

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

RECEIVED
JUL 06 2015
Nielsen, Broman & Keen, PLLC

STATE OF WASHINGTON)
)
 Respondent,)
)
 v.)
)
 ~~SAMUEL LEE IRWIN~~)
 (your name))
)
 Appellant.)

No. 14-1-00081-1 / 72338-3-1

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

FILED
Jul 16, 2015
Court of Appeals
Division I
State of Washington

I, Samuel Irwin, have received and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this Statement of Additional Grounds for Review when my appeal is considered on the merits.

Additional Ground 1

~~The defendant's speedy trial rights were repeatedly violated, both by defense counsel, and by the court. The court simply noted my objections and continued. repeated objections, overruled them and continued~~

Pages ~~17~~ 1-16

Additional Ground 2

~~The defendant was prejudiced by the courts negative rulings on his motions to fire and replace his Court appointed attorney. on the ground of ineffective counsel~~

pages 17 - 43

If there are additional grounds, a brief summary is attached to this statement.

Date: 6-1-15

Signature: [Handwritten Signature]

~~ADDITIONAL GROUND 3~~

~~The defendant's SPEEDY TRIAL RIGHTS were repeatedly violated by both the court and defense counsel. The court simply noted the defendant's repeated objections, overruled them and continued.~~

ADDITIONAL GROUND 4

The court had insufficient evidence to convict on Count IV, as there was no investigation by either the State or the defense to confirm either the identity, nor the age of the unknown person in a picture the State alleges is a minor. Nor was the picture offered as evidence in my hearings.

Pages 44

ADDITIONAL GROUND # 5

the Defendant was prejudiced by the intentional lack of adequate Performance of his appointed public defender: C. Wesley Richards, #11946. (A.) Richards told me that he ~~refused to~~ ^{wouldn't} take my case to trial, and that I had better get ready to take a plea offer. And that I had no choice in that matter. (b.) After Richards initial visit to me in Jail; it was over ⁶⁰ ~~90~~ days before I ever saw him again, for a personal visit.

(c.) Richards waived my 3.5 hearing, denying me the protections of a child hearsay hearing in a child sex case. Due process violation.

(d.) Richards flatly refused to interview any of my witnesses in my defense. He told me this was because he did not want to upset the prosecutor. (e.) the Defendant was prejudiced by not having ^{this} done

Pages 45 - ~~58~~ 61

ADDITIONAL GROUND 6

The defendant was prejudiced by the State Prosecutor who issued an unlawful arrest warrant on 2-3-14, whereas the Defendant was arrested on ^{1/30/14}~~1-23-14~~. 62-67

ADDITIONAL GROUND 7

The Defendant was prejudiced by the prosecutor by her repeated reissuing of the criminal information, amended 4 times. 68-88

The foregoing is true and correct to the best of my ability and is subject to the Laws of Purjury in the State of Washington. Respectully sublitted.

Samuel Lee Irwin

Samuel Lee Irwin

Additional Grounds # 8
Warrant of Commitment was not Signed by
Judge was only stamped by same body and also
Last few pages of Felony Judgment and Sentence was
Not Signed right by Judge
have no Idea who signed last page?

page 89-101

Additional Grounds # 8
page 2 89

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Superior Court of Washington
County of Skagit

State of Washington, Plaintiff,
vs.
SAMUEL LEE IRWIN,
Defendant.

SID: WA11654442
DOB: 04/27/1952
Agency No: APD 13-A09280

110

No. 14-1-00081-1

Felony Judgment and Sentence - (FJS)

- Prison
- RCW 9.94A.507
- Prison Confinement (Sex Offense and Kidnapping of a Minor)
- Clerk's Action Required, para 2.1, 4.1, 4.3, 4.9, 5.2, 5.3, 5.5 and 5.7
- Defendant Used Motor Vehicle
- Juvenile Delinquent
- Mandatory
- Discretionary

OHK

I. Hearing

I.1 The court conducted a sentencing hearing this date; the defendant, the defendant's lawyer, and the (deputy) prosecuting attorney were present.

II. Findings

2.1 Current Offenses: The defendant is guilty of the following offenses, based upon plea, on July 11, 2014:

- Child Molestation in the Second Degree (on or after December 3, 2009, and before June 30, 2014) - RCW 9A.44.086 - Class B Felony; Count I; DOV: 06/01/2013 - 09/15/2013
- Child Molestation in the Second Degree (on or after December 3, 2009, and before June 30, 2014) - RCW 9A.44.086 - Class B Felony; Count II; DOV: 06/01/2013 - 09/15/2013
- Child Molestation in the Second Degree (on or after December 3, 2009, and before June 30, 2014) - RCW 9A.44.086 - Class B Felony; Count III; DOV: 06/01/2013 - 09/15/2013
- Possessing Depictions of Minors Engaged in Sexually Explicit Conduct in the Second Degree - RCW 9.68A.070(2) - Crimes on or after 6/10/2010 - Class C Felony; Count IV; DOV: 06/01/2013/01/30/2014 as charged in the Fourth Amended Information.

- (If the crime is a drug offense, include the type of drug.)
- Additional current offenses are attached in Appendix 2.1a.
 - The defendant is a sex offender subject to indeterminate sentencing under RCW 9.94A.507.
- The jury returned a special verdict or the court made a special finding with regard to the following:
- For the crime(s) charged in Count _____ domestic violence was pled and proved. RCW 10.99.020.

Felony Judgment and Sentence (FJS) (Prison)
(Sex Offense and Kidnapping of a Minor Offense)
(RCW 9.94A.500, .505) (WPPF CR 84.0400 (01/2014))

✓

- The defendant used a firearm in the commission of the offense in Count _____. RCW 9.94A.825, 9.94A.533.
- The defendant used a deadly weapon other than a firearm in committing the offense in Count _____. RCW 9.94A.825, 9.94A.533.
- The defendant engaged, agreed, offered, attempted, solicited another, or conspired to engage a victim of child rape or child molestation in sexual conduct in return for a fee in the commission of the offense in Count _____. RCW 9.94A.839.
- In count _____ an internet advertisement in which the victim of the crime was described or depicted was instrumental in facilitating the commission of the crime. RCW 9.68A.100, RCW 9.68A.101, or RCW 9.68A.102, Laws of 2013, ch.9, §1.
- The offense was predatory as to Count _____. RCW 9.94A.836.
- The victim was under 15 years of age at the time of the offense in Count _____. RCW 9.94A.837.
- The victim was developmentally disabled, mentally disordered, or a frail elder or vulnerable adult at the time of the offense in Count _____. RCW 9.94A.838, 9A.44.010.
- The defendant acted with sexual motivation in committing the offense in Count _____. RCW 9.94A.835.
- This case involves kidnapping in the first degree, kidnapping in the second degree, or unlawful imprisonment as defined in chapter 9A.40 RCW, where the victim is a minor and the offender is not the minor's parent. RCW 9A.44.130.
- In count _____ the defendant committed a robbery of a pharmacy as defined in RCW 18.64.011(2), RCW 9.94A._____.
- Count _____, Violation of the Uniform Controlled Substances Act (VUCSA), RCW 69.50.401 and RCW 69.50.435, took place in a school, school bus, within 1000 feet of the perimeter of a school grounds or within 1000 feet of a school bus route stop designated by the school district; or in a public park, public transit vehicle, or public transit stop shelter; or in, or within 1000 feet of the perimeter of a civic center designated as a drug-free zone by a local government authority, or in a public housing project designated by a local governing authority as a drug-free zone.
- The defendant committed a crime involving the manufacture of methamphetamine, including its salts, isomers, and salts of isomers, when a juvenile was present in or upon the premises of manufacture in Count _____. RCW 9.94A.605, RCW 69.50.401, RCW 69.50.440.
- Count _____ is a criminal street gang-related felony offense in which the defendant compensated, threatened, or solicited a minor in order to involve that minor in the commission of the offense. RCW 9.94A.833.
- Count _____ is the crime of unlawful possession of a firearm and the defendant was a criminal street gang member or associate when the defendant committed the crime. RCW 9.94A.702, 9.94A.829.
- The defendant committed | | vehicular homicide | | vehicular assault proximately caused by driving a vehicle while under the influence of intoxicating liquor or drug or by operating a vehicle in a reckless manner. The offense is, therefore, deemed a violent offense. RCW 9.94A.030.
 - In Count _____ the defendant had (number of) _____ passenger(s) under the age of 16 in the vehicle. RCW 9.94A.533
- Count _____ involves attempting to elude a police vehicle and during the commission of the crime the defendant endangered one or more persons other than the defendant or the pursuing law enforcement officer. RCW 9.94A.834.
- In Count _____ the defendant has been convicted of assaulting a law enforcement officer or other employee of a law enforcement agency who was performing his or her official duties at the time of the assault, as provided under RCW 9A.36.031, and the defendant intentionally committed the assault with what appeared to be a firearm. RCW 9.94A.831, 9.94A.533.
- Count _____ is a felony in the commission of which the defendant used a motor vehicle. RCW 16.20.285.
- The defendant has a chemical dependency that has contributed to the offense(s). RCW 9.94A.607.
- In Count _____, assault in the 1st degree (RCW 9A.36.011) or assault of a child in the 1st degree (RCW 9A.36.120), the offender used force or means likely to result in death or intended to kill the victim and shall be subject to a mandatory minimum term of 5 years (RCW 9.94A.540).
- Counts _____ encompass the same criminal conduct and count as one crime in determining the offender score. RCW 9.94A.589.

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2100

Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number):

	Crime	Cause Number	Court (County & State)	DV ^a Yes
1.				
2.				

^a DV: Domestic Violence was pled and proved.

Additional current convictions listed under different cause numbers used in calculating the offender score are attached in Appendix 2.1b.

2.2 Criminal History (RCW 9.94A.525):

	Crime	Date of Crime	Date of Sentence	Sentencing Court (County & State)	A or J Adult, Juv	Type of Crime	DV ^a Yes
1	Communication with a Minor for Immoral Purposes (Misd)	1995		Clark County, WA	A	GM	
2							
3							
4							
5							

^a DV: Domestic Violence was pled and proved.

Additional criminal history is attached in Appendix 2.2.

The defendant committed a current offense while on community placement/community custody (adds one point to score). RCW 9.94A.525.

The prior convictions listed as number(s) _____, above, or in appendix 2.2, are one offense for purposes of determining the offender score (RCW 9.94A.525)

The prior convictions listed as number(s) _____, above, or in appendix 2.2, are not counted as points but as enhancements pursuant to RCW 46.61.520.

2.3 Sentencing Data:

Count No.	Offender Score	Seriousness Level	Standard Range (not including enhancements)	Plus Enhancements ^a	Total Standard Range (including enhancements)	Maximum Term
1	9	VII	87-116 months		87-116 months	10 yrs/\$20,000
2	9	VII	87-116 months		87-116 months	10 yrs/\$20,000
3	9	VII	87-116 months		87-116 months	10 yrs/\$20,000
4	9	IV	60 months		60 months	5yrs/\$10,000

^a (F) Firearm, (D) Other deadly weapons, (V) VUCSA in a protected zone, (RPh) Robbery of a Pharmacy, (VH) Veh. Hom, see RCW 46.61.520, (JP) Juvenile present, (SM) Sexual Motivation, RCW 9.94A.533(B), (SCF) Sexual conduct with a child for a fee, RCW 9.94A.533(9), (CSG) criminal street gang involving minor, (AE) endangerment while attempting to elude, (ALF) assault law enforcement w/firearm, 9.94A.533(12), (P16) Passenger(s) under age 16.

Additional current offense sentencing data is attached in Appendix 2.3.
For violent offenses, most serious offenses, or armed offenders, recommended sentencing agreements or plea agreements are attached as follows: _____

2.4 **Exceptional Sentence.** The court finds substantial and compelling reasons that justify an exceptional sentence:
 below the standard range for Count(s) _____.
 above the standard range for Count(s) _____.
 The defendant and state stipulate that justice is best served by imposition of the exceptional sentence above the standard range and the court finds the exceptional sentence further and is consistent with the interests of justice and the purposes of the sentencing reform act.
 Aggravating factors were stipulated by the defendant, found by the court after the defendant waived jury trial, found by jury, by special interrogatory.
 within the standard range for Count(s) _____, but served consecutively to Count(s) _____.
Findings of fact and conclusions of law are attached in Appendix 2.4. Jury's special interrogatory is attached. The Prosecuting Attorney did did not recommend a similar sentence.

2.5 **Legal Financial Obligations/Restitution.** The court has considered the total amount owing, the defendant's past, present, and future ability to pay legal financial obligations, including the defendant's financial resources and the likelihood that the defendant's status will change. (RCW 10.01.160) The court finds:
 That the defendant has the ability or likely future ability to pay the legal financial obligations imposed herein. RCW 9.94A.753.
 The following extraordinary circumstances exist that make restitution inappropriate (RCW 9.94A.753):

 The defendant has the present means to pay costs of incarceration. RCW 9.94A.760.
 (Name of Agency) _____'s cost for its emergency response are reasonable. RCW 38.02.430.

2.6 **Felony Firearm Offender Registration.** The defendant committed a felony firearm offense as defined in RCW 9A1.010.
 The court considered the following factors:
 the defendant's criminal history.
 whether the defendant has previously been found not guilty by reason of insanity of any offense in this state or elsewhere.
 evidence of the defendant's propensity for violence that would likely endanger persons.
 other: _____
 The court decided the defendant should should not register as a felony firearm offender.

III. Judgment

3.1 The defendant is *guilty* of the Counts and Charges listed in Paragraph 2.1 and Appendix 2.1.

3.2 The Court DISMISSES Counts _____. The defendant is found NOT GUILTY.

IV. Sentence and Order

It is ordered:

4.1 **Confinement.** The court sentences the defendant to total confinement as follows:

(a) **Confinement.** RCW 9.94A.589. A term of total confinement in the custody of the Department of Corrections (DOC):

116 months on Count 1 116 months on Count 3
116 months on Count 2 60 months on Count 4

_____ months on Count _____ months on Count _____
[] The confinement time on Count(s) _____ contain(s) a mandatory minimum term of _____.
[] Count _____ is a gross misdemeanor/ misdemeanor with 364/90 days imposed with _____ days suspended on condition the defendant complies with the conditions of this judgment and sentence. RCW 9.92.060,
[] The confinement time on Count _____ includes _____ months as enhancement for [] firearm [] deadly weapon [] sexual motivation [] VUCSA in a protected zone [] manufacture of methamphetamine with juvenile present [] sexual conduct with a child for a fee.,
Actual number of months of total confinement ordered is: 116 months
All counts shall be served concurrently, except for the portion of those counts for which there is an enhancement as set forth above at Section 2.3, and except for the following counts which shall be served consecutively: _____

The sentence herein shall run consecutively with the sentence in cause number(s) _____
RCW 9.94A.589(3).
Confinement shall commence immediately unless otherwise set forth here: _____

- (b) **Confinement, RCW 9.94A.507 (Sex Offenses only):** The court orders the following term of confinement in the custody of the DOC:
 Count _____ minimum term: _____ maximum term: Statutory Maximum
 Count _____ minimum term: _____ maximum term: Statutory Maximum
- (c) **Credit for Time Served.** The defendant shall receive credit for time served prior to sentencing if that confinement was solely under this cause number. RCW 9.94A.505. The jail shall compute time served.
- (d) [] **Work Ethic Program.** RCW 9.94A.690, RCW 72.09.410. The court finds that the defendant is eligible and is likely to qualify for work ethic program. The court recommends that the defendant serve the sentence at a work ethic program. Upon completion of work ethic program, the defendant shall be released on community custody for any remaining time of total confinement, subject to the conditions in Section 4.2. Violation of the conditions of community custody may result in a return to total confinement for the balance of the defendant's remaining time of confinement.

4.2 **Community Custody.** (To determine which offenses are eligible for or required for community custody see RCW 9.94A.701)

(A) The defendant shall be on community custody for :

Count(s) 1 - Rape ~~36 months for Sex Offenses~~ 4 months ~~plus 3 months parole time~~
Count(s) _____ 36 months for Serious Violent Offenses
Count(s) _____ 18 months for Violent Offenses
Count(s) _____ 12 months (for crimes against a person, drug offenses, or offenses involving the unlawful possession of a firearm by a street gang member or associate)

(Sex offenses, only) For count(s) _____, sentenced under RCW 9.94A.507, for any period of time the defendant is released from total confinement before the expiration of the statutory maximum.

