

No. 65619-8-1

IN The Court of Appeals of the state of
Washington, Divison One

State of Washington,
Respondent,

✓
Eric J. Christensen,
Appellant

2011 APR 22 PM 3:54

On Appeal From The Superior Court of The
State of Washington for Snohomish County

The Honorable Thomas J. Wynne, Judge

Brief of Appellant

Eric J. Christensen
Appellant

Eric J. Christensen #725512
Washington State Penitentiary
1313 N 13TH Ave
Walla Walla, Wa. 99362

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Argument

1. COURT JUDGE GAVE LEGAL
ADVICE TO THE STATE TO
FILE AN EXTENCHANE, THEREBY
VIOLATING APPELLANTS
CONSTITUTIONAL RIGHTS
UNDER ARTICAL IV §19 OF
THE WASHINGTON CONSTITUTION

On March 4, 2010 at a Defense Motion
to compel hearing, in frsant of Judge
herry E. MCKEEMEN, Snohomish
County Superior Court, Everett Wash-
ington. The violation of Artical IV §19
of the Washington Consitution, which is,

Judges May Not Practice Law
No judge of any court of record
shall practice law in any court of
this state during his continuance
in office.

On page 15 of the Defense Motion to
compel proceeding the judge gave legal advice,
"I would just urge the State to go ahead and
move for a continuance as it appers likely
it be done promptly as possible so eveyone
knows the timeframe in which they have to
opercate." Said Judge MCKEEMEN.

This is practicing law by advising the state on what legal action to take. So as you can see the judge also shows prejudice and biasness to the defense. The court's violation of article 4 §19 and prejudice requires the conviction be vacated.

2. COURT'S DENIED DEFENSE'S MOTION; OBJECTION TO STATE'S MOTION TO CONTINUE, THEREBY VIOLATING APPELLANTS CONSTITUTIONAL RIGHT UNDER ARTICLE I §10 AND §22 OF THE WASHINGTON CONSTITUTION AND AMENDMENT VI OF THE U.S. CONSTITUTION

A continuance hearing was held in front of Judge Gerald H. Knight on March 12, 2010. The State asked for the continuance and the defense objected.

The state charge this into superior court on January 29, 2010 and setting things in motion. Then the appellant was arraigned on February 1, 2010. The trial date was calculated to be April 2, 2010.

The state argued that this case is complicated because of the number of crime scenes the condition of the victim and an effort made to clean up of the homicide site (the state believes

is the homicide site). All homicides and most crimes are not cut and dry. Things like this take time

The state charged this case early, for the appellant was in custody on a different matter and was being held on that charge. Which was set for trial at the end of March.

So the state had plenty of time to get all these ducks in a row before charging this case. This is poor planning on the state's part for not having all the state's players ready to go to trial.

The court explained that all the years on the bench, murder trials operate on a one year time frame (page 15 of the hearing proceedings). This suggests that all rain falls on a specific day only. The court didn't see prejudice to the defense, which in fact the court was favoring the state by going with a one year timeline.

Biasness is shown by the courts and violation of Article 1 § 10 of the Washington Constitution which is:

— Administration of Justice —
Justice in all cases shall be administered openly, and without unnecessary delay.

By the state not going to be ready in time for trial and asking for a continuance because the

they jumped the gun and the Medical Examiners office and the Washington State Patrol Crime Laboratory will not have their reports done in a reasonable time for trial is an unnecessary delay.

By granting the continuance the court also violated Article 1 § 22 of the Washington Constitution which is:

- Right of the Accused -

In criminal prosecution the accused shall have the right to appear and defend in person, or by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf to meet the witnesses against him face to face, to have compulsory process to compel the attendance of witness in his own behalf, to have a speedy public trial by an impartial jury of the county in which the offence is charged to have been committed and the right to appeal in all cases.

and the U.S. constitution Amendment VI which is:

- Right to Speedy Trial, Witnesses etc -
In all criminal prosecution, the accused shall enjoy the right to an speed and public

trial by an impartial jury of the state and district wherein that crime shall have been committed, and to be informed of the nature and cause of the accusation; to be compulsory process for obtaining witness in his favor, and to have the assistance of counsel for his defense.

Because the state got the ball rolling when it did, and not having some or all of the reports/discovery, the courts shouldn't have granted the continuance. The appellants constitutional right was violated a vacate of the conviction must be forthwith.

3. THE SUGGESTING THAT APPELLANT POSSESS A SKILL, USING IT'S OWN WITNESSESS TO VERIFY, EVENTHOW THERE IS NO FACT OR EVIDANCE TO SUPPORT IT.

On June 1, 2010 the defense made an argument that the state's witness Dr. Katherine Taylor's testimony would put an improper imprint on how or where the appellant learned the disarticulation skills from. Verbatim Report of proceedings (hereinafter RP) page 412.

The state ask the court to allow Dr. Taylor to testify that this disarticulation was very

skillfully, very precise, and her words was that it was impressive in some sense.

RP 613 The state indicated that there was a photograph that was taken at appellants apartment of a compound bow case.

In Detective Tedd Betts's testimony RP152 he stated "To the left, you will see this is a case for a bow as in bow and arrow..." Now the jury already knows about prior-felony conviction and add a deadly weapon into the mix one would get results in prejudice and a conviction is increased.

The state is trying heavily to convince the jury that the appellant is a skilled hunter and having field dressed an animal. There is no facts that appellant was a hunter at all. No hunting licence or photos of any hunting kills. There was no photos taken of the contents of said case, to determine if in fact there was a bow in the case. There is no evidence that a bow was ever owned by the appellant.

In final arguments RP 1198 Mr. Matheson states "He field-dressed her like an animal".

Ms. Bridges stated in RP 613 they are not going to "argue that Mr. Christensen has disarticulated a human before. We have no evidence to support that and no reason to believe it. More likely, he is a hunter and he has field dressed an animal before, and that provides the basis for which the skillful disarticulation was performed."

You can see clearly the state implicating its own theory with the help of expert witnesses, as fact to the jury. Even though there is no backing for their claim.

This shows prejudice to the defence and the state's lacking in their ability to try this case fairly. So a vacate would be warranted.

4. PROSECUTORS MISCONDUCT MADE IN CLOSING THAT AFFECT THE JURY'S VERDICT.

In state v. Sandoval 137 Wn. App. 532
Criminal Law - Trial - Misconduct of Prosecutor
test

A prosecutor engages in misconduct if (1.) The prosecutor makes improper comments and (2.) There is a substantial likelihood that the improper comment will affect the verdict.

On June 4, 2010 Final arguments RP 1192 Mr. Matheson made improper comments "He removed her internal and external sexual organs, he cut off her left breast and the tissue surrounding it. Then, he dumped her body in east Snohomish county like so much garbage." and in RP 1198 he states "He field-dressed her like an

animal".

Both elements of the test is apparent in this case. So a reversal is apparent in this case as well.

5. STATE'S MISCONDUCT HAVING THE STATE'S WITNESS DR. STANLEY ADAMS CHANGE HIS STATEMENT TO SUIT THE STATE'S WILL.

In Dr. Adams testimony he stated that a double-edge knife was used for the wounds on the back of the torso. RP 509-510

In RP 513 the state is trying heavily to make the knife wounds a kitchen knife and not a double-edge knife that Dr. Adams believes it to be.

The state had the witness change his opinion to fit the state's theory (RP 513) that a kitchen knife was used in the stabbing. Even though there is no evidence to support their claim, again this shows prejudices to the defense and the state's lacking their ability to try this case fairly. A reversal of the conviction should be forthwith.

6. STATE NOT SHOWING SUFFICIENT EVIDENCE FOR PREMEDITATED FIRST DEGREE MURDER

The state did not show sufficient evidence for

Premeditated First-Degree Murder. "Premeditated, Done with full deliberation and planning; Consciously considered before hand <a premeditated killing>". Black's Law Dictionary Abridged Eight Edition (2005)

In the history of the United States there has been many acts of Premeditated First Degree murder:

President Abraham Lincoln by John Wilks Booth • President John F. Kennedy by Lee Harvey Oswald • Dr. Martin L. King by James Earl Ray • The Oklahoma City Bombing by Timothy McVAY or the Worlds Trade Center destruction by the Taliban.

