRAIGN	5/18/05 1:30 PM	Type: Proceeding
BSMITH2	Note Text:	FILE TO VWAS 5/6/05 FILE TO MARY FOR BAILSHEET 5/11/05	Dept:	PROS
05/10/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	[REDACTED]	Dept:	PROS
05/10/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	[REDACTED]	Dept:	PROS

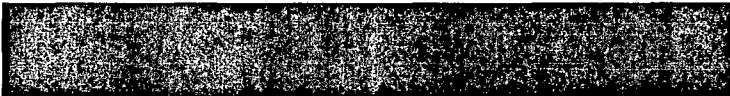
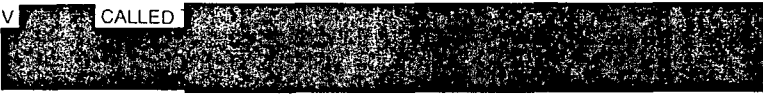

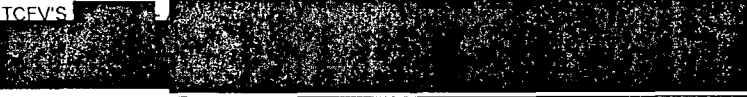


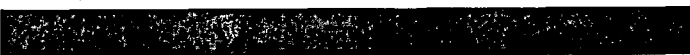
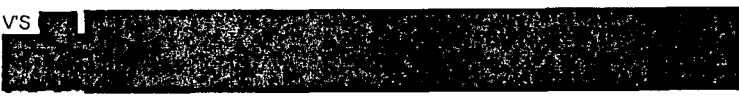

05/10/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	TCT [REDACTED] RETURNING HIS CALL FROM 11:28AM TODAY. [REDACTED]	Dept:	PROS
05/10/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	[REDACTED]	Dept:	PROS
05/09/05	Person:	WHEELER, ROBERT TROY	Type:	Person
SGOTWAL	Note Text:	FILE TO BRENDA SMITH.	Dept:	PROS
05/05/05	Note Desc:	CASE ISSUED-SUMM/ARRAIGN	5/18/05 1:30 PM	Type: Proceeding
LWORDEN	Note Text:	SUMMONS WALKED THRU & DIST /FILE W/ UNIT FOR LABELS	Dept:	PROS
05/05/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	***MAILED CHG PKT W/RETURN DATE OF 5/19/05. INCLUDED RESOURCE INFO AND MY CARD.***	Dept:	PROS
05/05/05	Person:	WHEELER, SONYA	Type:	Person
SGOTWAL	Note Text:	***MAILED CHG PKT W/RETURN DATE OF 5/19/05. INCLUDED RESOURCE INFO AND MY CARD.***	Dept:	PROS
05/04/05	Note Desc:	CASE ISSUED-SUMM/ARRAIGN	5/18/05 1:30 PM	Type: Proceeding
BSMITH2	Note Text:	FILE TO CD2 AM BIN FOR SIGN ON SUMM 5/4/05	Dept:	PROS
04/27/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	[REDACTED]	Dept:	PROS
04/27/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	TCTV'S DAD [REDACTED]	Dept:	PROS
04/25/05	Person:	BARNEY, RICHARD	Type:	Person
LWANNER	Note Text:	RECV'D MESS FROM DAD. [REDACTED]	Dept:	PROS
03/21/05	Person:	WHEELER, ROBERT TROY	Type:	Person
BSMITH2	Note Text:	P FILE TO MARY	Dept:	PROS
03/18/05	Person:	BARNEY, RICHARD	Type:	Person
LWANNER	Note Text:	CALLED DAD [REDACTED]	Dept:	PROS
03/18/05	Person:	WHEELER, SONYA	Type:	Person
LWANNER	Note Text:	CALLED MOM [REDACTED]	Dept:	PROS
03/17/05	Person:	BARNEY, RICHARD	Type:	Person
LWANNER	Note Text:	[REDACTED]	Dept:	PROS
03/17/05	Person:	BARNEY, RICHARD	Type:	Person
LWANNER	Note Text:	[REDACTED]	Dept:	PROS