(B) While on community custody, the defendant shall: (1) report to and be available for contact with the assigned community corrections officer as directed; (2) work at DOC-approved education, employment and/or community restitution (service); (3) notify DOC of any change in defendant's address or employment; (4) not consume controlled substances except pursuant to lawfully issued prescriptions; (5) not unlawfully possess controlled substances while on community custody; (6) not own, use, or possess firearms or ammunition; (7) pay supervision fees as determined by DOC; (8) perform affirmative acts as required by DOC to confirm compliance with the orders of the court; and (9) for sex offenses, submit to electronic monitoring if imposed by DOC and (10) abide by any additional conditions imposed

by DOC under RCW 9.94A.704 and .706. The defendant's residence location and living arrangements are subject to the prior approval of DOC while on community custody. For sex offenders sentenced under RCW 9.94A.709, the court may extend community custody up to the statutory maximum term of the sentence.

The court orders that during the period of supervision the defendant shall:

- Follow condition of Appendix [] A (drug) [] B (DUI) F.
- consume no alcohol.
- have no contact with: _____
- remain [] within [] outside of a specified geographical boundary, to wit: _____
- not reside within 800 feet of the facilities or grounds of a public or private school (community protection zone). RCW 9.94A.030.
- participate in the following crime-related treatment or counseling services: _____
- undergo an evaluation for treatment for [] domestic violence [] substance abuse [] mental health [] anger management, and fully comply with all recommended treatment.
- comply with the following crime-related prohibitions: _____
- _____
- Other conditions: _____
- _____
- _____
- _____

(C) For sentences imposed under RCW 9.94A.507, the Indeterminate Sentence Review Board may impose other conditions (including electronic monitoring if DOC so recommends). In an emergency, DOC may impose other conditions for a period not to exceed seven working days.

Court Ordered Treatment: If any court orders mental health or chemical dependency treatment, the defendant must notify DOC and the defendant must release treatment information to DOC for the duration of incarceration and supervision. RCW 9.94A.562.

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4.3 Legal Financial Obligations: The defendant shall pay to the clerk of this court:

<u>VASS CODE</u>			
PCV	\$ 500.00	Victim assessment	RCW 7.68.035
PDV	\$ _____	Domestic Violence assessment	RCW 10.99.080
CRC	\$ _____	Court costs, including RCW 9.94A.760, 9.94A.505, 10.01.160, 10.46.190	
		Criminal filing fee \$200.00	FRC
		Witness costs \$ _____	WFR
		Sheriff service fees \$ _____	SFR/SFS/SFW/WRF
		Jury demand fee \$ _____	JFR
		Extradition costs \$ _____	EXT
		Other \$ _____	
PUB	\$ _____	Fees for court appointed attorney	RCW 9.94A.760
WFR	\$ _____	Court appointed defense expert and other defense costs	RCW 9.94A.760
FCM/MTB	\$ _____	Fine RCW 9A.20.021; [] VUCSA chapter 69.50 RCW, [] VUCSA additional fine deferred due to indigency RCW 69.50.430	

A.G. ②
page 85

CDF/LDI/RCD	\$ _____	Drug enforcement fund to SCIDEU	RCW 9.94A.760
NTF/SAD/SDI			
CLF	\$ _____	Crime lab fee [] suspended due to indigency	RCW 43.43.690
	\$ 100.00	DNA collection fee	RCW 43.43.7541
FPV	\$ _____	Specialized forest products	RCW 76.48.140
PPI	\$ _____	Trafficking/ Promoting prostitution/Commercial sexual abuse of minor fee (may be reduced by no more than two thirds upon a finding of inability to pay.)	RCW 9A.40.100, 9A.88.120, 9.68A.105
	\$ _____	Other fines or costs for: _____	
DEF	\$ _____	Emergency response costs (Vehicular Assault, Vehicular Homicide, DUI (vehicle, plane, boat), \$2,500 maximum) RCW 38.52.430	
		Agency Name: _____	
		Agency Address: _____	
	\$ _____	Total	RCW 9.94A.760

The defendant waives any right to be present at any restitution hearing (sign initials): SJK

- Restitution. Schedule attached. Appendix 4.3
- The above total does not include all restitution which may be set by later order of the court. An agreed restitution order may be entered. RCW 9.94A.753.
- A restitution hearing shall be set by the prosecutor if restitution is sought.
- A restitution hearing is scheduled for _____.

The Department of Corrections (DOC) or clerk of the court shall immediately issue a Notice of Payroll Deduction. RCW 9.94A.7602, RCW 9.94A.760(8).

All payments shall be made in accordance with the policies of the clerk of the court and on a schedule established by DOC or the clerk of the court, commencing immediately, unless the court specifically sets forth the rate here: Not less than \$ _____ per month commencing _____, RCW 9.94A.760.

The defendant shall report to the clerk of the court or as directed by the clerk of the court to provide financial and other information as requested. RCW 9.94A.760(7)(b).

The court orders the defendant to pay costs of incarceration at the rate of \$ _____ per day, (actual costs not to exceed \$100 per day). (JLR) RCW 9.94A.760. (This provision does not apply to costs of incarceration collected by DOC under RCW 72.09.111 and 72.09.482.)

The financial obligations imposed in this judgment shall bear interest from the date of the judgment until payment in full, at the rate applicable to civil judgments. RCW 10.82.090. An award of costs on appeal against the defendant may be added to the total legal financial obligations. RCW 10.73.160

4.4 DNA Testing. The defendant shall have a biological sample collected for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing. The appropriate agency shall be responsible for obtaining the sample prior to the defendant's release from confinement. This paragraph does not apply if it is established that the WSP lab already has a sample from a qualifying offense. RCW 43.43.754.

HIV Testing. The defendant shall submit to HIV testing. RCW 70.24.340.

4.5 No Contact:

The defendant shall not have contact with _____ (name) including, but not limited to,

Felony Judgment and Sentance (FJS) (Prison)
(Sex Offense and Kidnapping of a Minor Offense)
(RCW 9.94A.500, .505) (WPPF CR 84.0400 (01/2014))

personal, verbal, telephonic, written or contact through a third party until _____ (which does not exceed the maximum statutory sentence).

The defendant is excluded or prohibited from coming within _____ (distance) of:
 _____ (name of protected person(s))'s home/ residence [
] work place school (other location(s)) _____, or
 other location: _____,
until _____ (which does not exceed the maximum statutory sentence).

A separate Domestic Violence No-Contact Order or Antiharassment No-Contact Order is filed concurrent with this Judgment and Sentence.

4.6 Other: _____

4.7 Off-Limits Order. (Known drug trafficker). RCW 10.65.020. The following areas are off limits to the defendant while under the supervision of the county jail or Department of Corrections: _____

4.8 FORFEITURE OF FIREARMS. The firearm(s) involved in this case, _____, is (are) forfeited in accordance with the law.

4.9 Exonerations: The court hereby exonerates any bail, bond and/or personal recognizance conditions.

V. Notices and Signatures

5.1 Collateral Attack on Judgment. If you wish to petition or move for collateral attack on this Judgment and Sentence, including but not limited to any personal restraint petition, state habeas corpus petition, motion to vacate judgment, motion to withdraw guilty plea, motion for new trial or motion to arrest judgment, you must do so within one year of the final judgment in this matter, except as provided for in RCW 10.73.100. RCW 10.73.090.

5.2 Length of Supervision. If you committed your offenses prior to July 1, 2000, you shall remain under the court's jurisdiction and the supervision of the Department of Corrections for a period up to 10 years from the date of sentence or release from confinement, whichever is longer, to assure payment of all legal financial obligations unless the court extends the criminal judgment an additional 10 years. If you committed your offenses on or after July 1, 2000, the court shall retain jurisdiction over you, for the purpose of your compliance with payment of the legal financial obligations, until you have completely satisfied your obligation, regardless of the statutory maximum for the crime. RCW 9.94A.760 and RCW 9.94A.505(5). The clerk of the court has authority to collect unpaid legal financial obligations at any time while you remain under the jurisdiction of the court for purposes of your legal financial obligations. RCW 9.94A.760(4) and RCW 9.94A.753(4).

5.3 Notice of Income-Withholding Action. If the court has not ordered an immediate notice of payroll deduction in Section 4.1, you are notified that the Department of Corrections (DOC) or the clerk of the court may issue a notice of payroll deduction without notice to you if you are more than 30 days past due in monthly payments in an amount equal to or greater than the amount payable for one month. RCW 9.94A.7602. Other income-withholding action under RCW 9.94A.760 may be taken without further notice. RCW 9.94A.7606.

5.4 Community Custody Violation.
If you violate any condition or requirement of this sentence you may be sanctioned up to 60 days of confinement per violation. RCW 9.94A.634

5.5a Firearms. You may not own, use or possess any firearm, and under federal law any firearms or ammunition, unless your right to do so is restored by the court in which you are convicted or the superior court in Washington State where you live, and by a federal court if required. You must immediately surrender any concealed pistol license.

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(The clerk of the court shall forward a copy of the defendant's driver's license, identicard, or comparable identification to the Department of Licensing along with the date of conviction or commitment.) RCW 9A.1.040, 9A.1.047.

5.5b [] **Felony Firearm Offender Registration.** The defendant is required to register as a felony firearm offender. The specific registration requirements are in the "Felony Firearm Offender Registration" attachment.

5.6 Sex and Kidnapping Offender Registration. RCW 9A.44.12B, 9A.44.130, 10.01.200.

1. General Applicability and Requirements: Because this crime involves a sex offense or kidnapping offense involving a minor as defined in RCW 9A.44.12B, you are required to register.

If you are a resident of Washington, you must register with the sheriff of the county of the state of Washington where you reside. You must register within three business days of being sentenced unless you are in custody, in which case you must register at the time of your release with the person designated by the agency that has jurisdiction over you. You must also register within three business days of your release with the sheriff of the county of the state of Washington where you will be residing.

If you are not a resident of Washington but you are a student in Washington or you are employed in Washington or you carry on a vocation in Washington, you must register with the sheriff of the county of your school, place of employment, or vocation. You must register within three business days of being sentenced unless you are in custody, in which case you must register at the time of your release with the person designated by the agency that has jurisdiction over you. You must also register within three business days of your release with the sheriff of the county of your school, where you are employed, or where you carry on a vocation.

2. Offenders Who are New Residents or Returning Washington Residents, If you move to Washington or if you leave this state following your sentencing or release from custody but later move back to Washington, you must register within three business days after moving to this state. If you leave this state following your sentencing or release from custody, but later while not a resident of Washington you become employed in Washington, carry on a vocation in Washington, or attend school in Washington, you must register within three business days after attending school in this state or becoming employed or carrying out a vocation in this state.

3. Change of Residence Within State: If you change your residence within a county, you must provide by certified mail, with return receipt requested or in person, signed written notice of your change of residence to the sheriff within three business days of moving. If you change your residence to a new county within this state, you must register with the sheriff of the new county within three business days of moving. Also within three business days, you must provide, by certified mail, with return receipt requested or in person, signed written notice of your change of address to the sheriff of the county where you last registered.

4. Leaving the State or Moving to Another State: If you move to another state, or if you work, carry on a vocation, or attend school in another state you must register a new address, fingerprints, and photograph with the new state within three business days after establishing residence, or after beginning to work, carry on a vocation, or attend school in the new state. If you move out of state you must also send written notice within three business days of moving to the new state or to a foreign country to the county sheriff with whom you last registered in Washington State.

5. Notification Requirement When Enrolling in or Employed by a Public or Private Institution of Higher Education or Common School (K-12): You must give notice to the sheriff of the county where you are registered within three business days:

- i) before arriving at a school or institution of higher education to attend classes;
- ii) before starting work at an institution of higher education; or
- iii) after any termination of enrollment or employment at a school or institution of higher education.

6. Registration by a Person Who Does Not Have a Fixed Residence: Even if you do not have a fixed residence, you are required to register. Registration must occur within three business days in the county where you are being supervised if you do not have a residence at the time of your release from custody. Within three business days after losing your fixed residence you must send signed written notice to the sheriff of the county where you last registered. If you enter a different county and stay there for more than 24 hours, you will be required to register in the new county not more than three business days after entering the new county. You must also report weekly in person to the sheriff of the county where you are registered. The weekly report shall be on a day specified by the county sheriff's office, and shall occur during normal business hours. You must keep an accurate accounting of where you

OR
OR

A.G. (8)
Page 98

stayed during the week and provide it to the county sheriff upon request. The lack of a fixed residence is a factor that may be considered in determining an offender's risk level and shall make you subject to disclosure of information to the public at large pursuant to RCW 4.24.550.

7. Application for a Name Change: If you apply for a name change, you must submit a copy of the application to the county sheriff of the county of your residence and to the state patrol not fewer than five days before the entry of an order granting the name change. If you receive an order changing your name, you must submit a copy of the order to the county sheriff of the county of your residence and to the state patrol within five days of the entry of the order. RCW 9A.44.130(6).

5.7 [] Department of Licensing Notice: The court finds that Count _____ is a felony in the commission of which a motor vehicle was used. Clerk's Action - The clerk shall forward an Abstract of Court Record (ACR) to the DOL, which most revoke the Defendant's driver's license. RCW 46.20.285.

Findings for DUI, Physical Control, Felony DUI or Physical Control, Vehicular Assault, or Vehicular Homicide (ACR Information) (Check all that apply):

[] Within two hours after driving or being in physical control of a vehicle, the defendant had an alcohol concentration of breath or blood (BAC) of _____;

[] No BAC test result.

[] BAC Refused. The defendant refused to take a test offered pursuant to RCW 46.20.308.

[] Drug Related. The defendant was under the influence of or affected by any drug.

[] THC level was _____ within two hours after driving.

[] Passenger under age 16. The defendant committed the offense while a passenger under the age of sixteen was in the vehicle.

Vehicle Info: [] Commercial Vehicle [] 16 Passenger Vehicle [] Hazmat Vehicle

5.8 Other: _____

Done in Open Court and in the presence of the defendant this date: 8/7/14

did not print Name
Judge/ Court Commissioner
Print Name: _____

Wall O'Bea 39609 Deputy Prosecuting Attorney for Rosemary H. Kaholokula, WSBA #25026

C. Wesley Richards Attorney for Defendant C. Wesley Richards, WSBA #11946

Samuel Lee Irwin Defendant Samuel Lee Irwin

who signed this

Voting Rights Statement: I acknowledge that I have lost my right to vote because of this felony conviction. If I am registered to vote, my voter registration will be cancelled.

My right to vote is provisionally restored as long as I am not under the authority of DOC (not serving a sentence of confinement in the custody of DOC and not subject to community custody as defined in RCW 9.94A.030). I must re-register before voting. The provisional right to vote may be revoked if I fail to comply with all the terms of my legal financial obligations or an agreement for the payment of legal financial obligations

My right to vote may be permanently restored by one of the following for each felony conviction: a) a certificate of discharge issued by the sentencing court, RCW 9.94A.637; b) a court order issued by the sentencing court restoring the right, RCW 9.92.066; c) a final order of discharge issued by the indeterminate sentence review board, RCW 9.96.050; or d) a certificate of restoration issued by the governor, RCW 9.96.020. Voting before the right is restored is a class C felony, RCW 29A.84.660. Registering to vote before the right is restored is a class C felony, RCW 29A.84.140.

Defendant's signature: _____

I am a certified interpreter of, or the court has found me otherwise qualified to interpret, the _____

A.G. ②
page 199

language, which the defendant understands. I translated this Judgment and Sentence for the defendant into that language.

CAUSE NUMBER of this case: 14-1-00081-1

Interpreter signature/Print name: _____

0384

VI. Identification of the Defendant

SID No. WA11654442
(If no SID complete a separate Applicant card (form FD-258) for State Patrol)

Date of Birth 04/27/1952

CODIS #: 109-014046

FBI No. 7287313

Local ID No. SO 3199

Alias name, DOB: UNK

DOC No: 755330

Race:	Ethnicity:	Sex:
<input type="checkbox"/> Asian/Pacific Islander	<input type="checkbox"/> Black/African-American	<input type="checkbox"/> Male
<input type="checkbox"/> Native American	<input type="checkbox"/> Caucasian	<input type="checkbox"/> Female
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Hispanic	<input type="checkbox"/> Non-Hispanic

Fingerprints: I attest that I saw the defendant who appeared in court affix his or her fingerprints and signature on this document.