These are all act of premeditated First Degree murder, willful deliberation and planning, There is no evidence to support premeditated first degree murder in this case.

The Medical Examiners could not say who or what killed Sherry Marlan. Premeditation must involve more than a moment or point in time. The law requires some time, however, long or short, in which a design to kill is deliberately formed. In Jones v. Wood 207 F.3d 557 (2000) "A mere fact that a fatal stabbing must have taken place over some period of time is not in and of itself sufficient evidence to support an inference of premeditation."

With this in mind and the experts not knowing what killed or how long the killing took, with out any hard tangible sufficient evidence the state should not have gotten its conviction. A total reversal of the conviction must be forthwith.

7. EVIDENCE THAT WAS ILLEGAL SEIZED AND USE IN TRIAL

On June 2, 2010 Detective Jame Maley told the court that he got evidence item No. 25 (state Exhibit 239) from Detective Willoth RP1000 ITEM No 25 is a cell phone. No wase in the search Warrant is there a cell phone to be seized. See Appendix A-F.

Because of what Det. Maley found a testified to RP1001 "Fucking hate you, you fucking bitch". There is prejudices and a conviction is increased.

This also shows ineffective assistance of counsel for allowing this to happen. A reversal of the conviction must happen.

8 IMPROPOR SEARCH WARRANT

In the Affidavit for Search warrant appendix A.

The undersigned on oath states: That affiant Bieves that;

(x) Evidence of the crime of ASSAULT in the second degree,

Domestic Violence

(x) Contraband, The fruit of a crime, or things other wise criminally possessed, and

() Weapon or other things by means of which a crime has been committed or reasonably appears about to be committed, and

(x) A person for whose arrest there is probable cause, or who is

or who is unlawfully restrained.

The box with the "Weapon or other" is not marked even though in the "Items to be Seized" list number 2 states "Knives, or other bladed instruments, tools, weapons, etc." A compound Bow is a weapon and the status indicated there was one RPB13 as well as Det Betts RPB152. Since when can law enforcement not pick up all items to be seized in a search warrant?

Now probable cause for the search warrant is Assault in the Second degree, Domestic Violence. The items to be seized 12 of the 14 items have nothing to do with an assault or domestic violence.

In Appendix D most of the search warrant is the same. Still the items to be seized have nothing to do with the probable cause for the search warrant. Maybe assault in the first degree or may be fraud would work for the probable cause but not assault in the second degree, domestic violence.

Since when does religious paper work and practices of the church of Sanooi of Wicca have to do with Second Degree Assault, Domestic Violence?

Has in Appendix E. The practice of Wicca does not promote hate nor violence. There again is more proof of improper search warrant.

In Appendix F evidence of the crime of Murder in the First degree; in the narrative is suggest that I took the items to be seized. This would mean Felony murder or Murder in the Second degree. RCW 9A.32.050. So what does

the Item to be Seized haft to do with Murder in the First degree? Not a thing, again more proof of improper Search warrant.

All evidence that was seized and used in trial should be returned to the appellent and a severral of the conviction must be awarded

CONCLUSION

Do to the prejudice, biasness, fabrication, miss leading and violation of law and the consitution that the court and State as shown, a vacate of the conviction should be fostrh with. More over a new-trial would work on some of the argumets however a new-trial most not be awarded. Appellant has already stood trial for Pre meditation First Degree Murder, A new-trial would be double-jeopardy which is:

Double Jeopardy

The fact of being prosecuted or sentenced twice for substantially the same offense + Double jeopardy is prohibited by the Fifth Amendment.

Black's Law Dictionary absided eight edition (2005)

Same offense in the Black's Law Dictionary absided eight edition (2005) reads:

Same Offense

1.) For double-jeopardy purpose, the same criminal act, omission

or Transaction for which the person has already stood trial. 2.) For Sentencing and enhancement of punishment purposes, an offence that is quite similar to a previous one.

Which is as above is prohibited by the fifth Amendment of the United States Constitution which is:

Amendment V

Right of accused in criminal proceedings. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury except in cases arising in land or naval forces, or in the militia when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

and the Washington Constitution article 1 § 9

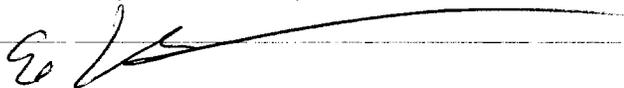
which is:

Rights of accused person

No person shall be compelled in any criminal case to give evidence against himself, be twice put in jeopardy for the same offence.

Dated this 19th day of April, 2011

Respect fully Submitted



Eric J. Christensen
Appellant

Appendix A: Affidavit for Search Warrant

Cause No. 5769 A,B, & C

CASCADE DISTRICT COURT FOR SNOHOMISH COUNTY

STATE OF WASHINGTON)
COUNTY OF SNOHOMISH)

NO. PFM 5769 A, B, & C

AFFIDAVIT FOR SEARCH WARRANT

THE UNDERSIGNED ON OATH STATES: THAT AFFIANT BELIEVES THAT:

EVIDENCE OF THE CRIME OF: ASSAULT IN THE SECOND DEGREE, DOMESTIC VIOLENCE.

CONTRABAND, THE FRUITS OF A CRIME, OR THINGS OTHERWISE CRIMINALLY POSSESSED,
AND

WEAPONS OR OTHER THING BY MEANS OF WHICH A CRIME HAS BEEN COMMITTED OR
REASONABLY APPEARS ABOUT TO BE COMMITTED, AND

A PERSON FOR WHOSE ARREST THERE IS PROBABLE CAUSE, OR WHO IS UNLAWFULLY
RESTRAINED

ARE LOCATED IN, ON OR ABOUT THE FOLLOWING DESCRIBED PREMISES, VEHICLE OR PERSON(S):

1: 39514 144th ST SE, GOLDBAR, WASHINGTON, 98251. The residence is a two story residence, brown in color (cedar siding), with a detached grey shed to the west of the property. There is a 35 foot standard hitch trailer, white in color, with a blue 35 foot cover over it to the west of the main house, between the gray building and a storage mobile home, which is also located on the west side of the main residence. The property itself is 20 acres. This property is in the process of being purchased by JOHN and SHARON BANKS. The detached trailer with a blue covering over it belongs to HUGH BANKS. The detached gray shed is currently being rented by ERIC CHRISTENSEN.

2: A cream and brown colored 1986 Chevrolet Blazer, Washington License plate # A87818Z, VIN (Vehicle Identification Number) 1G8CT18R0126652. This vehicle is currently registered to ERIC CHRISTENSEN.

3. I am also requesting court authority to seize the person of ERIC JAMES CHRISTENSEN, DOB 06/25/1969, Social Security Number 551-81-8874, OLN (Operator's License Number) Wa# CHRJSEJ317L5, for the purposes of photographing his entire person, both clothed and unclothed.

ITEMS TO BE SEIZED:

- 2) Knives, or other bladed instruments, tools, weapons, etc.
- 3) Any pieces of foam.
- 4) Cleaning products, to include bleach.
- 5) Any clothing which is damaged in manner consistent with bleach or a sharp instrument.
- 6) Any carpet or linoleum which is damaged or debris from either carpeting and / or linoleum.
- 7) Any trace evidence, to include hairs, fibers, fingerprints, blood evidence, DNA (Deoxyribonucleic Acid), etc.
- 8) Photographs of the entire person of ERIC JAMES CHRISTENSEN, Date of Birth 06/25/1969, both clothed and unclothed.
- 9) A Sony Vaio laptop computer, gray in color.
- 10) A black laptop computer, with a grey insert and black keys.
- 11) Any other computer equipment, to include loose hard drive components, CDs, DVDs, thumbdrives, zipdrives, flashdrives, or any other device used to store digital data.
- 12) The body of HARLAN, SHERRY ANN, Date of Birth 01/21/1974.
- 13) A white canine animal, named "ROSCO", which is a poodle / terrier mix breed.
- 14) Any clothing or other personal belongings which belong to Harlan or her dog, Rosco.
- 15) A cream and brown colored 1986 Chevrolet Blazer, Washington License plate # A87818Z, VIN (Vehicle Identification Number) 1G8CT18R0126652. This vehicle is currently registered to ERIC CHRISTENSEN.
- 16) Letters of Occupancy.