03/17/05	Person:	BARNEY, RICHARD	Type:	Person
LWANNER	Note Text:	TCF DAD. [REDACTED]	Dept:	PROS
03/17/05	Person:	BARNEY, RICHARD	Type:	Person
LWANNER	Note Text:	REC'D MESS BACK FROM [REDACTED] LEFT CELL NUMBER FOR ME TO CALL. CALLED BACK ON CELL AND LM TO CALL	Dept:	PROS
03/15/05	Person:	WHEELER, SONYA	Type:	Person
LWANNER	Note Text:	[REDACTED]	Dept:	PROS
03/15/05	Person:	WHEELER, SONYA	Type:	Person
LWANNER	Note Text:	REC'D MESS BACK W/ MOM'S CELL. CALLED AND TT MOM. [REDACTED]	Dept:	PROS
03/14/05	Person:	WHEELER, SONYA	Type:	Person
LWANNER	Note Text:	REC'D MESS BACK FROM [REDACTED] CALLED AGAIN AND LEFT ANOTHER MESS TO CALL	Dept:	PROS
03/11/05	Person:	BARNEY, RICHARD	Type:	Person
LWANNER	Note Text:	RETURNED CALL TO [REDACTED] HE WAS NOT HOME. TT LADY WHO IS HOUSE SITTING AND LM RETURNING HIS CALL	Dept:	PROS
03/11/05	Person:	WHEELER, SONYA	Type:	Person
LWANNER	Note Text:	ATTEMPTED TO REACH [REDACTED] RE: CHARGING DEC. LM ON VOICEMAIL TO CALL	Dept:	PROS
03/10/05	Person:	BARNEY, RICHARD	Type:	Person
CSOMMER	Note Text:	RECEIVED MESSAGE FROM [REDACTED]. TRANSFERED MESSAGE TO LISA TO CALL DAD BACK.	Dept:	PROS
02/08/05	Person:	WHEELER, ROBERT TROY	Type:	Person
LWANNER	Note Text:	REC'D SUS CONTACT FILE TO DPA OISHI FOR REVIEW	Dept:	PROS
01/27/05	Person:	WHEELER, ROBERT TROY	Type:	Person
LWANNER	Note Text:	[REDACTED]	Dept:	PROS
01/19/05	Person:	WHEELER, ROBERT TROY	Type:	Person
LWANNER	Note Text:	[REDACTED]	Dept:	PROS
01/19/05	Person:	WHEELER, ROBERT TROY	Type:	Person
LWANNER	Note Text:	LM FOR DEP NICHOLSON RE: SUS CONTACT	Dept:	PROS
01/19/05	Person:	B., K. A.	Type:	Person
LWANNER	Note Text:	REC'D INT TRANSCRIPT FROM KIM	Dept:	PROS
01/19/05	Person:	B., R. L.	Type:	Person
LWANNER	Note Text:	REC'D INT TRANSCRIPT FROM KIM	Dept:	PROS
01/18/05	Person:	WHEELER, ROBERT TROY	Type:	Person
KBRUNE	Note Text:	TAPES TO PROPERTY ROOM.	Dept:	PROS
01/07/05	Person:	BARNEY, RICHARD	Type:	Person
LWANNER	Note Text:	PER KIM BRUNE [REDACTED]	Dept:	PROS