Clerk of the Court, Deputy Clerk, [Signature]

Dated: 8/7/14

Defendant's signature: [Signature]

Defendant's current address: [Signature]

Officer Initials	Badge/ID#	DNA	FINGERPRINTS	Date
------------------	-----------	-----	--------------	------

ASm

4111

[Signature]

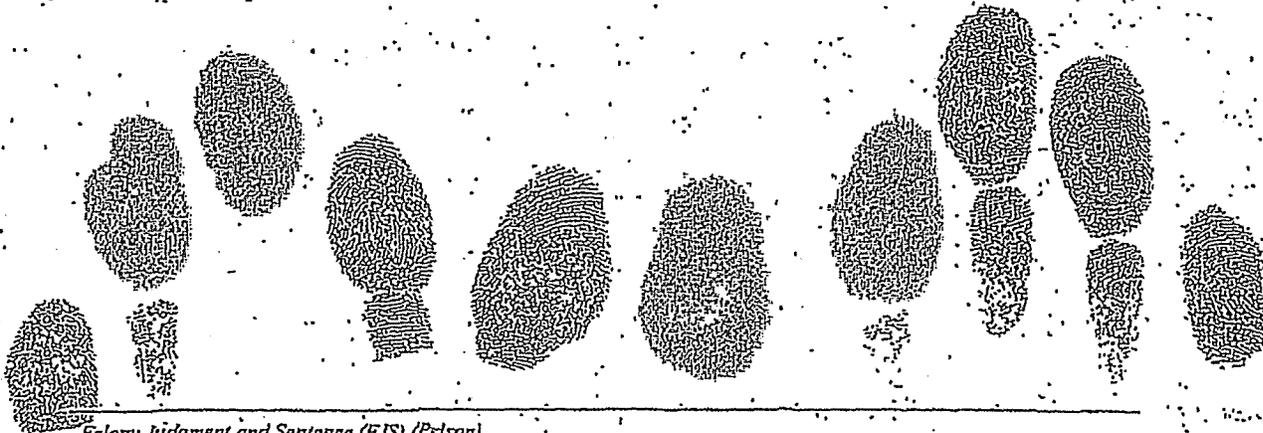
8-7-14

Left four fingers taken simultaneously

Left Thumb

Right Thumb

Right four fingers taken simultaneously



Felony Judgment and Sentence (FJS) (Prison)
(Sex Offense and Kidnapping of a Minor Offense)
(RCW 9A.4A.300, .505) (WPP CR 84.0400 (01/2014))

A.G. 8
page 101

SUPERIOR COURT OF WASHINGTON
COUNTY OF SKAGIT
STATE OF WASHINGTON, Plaintiff, vs.
SAMUEL LEE IRWIN, Defendant.
SID: WA11654442 If no SID, use DOB:
04/27/1952

No. 14-1-00081-1

WARRANT OF COMMITMENT

THE STATE OF WASHINGTON TO: The Sheriff of Skagit County(Jail), and to the proper offices of the Department of Corrections.

The Defendant's charges are disposed of as follows:

CHILD MOLESTATION IN THE SECOND DEGREE - RCW 9A.44.086 - CLASS B FELONY, COUNT I; GUILTY PLEA
CHILD MOLESTATION IN THE SECOND DEGREE - RCW 9A.44.086 - CLASS B FELONY, COUNT II; GUILTY PLEA
CHILD MOLESTATION IN THE SECOND DEGREE - RCW 9A.44.086 - CLASS B FELONY; COUNT III; GUILTY PLEA
POSSESSING DEPICTIONS OF MINORS ENGAGED IN SEXUALLY EXPLICIT CONDUCT IN THE SECOND DEGREE - RCW 9.68A.070(2) - CLASS C FELONY; COUNT IV; GUILTY PLEA

and the court has ordered that the defendant be punished by serving the determined sentence of:

Count	Confinement	Work Release / EHM / Work Crew
1	116 MO	DOC
2	116 MO	
3	116 MO	
4	60 MO	
5		

Defendant is ordered to report to Jail Alternatives (North end of Jail) within 10 days of the date of this order and commence sentence by: /jail schedule. DOC: IMMEDIATE

Defendant shall receive _____ day(s) credit for time served. Credit to be determined.

If eligible and approved by the Skagit County Jail a portion of your sentence may be served through a Program other than total confinement. The application process can take several weeks and may require paperwork and actions on your part. Violation of any Program rules may result in your arrest and your option to participate in Programs may be revoked. Any remaining time left to be served may be converted to straight jail time. You may also be subject to a probation violation hearing, which may result in additional penalties.

I have read the above and agree to abide by the terms as set forth by the Skagit County Jail.

Defendant:

Approved; Attorney for Defendant:

LEGAL FINANCIAL OBLIGATIONS

Defendant must pay all ordered fines, fee and restitution to the Superior Court Clerk's Office. Contact a Collections Clerk at 360-419-3448 within 10 days of sentencing for amount ordered and acceptable methods of payment. Payments are to begin within 30 days from sentencing, unless otherwise arranged with the Collections Clerk.

NOW, THEREFORE, YOU, THE SHERIFF, ARE COMMANDED to receive the defendant for confinement and placement as ordered in the Judgment and Sentence and noted above.

DATED: 8/7/14

~~MICHAEL RICKERT~~

Not Signed

JUDGE/COURT COMMISSIONER

Nancy K. Scott, Clerk

By: [Signature]

Deputy Clerk

JAIL CERTIFICATION OF COMPLETION:

I CERTIFY that the above-named defendant COMPLETED his jail sentence:

Date:

Officer:

Additional Ground 7

Just 2 question here

① ~~is~~ why were the date change from the charge first ones into and Amended one the same ~~but~~ with the same victims and charges. ~~But~~ ~~if~~ when:

② When the ~~A~~ Second Amended charge came they were change ~~to~~ even though the charges and victim ~~was~~ stayed the same

3 and why do I have 2 different 3 Amended charges

Thank you
Gurshin

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2014 FEB -3 PM 1:46

SKAGIT COUNTY SUPERIOR COURT
STATE OF WASHINGTON

STATE OF WASHINGTON,
Plaintiff,
vs.
SAMUEL LEE IRWIN,
Defendant.

NO: 14-1-00081-1

INFORMATION

3
TO: SAMUEL LEE IRWIN
DOB: APRIL 27, 1952
LKA: 2005 L AVENUE, ANACORTES, WA 98221
PHY: CAUCASIAN/MALE/HT: 5'09"/195 LBS/BLU EYES/BRN HAIR
ID#: SID#:WA11654442; DOL#: WA IRWINSL483J7; DOC#:UNK
AGENCY: APD #13-A09280

By this Information, the Skagit County Prosecuting Attorney accuses you of the crimes of:

COUNT I

Child Molestation in the First Degree) – RCW 9A.44.083 – Class A Felony

On or about and between June 1, 2013 and July 31, 2013, in an act separate and distinct from Counts II and III, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than ZJKN, had sexual contact with ZJKN, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree,

INFORMATION
(Revised 10/2012 by ddm)

SKAGIT COUNTY PROSECUTING ATTORNEY
205 S. JRD. ST. - COURTHOUSE ANNEX
SHOENI VICTIM, WASHINGTON 98291
PH: (509) 335-7101

69

or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT II

Child Molestation in the First Degree – RCW 9A.44.083 – Class A Felony

On or about and between June 1, 2013 and July 31, 2013, in an act separate and distinct from Counts I and III, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than ZJKN, had sexual contact with ZJKN, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083. (Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

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COUNT III

Child Molestation in the First Degree– RCW 9A.44.083 – Class A Felony

On or about and between June 1, 2013 and July 31, 2013, in an act separate and distinct from Counts I and II in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than ZJKN, had sexual contact with ZJKN, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083. (Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT IV

Child Molestation in the First Degree– RCW 9A.44.083 – Class A Felony

On or about and between June 1, 2013 and July 31, 2013, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than JEH, had sexual contact with JEH, who was less than twelve (12) years old and not married to the

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defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

SKAGIT COUNTY PROSECUTING ATTORNEY

DATED: February 3, 2014

By: Rosemary M. Kaholokula
ROSEMARY M. KAHOLOKULA, WSBA#25026
CHIEF CRIMINAL DEPUTY PROSECUTOR

310

71

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2014 MAR 13 PM 12:06

<p>SKAGIT COUNTY SUPERIOR COURT STATE OF WASHINGTON</p> <hr/> <p>STATE OF WASHINGTON, Plaintiff, vs. SAMUEL LEE IRWIN, Defendant.</p>
--

NO: 14-1-00081-1

AMENDED INFORMATION

4

TO: SAMUEL LEE IRWIN
 DOB: APRIL 27, 1952
 LKA: 2005 L AVENUE, ANACORTES, WA 98221
 PHY: CAUCASIAN/MALE/HT: 5'09"/195 LBS/BLU EYES/BRN HAIR
 ID#: SID#:WA11654442; DOL#: WA IRWINSL483J7; DOC#: UNK
 AGENCY: APD #13-A09280

By this Information, the Skagit County Prosecuting Attorney accuses you of the crimes of:

COUNT I

Child Molestation in the First Degree - RCW 9A.44.083 - Class A Felony

On or about and between June 1, 2013 and July 31, 2013, in an act separate and distinct from Counts II and III, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than ZJKN, had sexual contact with ZJKN, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree,

72

72

or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT II

Child Molestation in the First Degree – RCW 9A.44.083 – Class A Felony

On or about and between June 1, 2013 and July 31, 2013, in an act separate and distinct from Counts I and III, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than ZJKN, had sexual contact with ZJKN, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083. (Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT III

Child Molestation in the First Degree – RCW 9A.44.083 – Class A Felony

On or about and between June 1, 2013 and July 31, 2013, in an act separate and distinct from Counts I and II in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than ZJKN, had sexual contact with ZJKN, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083. (Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT IV

Child Molestation in the First Degree – RCW 9A.44.083 – Class A Felony

On or about and between June 1, 2013 and July 31, 2013, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than JEH, had sexual contact with JEH, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

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(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT V

Child Molestation in the First Degree- RCW 9A.44.083 - Class A Felony

On or about and between September 1, 2012 and June 15, 2013, in an act separate and distinct from Count VI, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than AED, had sexual contact with AED, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT VI

Child Molestation in the First Degree- RCW 9A.44.083 - Class A Felony

On or about and between September 1, 2012, and June 15, 2013, in an act separate and distinct from Count V, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than AED, had sexual contact with AED, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

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74

or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

SKAGIT COUNTY PROSECUTING ATTORNEY

DATED: March 12, 2014

By: *Rosemary H. Kaholokula*
ROSEMARY H. KAHOLOKULA, WSBA#25026
CHIEF CRIMINAL DEPUTY PROSECUTOR

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FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2014 APR 25 PM 1:14

SKAGIT COUNTY SUPERIOR COURT STATE OF WASHINGTON
STATE OF WASHINGTON, Plaintiff, vs. SAMUEL LEE IRWIN, Defendant.

NO: 14-1-00081-1

SECOND AMENDED INFORMATION

5

TO: SAMUEL LEE IRWIN
 DOB: 04/27/1952
 LKA: 2005 L AVENUE, ANACORTES, WA 98221
 PHY: C/M/HT: 5'09"/195 LBS/BLU EYES/GRY HAIR
 ID#: SID#WA11654442; WA DOL#IRWINSL483J7; DOC#755330
 AGENCY: APD #13-A09280

APR 25

By this Amended Information, the Prosecuting Attorney accuses you of the crimes of:

Dates
Change
between
Amended & Second
Info

COUNT I

Child Molestation in the First Degree- RCW 9A.44.083 - Class A Felony

On or about and between June 1, 2013 and September 15, 2013, in an act separate and distinct from Counts II and III, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than ZJN, had sexual contact with ZJN, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree,

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39

76

assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT II

Child Molestation in the First Degree—RCW 9A.44.083 – Class A Felony

On or about and between June 1, 2013 and September 15, 2013, in an act separate and distinct from Counts I and III, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than ZJN, had sexual contact with ZJN, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT III

Child Molestation in the First Degree – RCW 9A.44.083 – Class A Felony

On or about and between June 1, 2013 and September 15, 2013, in an act separate and distinct from Counts I and II, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than ZJN, had sexual contact with ZJN, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree; rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

77

COUNT IV

Child Molestation in the First Degree – RCW 9A.44.083 – Class A Felony

On or about and between June 1, 2013 and September 15, 2013, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than JEH, had sexual contact with JEH, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT V

Sexual Exploitation of a Minor - RCW 9.68A.040

On or about and between June 1, 2013 and September 15, 2013, in the County of Skagit, State of Washington, the above-named Defendant did compel, aid, invite, employ, authorize, or cause a person under 18 years of age, to wit: ZJN who was born on 06/11/2004, to engage in sexually explicit conduct, knowing that such conduct would be photographed or part of a live performance and/or being a parent, legal guardian, or person having custody or control over a person under 18 years of age, to wit: ZJN who was born on 06/11/2004, did permit ZJN to engage in sexually explicit conduct, knowing that the conduct will be photographed or part of a live performance; contrary to Revised Code of Washington 9.68A.040.

(Maximum Penalty - Ten (10) years imprisonment and/or a \$20,000 fine pursuant to RCW 9.68A.040(2) and 9A.20.021(1)(b), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(32), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(32)(a) and 9.94A.120(4) or 9.94A.570.)

COUNT VI

Possessing Depictions of Minors Engaged in Sexually Explicit Conduct in the Second Degree - RCW 9.68A.070(2) – Crimes on or after 6/10/2010 - Class C Felony

On or about and between June 1, 2013 and January 30, 2014, in the County of Skagit, State of Washington, the above-named Defendant did knowingly possess any visual or printed matter depicting a minor engaged in sexually explicit conduct involving actual or simulated: Depiction of the genitals or unclothed pubic or rectal areas of any minor, or the unclothed breast

78

of a female minor, for the purpose of sexual stimulation of the viewer; or Touching of a person's clothed or unclothed genitals, pubic area, buttocks, or breast area for the purpose of sexual stimulation of the viewer; contrary to Revised Code of Washington 9.68A.070(2) and 9.68A.011(f) and (g).

(Maximum Penalty- Five - (5) years imprisonment and/or a \$10,000 fine pursuant to RCW 9.68A.070 and 9A.20.021(1)(c), plus restitution and assessments.)

COUNT VII

Child Molestation in the First Degree (crimes on or after December 3, 2009, and before June 30, 2014) – RCW 9A.44.083 – Class A Felony

On or about and between September 1, 2012 and June 15, 2013, in an act separate and distinct from Count VIII, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than AED had sexual contact with AED who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT VIII

Child Molestation in the First Degree (crimes on or after December 3, 2009, and before June 30, 2014) – RCW 9A.44.083 – Class A Felony

On or about and between September 1, 2012 and June 15, 2013, in an act separate and distinct from Count VII, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than AED, had sexual contact with AED, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual

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motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

SKAGIT COUNTY PROSECUTING ATTORNEY

DATED: April 24, 2014

By Rosemary J. Kaholokula
ROSEMARY J. KAHOLOKULA, WSBA #25026
CHIEF CRIMINAL DEPUTY PROSECUTOR

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SKAGIT COUNTY SUPERIOR COURT STATE OF WASHINGTON
STATE OF WASHINGTON, Plaintiff,
vs.
SAMUEL LEE IRWIN, Defendant.

NO: 14-1-00081-1

THIRD AMENDED INFORMATION

Why do I have two Third Amended Information's with different information on each Charges and different Dates on the last page

TO: SAMUEL LEE IRWIN
 DOB: 04/27/1952
 LKA: 2005 L AVENUE, ANACORTES, WA 98221
 PHY: C/M/HT: 5'09"/195 LBS/BLU EYES/GRY HAIR
 ID#: SID#WA11654442; WA DOL#IRWINSL483J7; DOC#755330
 AGENCY: APD #13-A09280

By this Amended Information, the Prosecuting Attorney accuses you of the crimes of:

COUNT I

Child Molestation in the First Degree- RCW 9A.44.083 -- Class A Felony

On or about and between June 1, 2013 and September 15, 2013, in an act separate and distinct from Counts II and III, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than ZJN, had sexual contact with ZJN, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree,

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58

81

assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT II

Child Molestation in the First Degree— RCW 9A.44.083 – Class A Felony

On or about and between June 1, 2013 and September 15, 2013, in an act separate and distinct from Counts I and III, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than ZJN, had sexual contact with ZJN, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT III

Child Molestation in the First Degree – RCW 9A.44.083 – Class A Felony

On or about and between June 1, 2013 and September 15, 2013, in an act separate and distinct from Counts I and II, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than ZJN, had sexual contact with ZJN, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

82

COUNT IV

Child Molestation in the First Degree – RCW 9A.44.083 – Class A Felony

On or about and between June 1, 2013 and September 15, 2013, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than JEH, had sexual contact with JEH, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT V

Sexual Exploitation of a Minor - RCW 9.68A.040

On or about and between June 1, 2013 and September 15, 2013, in the County of Skagit, State of Washington, the above-named Defendant did compel, aid, invite, employ, authorize, or cause a person under 18 years of age, to wit: ZJN who was born on 06/11/2004, to engage in sexually explicit conduct, knowing that such conduct would be photographed or part of a live performance and/or being a parent, legal guardian, or person having custody or control over a person under 18 years of age, to wit: ZJN who was born on 06/11/2004, did permit ZJN to engage in sexually explicit conduct, knowing that the conduct will be photographed or part of a live performance; contrary to Revised Code of Washington 9.68A.040.