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THE AFFIANT'S BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

I am a commissioned detective, employed by the Snohomish County Sheriff's Office. I have been employed there for over 8 years. During my 5 1/2 years on patrol, I investigated numerous cases of sexual assaults and crimes against children. I was promoted to detective in January of 2007 and assigned to the Special Investigations Unit with Snohomish County Sheriff's Office. There, I have investigated numerous cases involving crimes against children and sexual assault cases.

I have received over 400 hours of training in the areas of: BASIC HOMICIDE, FBI CRIME SCENE MANAGEMENT, CRITICAL STEPS TO INTERROGATIONS IN CHILD ABUSE, CRIME SCENE INVESTIGATIONS, COMPOSITE DRAWING FOR LAW ENFORCEMENT, REID SCHOOL-INTERVIEW AND INTERROGATION, INVESTIGATING AND PROSECUTING SEXUAL ASSAULTS, CRIMINAL INVESTIGATIONS, BLOOD SPATTER ANALYSIS and the yearly Children's Justice Conference.

In addition, I have attended and successfully completed both the 720 hour WSCJTC Basic Law Enforcement Academy in Burien and the Reserve Police Academy held at the Monroe Police Department. I have applied for and successfully served 39 search warrants, a majority of which have proved fruitful.

The Investigation: On 01/05/2010, at 2105 hours, the reporting party in this case, TERESA RENTKO, called 911 to report that a close friend of hers, SHERRY ANN HARLAN, DOB (Date of Birth) 01/21/1974, was missing and had not been seen for several days. Rentko stated that she was at Cedar Creek Apartments, 11615 Hwy 99 #H-12, Everett, Washington, 98204, which is located in un-incorporated Snohomish County. Rentko reported that this address was Harlan's residence and Harlan, her dog, and her car was not at the location. She stated that she works for JC Penneys with Harlan and Harlan had not been to work in several days. Rentko reported to Deputy J. Atwood that she had not seen Harlan since 12/30/2009. She said that Harlan had never called in sick to work or been late for work. She said that Harlan had been experiencing "hard times". She had already called Harlan's parents, who informed Rentko that they had not seen Harlan since Christmas, 2009.

Rentko reported that Harlan is extremely afraid of her current boyfriend and reported she only knows his first name "Eric". She said that Harlan had told her that "Eric" stalks her. She said that Eric resided in a trailer at an unknown address in the City of Gold Bar.

Deputy Atwood contacted Harlan's mother, CHERYL THOMAS. Thomas reported to Deputy Atwood that she had last seen Harlan on Sunday, 12/27/2009, and assisted her in moving some of her belongings to Cedar Creek Apartments. Thomas stated that Harlan was in good health the last time she saw her. She told Deputy Atwood that she didn't know Eric's last name, but knew his cell phone number was (425)314-0443.

Deputy Atwood contacted several persons located in the parking lot of the apartment complex, one of which was the apartment manager, TRICIA FOX. Another person that entered the apartment was ALMIR KRVAVAC. Fox and Krvavac informed Deputy Atwood that two people had entered Harlan's apartment. They stated that Harlan was not inside her residence and they found the interior of the residence to be "very suspicious". Fox and Krvavac also reported a very pungent odor of bleach in the apartment. They reported that, prior to Harlan's move into the apartment, the apartment was completely remodeled. Harlan moved into the apartment only three months prior to this incident. They reported that they observed that the kitchen linoleum had been cut away from the floor and the carpeting inside the residence had also been similarly removed. Both provided written statements.

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Sgt. Geoghagan, MPD (Master Patrol Deputy) M. Calnon and Deputy Atwood entered the residence due to exigent circumstances. Deputy Atwood wrote "I encountered the overwhelming smell of bleach upon entry into the apartment". Deputy Atwood also observed that the linoleum and carpeting had been cut away "in a hasty or quickened manner". He stated that none of the flooring removed in this fashion was located within the residence during the search. Deputy Atwood located what appeared to be blood stains inside the residence at several different locations. He noted that the mattress to a bed had been rolled up and cut in several places. MPD Calnon pointed out what appeared to be a small blood stain on the mattress. Harlan was not located inside the residence.

Deputy Atwood canvassed the neighborhood and contacted an APRIL THORPE, who reported that she had last seen Harlan and her dog on Wednesday, 12/30/2009. She said that on 12/31/2009, at approximately 0200 hours, she was taking her recycling from her apartment. She observed that the trunk to Harlan's vehicle was open. She said that as she was walking back to her apartment she noticed that Harlan's dog was on a leash and that leash was caught in one of the doors to the vehicle. Thorpe stated that as she was walking towards the car to free the dog, she was startled by a white male adult that was "hunkered down" next to the vehicle "as if hiding". She said that the male was thin, pale, was wearing a baseball cap and had a short beard. After he saw that Thorpe had noticed him, the male "made as if he was friendly with the dog" and placed the dog into the vehicle. Deputy Atwood took a written statement from Thorpe.

Deputy Atwood also took a statement from a resident at this apartment complex, STEFANI DOSSKEY. Dosskey reported that on Saturday morning, 01/02/2010, at around 0800 hours, she heard screaming and yelling coming from the apartment H-11. She heard a man yelling, saying "shut the fuck up" and then the commotion stopped. She heard things breaking inside the apartment during the disturbance.

Deputy Atwood took a statement from another resident, SHIYANN PICKENS. Pickens reported that Harlan had told her in the past that "Eric" has come to her apartment in the past and "beat her to a bloody pulp". She wrote that Harlan was scared to pick up with him "because she knows he would come after her to kill her".

On 01/06/2010, this case was assigned to Det. K. Willoth, Snohomish County Sheriff's Office Major Crimes Unit. Willoth interviewed Eric Christensen, who stated that "Eric" was identified as ERIC JAMES CHRISTENSEN, DOB [redacted], through an interview with Harlan's co-workers and Snohomish County Jail staff. She advised that Christensen had a vehicle registered to his name, a cream and brown 1986 Chevrolet Blazer, Wa # A8731777. Christensen was dispatched to assist in this case. Det. Willoth provided me with Christensen's phone number (360) 314-0[redacted].

At [redacted] hours, I called Christensen's cell phone number. Christensen answered the phone. He stated that he was at Sky Valley Medical Center at 06/20[redacted] at Sky Valley Medical Center at 0750 hours. He said that he had [redacted] I told Christensen that we were trying to locate Harlan. Christensen said that [redacted] on 01/05/2010 at 2100 hours and informed him that Harlan was missing [redacted] "Eric", also called him asked him if he knew where Harlan was. He said that [redacted] last Saturday (01/01/2010). He said that Harlan drove him to a bus stop in Everett. I asked him which bus stop and he said "the Everett stop". Christensen then said (without my asking him) that 3 "Mexican" males pulled knives on him and tried to rob him there. He said that he has cuts on his hand from that incident. He told me this happened after he left Harlan. Christensen then told me that he had walked from Harlan's residence and she had NOT driven him to a bus stop. He said he didn't know where the assault occurred. Christensen agreed to talk with me and agreed to meet me at the medical center at 0750 hours.

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At 0820 hours, Det. T. Betts and I met with Christensen at Sky River medical center. We noticed that Christensen's right hand was in a bandage. We noted several scrape / cut marks on both of his forearms. We also noted a scrape / cut mark on the right side of his face, from the inside of his right eye to the bridge of his nose.

For the next 4 hours, we followed Christensen around to his various medical appointments (he went to the doctor for a pre-existing back injury from his childhood, but the doctor looked at and treated his hand injury) and interviewed him. At no time was Christensen placed under arrest or detained. Det. Betts informed Christensen that he was not under arrest and free to leave at anytime. Christensen stated that he understood that and agreed to talk with us. At three separate times, we stopped talking to him so he could go into another unknown location for his treatments (ie, when he went to go get an x-ray of his hand, we waited in the lobby; while he got steri-strips put on the cut wounds on his hand, we waited in the lobby).

Christensen's statement: He has dated Harlan since April of 2009. Prior to his arrest on 11/14/2009, he learned from his friend, HUGH BANKS, had informed him that Harlan had "hit on him". Christensen said that Banks described Harlan reaching around his person from behind him and grabbing his penis. He said that he gave her the benefit of the doubt.