01/05/05	Person:	B., R. L.	Type:	Person
CSOMMER	Note Text:	V HAD AN INTERVIEW ON 1/3/05 W/ KIM.	Dept:	PROS
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01/05/05	Person:	B., K. A.	Type:	Person
CSOMMER	Note Text:	V'S INTERVIEW TOOK PLACE ON 1/3/05 WITH KIM BRUNE.	Dept:	PROS
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12/15/04	Person:	WHEELER, SONYA	Type:	Person
CSOMMER	Note Text:	TCT [REDACTED]	Dept:	PROS
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12/06/04	Person:	WHEELER, ROBERT TROY	Type:	Person
CSOMMER	Note Text:	[REDACTED]	Dept:	PROS
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12/06/04	Person:	WHEELER, ROBERT TROY	Type:	Person
CSOMMER	Note Text:	JOANNA NICHOLSON ASSIGNED.	Dept:	PROS
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12/06/04	Person:	WHEELER, ROBERT TROY	Type:	Person
CSOMMER	Note Text:	[REDACTED]	Dept:	PROS
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12/06/04	Person:	B., R. L.	Type:	Person
CSOMMER	Note Text:	[REDACTED]	Dept:	PROS
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12/06/04	Person:	B., K. A.	Type:	Person
CSOMMER	Note Text:	[REDACTED]	Dept:	PROS

04/04/13	Person:	WHEELER, ROBERT TROY	Type:	Person
TMURDOC	Note Text:	RECEIVED FILE FROM RECORDS FOR PRR	Dept:	PROS
09/26/12	Person:	BARNEY, RICHARD	Type:	Person
DHANSEN	Note Text:	I EMAILED A COPY OF THE PROB CAUSE TO VS DAD.	Dept:	PROS
09/25/12	Person:	BARNEY, RICHARD	Type:	Person
DHANSEN	Note Text:	TCF RICHARD BARNEY [REDACTED]	Dept:	PROS
09/24/12	Person:	BARNEY, RICHARD	Type:	Person
KSHULL	Note Text:	MSG RECVD FROM RICHARD (TO DIXIE) [REDACTED]	Dept:	PROS
09/14/12	Person:	WHEELER, SONYA	Type:	Person
DHANSEN	Note Text:	[REDACTED]	Dept:	PROS
06/08/10	Person:	BARNEY, RICHARD	Type:	Person
THALL1	Note Text:	CALL TO [REDACTED]	Dept:	PROS
09/25/09	Business:	CVC	Type:	Business
CMACCON	Note Text:	J & S EMAILED FOR DEF WHEELER FOR BOTH CLAIMS	Dept:	PROS
09/22/09	Person:	BARNEY, RICHARD	Type:	Person
CMACCON	Note Text:	J & S SENT FOR DEF WHEELER	Dept:	PROS
06/20/06	Business:	CVC	Type:	Business
CMACCON	Note Text:	REST ORDER & LTR SENT FOR DEF WHEELER	Dept:	PROS
05/25/06	Person:	WHEELER, ROBERT TROY	Type:	Person
CKELLEY	Note Text:	ORCHID TO FILE; COPIES TO DEFENSE.	Dept:	PROS
05/25/06	Person:	WHEELER, ROBERT TROY	Type:	Person
CKELLEY	Note Text:	FILE TO DOCKET DRAWER UNDER THE 16TH.	Dept:	PROS
05/25/06	Business:	CVC	Type:	Business
CKELLEY	Note Text:	REC'D COSTS FOR KRISTIN A BARNEY IN THE AMOUNT OF \$185.13	Dept:	PROS
05/25/06	Business:	CVC	Type:	Business
CKELLEY	Note Text:	REC'D COSTS FOR REBECCA L BARNEY (JUV) IN THE AMOUNT OF \$185.13 FOR VR61374	Dept:	PROS
05/04/06	Person:	BARNEY, RICHARD.	Type:	Person
CKELLEY	Note Text:	MAILED CERTIFIED COPIES OF NCOS "AS A CONDITION OF SENTENCE" [REDACTED] ORIGINAL TO CLERK'S OFFICE; COPY TO FILE.	Dept:	PROS
05/01/06	Person:	WHEELER, ROBERT TROY	Type:	Person
CKELLEY	Note Text:	FILE TO ME FOR REST.	Dept:	PROS