(Maximum Penalty - Ten (10) years imprisonment and/or a \$20,000 fine pursuant to RCW 9.68A.040(2) and 9A.20.021(1)(b), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(32), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(32)(a) and 9.94A.120(4) or 9.94A.570.)

COUNT VI

Possessing Depictions of Minors Engaged in Sexually Explicit Conduct in the Second Degree - RCW 9.68A.070(2) – Crimes on or after 6/10/2010 - Class C Felony

On or about and between June 1, 2013 and January 30, 2014, in the County of Skagit, State of Washington, the above-named Defendant did knowingly possess any visual or printed matter depicting a minor engaged in sexually explicit conduct involving actual or simulated: Depiction of the genitals or unclothed pubic or rectal areas of any minor, or the unclothed breast

83

of a female minor, for the purpose of sexual stimulation of the viewer; or Touching of a person's clothed or unclothed genitals, pubic area, buttocks, or breast area for the purpose of sexual stimulation of the viewer; contrary to Revised Code of Washington 9.68A.070(2) and 9.68A.011(f) and (g).

(Maximum Penalty- Five - (5) years imprisonment and/or a \$10,000 fine pursuant to RCW 9.68A.070 and 9A.20.021(1)(c), plus restitution and assessments.)

COUNT VII

Child Molestation in the First Degree (crimes on or after December 3, 2009, and before June 30, 2014) – RCW 9A.44.083 – Class A Felony

On or about and between September 1, 2012 and June 15, 2013, in an act separate and distinct from Count VIII, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than AED had sexual contact with AED who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

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COUNT VIII

Child Molestation in the First Degree (crimes on or after December 3, 2009, and before June 30, 2014) – RCW 9A.44.083 – Class A Felony

On or about and between September 1, 2012 and June 15, 2013, in an act separate and distinct from Count VII, in the County of Skagit, State of Washington, the above-named Defendant, being at least thirty-six (36) months older than AED, had sexual contact with AED, who was less than twelve (12) years old and not married to the defendant and not in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.083.

(Maximum Penalty - Life imprisonment and/or a \$50,000 fine pursuant to RCW 9A.44.083(2) and 9A.20.021(1)(a), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

(If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual

84

motivation: murder in the first or second degree, homicide by abuse, kidnapping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, or any attempt to commit any crime listed herein the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

AND FURTHERMORE, the defendant has committed multiple current offenses and the Defendant's high offender score results in some of the current offenses going unpunished, contrary to RCW 9.94A.535(2)(c).

SKAGIT COUNTY PROSECUTING ATTORNEY

DATED: July 1, 2014

By Rosemary H. Kaholokula
ROSEMARY H. KAHOLOKULA, WSBA #25026
CHIEF CRIMINAL DEPUTY PROSECUTOR

OR

85

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SKAGIT COUNTY SUPERIOR COURT STATE OF WASHINGTON
STATE OF WASHINGTON, Plaintiff, vs. SAMUEL LEE IRWIN, Defendant.

NO: 14-1-00081-1

THIRD AMENDED INFORMATION

TO: SAMUEL LEE IRWIN
 DOB: 04/27/1952
 LKA: 2005 L AVENUE, ANACORTES, WA 98221
 PHY: C/M/HT: 5'09"/195 LBS/BLU EYES/GRY HAIR
 ID#: SID#WA11654442; WA DOL#IRWINSL483J7; DOC#755330
 AGENCY: APD #13-A09280

By this Amended Information, the Prosecuting Attorney accuses you of the crimes of:

COUNT I

Child Molestation in the Second Degree (on or after December 3, 2009, and before June 30, 2014) – RCW 9A.44.086 – Class B Felony

On or about and between June 1, 2013 and September 15, 2013, in Skagit County, State of Washington, in an act separate and distinct from Counts II and III, the above-named Defendant, being at least thirty-six (36) months older than ZJN, had sexual contact with ZJN, who was at least twelve (12) years old but less than fourteen (14) years old, and not married to nor in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.086.

(Maximum Penalty - Ten (10) years imprisonment and/or a \$20,000 fine pursuant to RCW 9A.44.086(2) and 9A.20.021(1)(b), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT II

Child Molestation in the Second Degree (on or after December 3, 2009, and before June 30, 2014) – RCW 9A.44.086 – Class B Felony

86

On or about and between June 1, 2013 and September 15, 2013, in Skagit County, State of Washington, in an act separate and distinct from Counts I and III, the above-named Defendant, being at least thirty-six (36) months older than JEH, had sexual contact with JEH, who was at least twelve (12) years old but less than fourteen (14) years old, and not married to nor in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.086.

(Maximum Penalty - Ten (10) years imprisonment and/or a \$20,000 fine pursuant to RCW 9A.44.086(2) and 9A.20.021(1)(b), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT III

Child Molestation in the Second Degree (on or after December 3, 2009, and before June 30, 2014) – RCW 9A.44.086 – Class B Felony

On or about and between June 1, 2013 and September 15, 2013, in Skagit County, State of Washington, in an act separate and distinct from Counts I and II, the above-named Defendant, being at least thirty-six (36) months older than AED, had sexual contact with AED, who was at least twelve (12) years old but less than fourteen (14) years old, and not married to nor in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.086.

This one was said to have had happen Sept 1, 2012 and June 15, 201 in all of the Amended Information

(Maximum Penalty - Ten (10) years imprisonment and/or a \$20,000 fine pursuant to RCW 9A.44.086(2) and 9A.20.021(1)(b), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT IV

Possessing Depictions of Minors Engaged in Sexually Explicit Conduct in the Second Degree - RCW 9.68A.070(2) – Crimes on or after 6/10/2010 - Class C Felony

On or about and between June 1, 2013 and January 30, 2014, in the County of Skagit, State of Washington, the above-named Defendant did knowingly possess any visual or printed matter depicting a minor engaged in sexually explicit conduct involving actual or simulated: Depiction of the genitals or unclothed pubic or rectal areas of any minor, or the unclothed breast of a female minor, for the purpose of sexual stimulation of the viewer; or Touching of a person's clothed or unclothed genitals, pubic area, buttocks, or breast area for the purpose of sexual stimulation of the viewer; contrary to Revised Code of Washington 9.68A.070(2) and 9.68A.011(f) and (g). (Maximum Penalty- Five - (5) years imprisonment and/or a \$10,000 fine pursuant to RCW 9.68A.070 and 9A.20.021(1)(c), plus restitution and assessments.)

SKAGIT COUNTY PROSECUTING ATTORNEY

DATED: April 27, 2015

By ROSEMARY H. KAHOLOKULA, WSBA #25026
CHIEF CRIMINAL DEPUTY PROSECUTOR

I was sentenced at 8-7-14

AMENDED INFORMATION
(Revised 1/2/2014 by ddm)
Page 2

these were sent to me by the Skagit Valley Clerk of records in (January 2015)

SKAGIT COUNTY PROSECUTING ATTORNEY
605 SOUTH THIRD - COURTHOUSE ANNEX
MOUNT VERNON, WASHINGTON 98273
PH: (360) 336-9460 - FAX (360) 336-9347

87

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2014 JUL 11 AM 11:41

SKAGIT COUNTY SUPERIOR COURT
STATE OF WASHINGTON

STATE OF WASHINGTON,
Plaintiff,
vs.
SAMUEL LEE IRWIN,
Defendant.

NO: 14-1-00081-1

FOURTH AMENDED INFORMATION

TO: SAMUEL LEE IRWIN
DOB: 04/27/1952
LKA: 2005 L AVENUE, ANACORTES, WA 98221
PHY: C/M/HT: 5'09"/195 LBS/BLU EYES/GRY HAIR
ID#: SID#WA11654442; WA DOL#IRWINSL483J7; DOC#755330
AGENCY: APD #13-A09280

OR

By this Amended Information, the Prosecuting Attorney accuses you of the crimes of:

COUNT I

Child Molestation in the Second Degree (on or after December 3, 2009, and before June 30, 2014) - RCW 9A.44.086 - Class B Felony

On or about and between June 1, 2013 and September 15, 2013, in Skagit County, State of Washington, in an act separate and distinct from Counts II and III, the above-named Defendant, being at least thirty-six (36) months older than ZJN, had sexual contact with ZJN, who was at least twelve (12) years old but less than fourteen (14) years old, and not married to nor in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.086.

(Maximum Penalty - Ten (10) years imprisonment and/or a \$20,000 fine pursuant to RCW 9A.44.086(2) and 9A.20.021(1)(b), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT II

Child Molestation in the Second Degree (on or after December 3, 2009, and before June 30, 2014) - RCW 9A.44.086 - Class B Felony

ORIGINAL

60

87



On or about and between June 1, 2013 and September 15, 2013, in Skagit County, State of Washington, in an act separate and distinct from Counts I and III, the above-named Defendant, being at least thirty-six (36) months older than JEH, had sexual contact with JEH, who was at least twelve (12) years old but less than fourteen (14) years old, and not married to nor in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.086.

(Maximum Penalty - Ten (10) years imprisonment and/or a \$20,000 fine pursuant to RCW 9A.44.086(2) and 9A.20.021(1)(b), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT III

Child Molestation in the Second Degree (on or after December 3, 2009, and before June 30, 2014) – RCW 9A.44.086 – Class B Felony

On or about and between June 1, 2013 and September 15, 2013, in Skagit County, State of Washington, in an act separate and distinct from Counts I and II, the above-named Defendant, being at least thirty-six (36) months older than AED, had sexual contact with AED, who was at least twelve (12) years old but less than fourteen (14) years old, and not married to nor in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.086.

(Maximum Penalty - Ten (10) years imprisonment and/or a \$20,000 fine pursuant to RCW 9A.44.086(2) and 9A.20.021(1)(b), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

A
V
R

COUNT IV

Possessing Depictions of Minors Engaged in Sexually Explicit Conduct in the Second Degree - RCW 9.68A.070(2) – Crimes on or after 6/10/2010 - Class C Felony

On or about and between June 1, 2013 and January 30, 2014, in the County of Skagit, State of Washington, the above-named Defendant did knowingly possess any visual or printed matter depicting a minor engaged in sexually explicit conduct involving actual or simulated: Depiction of the genitals or unclothed pubic or rectal areas of any minor, or the unclothed breast of a female minor, for the purpose of sexual stimulation of the viewer; or Touching of a person's clothed or unclothed genitals, pubic area, buttocks, or breast area for the purpose of sexual stimulation of the viewer; contrary to Revised Code of Washington 9.68A.070(2) and 9.68A.011(f) and (g). (Maximum Penalty- Five - (5) years imprisonment and/or a \$10,000 fine pursuant to RCW 9.68A.070 and 9A.20.021(1)(c), plus restitution and assessments.)

Printed in plain text

SKAGIT COUNTY PROSECUTING ATTORNEY

DATED: July 10, 2014

By Rosemary H Kaholokula
ROSEMARY H KAHOLOKULA, WSBA #25026
CHIEF CRIMINAL DEPUTY PROSECUTOR

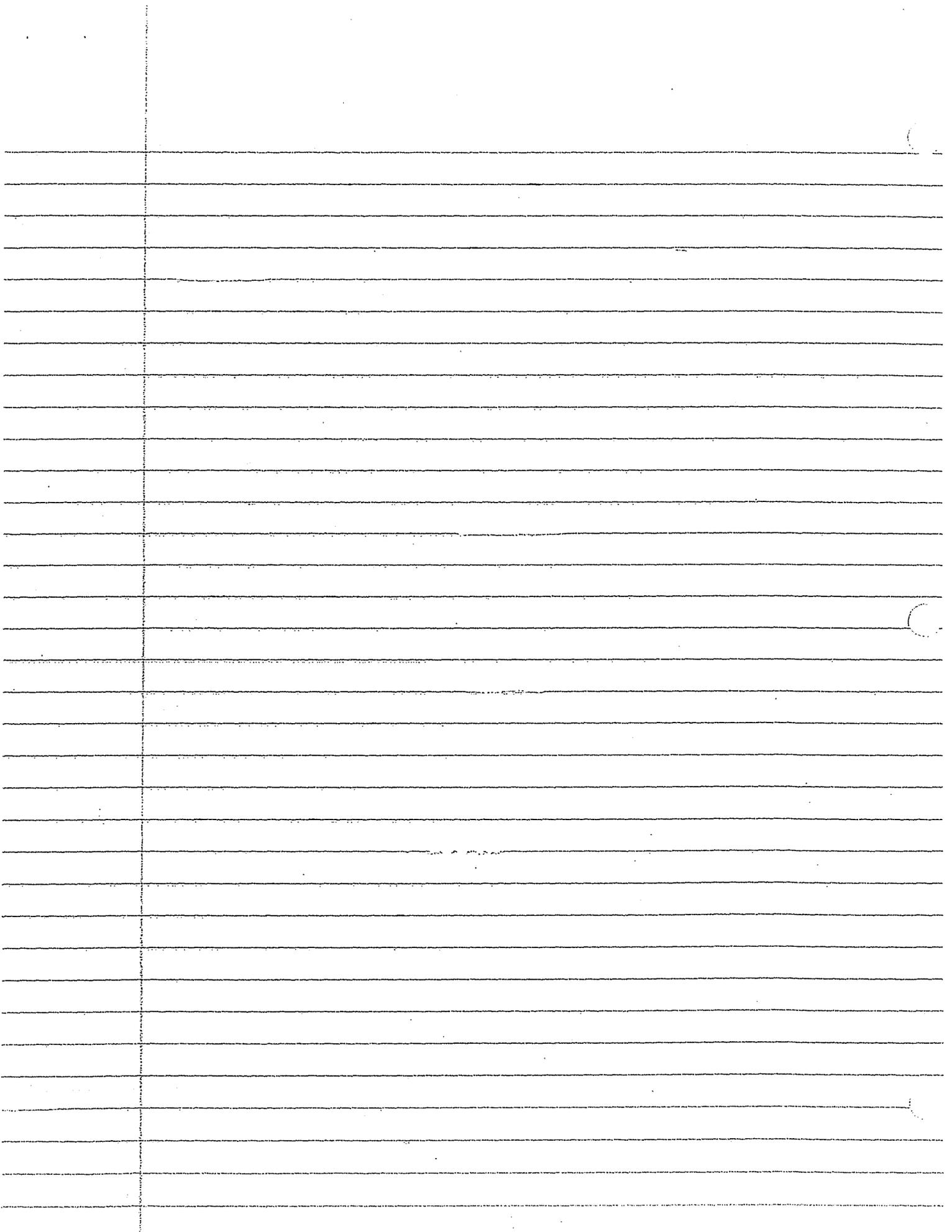
Additional Ground 6

① why the 2 arrest warrants on ~~info~~ Info, the one that was supposedly signed and dated never filed with the clerk and the one that was not signed and dated was.

② why did they get a Warrant for me on Feb-3-14 when they had come and arrested me at my home on Jan. 30 2014 8:18 AM

③ and why is there no paper work showing that I was served in Jail

Thank you
Sam [Signature]



64

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA
2014 FEB -3 PM 4:53

SUPERIOR COURT OF THE STATE OF WASHINGTON FOR SKAGIT COUNTY

STATE OF WASHINGTON

Plaintiff,

No. 14-1-00081-1

vs.

ARREST WARRANT ON INFORMATION

SAMUEL LEE IRWIN

Defendant.

TO ANY PEACE OFFICER IN THE STATE OF WASHINGTON:

1. An Information has been filed in this court accusing the defendant of the crime(s) of CHILD MOLESTATION 1ST (4 CNTS).
2. The court has ordered the issuance of this warrant and has found probable cause to believe the defendant has committed the crime charged.
3. YOU ARE COMMANDED in the name of the State of Washington to arrest and bring the defendant forthwith before this court to answer the above accusations.
4. This warrant may be served by teletype or telegraph.
5. Bail is set at: \$50,000.
6. Area of Extradition: 7 STS
7. If bail is NOT posted, Defendant will appear in Skagit County Superior Court THURSDAY @ 9:00AM (In-Custody Calendar) following arrest.
8. If bail IS posted, Defendant will appear in Skagit County Superior Court FRIDAY @ 9:00AM (Out-of-Custody Calendar) following arrest and release.