Christensen stated that on approximately 12/18/2009, he learned that Harlan was seeing / communicating with an older male called DANIEL YOUNG. He said that he found out that they had communicated on the internet on a website called "tag". He stated that he had an argument with Harlan about this and threatened to leave her. He said that Harlan agreed to go through a Wiccan ceremony in which she agreed to "no more sugar daddy". Christensen said that he was very committed to the Wicca religion and that Harlan also was of that faith. Christensen described this vow to "no more sugar daddy" as a "blood oath". He said that in "ancient times" people that broke similar vows were sometimes killed.

A few days later, Christensen learned, via viewing Harlan's cell phone, that she was still calling Young. He said that he confronted her about "breaking her vow" but continued to date her.

Christensen said that on Friday, 01/01/2010, he rode the bus to Harlan's work. He said that after she got off work (around 1830-1900 hours), both of them drove to her apartment in her car. He said that they ordered pizza and watched a movie (a Harry Potter movie). He said that after that, they went to bed and engaged in sexual intercourse. Christensen said that they both woke up at 0500 hours and again engaged in sexual intercourse. After that, Christensen said that he took a shower; Harlan came into the shower and they again engaged in sexual intercourse. Christensen got out of the shower, leaving Harlan in the shower.

He said he had a "feeling that something wasn't right with her (Harlan)". He said that he then searched for Harlan's cell phone and found it. He said that he found text messages on Harlan's cell phone between her and Young, dated that day (01/02/2010). Christensen said that Harlan and he again engaged in sexual intercourse after she came out of the shower. He said that he then confronted Harlan about the text messages. He said that "in Scottish, she would be what's known as a warlock, which is evil, a traitor, an enemy" because she had broken her blood oath.

Christensen said that he and Harlan got into a physical altercation. He said that he grabbed Harlan's shoulders, shook her and pushed her. He said that she tripped over the bed and fell on the floor. Christensen told us twice that Harlan slapped him on the left side of his face twice. He said that neither of them shed any blood during this altercation. He said that after the physical altercation, Harlan told him to leave, which he did. He said that he walked from her apartment to the Everett Bus station, located in downtown Everett. He said that while he was walking there, three Mexican males "jumped him" and tried to take his money. He said

that two of them pulled knives on him and one of them stabbed him in the right hand, causing two separate stab / cut wounds on his right hand and a stab wound on his right knee. He said that he was able to fight all three individuals off.

Christensen said that he wrapped his hand in his t-shirt after the fight. He walked to the bus stop and took the bus to the bus stop in Monroe, located near the Monroe Park and Ride. He said that his truck, WA# A87818Z, was parked at that location. He said that he sat in his truck for a period of time (he didn't specify how long) and then drove to the Banks' residence, located at 39514 144th St Se, Gold Bar, Washington. Christensen told us that he returned to Harlan's residence on Sunday, 01/03/2010, at around 1800 hours. He said that he saw that Harlan's dog, Rosco, was on a leash, and that one of the doors to Harlan's car was closed on the leash. He said that the other door was slightly ajar and Harlan was not around. He said that he went to the front of the vehicle because he felt sick and had the "dry heaves". He said that he sneezed and an unknown neighbor saw him. He said that he put Rosco back into Harlan's car and left. Christensen described Harlan's car as a light blue 1989 Nissan Sentra, 4 door sedan. He said that was the last time that he went over to Harlan's residence.

We asked Christensen about the scratches on his arms. Christensen said that most of the marks were caused by briar bushes. Some of the scratches, however, started with a semi-circular shape and then continued through his flesh in what appeared to be a drag /scratch mark. When we asked him about the scratch on his face, Christensen rubbed it, paused for several seconds, and then told us that scratch was either caused during the struggle with Harlan or the fight with the 3 mexicans. He stated that he had no other injuries to his person. Christensen allowed us to photograph his visible injuries(ie, we were able to photograph all of his visible skin but did not request he remove any clothing, allowed us to take a DNA sample from him and also signed a medical release form for his medical examination today. We ended the interview with Christensen at 1152 hours and he walked away.

At 1232 hours, I called Christensen and asked him if he was willing to take a polygraph examination. He said "I know those aren't admissible in court" but agreed to take a test.

At 1243 hours, I called Christensen and asked him if he was willing to take the test today. Christensen paused for a long period of time and then said "not without a court order, I won't." I persuaded Christensen to take a polygraph examination on Friday (01/08/2010) at 1300 hours, but he was adamant that he would not take a polygraph examination today.

At 1431 hours, Christensen called me. He said that after he returned home, he remembered that during the struggle with Harlan, he lost a finger nail. He said this nail was on the middle finger of his left hand. He agreed to meet with me so we could photograph this injury as well.

At 1512 hours, we met Christensen at Gold Bar City Hall. Christensen said that he had "laundered" the pants he had been wearing on Saturday; he stated that these pants had a cut on the right knee. He said that he had been wearing a different pair of boots and told us that he had "washed them". He agreed to turn these boots over to us. Christensen left on a bicycle and rode to 39514 144th St Se, Gold Bar.

At 1558 hours, Det. Betts and I followed him to 39514 144th St Se, Gold Bar. Christensen went into a detached shed on the property (gray in color) by himself and came out a short time later with a pair of green rubber boots, which he turned over to us. I saw that Christensen's truck, WA# A87818Z, was parked at the location. Christensen told me that was the truck that he drove from the Monroe Park and Ride to this residence on 01/02/2010. He pointed out a red t-shirt, which was clearly visible through the back window, and told me that t-shirt was similar to the one that he was wearing when he was stabbed. I asked Christensen

if he would be willing to allow us to search the truck. Christensen said "do you have a warrant?" I told him no and asked him if I needed one. Christensen said "yes" and would not allow us to search his truck voluntarily.

At 1655 hours, Det. Betts interviewed Hugh Banks. Hugh told us that Christensen had communicated with Harlan online, on a black laptop with a grey interior and black keys. He said that this laptop was currently in Christensen's bedroom. He said that the laptop was damaged because Christensen got angry about an email that he received from Harlan and damaged it. Banks said that he allowed Christensen to use his laptop, a gray Sony Viao laptop, and knew that Christensen had communicated with other persons online, using the "tag" website. He did not know whether or not Christensen communicated with Harlan using Banks' laptop. Banks told Det. Betts that Christensen resided at 39514 144th St Se, Gold Bar, Washington, in the detached gray shed located on the property. Banks informed Det. Betts that Christensen has access to all of the buildings on 39514 144th St Se, Gold Bar.

On 01/06/2010, Det. Willoth applied and was granted permission for a search warrant to search 11615 Hwy 99 #H-12, Everett, Washington. Det. Willoth stated that she, Det. Dunn, other members of the Snohomish County Sheriff's Office and an Evidence Response Team from the Washington State Patrol Crime Laboratory executed the search warrant on Harlan's apartment. She informed me that blood evidence was located throughout the apartment. She told me that they located a futon bed which had been cut. She informed me that, according to the laboratory technicians from the State Patrol, in their opinion someone had used a sharp instrument to stab into the futon and the foam padding inside the futon.

Det. Willoth said that human tissue was located in the stab marks and presumptive tests were used to see if any of the blood evidence located in the stab marks was human blood. She stated that the laboratory technicians informed her that they had received a positive result, indicating the presence of human blood inside the stab marks. Det. B. Pince told me that Washington State Patrol Crime Laboratory technicians stated that a blood shoeprint was found on a t-shirt located inside Harlan's apartment. The WSP technicians informed Det. Pince that the shoe pattern appeared to be a tennis shoe print, possibly an Adidas or Nike tread pattern. They also informed her that any shoes located that had caused that shoe pattern would more than likely still have blood in the treads of the shoes.

As of the writing of this affidavit, neither Harlan, her car nor her dog have been located. Several attempts have been made to contact Harlan on her cell phone; the cell phone is turned off and goes right to voicemail.