03/29/06 THALL1	Person: WHEELER, ROBERT TROY Note Text: PSI INVEIGATOR CALLED [REDACTED]	Type: Person Dept: PROS
03/21/06 CKELLEY	Person: BARNEY, RICHARD Note Text: CONT.....DONE [REDACTED]	Type: Person Dept: PROS
03/21/06 CKELLEY	Person: BARNEY, RICHARD Note Text: TCTV'S [REDACTED] - [REDACTED]	Type: Person Dept: PROS
02/01/06 CKELLEY	Person: BARNEY, RICHARD Note Text: TCTV - RETURNING HIS MESSAGE FROM EARLIER THIS MORNING L/M ON HOME PHONE REQUESTING A RETURN PHONE CALL.	Type: Person Dept: PROS
01/31/06 CKELLEY	Person: BARNEY, RICHARD Note Text: TCTV'S [REDACTED] - RETURNING HIS MESSAGE FROM YESTERDAY. SPOKE TO [REDACTED]	Type: Person Dept: PROS
01/31/06 CKELLEY	Person: BARNEY, RICHARD Note Text: [REDACTED]	Type: Person Dept: PROS
12/20/05 CKELLEY	Person: BARNEY, RICHARD Note Text: TCTV'S [REDACTED] - [REDACTED]	Type: Person Dept: PROS
12/20/05 CKELLEY	Person: BARNEY, RICHARD Note Text: CONT..... [REDACTED]	Type: Person Dept: PROS
12/19/05 CKELLEY	Person: BARNEY, RICHARD Note Text: [REDACTED]	Type: Person Dept: PROS
12/19/05 CKELLEY	Person: BARNEY, RICHARD Note Text: TCTV'S [REDACTED] - RETURNING HIS MESSAGE FROM EARLIER THIS MORING. [REDACTED]	Type: Person Dept: PROS
10/25/05 CKELLEY	Person: BARNEY, RICHARD Note Text: TCTV'S [REDACTED] - RETURNING HIS MESSAGE FROM EARLIER TODAY. [REDACTED]	Type: Person Dept: PROS
10/25/05 CKELLEY	Person: BARNEY, RICHARD Note Text: [REDACTED]	Type: Person Dept: PROS
09/12/05 CKELLEY	Person: WHEELER, SONYA Note Text: TCFV'S [REDACTED] - [REDACTED]	Type: Person Dept: PROS
09/12/05 CSEYMOU	Person: BARNEY, RICHARD Note Text: [REDACTED]	Type: Person Dept: PROS

09/12/05	Person:	BARNEY, RICHARD	Type:	Person
CSEYMOU	Note Text:		Dept:	PROS
09/12/05	Person:	BARNEY, RICHARD	Type:	Person
CSEYMOU	Note Text:	V  CALLED 	Dept:	PROS
08/30/05	Person:	BARNEY, RICHARD	Type:	Person
CKELLEY	Note Text:	TCEV'S 	Dept:	PROS
08/02/05	Person:	WHEELER, SONYA	Type:	Person
SGOTWAL	Note Text:	TCT  WENDY, RETURNING HER-CALL FROM 11:32AM TODAY.	Dept:	PROS
06/24/05	Person:	B., K. A.	Type:	Person
CMACCON	Note Text:	CVC-# VK47649 ---- #VR61373 COSTS OF \$185.13	Dept:	PROS
06/24/05	Person:	B., R. L.	Type:	Person
CMACCON	Note Text:	CVC-#VK 47984--NO COSTS #VR61374 COSTS OF \$185.13	Dept:	PROS
05/27/05	Person:	WHEELER, SONYA	Type:	Person
SGOTWAL	Note Text:	***MAILED CERT COPIES OF NCO *PENDING DISPO.* ORIGINALS TO CLERKS, COPIES TO FILE.***	Dept:	PROS
05/24/05	Person:	B., R. L.	Type:	Person
SGOTWAL	Note Text:	REC'D FAX FROM DSHS- V IS NOT IN THEIR SYSTEM- \$0 PAID.	Dept:	PROS
05/24/05	Person:	B., K. A.	Type:	Person
SGOTWAL	Note Text:	REC'D FAX FROM DSHS- V IS NOT IN THEIR SYSTEM- \$0 PAID.	Dept:	PROS
05/19/05	Person:	WHEELER, ROBERT TROY	Type:	Person
SGOTWAL	Note Text:	FILE TO SS FOR DISCOVERY.	Dept:	PROS
05/19/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:		Dept:	PROS
05/19/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:		Dept:	PROS
05/18/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	V'S 	Dept:	PROS
05/18/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:		Dept:	PROS
05/16/05	Person:	WHEELER, SONYA	Type:	Person
SGOTWAL	Note Text:	REC'D VICTIM IMPACT LTR FROM V'S MOM- ORIGINAL TO CLERKS, COPY TO FILE.	Dept:	PROS