DATED: February 3, 2014

NANCY K. SCOTT
Clerk of the Superior Court

By *C. Wilson*
C. WILSON, Deputy Clerk



REC

2

WA

RETURN OF ARREST WARRANT

I received an arrest warrant issued by the clerk of this court on _____ and executed

DELIVERED/FAXED FOR ENTRY
SKAGIT COUNTY SHERIFF/JAIL
DATED: 2/3/14

Dated: _____

Signature _____

Agency _____

SHRTWA

No Signature

6

65

Not Filed No Stamp

A-12

SUPERIOR COURT OF THE STATE OF WASHINGTON FOR SKAGIT COUNTY

STATE OF WASHINGTON

Plaintiff,

No. 14-1-00081-1

vs.

ARREST WARRANT ON INFORMATION

SAMUEL LEE IRWIN

Defendant.

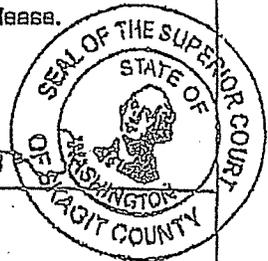
TO ANY PEACE OFFICER IN THE STATE OF WASHINGTON:

1. An Information has been filed in this court accusing the defendant of the crime(s) of CHILD MOLESTATION 1ST (4 CNTS).
2. The court has ordered the issuance of this warrant and has found probable cause to believe the defendant has committed the crime charged.
3. YOU ARE COMMANDED in the name of the State of Washington to arrest and bring the defendant forthwith before this court to answer the above accusations.
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7. If bail is NOT posted, Defendant will appear in Skagit County Superior Court THURSDAY @ 9:00AM (In-Custody Calendar) following arrest.
8. If bail IS posted, Defendant will appear in Skagit County Superior Court FRIDAY @ 9:00AM (Out-of-Custody Calendar) following arrest and release.

DATED: February 9, 2014

NANCY K. SCOTT
Clerk of the Superior Court

By *C. Wilson*
C. WILSON, Deputy Clerk



WA

RETURN OF ARREST WARRANT

I received an arrest warrant issued by the clerk of this court on _____ and executed

DELIVERED/FAXED FOR ENTRY
 SKAGIT COUNTY SHERIFF/JAIL
 DATED: 2/13/14

Dated: 2/13/14
 Signature: SCS
 Agency: _____

SHRTWA

66

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2014 FEB -3 PM 1:46

WARRANT SERVICE INSTRUCTIONS

TO: APD Police Department
(via Skagit County Sheriff)

FROM: Skagit County Prosecuting Attorney

CASE: State v. Samuel Lee Irwin

CAUSE NO. 14-1-00081-1

AGENCY # 13-A69280

Special Instructions

- In Custody Skagit County Jail - Must Be Served By 2/4 @ 8:15 am/pm
- In Custody Skagit County Juvenile Detention - Must Be Served By _____ am/pm
- Not in Custody
- Juvenile filed in Adult Court, PLEASE FAX WARRANT TO JUVENILE DETENTION.

Notification

_____ notified at _____ am/pm, on _____

_____, 200: by _____

Det. T. Clifford 67

wearing jeans and a short sleeved shirt when Samuel Irwin unbuttoned her jeans and touched her underneath her clothing, having put his hand in through a "hole" on the top of her jeans. Z.J.K.N. stated that "only a doctor" had touched her in this manner before.

Z.J.K.N. also stated that the touching had occurred at a "red" house which she had visited during the summer while she was out of school. It should be noted that Samuel Irwin's residence at 2005 L Avenue is red in color. Z.J.K.N. said that J.E.H. had been touched inappropriately by Samuel Irwin, as well.

During her forensic child interview, J.E.H. advised that she was present to speak about "Sam," who she described as being "my grandma's boyfriend." J.E.H. stated that Samuel Irwin "touched me" with "his hand," and when asked where Samuel Irwin had touched, J.E.H. pointed at her groin area, moving her hand in a circular motion. J.E.H. stated that she believed this incident had occurred on a couch and that Z.J.K.N. was present in the room sitting on another couch. J.E.H. said that she thought this incident occurred during the summer. J.E.H. advised that Samuel Irwin had touched the above portion of her body over her clothing. J.E.H. demonstrated by placing a hand over her vaginal area and then pushing it away, claiming that she pushed Samuel Irwin's hand away when he touched her there. J.E.H. stated that Samuel Irwin had touched her in this manner "once." J.E.H. described the part of her Samuel Irwin touched as being her "private parts" and circled her groin area on a diagram when asked where Samuel Irwin had touched her. J.E.H. stated that nobody had ever touched her in this manner before.

J.E.H. also advised that Samuel Irwin and Lorraine Hill have a computer that she plays games on. J.E.H. said that Z.J.K.N. "told me about pictures" stored on the computer which depicted "private parts of J. [redacted]," who she believed was Samuel Irwin's niece. Also mentioned were depictions of Samuel and "J. [redacted]" lying in bed together naked. J.E.H. said that she did not think that Z.J.K.N would make something like this up, and went on to say that she thought the photographs could be stored on a "computer chip."

I later spoke to Amber Hansen, who confirmed that Z.J.K.N. had stayed at Samuel Irwin's residence from approximately June 12, 2013 to August 10, 2013, and that J.E.H. had stayed at Samuel's residence on and off between June 12, 2013 and early September 2013.

On January 30, 2014, at approximately 8:18 AM, I took Samuel Irwin into custody at his residence at 2005 L Avenue. Samuel Irwin was transported to the police station and was advised of his Constitutional Rights from an Anacortes Police Department Recorded Statement Form. Samuel

REPORT

Page 197

63

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2014 FEB -3 PM 3:46

SKAGIT COUNTY SUPERIOR COURT STATE OF WASHINGTON	
STATE OF WASHINGTON, Plaintiff, vs. SAMUEL LEE IRWIN, Defendant.	NO: 14-1-00081-1 ORDER FOR ISSUANCE OF WARRANT AND EXTRADITION FOR 7 STATES (WA, OR, ID, MT, UT, WY, SD)

I. BASIS

THIS COURT has considered the Information filed by the Prosecuting Attorney and the affidavit of Terrence Clifford, Officer setting forth the facts and circumstances.

II. FINDING

The Court finds that probable cause exists to believe that the Defendant committed the offenses charged and for:

- The arrest and detention of: Samuel Lee Irwin
- The arresting agency has requested extradition for 7 STATES (WA, OR, ID, MT, UT, WY, SD).

III. ORDER

IT IS ORDERED that:

- 3.1 The Clerk of this Court issue a:
 - Warrant for the arrest of the Defendant, which may be served by teletype, telegraph or facsimile in accordance with RCW 10.31.060.
- 3.2 Bail
 - Is set at \$ 50,000.00
 - No bail will be accepted.
- 3.3 Extradition granted for 7 STATES (WA, OR, ID, MT, UT, WY, SD).

DATED: 2-3-14

Steve Noodin
JUDGE / COURT COMMISSIONER

RHK/SLA

5

62

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2014 FEB -3 PK 1: 46

SKAGIT COUNTY SUPERIOR COURT
STATE OF WASHINGTON

STATE OF WASHINGTON,
Plaintiff,
vs.
SAMUEL LEE IRWIN,
Defendant.

NO: 14-1-00081-1'

MOTION FOR WARRANT
(PROBABLE CAUSE)

5

COMES NOW the Skagit County Prosecuting Attorney and moves the Court to issue a Warrant to the Defendant:

FILED

SAMUEL LEE IRWIN

LKA: 2005 L AVENUE, ANACORTES, WA 98221
DOB: APRIL 27, 1952
DOL: WA IRWINSL483J7

1. I, Rosemary H. Kaholokula, am a Deputy Prosecuting Attorney for Skagit County and make this motion in that capacity; and
2. The above-named Defendant is accused of crimes by documents on file; and
3. Probable cause appears to exist to believe that the defendant committed the offenses charged based on the attached affidavit of Terrence Clifford, Officer.

SKAGIT COUNTY PROSECUTING ATTORNEY

DATED: February 3, 2014

By: Rosemary H. Kaholokula
ROSEMARY H. KAHOLOKULA, WSBA#25026
CHIEF CRIMINAL DEPUTY PROSECUTOR

2

45A

Additional Ground #5

All I ask is that I get a fair shake on being represented by a lawyer ~~with~~ With Mr Richards I don't think I was for the reason Here.

① We never discussed the case to what it should have been being a 2 strike offence and a possible Life Sentence.

② He would not Interview any of the Victims or ~~no~~ Witness. When I ask him what he would be asking the Witness and that I thought him ~~the~~ and the Investigator and me should sit down and talk about it all he said to me was ~~no~~ No, and if I had any questions that I should write them down and he would see it ~~if~~ He ~~would~~ ^{would} not ask them so I sat down and wrote out over 150-200 questions to ask the witness:

③ The one person that he did Interview that look like it would help me. He didn't even tell me about or put it in My Discovery (Lorraine Hill) (Page 59)

45.B

④ in 6 month of working with Mr Richards
the total amount of time we discussed
the case was not more than 3 hrs.

⑤ even the Prosacutor couldn't get
him to do what He said he would
Page (48)

There is a lot more reason that
Mr Richards was less than a good lawyer.
Hopefully you will see it

Thank you
Sam

I was never told about any of the
E mails between

45c

Washingtons Court Rules

Vol-1 2013

Page 77

Rule 1.3 Diligence

- ① A lawyer must act with commitment and dedication to the interests of the client
- ② A lawyer's work load must be controlled so that each matter can be handled competently

Rule 1.4 Communication

A lawyer shall

- ① promptly inform the client of any decision or circumstance with respect to which the client informed or consent.
- ② Reasonably consult with the client about the means by which the clients objectives are to be accomplished.
- ③ Keep the client reasonably informed about the status of all matters.
- ④ promptly comply with reasonable request for information
- ⑤ Consult with the client about any relevant limitations on the lawyer. so as to allow or permit the client to make informed decision's regarding their representation

Washington Court Rules
Vol 1 State (2013)

Rule 3.1 Right and Assignment of lawyer

(F) Services other than a Lawyer

- ① A lawyer for a defendant who is financially unable to obtain investigator, experts, or other services necessary to an adequate defense in the case, may request them by a motion to the courts.
- ② Upon finding the services are necessary and that the defendant is financially unable to obtain them the court or person or agency to whom the administration of the program, may have been delegated by local court rules, shall authorize the service. The motion may be made ex parte.

47

A.G. 5

LEGA) Exhibit

SKAGIT COUNTY PUBLIC DEFENDER

DIRECTOR

Keith W. Tyne

CHIEF DEPUTY

C. Wesley Richards

SENIOR DEPUTIES

Kathy M. Prunty

Tammy L. Candler

Laura M. Riquelme

Jeri L. Bonkoski

OFFICE SUPERVISOR

Janelle Gilbert

MAIN OFFICE

121 Broadway St

Mount Vernon, WA 98273

Phone (360) 336-9405

Fax (360) 336-9327

JUVENILE UNIT

205 West Kincaid St., Suite 302

Mount Vernon, WA 98273

Phone (360) 336-9405

Fax (360) 419-3393

DEPUTIES

Robert I. Roth

Karen Denise Wilson

Cecily Hernandez

Nancy M. Neal

Jessica J. Fleming

Benjamin J. Harris

Dean F. Terrillion

Marek E. Falk

Jesse G. Collins

May 4, 2015

Samuel Irwin, #755330 (KB454)
Airway Heights Correction Center
P.O. Box 2049
Airway Heights, WA 99001

Dear Mr. Irwin:

Pursuant to your request, I am enclosing the reports from the investigator on your case, Shauna Snyder; court documents we would have discussed; your written letters to me, which may have been a topic of discussion; e-mail exchanges with the State that we may have discussed; the guilty plea form (which contains the plea agreement), which we reviewed; and the letter received from Ms. Hill. Contact information for Ms. Snyder is located on her reports.

Ms. Hill, Det. Clifford and Officer Michael were interviewed. As you know, the alleged victims were not interviewed by the defense.

You said you wanted "all paper work that you and I discussed and went over on how we would handle my case...and any info that you and I discussed." I'm not clear about what paperwork or information you are asking for. We discussed the discovery, but by court rule I am not permitted to provide it to you. If there is additional information or documents you want, please let me know.

Sincerely,


C. Wesley Richards

Encl.

47-B

SKAGIT COUNTY PUBLIC DEFENDER

DIRECTOR
Keith W. Tyne
CHIEF DEPUTY
C. Wesley Richards
SENIOR DEPUTIES
Kathy M. Prunty
Tammy L. Candler
Laura M. Riquelme
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121 Broadway St.
Mount Vernon, WA 98273
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DEPUTIES
Robert I. Roth
Jeri L. Bonkoski
Karen Denise Wilson
Nancy M. Neal
Cecily Hernandez
Jessica J. Fleming
Benjamin J. Harris
Dean F. Terrillion
Marek Falk
Jesse Collins

June 18, 2014

Samuel Irwin
Skagit County Jail

Dear Mr. Irwin:

RCW 9.94A.729(3)(b) provides for good time of ten percent on class "A" sex offenses, such as first-degree child molestation. RCW 9.94A.729(3)(d) provides for good time of one-third for other sex offenses, such as child molestation in the second degree.

Child molestation in both the first and second degree are predicate offenses under the sexually violent predator law that would permit the State to file a petition to civilly detain a person who has completed his or her sentence on those charges.

this letter was sent by Mr Richards

RCW 9A.44.010(2) defines sexual contact as "any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party or a third party." This is somewhat different than I remembered in that it does require proof that the touching was for the purpose of sexual gratification. Accordingly, an accidental touching of a sexual or intimate body part does not constitute sexual contact for purposes of a charge of child molestation.

Sincerely,

C. Wesley Richards
C. Wesley Richards

this letter was sent by Mr Richards after I ask him what the definition of Molestation was and he said that any touching of a child's intimate parts was child molestation, so as you can see he didn't know the R.C.W. definition of child Molestation until I ask him to look it up, because at the time I ask him he said it didn't matter whether it was by accident or not so I ask him to check, after reading the definition at NO time in the interviews did any of the kids say they had seen me without my clothes on or me see them.

ASPA

48

June 16th

1 a recorded call. And, as to Z.N., again as observed by the defense, there is photographic
2 evidence of the defendant's sexual interest in Z.N.

3 As to factor 2, although the defense agreed at omnibus to state the general nature of
4 his defense, such information has not yet been provided to the State. The State assumes a
5 defense of general denial as to all counts. There is therefore no risk of inconsistent defenses
6 and no risk of confusion to the jury due to alternative/ inconsistent defenses.

4. So you
can see how
my lawyer was
not keeping up
on my case
he never even
told me of any
way or means of
how he was go-
ing to defend
all I heard from
him was that
I was looking at
25 to life and a
possible inde-
cent sentence
at no time I
did my Richan
give me any
message
Idea of how
he was going
to defend me

7 As to factor 3, the court can properly instruct the jury. The jury is presumed to
8 follow the trial court's instructions. *State v. Bourgeois*, 133 Wn.2d 389, 406 (1997).

9 As to factor 4, much of the evidence from the various events would be cross
10 admissible.

11 In any trial for the crimes as to any of the three victims and as to the pornography
12 charge, the State would be presenting evidence of the defendant's taped jail calls (which
13 statements address all counts), evidence of the defendant's access to the victims within the
14 same discrete time frame, and evidence of the defendant's use of the camera and computer
15 (same evidence for pornography as for sexual exploitation of J.N.). Furthermore, the State
16 asserts that the evidence does support a common scheme or plan which would make the
17 evidence of actual acts of abuse cross-admissible among the victims.

18 Evidence of a single plan that is used "repeatedly to commit separate, but
19 very similar, crimes," is admissible to show a common scheme or plan if it
20 contains common features and a substantial degree of similarity such that
21 the acts can be "explained as caused by a general plan of which [the
22 charged crime and the prior misconduct] are the individual
23 manifestations." *DeVincentis*, 150 Wn.2d at 19-20 (internal quotation
24 marks omitted) (quoting *Lough*, 125 Wn.2d at 856). In such a case, "the
25 similarity is not merely coincidental, but indicates that the conduct was
26 directed by design." *Lough*, 125 Wn.2d at 860. But substantial similarity
27 between the acts does not require uniqueness, and courts generally admit
28 evidence of prior sexual misconduct in child sexual abuse cases.