Based on the above information, I believe that probable cause exists for ERIC JAMES CHRISTENSEN for the crime of ASSAULT IN THE SECOND DEGREE, DOMESTIC VIOLENCE. I further believe that the above requested items will give more evidence that Christensen committed the aforementioned crime. While Harlan is listed as a missing person at this point, several things indicate that she is possibly the victim of a homicide. Christensen admitted to being in a violent assault with Harlan on 01/02/2010 and is the last person to have seen Harlan. Evidence collected inside her apartment indicates that a violent assault and possibly a homicide have occurred and someone (possibly Christensen) attempted to alter / remove evidence at the scene. Christensen has several injuries to his person, including an extensive injury to his right hand which Christensen himself informed us was caused by a knife. I request permission to enter the above listed residence and vehicle:

TO SEIZE:

- 17) Knives, or other bladed instruments, tools, weapons, etc.
- 18) Any pieces of foam.

1179

- 19) Cleaning products, to include bleach.
- 20) Any clothing which is damaged in manner consistent with bleach or a sharp instrument
- 21) Any carpet or linoleum which is damaged or debris from either carpeting and / or linoleum.
- 22) Any trace evidence, to include hairs, fibers, fingerprints, blood evidence, DNA (Deoxyribonucleic Acid), etc.
- 23) Photographs of the entire person of ERIC JAMES CHRISTENSEN, Date of Birth 06/25/1969, both clothed and unclothed.
- 24) A Sony Vaio laptop computer, gray in color.
- 25) A black laptop computer, with a grey insert and black keys.
- 26) Any other computer equipment, to include loose hard drive components, CDs, DVDs, thumbdrives, zipdrives, flashdrives, or any other device used to store digital data.
- 27) The body of HARLAN, SHERRY ANN, Date of Birth 01/21/1974.
- 28) A white canine animal, named "ROSCO", which is a poodle / terrier mix breed.
- 29) Any clothing or other personal belongings which belong to Harlan or her dog, Rosco.
- 30) A cream and brown colored 1986 Chevrolet Blazer, Washington License plate # A87818Z, VN (Vehicle Identification Number) 1G8CT18R0126652. This vehicle is currently registered to ERIC CHRISTENSEN.
- 31) Letters of Occupancy.

All of the above are to be searched, seized, and examined by members of the Snohomish County Sheriff's Office Special Investigations Unit, forensic scientists at the Washington State Patrol, and laboratory technicians with the Snohomish County Sheriff's Office Evidence Room.

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

AFFIANT

AGENCY, TITLE, PERSONNEL NUMBER.

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2010

JUDGE

ISSUANCE OF WARRANT APPROVED:

DPA H. BLUME #15462
DEPUTY PROSECUTING ATTORNEY

Appendix B: Search Warrant: 1986 Chevrolet Blazer

Cause No. 5769 B

Jan 06 10 11:55p
JAN-06-2010 11:56 PM

Paul & Linda Moon

3606593352

P.4
P. 03/13

PFM

PFM 5769B

~~APPENDIX~~ SEARCH WARRANT PAGE 2 OF 2

A copy of the warrant and a receipt for the property taken shall be given to the person from whom or from whose premises property is taken. If no person is found in possession, a copy and receipt shall be conspicuously posted at the place where the property is found.

Dated:

1/6/10
23:30
10

Paul F. Moon
~~Judge~~ Comm.

Paul F. Moon

Printed or Typed Name of Judge ~~Judge~~ Comm.

1/6/10

PFM

ORIGINAL

Appendix C: Search Warrant: Residence at 39514 144th Street SE
Gold Bar, WA 98251

Cause No. 5769 C

CASCADE DIVISION DISTRICT COURT

STATE OF WASHINGTON)

) ss.

COUNTY OF SNOHOMISH)

ORIGINAL

NO. PFM 5769C

SEARCH WARRANT

TO ANY PEACE OFFICER IN THE STATE OF WASHINGTON:

Upon the sworn complaint made before me it appears that there is probable cause to believe that the crime(s) of ASSAULT IN THE SECOND DEGREE, DOMESTIC VIOLENCE, has been committed and that evidence of that crime; or contraband, the fruits of crime, or things otherwise criminally possessed; or weapons or other things by means of which a crime has been committed or reasonably appears about to be committed; or a person for whose arrest there is probable cause, or who is unlawfully restrained are concealed in or on certain premises, vehicles, or persons within Snohomish County, Washington.

YOU ARE COMMANDED TO:

Search within ten (10) days of this date, the premises, vehicle or person described as follows:

1) 39514 144th ST SE, GOLDBAR, WASHINGTON, 98251. The residence is a two story residence, brown in color (cedar siding), with a detached grey shed to the west of the property. There is a 35 foot standard hitch trailer, white in color, with a blue 35 foot cover over it to the west of the main house, between the gray building and a storage mobile home, which is also located on the west side of the main residence. The property itself is .20 acres. This property is in the process of being purchased by JOHN and SHARON BANKS. The detached trailer with a blue covering over it belongs to HUGH BANKS. The detached gray shed is currently being rented by ERIC CHRISTENSEN.

Seize and forensically examine, if located, the following property or person(s):

- 2) Knives, or other bladed instruments, tools, weapons, etc.
- 3) Any pieces of foam.
- 4) Cleaning products, to include bleach.
- 5) Any clothing which is damaged.
- 6) Any carpet or linoleum which is damaged or debris from either carpeting and / or linoleum.
- 7) Any trace evidence, to include hairs, fibers, fingerprints, blood evidence, DNA (Deoxyribonucleic Acid), etc.
- 8) Photographs of the entire person of ERIC JAMES CHRISTENSEN, Date of Birth 06/25/1969, both clothed and unclothed.
- 9) A Sony Vaio laptop computer, gray in color.
- 10) A black laptop computer, with a grey insert and black keys.
- 11) Any other computer equipment, to include loose hard drive components, CDs, DVDs, thumbdrives, zipdrives, flashdrives, or any other device used to store digital data.
- 12) The body of HARLAN, SHERRY ANN, Date of Birth 01/21/1974.
- 13) A canine animal, named "ROSCO", which is a poodle / terrier mix breed.
- 14) Any clothing or other personal belongings which belong to Harlan or her dog, Rosco.
- 15) A cream and brown colored 1986 Chevrolet Blazer, Washington License plate # A87818Z, VIN (Vehicle Identification Number) 1G8CT18R0126652. This vehicle is currently registered to ERIC CHRISTENSEN.

1/2 PFM

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Jan 06 10 11:55p Paul & Linda Moon
JAN-06-2010 11:57 PM

3606593352

P. 2
P. 05/13

~~AFFIDAVIT~~ AFFIDAVIT FOR SEARCH WARRANT PAGE 2 OF 2

PFM
5769 C

16) Letters of Occupancy.

17A. The Affidavit for Search Warrant is attached and incorporated by reference.

18. Promptly return this warrant to me or the clerk of this court; the return must include an inventory of all property seized.

A copy of the warrant and a receipt for the property taken shall be given to the person from whom or from whose premises property is taken. If no person is found in possession, a copy and receipt shall be conspicuously posted at the place where the property is found.

Dated: 1/6/10

Ⓢ 23130



Judge ~~comm~~

Paul F. Moon

Printed or Typed Name of Judge ~~comm~~

ORIGINAL

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Appendix D: First Addendum Affidavit for Search Warrant
Residence at 39514 144th Street SE, Gold Bar, WA

ASSAULTS, CRIMINAL INVESTIGATIONS, BLOOD SPATTER ANALYSIS and the yearly Children's Justice Conference.

In addition, I have attended and successfully completed both the 720 hour WSCJTC Basic Law Enforcement Academy in Burien and the Reserve Police Academy held at the Monroe Police Department. I have applied for and successfully served 40 search warrants, a majority of which have proved fruitful.

ADDENDUM: This affidavit is an addendum to a warrant (#PFM 5769A). On 01/06/2010, at 2330 hours, the honorable Commissioner P. Moon, Cascade Division District Court, reviewed and approved the above warrant, granting us legal authority to lawfully enter and search 39514 144th St Se, Gold Bar, Washington, to lawfully enter and search Christensen's 1986 Chevrolet Blazer, Washington License Plate #A87818Z, and to seize and photograph ERIC JAMES CHRISTENSEN, DOB 06/25/1969. There were three separate warrants written utilizing the same affidavit for those searches (attached to this addendum for reference).

On 01/07/2010, at 0100 hours, the Snohomish County Sheriff's Office SWAT (Special Weapons and Tactics) team executed the residence search warrant.