05/13/05	Person:	B. K. A.	Type:	Person
CMACCON	Note Text:	CVC/DSHS FAXED DUE BACK ON 06-03-05	Dept:	PROS
05/13/05	Person:	B., R. L.	Type:	Person
CMACCON	Note Text:	CVC/DSHS FAXED DUE BACK ON 06-03-05	Dept:	PROS
05/12/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	MAILED TWO CVC APPLICATIONS: VK 70469 AND VK 70401.	Dept:	PROS
05/11/05	Person:	WHEELER, SONYA	Type:	Person
SGOTWAL	Note Text:	TCT SONYA RETURNING HER CALL FROM 1:11PM TODAY. [REDACTED]	Dept:	PROS
05/10/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	[REDACTED]	Dept:	PROS
05/10/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	[REDACTED]	Dept:	PROS
05/10/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	TCTV'S DAD RETURNING HIS CALL FROM 11:28AM TODAY. [REDACTED]	Dept:	PROS
05/10/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	[REDACTED]	Dept:	PROS
05/09/05	Person:	WHEELER, ROBERT TROY	Type:	Person
SGOTWAL	Note Text:	FILE TO BRENDA SMITH.	Dept:	PROS
05/05/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	***MAILED CHG PKT W/RETURN DATE OF 5/19/05. INCLUDED RESOURCE INFO AND MY CARD.***	Dept:	PROS
05/05/05	Person:	WHEELER, SONYA	Type:	Person
SGOTWAL	Note Text:	***MAILED CHG PKT W/RETURN DATE OF 5/19/05. INCLUDED RESOURCE INFO AND MY CARD.***	Dept:	PROS
04/27/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	[REDACTED]	Dept:	PROS
04/27/05	Person:	BARNEY, RICHARD	Type:	Person
SGOTWAL	Note Text:	TCTV'S DAD. [REDACTED]	Dept:	PROS
04/25/05	Person:	BARNEY, RICHARD	Type:	Person
LWANNER	Note Text:	RECVD MESS FROM DAD. [REDACTED]	Dept:	PROS
03/21/05	Person:	WHEELER, ROBERT TROY	Type:	Person
BSMITH2	Note Text:	P FILE TO MARY	Dept:	PROS
03/18/05	Person:	BARNEY, RICHARD	Type:	Person
LWANNER	Note Text:	CALLED DAD. [REDACTED]	Dept:	PROS