29 For example, in *DeVincentis*, the court found prior acts of child
30 molestation substantially similar to the charged crime and thus admissible
31 to show a common scheme or plan. 150 Wn.2d at 22-24. There, the
32 defendant planned to get to know prepubescent girls, created a trusting
33 relationship with them, secluded them from others, and desensitized them

34 MEMORANDUM - 5

35 Skagit County Prosecuting Attorney
36 605 South Third Street
37 Mount Vernon, WA 98273
38 (360) 336-9460
39 (360) 336-9347 Fax

49

Read

2

STATE OF WASHINGTON)
)
 VS)
)
 SAMUEL LEE IRWIN)
 (DOB 04/27/1952))

AFFIDAVIT OF
 PROBABLE CAUSE

I, Terrence O. Clifford, a Detective with the Anacortes Police Department, being duly sworn on oath, deposes and says that on December 20, 2013, at approximately 4:35 PM, Officer Scott Ray was dispatched to a complaint of a sex offense which had occurred earlier in the year at 2005 L Avenue, within the City of Anacortes. Amber L. Hansen (DOB: 01/12/1982) reported that a long time family friend, later identified as Samuel Lee Irwin (DOB: 04/27/1952), had molested her step daughter at that address. Amber Hansen explained that her step daughter, nine year-old Z.J.K.N. (DOB: 06/04/2004) had reported that she had been touched by Samuel Irwin; who she refers to as her grandfather, three times. Z.J.K.N. also advised her counselor that Samuel Irwin had a camera and that he had showed her nude photographs of a juvenile female who she believed was sixteen years old at the time. The memory card with those photographs stored on it was said to be in a wooden box by the side of Samuel Irwin's bed. Z.J.K.N. had apparently told Samuel's girlfriend, Lorraine Mary Hill (DOB: 07/05/1958), who she refers to as her grandmother, of the abuse, but she dismissed it as childhood lies and took no further action. Amber Hansen had taken Z.J.K.N. to a hospital to be examined; however, due to the amount of time that had passed since the incidents, no evidence of assault was discovered.

Two Child Protective Services (CPS) intake reports were received by the Anacortes Police Department following the report of this incident. One intake report indicated that Z.J.K.N. had disclosed to Jennifer C. Oglesbee, a Shiloh Hills School employee, that her grandmother's boyfriend (Samuel Irwin) had touched both she and her ten year-old step-sister J.E.H. (DOB: 01/22/2004) around the "genital area" while they were visiting their grandmother (Lorraine Hill). J.E.H.'s mother, who is also Z.J.K.N.'s step mother, Amber Hansen, was informed of the situation by Jennifer Oglesbee.

The other intake report indicated that Marguerite Wayland, a nurse practitioner at Rockwood Pediatrics, had contacted CPS regarding the sexual abuse of Z.J.K.N. and J.E.H. by Samuel Irwin, who is the boyfriend of their "grandmother," Lorraine Hill, who resides at 2005 L Avenue in Anacortes. Clayton L. Neidigh (DOB: 11/15/1976), Z.J.K.N.'s father, had taken Z.J.K.N. and J.E.H. to the hospital after Z.J.K.N. had disclosed sexual abuse by Samuel Irwin to a school employee. The abuse was said to have occurred between June 15, 2013 and sometime in July


 REPORT
 Page 195

50

3

2013, when Z.J.K.N. and J.E.H. stayed at Samuel Irwin's residence for several weeks. Marguerite Wayland did not find physical evidence of an assault as so much time had passed since the time of the abuse. Z.J.K.N. also advised Marguerite Wayland that Samuel Irwin has a camera, and that Samuel Irwin had showed her photographs of the breasts and genitals of a girl named "Jamie," who she believed was Samuel Irwin's niece.

Z.J.K.N. was interviewed by Marguerite Wayland separately, and advised that Samuel Irwin had touched her "bathing suit area", pointing to her pubic area when asked by Marguerite Wayland where that was. Z.J.K.N. explained that she and J.E.H. were watching a movie with Samuel Irwin when Lorraine Hill was washing dishes when this occurred, and that Samuel Irwin touched her "bathing suit parts" a second time when he tucked her into bed later. Z.J.K.N. also mentioned that Samuel Irwin has a camera and that he showed her photographs of the breast and genital area of a juvenile female, who she thought was named "J[REDACTED]" and was possibly Samuel Irwin's niece.

On January 9, 2014, Detective David Skogen of the Spokane County Sheriff's Office met with Z.J.K.N. and J.E.H. at the Partners with Families and Children Child Advocacy Center in Spokane, WA, where he observed the forensic child interviews of both juveniles being conducted by Karen Winston, a Child Interview Specialist.

During her forensic child interview, Z.J.K.N. advised that she was present to speak about "a touching problem with Sam Irwin" and that he had touched her beginning on "July 25," 2013. Z.J.K.N. stated that on that date, she and J.E.H. had finished watching a movie and had gone upstairs to go to bed. Z.J.K.N. alleged that Samuel Irwin had "touched me" for the "first time" then. Z.J.K.N. explained that she was wearing a nightgown over a pair of shorts and underwear underneath at the time. Z.J.K.N. indicated that Samuel Irwin touched her "bathing suit parts" underneath her clothes with his hand. Z.J.K.N. circled her the groin area on a diagram of a female child when asked to describe where this was, and also described the area as being her crotch area. When asked if Samuel Irwin had touched her anywhere else, Z.J.K.N. circled a second part of her body on the diagram, which she also described as her "bathing suit parts." I later examined the diagram that Z.J.K.N. had circled parts on and observed that the breast and vaginal area had been circled. Z.J.K.N. stated that Samuel had told her that this was their secret and that she would "get in trouble" if she told anyone.

Z.J.K.N. also made mention of a second incident during which Samuel Irwin had touched her inappropriately in "him and R[REDACTED]'s room." Z.J.K.N. advised that she had been watching a movie in that room with Samuel Irwin and some of her other siblings when Samuel Irwin "touched me under my bathing suit place." Z.J.K.N. said that she was laying down with a blanket over her,

51

56-

REPORT OF INTERVIEW

Case: State v. Samuel Irwin
Cause No: No. 14-1-00081-1
Interview with: **Detective Terrence Clifford**
Contact info: State witness
Date of Interview: 5/23/14
Interview conducted by: Wes Richards , Shauna Snyder / recorded

Det Clifford did not find any evidence that J. M. was a victim; he found no evidence to corroborate if her photograph was on Mr Irwin's computer. To his knowledge there were no photographs of J.'s private parts located as described by Z.J.K.N. he did not see any. But there were a couple photographs where you couldn't tell who they were, which could or couldn't be her. In the Probable Cause Det Clifford stated that the nude photo were of Z.J.K.N. and not J.

(A) He did not find pictures of scantily clad females, on the Irwin computer which was seized, as described by Kyle Neuman; but there were pictures of naked, apparent juvenile females, on the computer and Ofc. Hanson is the one who conducted the computer search, and Det Clifford does not believe Hanson found any but would need to ask Hanson to be precise about what other, non naked, pictures on the computer there might have been.

(B) Det Clifford did not personally see a photo of J. standing on a shed as described by Lorraine Hill, but Ofc Hanson would know the answer to that, don't know if Ofc Hanson was particularly looking for that.

(C) With regard to A.D. Mr Irwin was never interviewed about A.D. as he was already in jail at the time, in jail phone calls Mr Irwin did not specifically say the details of anything done to A.D. but he did make several statements that Det Clifford believes were indicative of something possibly happening, or him being guilty of something, but Irwin never specified said what he had done.

(D) A.D. made no statements that Det Clifford is aware of, which are not mentioned in his reports or mentioned in the transcript of the interview with her. Det Clifford did not interview A.D.; she's a young age, and a forensic child interviewer would do that and Det Clifford was not certified for that at that particular time.

(E) It was Mr. Danner who provided a camera which he said belonged to Mr. Irwin, and Lorraine also said she had found the camera in a box of her stuff, but Mr. Danner provided the camera to Det Clifford. Aside from Mr. Danner and Lorraine saying the camera belonged to Mr Irwin, there is no independent proof that it was his camera, but that type of camera was involved in producing the photographs that were found on the State v. Samuel Irwin

52

F

computer, but it doesn't have his name on it. There was not a forensic analysis done on the camera so nothing was found on the camera. Mr Danner mentioned a photo being on the camera, of ^{Z.J.K.M.} being in a van, but Det Clifford did not look at the camera and did not have a warrant to search the camera at that time, nor did he ask anyone else to look at the camera.

G

Det Clifford doesn't personally know if the date info is correct on that camera, you would need to ask Ofc. Hanson, he does know that when a photo is created certain data is retained which shows the date and the time, but Hanson would know the accuracy of that, Hanson is the one qualified to answer.

H

Det Clifford does confirm that ^{Z.J.K.M.} mentioned the date of July 25th that one of the incidents occurred and ^{Z.J.K.M.} indicated ^{J.E.H.} was present at that time, as they were being tucked into separate beds.

I

Det Clifford does not have any independent evidence that ^{Z.K.J.H.} and ^{J.E.H.} were together with Mr Irwin on that date, there are the statements of the children and the parent mentioned the girls were there during the summer. If there was any additional information about a certain date it would be included in his reports.

J

Det Clifford did not conduct an interview with ^{Z.K.J.N.} as that interview was in the other side of the State. With regards to ^{J.E.H.} Det Clifford did not interview her, he was not a forensic interviewer at the time and that interview occurred across the State.

K

Mr Irwin made no relevant statements to Det Clifford which is not included in the reports; there is a transcript of the interview with everything Mr. Irwin said.

L

Det Clifford did receive the Gateway computer from Lorraine Hill. It was that Gateway computer that was found to have some illicit images on it. Apart from Lorraine saying the computer belonged to Mr Irwin, there is a profile on the computer labeled 'samson' which is consistent with what Lorraine said was Mr. Irwin's profile and another called 'raintime' which is consistent with what Lorraine said was her profile, and there are pictures of kids on there which are known to the people, and there are pictures taken by that camera on both of those profiles, and a thing about Mr. Irwin's business, Sam's Home Repair, all are indicative of the computer belonging to him. Ofc Hanson's report would describe the information found regarding the business, on that computer.

M

With regard to the illicit photos, none of the photos show the faces of the females. The photographs, one is shown more than one time, the one with the spread legs, he thinks the chest may be visible and the face is not in that photo. Det Clifford can not recall how much of the chest is visible on that one, but it looked consistent with juveniles to him, the one with the pink shirt. All of the illicit photos, the women appear to be small in stature, they appear to be small and not have pubic hair, there was a minute amount

State v. Samuel Irwin

Interview with: **Detective Clifford**

Interview notes by Shauna Snyder - Skepteon Investigations
(360) 331-5049 / skepteon@gmail.com / www.skepteon.com

53

of pubic hair in one photo, hardly noticeable. Some of the photos are zoomed in and you can see very small amounts. He did not see any stubble to indicate the pubic hair could have been shaved or see any indication that waxing had occurred, but he's not too familiar with waxing, there was no stubble or hair regrowing.

M There is one photo of ^{ZJKW} wearing a distinctive shirt, in the van, a distinctive pink shirt. The photo of ^{ZJKW} in the van, part of the shirt is visible, but the distinctive design on the shirt is also visible, and the same design is visible on the pink shirt in the illicit images. He does not know if the pink shirt is a commercially produced shirt. The pink shirt has not been recovered. The photo in the van of ^{ZJKW} was identified from her dad viewing the photograph and confirming it to be ^{ZJKW}. Det Clifford has not met ^{ZJKW}. In the illicit photo of the person with the pink shirt with her legs spread, the entire shirt, or the majority of it, is visible in that photograph. There is no hand, no male hand visible in that photograph.

O There are two images of a female vagina with what is believed to be a man's hand pulling down the female's red underwear, pulling the underwear to the side. There were two photos of that; but Det Clifford believes the photo was copied to more than one location on that computer. Det Clifford does not know if it's possible to tell if the photos of the female in the pink shirt is the same person as the one with the male hand, as those photos are very close up. Det Clifford believes the photo shows an adult male hand, it was large in comparison to what it was touching; it didn't look like a child's hand. He does not recall if he noticed hair on the back of the adult hand.

P There is a back up CD#4, that was found at Mr Irwin's residence; you would need to talk with Ofc Hanson about the exact content of that because he's the one who would know what all the cashed history and content was. Det Clifford has not seen that part personally.

Det Clifford has no further information, not in his reports, that he feels is important.

State v. Samuel Irwin

Interview with: **Detective Clifford**

Interview notes by Shauna Snyder - Skepton Investigations
(360) 331-5049 / skepton@gmail.com / www.skepton.com

54

REPORT OF INTERVIEW

Case: State v. Samuel Irwin
Cause No: No. 14-1-00081-1
Interview with: **Ofc. Evan Michael**
Contact info: State witness
Date of Interview: 5/27/14
Interview conducted by: Shauna Snyder /recorded

Yes, Ofc Michael wrote only the two reports which are at discovery page 98, and 108.

Mr. Danner did not tell him anything additional information which is not reflected in his report pg 98.

Ofc Michael did assist Detective Clifford in the search of Mr. Irwin's residence; the search lasted a couple hours, he does not recall the exact amount of time but recalls it was about a couple hours. There would not be a log in and log out time recorded for that search.

Ofc. Michael and Detective Clifford were the only officers involved in the search of the Irwin residence. There were no items of evidentiary value not collected that Ofc. Michael can recall.

Ofc Michael also assisted, with two attempts, to locate and take Mr. Irwin into custody. Ofc Michael did not write a report about his involvement in attempting to locate and arrest Mr. Irwin, however he has seen those events documented in the reports of Det Clifford. He had no other involvement.

*Where are these reports
There were no arrest warrants out at this time*

55

REPORT OF INTERVIEW

Case: State v. Samuel Irwin

Cause No: No. 14-1-00081-1

Interview with: **Lorraine Hill**

Contact info: 360.769-9424 [message phone] 360.941.8372 [cell phone.]

Port Orchard, WA.

Date of Interview: 5/5/14, and 5/8/14, . start of Interview

Interview conducted by: Shauna Snyder /telephonic / not recorded

1. How would she describe her past and present relationship with client?

Lorraine met Sam over the internet, approx 3 years ago. After meeting online, they talked on the phone for about a week, and then Sam went to meet her in Spokane. Lorraine went with Sam back to his house in Mount Vernon for two weeks, then they went to Spokane to get her things and then lived together at Sam's house in Mount Vernon, and later they moved together to Anacortes. Lorraine explains the relationship was one of boyfriend/girlfriend at first, but they became roommates after only a few months. They slept in the same bedroom and bed but apparently were not intimate, which Lorraine blames on Sam being insecure, or uncomfortable about his aging body. They moved together to Anacortes about 1 year before he was arrested. After Sam's arrest her life went into shambles, she had health problems and found herself without a home, she was then basically bullied by Darrell not allowed to have contact with Sam. After she got away from Darrell, she has been speaking with Sam when she can. She doesn't know what to believe, but never saw any behavior from Sam that would make her believe he could have done anything to the kids. She has decided to give Sam the benefit of the doubt and believe him.

2. Was client ever abusive to her, verbally or physically?

Never. Sam was abrupt in his way of dealing with, and speaking with, people and he avoids emotional involvement, but not to the level of verbally abusive and never physically abusive.

3. What is her relationship with Amber Hansen?

Lorraine explains that her son Will had a 3 month relationship with Amber about 7 years ago. Lorraine got close to Amber's kids at that time, a grandma relationship, and that relationship continued after Amber and Will split up. J [redacted] and J [redacted] were 3 and 4 years old at the time. Amber and Clay met, and Clay had two kids, I [redacted] and Z [redacted], from a previous relationship. Lorraine continued her relationship as grandma to include Clay's two children. Amber and Clay then had twins, C [redacted] and C [redacted], who are now 3 years old. Lorraine had remained close to them all until these charges. Amber and Clay lived in Port Townsend until their twins were born and then they moved to Spokane.

State v. Samuel Irwin

Interview with: **Lorraine Hill**

Interview conducted by Shauna Snyder - Skepteon Investigations
(360) 331-5049 / skepteon@gmail.com / www.skepteon.com

On 5/5/14 Lorraine said she has had no contact with Amber or the children since the day [REDACTED] told her school she had been touched. But on 5/8/14 Lorraine said she has been texting with Amber up until just last week explaining that Amber was again planning to move to Port Townsend, but one week ago Lorraine received a text from Amber that said 'plans have changed.' but didn't explain anything else. Amber hasn't contacted Lorraine since then. [There has been no follow up contact with Lorraine to clarify her contact with Amber or the children]

4. What is her relationship with Darrell Danner?

Lorraine met Darrel when she moved to Mount Vernon to live with Sam. Darrell is Sam's nephew. Darrell started working with Sam and the relationship was friendly. Lorraine acted as grandma to Darrell's daughter [REDACTED]. They all got along fine. After the arrest Darrell acted protective of Lorraine, but then he turned controlling and the relationship has deteriorated since. After Sam's arrest, Lorraine had anxiety issues and was hospitalized and put on meds. Darrell had Lorraine stay at his house in Arlington.