At 0133 hours, Eric Christensen was taken into custody and transported to the Snohomish County Sheriff's Office main office to be interviewed.

At that time, I interviewed Hugh Banks. Banks stated that on Sunday, 01/03/2010, he talked with Christensen about the cut or scratch he noticed on Christensen's face. He said that Christensen told him that three Mexican males "jumped him" near the Everett Mall. He said that Christensen mentioned a pair of black and red tennis shoes that Harlan had purchased for him. He said that Christensen said something to the effect of "I'll be damned if someone was going to take those from me". He said that Christensen told Banks that he was wearing the shoes at the time of the assault. He also mentioned that he had a Leatherman knife or tool on him at the time of the assault.

At 0230 hours, Detectives B. Pince, T. Betts, T. Bayler, T. Koziol and Sgt. T. Swenson entered the residence and searched it. They located the following:

- A partially burned sock with reddish stains on it. This was located in the sink in the detached gray shed.
- A 1 gallon red plastic gas container, which looked fairly new, which was located in the living room. This item was not seized as evidence, as it was not listed on the original search warrants or search warrant affidavit.
- A pair of jeans on the living room floor, which had a wallet in it. This wallet had several credit cards in it. This item was not seized as evidence, as it was not listed on the original search warrants or search warrant affidavit.
- A pair of jeans, which had cuts in them. These jeans also had what appeared to be blood stains on them. These stains were of a sizeable amount on the outside of both thigh portions. Inside the pants the stains were larger, as though the blood had soaked through the jeans. There were also what appeared to be bleach stains on them and sizeable cut marks on the pants. These jeans were seized as evidence.
- A Leatherman tool was located on the shelf in the living room. This was not seized as evidence.
- A pair of black and red tennis shoes. The tread pattern on the bottom of these shoes appeared to match the bloody shoe print found on a t-shirt inside Harlan's apartment. These shoes were seized as evidence.

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The residence and property were monitored over night by patrol deputies with the Snohomish County Sheriff's Office; we did not release the scene that night as we were going to return to the property in the morning to continue searching the 20 acres during daylight hours.

At 0316 hours, Det. J. Scharf and I attempted to interview Christensen at the main office for the Snohomish County Sheriff's office. Christensen ultimately requested to seek legal counsel before talking further with the police. In his property bag, which was given to me by Deputy D. Johnson, the deputy that transported him to the courthouse, was a can of Grizzly chewing tobacco. This was booked into his property at the jail, as we had no reason to seize it as evidence at that time.

At 0351 hours, we executed the photograph search warrant. Christensen removed his clothing in stages at our direction as Det. Scharf photographed his person. After Christensen removed his clothing, we noted several additional injuries to his person, to include:

- A small scratch / cut mark on his upper back on the left side, near his shoulder.
- What looked like three (possibly more) scratch / cut marks on his buttocks.
- A small puncture / stab wound on his right knee, just above the knee cap. The wound was small in width and appeared consistent with a smaller knife blade, such as the knife attachment on a Leatherman tool.

On 01/07/2010, at around 0800 hours, Detectives Wells and Dunn returned to the property to continue the search. During their search they located the following:

- In a GMC truck located on the property. Inside the bed of the truck, they located an empty Gerber machete box. This was seized as evidence. They also located several empty cans of Grizzly chewing tobacco in garbage bags in the bed of the truck.

On 01/07/2010, at 1151 hours, personnel from the Snohomish County Sheriff's Office Search and Rescue (SAR) team searched the area of Reiter Pit, Gold Bar, Washington.

At 1409 hours, a burned out shell of a four door sedan was located in an area off Reiter Rd, underneath the power lines just east of the fish hatchery, just east of the intersection of Maycreek Rd and Reiter Rd, Gold Bar. Inside this vehicle were what appeared to be human skull. The vehicle is light blue in color, showing through the charred covering. The condition of this car is consistent with vehicles which have been burned using gasoline or another type of accelerant. Also located in the car were at least two knives and a can of Grizzly tobacco chew near the car.

Based on the above information, I believe that probable cause exists for ERIC JAMES CHRISTENSEN for the crime of MURDER IN THE SECOND DEGREE. I further believe that the above requested items will give more evidence that Christensen committed the aforementioned crime. While Harlan is listed as a missing person at this point, several things indicate that she is possibly the victim of a homicide. Christensen admitted to being in a violent assault with Harlan on 01/02/2010 and is the last person to have seen Harlan. Evidence collected inside her apartment indicates that a violent assault and possibly a homicide have occurred and someone (possibly Christensen) attempted to alter / remove evidence at the scene. Christensen has several injuries to his person, including an extensive injury to his right hand which Christensen himself informed us was caused by a knife. Evidence collected in Christensen's residence appears to have been worn by someone during a violent assault and a bloodletting event. A burned out car was located near his residence (roughly 5-10 miles from his residence) with what appears to be a human skull in it. I request permission to enter the above listed residence and the Snohomish County Jail:

1184

TO SEIZE:

- 2) 1 gallon red plastic gas can, located in the living room.
- 3) A pair of jeans, containing a wallet and credit cards.
- 4) Any receipts, purchase orders, transaction slips, or anything else which would show a recent purchases by the suspect.
- 5) Any and all Leatherman tools and / or knives located within the detached gray shed.
- 6) Any tobacco products, specifically Grizzly brand chewing tobacco.

All of the above are to be searched, seized, and examined by members of the Snohomish County Sheriff's Office Special Investigations Unit, forensic scientists at the Washington State Patrol, and laboratory technicians with the Snohomish County Sheriff's Office Evidence Room.

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

AFFIANT

AGENCY, TITLE, PERSONNEL NUMBER.

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2010

JUDGE

ISSUANCE OF WARRANT APPROVED:

DPA H. BLUME #15462
DEPUTY PROSECUTING ATTORNEY

Appendix E: Second Addendum Affidavit for Search Warrant
Residence at 39514 144th Street SE, Gold Bar, WA

In addition, I have attended and successfully completed both the 720 hour WSCJTC Basic Law Enforcement Academy in Burien and the Reserve Police Academy held at the Monroe Police Department. I have applied for and successfully served 40 search warrants, a majority of which have proved fruitful.

ADDENDUM: This affidavit is an addendum to a warrant (#PFM 5769A). On 01/06/2010, at 2330 hours, the honorable Commissioner P. Moon, Cascade Division District Court, reviewed and approved the above warrant, granting us legal authority to lawfully enter and search 39514 144th St Se, Gold Bar, Washington, to lawfully enter and search Christensen's 1986 Chevrolet Blazer, Washington License Plate #A87818Z, and to seize and photograph ERIC JAMES CHRISTENSEN, DOB 06/25/1969. There were three separate warrants written utilizing the same affidavit for those searches (attached to this addendum for reference; REFERENCE #A).

First Addendum: On 01/07/2010, I wrote an addendum to lawfully enter and search 39514 144th St Se, Gold Bar, Washington and to lawfully enter and search Christensen's property at the Snohomish County Jail. On 01/07/2010, at 2020 hours, the honorable Judge P. Lyons, Evergreen Division District Court, Snohomish County, Washington, reviewed and approved the addendum search warrant and affidavit for those searches (attached to this addendum for reference; REFERENCE #B).

On 01/07/2010, at 2053 hours, Det. B. Pince and I entered 39514 144th St Se, Gold Bar, Washington, and executed the first addendum search warrant. During the search, we found paperwork that had been printed off from an internet website (the website was listed at the bottom of the paperwork : www.boundicca.de/warlock-e.htm). This printout was titled "what is a Warlock?". Some of the phrases in this informational packet were used by Christensen during the interview with him on 01/06/2010. For example: "But 'warlock', in the sense of 'a male witch', is Scottish Late Middle English and entirely derogatory; its root means 'traitor, enemy, devil'".

This is almost exactly word for word what Christensen said to us during his interview. Christensen said during his interview that in ancient times, Warlocks were often killed. This paperwork goes towards Christensen's motive for Harlan's murder; that she broke a "blood oath" and is considered a "warlock" and was consequently murdered for violating that oath. I have printed off a copy of this packet for reference (REFERENCE #C). Since this paperwork was not listed in the addendum, it was not seized. This paperwork was located in a stack of paperwork, some of which were hand written notes in apparently Christensen's handwriting, as well as other print outs about the Wiccan religion. The handwritten notes looked like paraphrases from other documents located in this stack of paperwork.