03/18/05	Person:	WHEELER, SONYA	Type:	Person
LWANNER	Note Text:	CALLED [REDACTED]	Dept:	PROS
03/17/05	Person:	BARNEY, RICHARD	Type:	Person
LWANNER	Note Text:	[REDACTED]	Dept:	PROS
03/17/05	Person:	BARNEY, RICHARD	Type:	Person
LWANNER	Note Text:	TCF [REDACTED]	Dept:	PROS
03/17/05	Person:	BARNEY, RICHARD	Type:	Person
LWANNER	Note Text:	CONT 2: [REDACTED]	Dept:	PROS
03/17/05	Person:	BARNEY, RICHARD	Type:	Person
LWANNER	Note Text:	RECVD MESS BACK FROM [REDACTED] LEFT CELL NUMBER FOR ME TO CALL. CALLED BACK ON CELL AND LM TO CALL	Dept:	PROS
03/15/05	Person:	WHEELER, SONYA	Type:	Person
LWANNER	Note Text:	[REDACTED]	Dept:	PROS
03/15/05	Person:	WHEELER, SONYA	Type:	Person
LWANNER	Note Text:	RECVD MESS BACK W/ MOM'S CELL. CALLED AND TT [REDACTED]	Dept:	PROS
03/14/05	Person:	WHEELER, SONYA	Type:	Person
LWANNER	Note Text:	RECVD MESS BACK FROM MOM. CALLED AGAIN AND LEFT ANOTHER MESS TO CALL	Dept:	PROS
03/11/05	Person:	BARNEY, RICHARD	Type:	Person
LWANNER	Note Text:	RETURNED CALL TO DAD. HE WAS NOT HOME. [REDACTED] AND LM RETURNING HIS CALL	Dept:	PROS
03/11/05	Person:	WHEELER, SONYA	Type:	Person
LWANNER	Note Text:	ATTEMPTED TO REACH [REDACTED] RE: [REDACTED] LM ON VOICEMAIL TO CALL	Dept:	PROS
03/10/05	Person:	BARNEY, RICHARD	Type:	Person
CSOMMER	Note Text:	RECEIVED MESSAGE FROM [REDACTED] TRANSFERED MESSAGE TO LISA TO CALL [REDACTED] BACK.	Dept:	PROS
02/08/05	Person:	WHEELER, ROBERT TROY	Type:	Person
LWANNER	Note Text:	[REDACTED]	Dept:	PROS
01/27/05	Person:	WHEELER, ROBERT TROY	Type:	Person
LWANNER	Note Text:	[REDACTED]	Dept:	PROS
01/19/05	Person:	WHEELER, ROBERT TROY	Type:	Person
LWANNER	Note Text:	RECVD MESS FROM J. NICHOLSON [REDACTED]	Dept:	PROS
01/19/05	Person:	WHEELER, ROBERT TROY	Type:	Person
LWANNER	Note Text:	LM FOR DEP NICHOLSON [REDACTED]	Dept:	PROS
01/19/05	Person:	B., K. A.	Type:	Person
LWANNER	Note Text:	RECVD INT TRANSCRIPT FROM KIM	Dept:	PROS

01/19/05	Person:	B., R. L.	Type:	Person
LWANNER	Note Text:	RECVD INT TRANSCRIPT FROM KIM	Dept:	PROS
01/18/05	Person:	WHEELER, ROBERT TROY	Type:	Person
KBRUNE	Note Text:	TAPES TO PROPERTY ROOM	Dept:	PROS
01/07/05	Person:	BARNEY, RICHARD	Type:	Person
LWANNER	Note Text:	[REDACTED]	Dept:	PROS
01/05/05	Person:	B., R. L.	Type:	Person
CSOMMER	Note Text:	V HAD AN INTERVIEW ON 1/3/05 W/ KIM	Dept:	PROS
01/05/05	Person:	B., K. A.	Type:	Person
CSOMMER	Note Text:	V'S INTERVIEW TOOK PLACE ON 1/3/05 WITH KIM BRUNE.	Dept:	PROS
12/15/04	Person:	WHEELER, SONYA	Type:	Person
CSOMMER	Note Text:	TCT MOM. [REDACTED]	Dept:	PROS
12/06/04	Person:	WHEELER, ROBERT TROY	Type:	Person
CSOMMER	Note Text:	[REDACTED]	Dept:	PROS
12/06/04	Person:	WHEELER, ROBERT TROY	Type:	Person
CSOMMER	Note Text:	JOANNA NICHOLSON ASSIGNED	Dept:	PROS
12/06/04	Person:	WHEELER, ROBERT TROY	Type:	Person
CSOMMER	Note Text:	[REDACTED]	Dept:	PROS
12/06/04	Person:	B., R. L.	Type:	Person
CSOMMER	Note Text:	[REDACTED]	Dept:	PROS
12/06/04	Person:	B., K. A.	Type:	Person
CSOMMER	Note Text:	[REDACTED]	Dept:	PROS