They went to the Anacortes house to pack her things and Darrell wouldn't let her take Sam's things. Then Troy, the owner of the Anacortes house, who is also Sam's boss, told Lorraine she couldn't take Sam's belongings and the remainder of Sam's things were going to the dump. Lorraine said Darrel and Troy took all Sam's tools, and Darrell gave away Sam's car to [REDACTED]'s mother Lindsey in Port Townsend. Lorraine said Darrell and Troy basically pillaged all of Sam's belongings. Lorraine went to stay with Sam's mother, in Moses Lake, and soon after Sam's mother went in the hospital for some minor surgery and ended up with a broken spine due to a hospital mishap. Lorraine went back to Arlington to stay with Darrell but was told she could not stay with him anyone. Lorraine is still trying to get her belongings from Darrell's house, but they keep putting her off claiming it's not convenient. Darrell hasn't spoken to Lorraine now for 2 months.

5. Ask her if she knows if [REDACTED] and [REDACTED] were ever together at client's home during the summer of 2013, including July 2013.

Lorraine is not absolute on the dates; but she did look on Barb Hanson's Facebook posts to prompt her memory of event dates. Lorraine and Sam did have [REDACTED], [REDACTED] and J [REDACTED] in summer 2013 but not until after August 10th or later. The kids spent time with their grandma Barb Hanson, and then they all went to a Hanson family reunion being-held in Index, on August 10th. Lorraine thinks they met up with Barb Hanson in Everett, to get the children after August 10th. Lorraine says there is a photo on Barb's FaceBook page that shows all 6 kids, in a hot tub in Index, and the photo is dated: July 24, 2013.

Lorraine's memory is that Barb had the children after school let out in summer 2013, until after the August 10th Hanson family reunion. Then sometime mid August, after August 10th, Lorraine and Sam met Barb somewhere near Everett, and picked up the children; Z [REDACTED], J [REDACTED], J [REDACTED], but not I [REDACTED] or the twins.

57

Lorraine and Sam took the kids back to Spokane just prior to school starting in September 2013.

Lorraine and Sam only had Amber and Clay's children during a month or so in summer, but not during the rest of the year when the children were in school in Spokane. Lorraine recalls they had Amber's children, for the month of July 2012, but not again until mid August in 2013. Usually Lorraine would trade off with Barb; one would go to Spokane to pick the children up, then the other would take the children back to Spokane before school started. Lorraine and Sam took the children back to Spokane about one week before school started, September 2013.

Lorraine said she went to Spokane in July of 2013 and stayed with Amber and Clay. The girls were all with the Hanson's in Index, and Lorraine went with Amber and Clay to Clay's family reunion that was being held at the same time as the Hanson's. Lorraine is not at all sure on the dates, she can not recall how she got to Spokane or how she got back from Spokane that summer.

6. How does she remember this, if she does? Lorraine had a hard time remembering the exact dates; but she provides the following dates from postings she looked up on Barb Hanson's Facebook page: July 16, 2013 - all Amber's children were with Barb in Spokane and were celebrating Barb's birthday. July 21, 2013 - J [redacted] posted on Facebook about going to some races in Spokane. July 23, 2013 - Barb posted on Facebook about her and the children arriving in Index. July 24, 2013 - Barb posted a photo to Facebook with all the children in a hot tub in Index. The date of the Hanson family reunion, as Aug 10, 2013 was also posted on Barb's Facebook page.

7. Was there ever a time where [redacted] said that client had asked her to touch his penis, and then said that she had lied? No, Lorraine said this is the first time she has ever heard of anything of this.

8. If so, ask her to describe the event fully. When and where did this occur; what did [redacted] say; who heard the statements by [redacted]; did [redacted] say why she had lied?

Never happened.

9. Ask Ms. Hill about her observations of client with [redacted], [redacted] and [redacted]

All the kids loved Sam. The relationship was one like grandpa and grandkids. Never inappropriate. Sam indulged the kids, bought them things they needed. Sam would play with the kids, the girls would spontaneously hug Sam, there was no sign of any avoidance toward Sam. Never a bad word about Sam. The girls would play makeup, and braid Sam's hair, put makeup on him, put different colored fingernail polish on him, and Sam just endured it. Lorraine explains that she was the 'no' person in the household and Sam let the kids do whatever they wanted. Lorraine saw no red flags, nothing inappropriate ever.

58

Wes Richards

From: Shauna Snyder <skeptoon@gmail.com>
Sent: Sunday, May 18, 2014 12:59 PM
To: Wes Richards
Subject: Re: Sam Irwin
Attachments: Lorraine Hill Interview Report.doc; FacebookSI4.jpg; FacebookSI 1.jpg; FacebookSI 2.jpg; FacebookSI 3.jpg; FacebookIN1.jpg; FacebookJR1.jpg

Wes,

Attached are notes from my conversation with Lorraine Hill.

After finally reaching her again, and after she answered several more questions, her phone cut off again, and she didn't answer after. I was almost finished, only had about 7 questions left to ask her. Finally, on 5/16/14, Lorraine answered my text message saying she doesn't have minutes left on her phone, and no longer was staying at her cousins where I was able to call her, said she was now living in a tent. She wrote 'I understand you still have questions but theres nothing i can do at this time, my life as i knew it is gone. im sorry'

As referenced in the notes; Lorraine was going to send me the photo she got from Barb's Facebook, showing the kids at a family reunion in Index, dated July 24, 2013, but she has not followed up sending that. I was not able to access anything on Barb Hanson's Facebook photos or timeline because her settings are on private [need to be her 'friend' to view]

I have not been successful in getting a call back from my messages left for Barb Hanson.

I have attached a few photos from Facebook pages, which show dates and locations of a few of these kids during the time of interest. And I have attached photos of Sam's facebook page for reference. Sam's Facebook did not give any dates or have posts to timeline any events of interests for us.

Did you want me to look thoroughly at the photos of Sam's cell phone text messages that refer to any of the childrens locations or visitation and provide you an index for reference? There are several with Barb discussing visit and transportation.

Thanks,
Shauna

43 B

59

Was signed on 5/17/14

Hold for intro

3.5 Hearing

FILED SKAGIT COUNTY CLERK SKAGIT COUNTY, WA

2014 MAY 15 AM 10:51

W

SUPERIOR COURT OF WASHINGTON COUNTY OF SKAGIT		NO: 14-1-00081-1 STIPULATION TO ADMISSIBILITY OF STATEMENTS OF THE DEFENDANT
STATE OF WASHINGTON, v. SAMUEL IRWIN,	Plaintiff, Defendant.	

IT IS HEREBY mutually understood, agreed and stipulated between and among the undersigned parties as follows:

WHEREAS, I, SAMUEL IRWIN, in the presence of my attorney, C. WESLEY RICHARDS, have been advised prior to the signing of this document that:

2

- (1) I am entitled to a hearing to determine the voluntariness and admissibility of any statements I may have made to law enforcement officers with regard to this case, and that at such hearing I may offer evidence and confront witnesses with respect to such statements;
- (2) I may, but need not, testify at any such hearing, and that if I did so testify, I would be subject to cross-examination with respect to my testimony and my credibility;
- (3) If I were to testify at such a hearing, I would not, by so testifying, waive my right to remain silent during the trial, and that the fact or substance of my testimony at such hearing would not be mentioned at trial unless I testify concerning the statement at trial;
- (4) If I testify at trial as to the voluntariness of the statements given, I will be subject to cross-examination to the same extent as would any other witness; and
- (5) If I raise the issue of voluntariness at trial, the jury will be instructed to give such weight and credibility to the statements I have given in view of the surrounding circumstances, as they see fit;

WHEREAS, I, SAMUEL IRWIN, in the presence of my attorney, C. WESLEY RICHARDS, understand all of the above mentioned rights and having all of said fully in mind, I freely and willingly waive any right I may have to a hearing to determine the admissibility of my statements and I further stipulate and agree that the following facts are true:

0-11

~~43~~ 60

(1) That on or about January 30, 2014, I was arrested. I was then advised of my constitutional rights per *Miranda*.

(2) After being advised of his rights, I knowingly, voluntarily, and intelligently waived my rights.

(3) Statements made by me at the time of or after being advised of my rights were made willfully and voluntarily.

(4) The statements given by me are admissible at trial pursuant to CrR 3.5.

(5) I also made statements that were recorded on jail phone calls. These statements were not the product of interrogation and so are also admissible at trial pursuant to CrR 3.5.

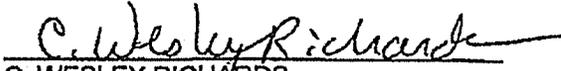
(6) *The defense reserves the right to move to exclude statements on grounds other than voluntariness*
THIS STIPULATION has been entered into freely, voluntarily and knowingly by all parties

hereto with full awareness and explanation of the possible legal consequences.

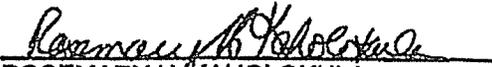
DATED AND SIGNED this May 6, 2014.


SAMUEL IRWIN
Defendant

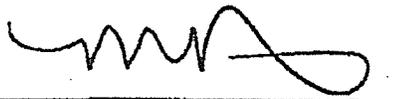
DATED AND SIGNED this May 6, 2014.


C. WESLEY RICHARDS
Attorney for Defendant,
WSBA# 11946

DATED AND SIGNED this May 15, 2014.


ROSEMARY H. KAHOLOKULA
Deputy Prosecutor,
WSBA#25026

STIPULATION APPROVED this May 15, 2014.


JUDGE

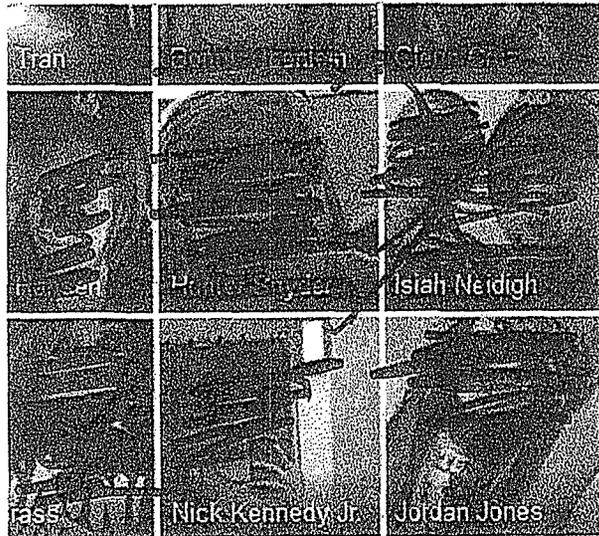
OK

61



Add Friend

Recent 2013 Born



J [redacted] R [redacted] July 21, 2013

this is J.E.H. + Z.J.N. Brother this is the time when Z.J.N. said she was touch they were in Spokane

Me clay/dad and isiah went to a drag racing competition yesterday. From about 3pm until about 1 in the morning!

Share

1 3

Amber Hansen likes this.



R [redacted] H [redacted] I KNOW IT WAS SO AWESOME HUH,JUST BEING TOGETHER AS A DAY OUT WITH YOUR BROTHER AND DAD July 21, 2013 at 6:01pm



Amber Hansen 😊 *Mom* July 23, 2013 at 2:22pm



Bonny Haenlein That sounds like it was a really good time for you boys. July 24, 2013 at 3:25pm



J [redacted] R [redacted] July 19, 2013

UT

Works at Krusty crab

Past Isiah Neidigh

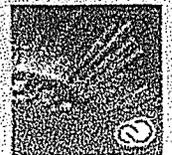
Studied at The University of Life - School of hard Knocks

Past Highschool for the awesome

Lives in Spokane, Washington

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221,338 people like this

Chat (1)

61A

Wes Richards

From: Rosemary Kaholokula
Sent: Tuesday, June 17, 2014 4:04 PM
To: Wes Richards
Subject: RE: Irwin

How about Aug 11.

From: Wes Richards
Sent: Tuesday, June 17, 2014 2:08 PM
To: Rosemary Kaholokula
Subject: RE: Irwin

Okay. I'll talk with him about a possible continuance, because I don't see how this case will be ready by the current trial date (July 7). Are you in agreement with a continuance and, if so, what date would you propose?

Wes

From: Rosemary Kaholokula
Sent: Tuesday, June 17, 2014 2:00 PM
To: Wes Richards
Subject: RE: Irwin

He's on for status b/c the next date is trial confirmation.

From: Wes Richards
Sent: Tuesday, June 17, 2014 2:00 PM
To: Rosemary Kaholokula
Subject: Irwin

Is there some reason Mr. Irwin is on the calendar for Thursday? I think he should be a strike.

Wes

61 B Mr Richards told me she would agree to not to pursue a civil SVP commitment, & I signed the plea agreement that evening 7-1-14

Wes Richards

From: Rosemary Kaholokula
Sent: Thursday, July 03, 2014 3:05 PM
To: Wes Richards
Subject: RE: Irwin - counter-counter-offer

I'm not saying I will but I am also unwilling to make it part of an agreement that I won't.

From: Wes Richards
Sent: Thursday, July 03, 2014 2:48 PM
To: Rosemary Kaholokula
Subject: RE: Irwin - counter-counter-offer

What about agreement not to pursue a civil SVP commitment?

From: Rosemary Kaholokula
Sent: Thursday, July 03, 2014 12:42 PM
To: Wes Richards
Subject: Irwin - counter-counter-offer

What I would offer is plead to three counts of Child Molest 2 and one count of possessing depictions. His range would be 87 to 116 months. There would be a joint recommendation of 116 months of incarceration.

The benefits to your client over the previous offer that I made are these:

Class B sex offenses instead of Class A sex offenses

Child Molest 2 is a 3-strike offense while Child Molest 1 is a 2-strike offense

Child Molest 2 is a determinate sentence

Joint recommendation at high end of determinate range instead of low end of Child Molest 1 indeterminate range leads to less uncertainty in the court's sentence

I believe Child Molest 2 is eligible for 33.33% good time while Child Molest 1 gets 10%.

Rosemary Kaholokula
Chief Criminal DPA
Skagit County Prosecutor's Office

61c

Wes Richards

From: Rosemary Kaholokula
Sent: Tuesday, March 11, 2014 6:20 PM
To: Wes Richards
Subject: RE: Irwin

I was never informed of this plea ~~but~~ not till I read it here in prison

I just finished reviewing discovery. At this point I plan to add two more child molest 1s for [REDACTED] I fully anticipate child porn in the future when the exam is complete – there is PC now but I hate to rush things. I do not see non-indeterminate in your client’s future.

Current offer would be:
Plead to three counts Child Molest 1 – 1 for each victim.
State would agree to not add the child porn.
Range is 98 to 130 months.
Recommend 98 months.

From: Wes Richards
Sent: Tuesday, March 11, 2014 5:58 PM
To: Rosemary Kaholokula
Subject: RE: Irwin

Thanks. I would appreciate getting an offer from you when you can provide one. Non-indeterminate sentences are always appreciated. I would note that the disclosures from Z [REDACTED] came the day that her mother was planning to move in with Mr. Irwin, leaving Z [REDACTED] behind. Also, it is noteworthy that Z [REDACTED]’s story has not remained entirely consistent. Regarding J [REDACTED], she initially denied any sexual contact. Regarding child porn, I believe Mr. Irwin was not the only person with access to the computer.

I’ll want to ask for a continuance of omnibus and trial this week. Mr. Irwin will not be in agreement.

Wes

From: Rosemary Kaholokula
Sent: Tuesday, March 11, 2014 1:56 PM
To: Wes Richards
Subject: RE: Irwin

As soon as I look at the discovery I will but from what I know now there is another victim and also child porn on the computer.

From: Wes Richards
Sent: Tuesday, March 11, 2014 1:47 PM
To: Rosemary Kaholokula
Subject: Irwin

Can you tell me what, if any, additional charges you plan to add?

Thanks,

Wes

Court section

①

Additional Grounds #2

I did my best to give Mr Richards the respect that I thought someone like him should have for doing what he does. I understand that most people he deals with have problems. And he don't have a Job where he could meet the best people. But one thing my Dad told me was if you can't do your Job for that person to the best of your ability then tell that person that you don't want to do the Job. not only are you hurting that person but your hurting your self by not doing your best.

I know you guys aren't here to find out if I am in or guilty. Your here to look over this stuff and see that everthing was done right and that I got a fair shake by the Judges, Courts and Lawyer's and that my Constitutional rights were given me for a fair trial, and that the police followed the law, and that prosucator followed the rules, and that My Attorney represented me fairly and Justly according to Washington Court rules.