Based on the above information, I believe that probable cause exists for ERIC JAMES CHRISTENSEN for the crime of MURDER IN THE SECOND DEGREE. I further believe that the above requested items will give more evidence that Christensen committed the aforementioned crime. While Harlan is listed as a missing person at this point, several things indicate that she is possibly the victim of a homicide. Christensen admitted to being in a violent assault with Harlan on 01/02/2010 and is the last person to have seen Harlan. Evidence collected inside her apartment indicates that a violent assault and possibly a homicide have occurred and someone (possibly Christensen) attempted to alter / remove evidence at the scene. Christensen has several injuries to his person, including an extensive injury to his right hand which Christensen himself informed us was caused by a knife. Evidence collected in Christensen's residence appears to have been worn by someone during a violent assault and a bloodletting event. A burned out car was located near his residence (roughly 5-10 miles from his residence) with what appears to be a human skull in it. This car has been identified as the Harlan's car. The skull has a broken tip of a knife blade stuck in it. Also located in the car was a knife with a broken tip. I request permission to enter the above listed residence:

TO SEIZE:

Paperwork, specifically any and all paperwork which mentions any part of the religion and practices of the Church and School of Wicca. I am also requesting court authority to seize any paperwork located around this religious paperwork, any notes written by Christensen, or any other documents located with this Wiccan literature.

All of the above are to be searched, seized, and examined by members of the Snohomish County Sheriff's Office Special Investigations Unit, forensic scientists at the Washington State Patrol, and laboratory technicians with the Snohomish County Sheriff's Office Evidence Room.

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

AFFIANT (DET. C. LEYDA)

Snohomish County Sheriff's Office/DETECTIVE/#1363
AGENCY, TITLE, PERSONNEL NUMBER.

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2010

JUDGE

ISSUANCE OF WARRANT APPROVED:

DPA C. MATHESON #18556
DEPUTY PROSECUTING ATTORNEY

Appendix F: Third Addendum Affidavit for Search Warrant
Residence at 39514 144th Street SE, Gold Bar, WA

EVERGREEN DISTRICT COURT FOR SNOHOMISH COUNTY

STATE OF WASHINGTON)
COUNTY OF SNOHOMISH)

NO. 10-15
AFFIDAVIT FOR SEARCH WARRANT

ORIGINAL

THE UNDERSIGNED ON OATH STATES: THAT AFFIANT BELIEVES THAT:

EVIDENCE OF THE CRIME OF: MURDER IN THE FIRST DEGREE.

CONTRABAND, THE FRUITS OF A CRIME, OR THINGS OTHERWISE CRIMINALLY POSSESSED,
AND

WEAPONS OR OTHER THING BY MEANS OF WHICH A CRIME HAS BEEN COMMITTED OR
REASONABLY APPEARS ABOUT TO BE COMMITTED, AND

A PERSON FOR WHOSE ARREST THERE IS PROBABLE CAUSE, OR WHO IS UNLAWFULLY
RESTRAINED

ARE LOCATED IN, ON OR ABOUT THE FOLLOWING DESCRIBED PREMISES, VEHICLE OR PERSON(S):
1: 39514 144th ST SE, GOLDBAR, WASHINGTON, 98251. The residence is a two story residence, brown in color (cedar siding), with a detached grey shed to the west of the property. There is a 35 foot standard hitch trailer, white in color, with a blue 35 foot cover over it to the west of the main house, between the gray building and a storage mobile home, which is also located on the west side of the main residence. The property itself is 20 acres. This property is in the process of being purchased by JOHN and SHARON BANKS. The detached trailer with a blue covering over it belongs to HUGH BANKS. The detached gray shed is currently being rented by ERIC CHRISTENSEN.

ITEMS TO BE SEIZED AND FORENSICALLY EXAMINE:

- 2: A 36 inch flat screen Sony Brava television set, model # DV6-2088DX, serial number SCNF94262TP.
- 3: A black leather Dell Laptop carrying bag.
- 4: A Hewlett Packard laptop computer, silver in color with a black keyboard.

THE AFFIANT'S BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

I am a commissioned detective, employed by the Snohomish County Sheriff's Office. I have been employed there for over 8 years. During my 5 1/2 years on patrol, I investigated numerous cases of sexual assaults and crimes against children. I was promoted to detective in January of 2007 and assigned to the Special Investigations Unit with Snohomish County Sheriff's Office. There, I have investigated numerous cases involving crimes against children and sexual assault cases.

I have received over 400 hours of training in the areas of: BASIC HOMICIDE, FBI CRIME SCENE MANAGEMENT, CRITICAL STEPS TO INTERROGATIONS IN CHILD ABUSE, CRIME SCENE INVESTIGATIONS, COMPOSITE DRAWING FOR LAW ENFORCEMENT, REID SCHOOL-INTERVIEW AND INTERROGATION, INVESTIGATING AND PROSECUTING SEXUAL ASSAULTS, CRIMINAL INVESTIGATIONS, BLOOD SPATTER ANALYSIS and the yearly Children's Justice Conference.

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In addition, I have attended and successfully completed both the 720 hour WSCJTC Basic Law Enforcement Academy in Burien and the Reserve Police Academy held at the Monroe Police Department. I have applied for and successfully served 41 search warrants, a majority of which have proved fruitful.

ADDENDUM: This affidavit is an addendum to a warrant (#PFM 5769A). On 01/06/2010, at 2330 hours, the honorable Commissioner P. Moon, Cascade Division District Court, reviewed and approved the above warrant, granting us legal authority to lawfully enter and search 39514 144th St Se, Gold Bar, Washington, to lawfully enter and search Christensen's 1986 Chevrolet Blazer, Washington License Plate #A87818Z, and to seize and photograph ERIC JAMES CHRISTENSEN, DOB 06/25/1969. There were three separate warrants written utilizing the same affidavit for those searches (attached and incorporated by reference to this addendum; REFERENCE #A).

First Addendum: On 01/07/2010, I wrote an addendum to lawfully enter and search 39514 144th St Se, Gold Bar, Washington and to lawfully enter and search Christensen's property at the Snohomish County Jail. On 01/07/2010, at 2020 hours, the honorable Judge P. Lyons, Evergreen Division District Court, Snohomish County, Washington, reviewed and approved the addendum search warrant and affidavit for those searches (attached and incorporated by reference to this addendum; REFERENCE #B).

Second Addendum: On 01/11/2010, I wrote an addendum to lawfully enter and search 39514 144th St Se, Gold Bar, Washington. On 01/11/2010, at 1315 hours, the honorable Judge P. Lyons, Evergreen Division District Court, Snohomish County, Washington, reviewed and approved the addendum search warrant and affidavit for that search (attached and incorporated by reference to this addendum; REFERENCE #C).

Narrative: On 02/04/2010, at 1130 hours, the lead detective assigned to this case, Det. K. Willoth, called me. She informed me that they had new information about property that was stored at the above address. She told me that Christensen had a Sony flat screen TV, a Dell laptop carrying bag and a destroyed Hewlett Packard laptop computer in 39514 144th St Se, Gold Bar. She told me that these belongings were Harlan's.

On 02/08/2010, at 0730 hours, I met with Det. Willoth. She informed me that Harlan's mother, SHERYL THOMAS, had previously gone to Harlan's apartment at Cedar Creek Apartments, 11615 Hwy 99, Apartment #H-12, Everett, Washington. Thomas informed Det. Willoth that items were missing from Harlan's apartment. Det. Willoth said that the items mentioned by Thomas were the Sony TV set described above, a HP laptop computer and a leather Dell laptop carrying case. Det. Willoth informed me that she contacted Daniel Young. She said that Young denied taking those items out of Harlan's apartment. She said that he provided her with a receipt containing information on the computer. Det. Willoth informed me that Young had purchased the above items for Harlan in November of 2009. She said that the items were in Harlan's apartment previously. Note: These items were not present in Harlan's apartment during the search of her apartment on 01/06/2009.