VERIFICATION OF PETITION

I, Robert Wheeler, verify under penalty of perjury that the attached petition is true and correct and filed on my behalf.

6-9-13 Monroe Correctional Complex
Date and Place

Robert Wheeler
Robert Wheeler

FILED
COURT OF APPEALS
DIVISION II

2013 JUN 19 AM 11:57

STATE OF WASHINGTON

BY _____
DEPUTY

**IN THE COURT OF APPEALS FOR THE STATE OF WASHINGTON
DIVISION II**

In re Personal Restraint Petition of
ROBERT T. WHEELER,

Petitioner.

NO. _____

PETITIONER'S MOTION TO
PROCEED IN FORMA PAUPERIS

I. IDENTITY OF MOVING PARTY

Robert T. Wheeler, Petitioner, seeks the relief designated in Part II.

II. STATEMENT OF RELIEF SOUGHT

Waive the filing fee and other costs associated with Petitioner's *Personal Restraint Petition*. A copy of Petitioner's *Statement of Finances* is attached.

III. FACTS

Petitioner is an indigent defendant who seeks to file the attached PRP. Due to his indigence, Petitioner seeks to have the filing fee and other costs waived.

III. ARGUMENT

Pursuant to RAP 16.8, Petitioner respectfully requests that this Court waive the filing fee and other costs associated with his *Personal Restraint Petition*.

1 IV. CONCLUSION

2 This Court should waive the filing fee and other costs in this case.

3
4 DATED this 17th day of June, 2013.

5 /s/ Jeffrey E. Ellis

6 Jeffrey E. Ellis, WSBA #17139

7 *Attorney for Mr. Wheeler*

8 Law Office of Alsept & Ellis

9 621 SW Morrison St. Ste 1025

10 Portland, OR 97205

11 (206) 218-7076 (ph)

12 JeffreyErwinEllis@gmail.com

CERTIFICATE SUPPORTING MOTION TO PROCEED IN FORMA PAUPERIS

I, Robert Wheeler, certify as follows:

1. That I am the Petitioner and I wish to file the enclosed PRP.
2. That I own:
 a. No real property
 b. Real property valued at \$ _____.
3. That I own:
 a. No personal property other than my personal effects
 b. Personal property (automobile, money, inmate account, motors, tools, etc.) valued at \$ _____.
4. That I have the following income:
 a. No income from any source.
 b. Income from employment, disability payments, SSI, insurance, annuities, stocks, bonds, interests, etc., in the amount of \$ _____ on an average monthly basis. I received \$ _____ after taxes over the past year.
5. That I have:
 a. Undischarged debts in the amount of \$ _____.
 b. No debts.
6. That I am without other means to prosecute said appeal and desire that public funds be expended for that purpose.
7. That I can contribute the following amount toward the expense of review:
\$ 0.
8. The following is a brief statement of the nature of the case and the issues sought to be reviewed: **See attached brief.**
9. I ask the court to provide the following at public expense, the following: all filing fees, preparation, reproduction, and distribution of briefs, preparation of verbatim report of proceedings, and preparation of necessary clerk's papers.
10. I authorize the court to obtain verification information regarding my financial status from banks, employers, or other individuals or institutions, if appropriate.
11. I certify that I will immediately report any change in my financial status to the court.
12. I certify that this PRP is being filed in good faith.

I, Robert Wheeler, certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

6-9-13 Monroe Correctional Complex
Date and Place

Robert Wheeler
Signature of Petitioner