In reviewing the photographs taken on 01/08/2010, and from my own searches at the above address, I recall the TV set and the Dell laptop carrying case being inside 39514 144th St Se, Gold Bar. See below:

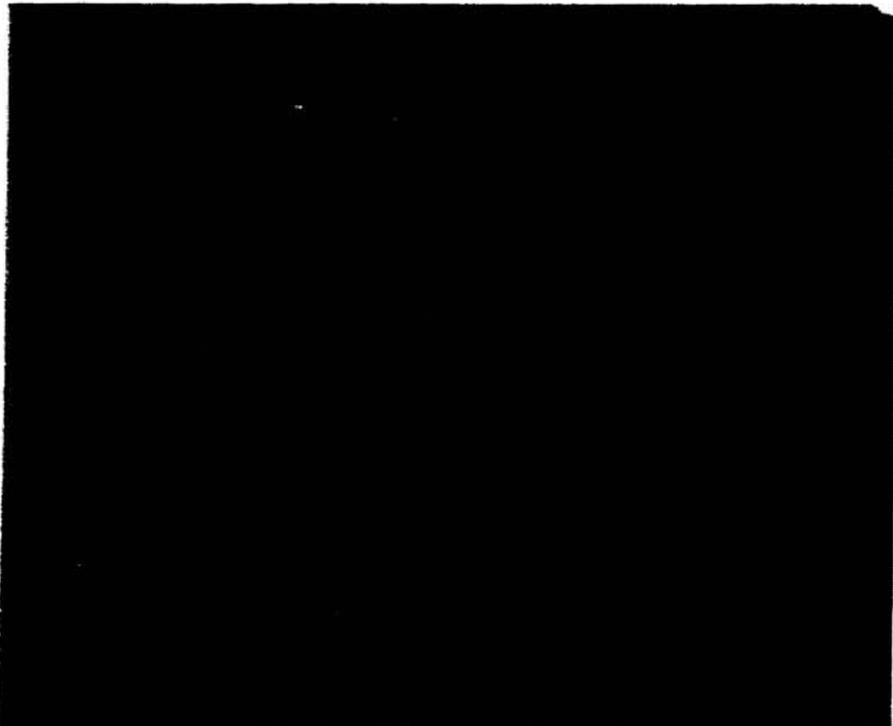
ORIGINAL

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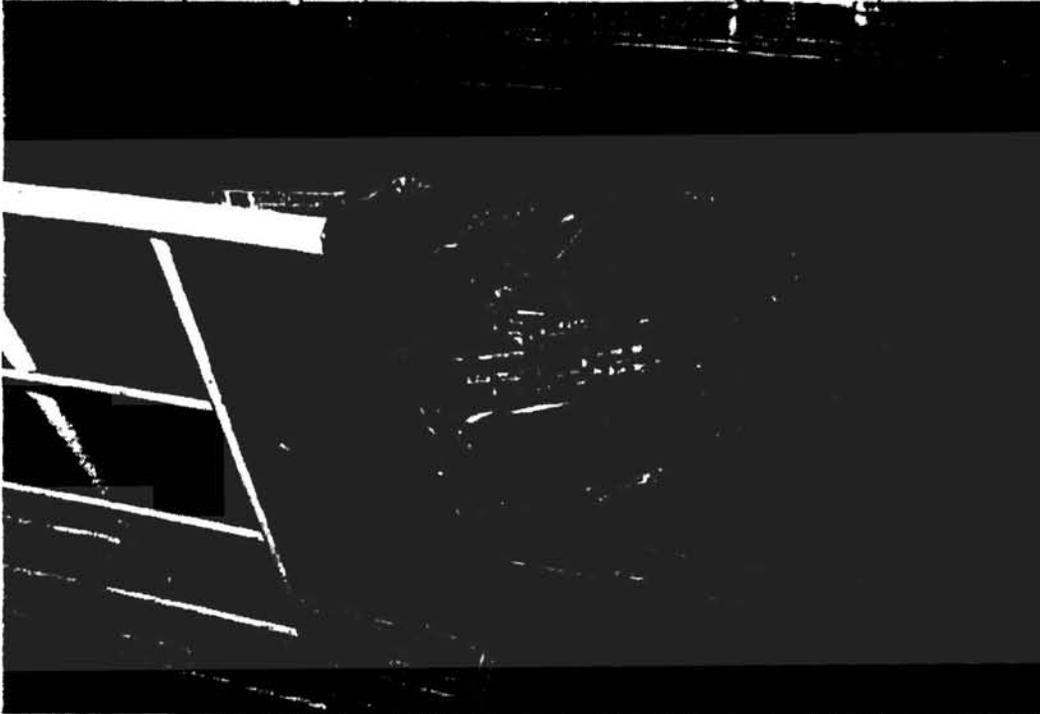
ORIGINAL

The TV set in this photograph is clearly a Sony television set, located inside Christensen's residence.



Depicted in the above photograph is a Dell leather laptop carrying case, located inside Christensen's residence.

I also recall seeing a black trashbag with damaged electronics inside; in the photographs taken on 01/08/2010, you can clearly see computer parts located inside this trashbag (see below):



ORIGINAL

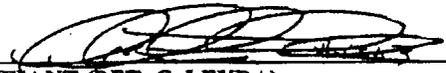
Based on the above information, ERIC JAMES CHRISTENSEN has been charged with the crime of MURDER IN THE FIRST DEGREE. I further believe that the above requested items will give more evidence that Christensen committed the aforementioned crime. Harlan's remains were located in several locations on Reiter Rd, Gold Bar. In the search of 39514 144th St Se, Gold Bar on 01/08/2010, a pair of jeans and a pair of shoes were collected as evidence. On both of these items, Harlan's blood (matched through DNA analysis) was located. Christensen admitted to being in a violent assault with Harlan on 01/02/2010 and is the last person to have seen Harlan. Evidence collected inside her apartment indicates that a violent assault and possibly a homicide have occurred and someone (possibly Christensen) attempted to alter / remove evidence at the scene. Christensen has several injuries to his person, including an extensive injury to his right hand which Christensen himself informed us was caused by a knife. Evidence collected in Christensen's residence appears to have been worn by someone during a violent assault and a bloodletting event. A burned out car was located near his residence (roughly 5-10 miles from his residence) with what appears to be a human skull in it. This car has been identified as the Harlan's car. The skull has a broken tip of a knife blade stuck in it. Also located in the car was a knife with a broken tip. I request permission to enter the above listed residence:

TO SEIZE:

- 2: A 36 inch flat screen Sony Brava television set, model # DV6-2088DX, serial number SCNF94262TP.
- 3: A black leather Dell Laptop carrying bag.
- 4: A Hewlett Packard laptop computer, silver in color with a black keyboard.

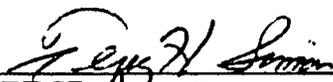
All of the above are to be searched, seized, and examined by members of the Snohomish County Sheriff's Office Special Investigations Unit, forensic scientists at the Washington State Patrol, and laboratory technicians with the Snohomish County Sheriff's Office Evidence Room.

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


AFFIANT (DET. C. LEYDA)

Snohomish County Sheriff's Office/DETECTIVE/1363
AGENCY, TITLE, PERSONNEL NUMBER.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 8TH DAY OF FEBRUARY, 2010


JUDGE P. Tom

ISSUANCE OF WARRANT APPROVED:

DPA C. MATHESON #18556
DEPUTY PROSECUTING ATTORNEY

ORIGINAL

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**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION I**

STATE OF WASHINGTON)	
)	
Respondent,)	
)	
v.)	COA NO. 65619-8-1
)	
ERIC CHRISTENSEN,)	
)	
Appellant.)	

DECLARATION OF SERVICE

I, PATRICK MAYOVSKY, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOLLOWING IS TRUE AND CORRECT:

THAT ON THE 22ND DAY OF APRIL 2011, I CAUSED A TRUE AND CORRECT COPY OF THE **BRIEF OF APPELLANT** TO BE SERVED ON THE PARTY / PARTIES DESIGNATED BELOW BY DEPOSITING SAID DOCUMENT IN THE UNITED STATES MAIL.

[X] SNOHOMISH COUNTY PROSECUTOR'S OFFICE
3000 ROCKEFELLER AVENUE
EVERETT, WA 98201

SIGNED IN SEATTLE WASHINGTON, THIS 22ND DAY OF APRIL 2011.

x Patrick Mayovsky