My problem with how Mr Richards handled my case was. First of all when I told him that I didn't do these thing and that I wouldn't take a plea and that I wanted A fair trial. What he said to me made me worry about what kind of Defence I

(2)

would get. He said to me that He had never won an S.O. (sex offence) case in Skagit Co. in all the time he had been Hear. (which I think he said over 10 years.) ~~and because~~ Now he did say that he had won some in King Co. (about 40% of them) where he had come from. He said the reason that He thinks he didn't win there is that most of the people in Skagit Co. are Conservatives and they don't like S.O. cases so most of the Jury's are made up of them, and it would do you good to think about taking a plea. So I ask him if maybe there was someone else in the office who could handle my case, and He said that there was nobody but him who handles two strike offences in that office. He was the Chief Defence Attorney. I was told all this in the first 2-3 week the first time I sat down to talk with Mr Richards. But after 2 months and nothing done I filed for to have Mr Richards removed so I could get an Out of County Attorney who had more faith. Well that didn't happen so hear I am. The things that Mr Richard didn't do for me are

① At no time did we ever ~~and~~ sit and go over all of my Discovery. He refused to Interview any of the Victims. He said that if we Interview the kids that the prosecutor would be mad and not want to make a deal. I said then how are we go

③

To show that what is said is not true. He said that I had 3 victims saying I did it I would be found guilty and get 25 - life. I said for accidentally touching them over there cloths. (read the report we never talk about any kind of defence for my case when we would go in for a P.R. hearing he would not defend me against what the prosecutor was saying even when I showed him that she was lying in court about stuff about me he wouldn't speak up. One time the Judge even told the prosecutor that we were not trying the case and that I had not been convicted of anything and to stop saying stuff and turned to Mr Richards and ask him if he had anything to say and he said No. the other thing that Mr Richards didn't do was. he never told me about the Interview He done withorraine Hill (Rain) where she showed him that on the dates that the prosecutor said I ~~was~~ had done this to the kid they weren't even at my house they were in Spokane + all the family reunion in Idaho. yet Mr Richards never even told me about this. I didn't find this out until he sent me the paper work about 3 months ago. Why would a lawyer not tell you that the time the kids say you did this terrible thing at your house to them. they were not even there. and he had pictures and statement by the kids Grandma saying this

(over)

(4)

Sorry for this being so long. But I feel that I wasn't ~~re~~ represented very well. In the court transcript he told the Judge that he seen me on a day where he spent 3 1/2 hour at the Jail house which included his wait time so that must of been when he say we talk about Discovery, he has never sat and talk to me about Discovery ever. the other thing is I didn't get my discovery until after this court date and he didn't hire The Investigator until about 2 weeks after the Court date. that he said he had already hired, because after this hearing of ~~how~~ trying to have Mr Richards removed, I ask him who the Investigator was and he said that He couldn't remember there Name, there is a lot more stuff why I feel I wasn't represented right but I dont feel that I should take up this much of your time. My only question is that if you were me would you have Been satisfied with your Attorney doing this kind of work

Thank you

Saeon

17

Additional Grounds

2

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2014 MAR 26 AM 11:34

SUPERIOR COURT OF WASHINGTON

FOR SKAGIT COUNTY

STATE OF WASHINGTON,

Plaintiff,

v.

Sam L. Lewis,

Defendant,

No. #14-1-00081-1

Motion Attorney/Client

Conflict

3

Comes now Defendant, Sam L. Lewis, Pro St.,
moves the court provided the relief requested.

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28

Relief Sought.

Defendant requested conflict resolution with the
appointed counsel C. Wesley Richards, or the court
provide conflict free counsel.

STATEMENT OF FACTS

Defendant was assigned C. Wesley Richards, by DRC
on 2-6-14, and provided notice of conflict
to counsel on March 24, 2014, with no effect.

Defendant has made every attempt to resolve a
conflict, and obtain effective representation prior.

18

ARGUMENT

"Deficient performance is that which falls below an objectionable standard of reasonableness." State v. Horton, 116 W.N. APP. 909, 68 P.3d 1145 (2003).

When one is represented by counsel it would be reasonable to see the counsel at least once every 30 days period, where counsel must keep a client fully informed about the case, including investigations being performed, experts being hired or requested, witnesses being interviewed, discovery being provided, criminal history discovered, plea offers provided, and any other material facts which would potentially effect a client's decision to take a case to trial.

The counsel has not fully and properly kept client informed of some or all of these material facts, which has caused a breakdown in the attorney/client relationship effecting the client's constitutional rights to counsel.

"Sixth Amendment guarantee to assistance of counsel attaches when the state initiates adversarial proceedings against a defendant." State v. Everybody Talks About, 161 W.N. 2d 702, 116 P.3d 693 (2007).

There is no dispute that the Sixth Amendment has long applied to this case, where counsel is appointed, yet is not providing sufficient representation to his client for a court finding counsel sufficient to meet required accessi...

"That a person who happens to be an attorney is present, along side the accused however is not enough to satisfy the constitutional command." "Sixth amendment recognized the right to counsel because it envisioned counsel playing a role critical to the adversarial system to produce just results." "An accused is entitled to an attorney, whether retained or appointed who plays the role." State v. Boyd, 160 W.V. 2d 424, 153 P.3d 54 (2007).

"Trial court has a duty to investigate an attorney client conflict of interest, if it knows or reasonable should have known such a potential conflict existed." State v. Reagan, 143 W.V. App. 419, 177 P.3d 783 (2008).

CONCLUSION

For the reason stated above the conflicted and inadequate counsel must be replaced.

Dated this 24th day of March, 2014.

Sam L Irwin

(Signature)

Sam L Irwin

(Printed Name)

Additional Grounds # 2

20

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2014 MAR 26 AM 11:33

SUPERIOR COURT OF WASHINGTON
OF SKAGIT COUNTY

STATE OF WASHINGTON,
Plaintiff

V.

Samuel L. Erwin,
Defendant

NO. # 14-1-00081-1

Motion For SUPPORTING
CONFLICT ISSUES

"IDENTIFY"

Comes now defendant Samuel L. Erwin

and asks the court to submit this Motion

For Supporting Conflict Issues, to put this

on my docket sheet for Appeal Purposes.

"STATEMENT OF FACTS"

Defendant was assigned C. Wesley Richards

by OAC on 2-16-2014 when under Standard

Rules of A Client-Lawyer Relationships, A

Lawyer shall provide competent representation

to the client, and also should have the

20

client's best interest's at all times, where
Mr. Richards falls far short of this very
protected right. His preparation was to sit
back and wait and see what kind of deal the
prosecutor would come up with even after I
told him I was not taking no plea offer's
and that I wanted to take this to trial. His
answer to me was that he has never won a 50.
jury trial here in Skagit County and least of
all a sex case trial. Under these circumstances
I cannot in good faith see how this lawyer
could or want to defend me, with an attitude like
this. How is he going to go in and win a court
battle that would mean this much to me and
my freedom/future. I have also been denied
my Speedy Trial Rights, where Mr. Richard's

22

has done absolutely nothing in preparing for this trial. There has been no investigator hired. He has never sat down and discussed anything that pertains to this case, when asked.

Mr. Richard's what the hold up was on getting to trial, he said that my case was not the only one he had, and that he was waiting on the prosecutor to get what they need to charge me, so they could send over a plea offer, so he could see what they were offering even after I told him I was not interested in a plea offer.

It had been over 45 days before Mr. Richard's had even talked to me. I have called him over 15 times, left messages and he still has not communicated with me. Never has Mr. Richard's ever asked me to tell him my side

23

of this case or to tell me what his plan of action is for this court case. He just doesn't think he can win any sex offender's case trial in Skagit County.

I have no confidence in Mr. Richards's ability to effectively defend me in my trial in Skagit County with his attitude toward winning these kinds of cases and his work ethics on this case and his negative attitude.

My Sixth Amendment "Right to Counsel" has been violated by Mr. Richards, where under "RPC" 1.4 Communication (b) [3] Paragraph (a)(2) requires the lawyer to reasonably consult with the client about the means to be used to accomplish the client's objectives. I have tried to contact Mr. Richards about progress

24

on this case and have heard nothing back from him. I have called 15 times between 2-6-14 to 3-13-14 and have got no response from Mr. Richard's. From 3-14-14, I have kited from jail 3 times and heard that Mr. Richard's was in the jail house today, 3-17-14, and still never heard from him until 3-19-14 when Mr. Richard's said he forgot my paperwork in his office. Mr. Richard's asked for a continuance of my case which I objected to and declined to sign. I am worried that all this will do is give Mr. Richard's more time to waste and still not get anything done and ready for trial. He seems to be just waiting for the prosecution to come up with a plea offer that I will accept. I told him I will not accept a plea so I may

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have to sit here and wait. My 14th Amendment
Right and my Due Process stands violated along
side the Sixth Amendment of the United States
Constitution and the Washington State Constitution,
where these very protected rights that our forefathers
have paved the way to assure each and every
person in these United States should be treated
fairly and equal under the "Color of Law."

"Conclusion"

For these reasons I stated herein, I ask
the courts to remove Mr. Richard's as my
defense attorney or to withdraw and allow me
a new attorney from a different county because
with Mr. Richard's being lead attorney at Skagit
County Public Defender's Office, I feel
there would be a conflict of interest with

26

any other attorney from that same office.

Dated this 21st day of March, 2014.

Samuel L. Lewis

Samuel L. Lewis

27

Additional Grounds #2

SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR SKAGIT COUNTY

STATE OF WASHINGTON,)
 Plaintiff,)
 -vs-) Cause No. 14-1-00081-1
 SAMUEL IRWIN,)
 Defendant.) Court of Appeals 72338-3-I

VERBATIM REPORT OF PROCEEDINGS

DATES: Wednesday, April 2, 2014
Friday, July 11, 2014

The Honorable Susan Cook, Department III (4/2/14)
The Honorable Dave Needy, Department IV (7/11/14)
Skagit County Courthouse
Mount Vernon, Washington 98273

APPEARANCES

For the State: Ms. Trisha Johnson (4/2/14)
Ms. Rosemary Kaholokula (7/11/14)
Deputy Prosecuting Attorneys
605 South 3rd Street
Mount Vernon, WA 98273

For the Defendant: Mr. C. Wesley Richards
Deputy Public Defender
121 West Broadway
Mount Vernon, WA 98273

Defendant present in custody.

Reported by: Eileen Sterns, CCR, RMR-CRR
Official Court Reporter.

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WEDNESDAY, APRIL 2, 2014; 10:12 A.M.

--oOo--

MS. JOHNSON: Good morning, your Honor.
We're here on the matter of *State of Washington vs. Samuel Irwin*, 14-1-81-1.

MR. RICHARDS: For the record, C. Wesley Richards, counsel for Mr. Irwin. We are here today because Mr. Irwin wishes to request a new counsel, and I believe specifically out-of-county counsel.

THE COURT: Okay. Mr. Irwin, tell me about that.

THE DEFENDANT: Well, your Honor, I don't want to show any disrespect to you or to the court system or to Mr. Richards. I just -- my -- I've been here since February 6th, or been to court since February 6th, and it's almost April, and I almost still virtually have nothing done.

I have no investigators, no -- I've talked to Mr. Richards maybe twice in that time. We still haven't went over the discovery together. I mean, we get a little bit, but we still haven't gone through it all. And I just feel that I -- I objected to the last extension. We're coming up on the next, or our next hearing on the 10th, and still nothing is done.

And I would just like -- I don't want to be

28

1 sitting in jail for a year or two, trying to get through
2 this. I don't plan on taking any plea bargains, so I'm
3 not, and that's pretty much it. Other than Mr. Richards
4 had told me that he had never.--

5 MR. RICHARDS: We don't want to talk about
6 our discussions.

7 THE DEFENDANT: Oh, okay. Then we don't do
8 that. But I just feel like -- like we had better --
9 Mr. Richards seems to be really busy, and I just seem
10 better served with somebody else.

11 THE COURT: Well, one of the reasons he's
12 really busy is because he's really good.

13 THE DEFENDANT: Well --

14 THE COURT: So you've been in custody for
15 not quite two months.

16 THE DEFENDANT: No -- yeah, a little over.
17 I was in on the 28th of January.

18 THE COURT: And I see this was charged like
19 the first week of February.

20 THE DEFENDANT: Right, the 6th.

21 THE COURT: What have you been able to do,
22 Mr. Richards, in terms of Mr. Irwin's case?

23 MR. RICHARDS: Well, your Honor, I have
24 reviewed the initial set of discovery. There's been some
25 small amount of supplemental discovery that I have not

1 reviewed with my client. I did review the entirety of the
2 initial amount of discovery with my client.

3 I've had contact with him on eight occasions
4 since I received the case back on February 5th. The
5 longest contact, including my wait time at the jail, was
6 three and a half hours, so that was when we reviewed the
7 discovery.

8 We did discuss the case at length. An
9 investigator has been assigned to this case. I have not
10 interviewed any of the witnesses. I do not agree with the
11 recitation of my conversations with him as Mr. Irwin set
12 forth in his pleadings, but I'm not in a position to
13 discuss what those conversations were.

14 THE COURT: All right. Anything more you
15 want to say, Mr. Irwin?

16 THE DEFENDANT: Just I hadn't heard that
17 there was an investigator. The last time I talked to
18 Mr. Richards was on the 19th when he told me he forgot my
19 paperwork at the office.

20 THE COURT: All right. Well, at this point
21 I don't think that substitution of counsel or assignment
22 of new counsel is appropriate. Mr. Irwin has been in
23 custody approximately two months. Mr. Richards has met
24 with him on several occasions and discussed the discovery,
25 and the investigator has been assigned. These things

1 don't happen like you're the only client that he has.

2 THE DEFENDANT: I understand that, but on
3 this eight times that I've seen him, I have no idea when
4 those eight times were other than at Court. I've seen him
5 twice in the jail.

6 MR. RICHARDS: If the Court wants to know, I
7 have the specific dates when I spoke with him and met with
8 him in the past.

9 THE DEFENDANT: Well, he could have spoke
10 with me on the phone, but meeting with me was not the
11 eight times.

12 THE COURT: All right. Well,
13 nevertheless --

14 MR. RICHARDS: That's true.

15 THE COURT: Mr. Irwin, I think what
16 Mr. Richards is doing seems to be perfectly appropriate in
17 terms of your representation. You have an investigator
18 appointed to your case now. If there are certain things
19 that you think Mr. Richards ought to be doing, specific
20 things, then you need to let him know about that.

21 THE DEFENDANT: Well, I did. But I mean, I
22 can only go as fast as he goes. And like I said, he
23 did -- up to this point, or the last time we went to court
24 was -- there was no investigator.

25 THE COURT: Okay. All right. Well, at this

1 point your motion is denied.

2 THE DEFENDANT: Okay.

3 MS. JOHNSON: Your Honor --

4 THE DEFENDANT: If -- oh, excuse me, can I
5 ask one more question?

6 THE COURT: Sure.

7 THE DEFENDANT: So do I have to refile to go
8 pro se if I want to go pro se?

9 THE COURT: If you're foolish enough to do
10 that, you do have to bring a motion:

11 MS. JOHNSON: Your Honor is denying the
12 defense motion for new counsel, and there was a second
13 part of that I didn't catch, the other defense out of
14 county.

15 THE COURT: If that was the other part of
16 it, yes. I meant motion is denied. Mr. Richards remains
17 on the case as counsel.

18 THE DEFENDANT: Can I ask one more question?

19 THE COURT: Sure.

20 THE DEFENDANT: Does anybody have an idea
21 how long this is going to be now? I mean, I've already
22 extended it once till June.

23 THE COURT: No. Mr. Irwin, this a
24 complicated case. You're facing a Class A felony, one,
25 two, three, four --

1 MS. JOHNSON: I think there might be seven
2 counts, your Honor.

3 THE COURT: Seven counts now?

4 THE DEFENDANT: No, I think there are six.

5 MS. JOHNSON: Six counts of Child
6 Molestation in the First Degree, with multiple --
7 actually, your Honor, and I'm also seeing multiple victims
8 in the case.

9 THE COURT: So this is a two-strike offense,
10 Mr. Irwin.

11 THE DEFENDANT: Right.

12 THE COURT: And it's a Class A felony.

13 THE DEFENDANT: All right.

14 THE COURT: And there are multiple counts
15 and multiple victims. It is a complicated case.

16 THE DEFENDANT: That's why I would like to
17 make sure I had a counsel that can represent me.

18 THE COURT: Well, you've got very competent
19 counsel, Mr. Irwin.

20 THE DEFENDANT: Well, not according to me.

21 THE COURT: This isn't going to happen in
22 the next 30 days.

23 THE DEFENDANT: I didn't think it would, but
24 according to the Constitution, we have a right to a speedy
25 trial, and I objected to the last extension, and I object

1 to the ruling here.

2 THE COURT: Well, you might want to think
3 about it before you object to continuance of your trial,
4 because the last thing in the world you want is to go to
5 trial with an attorney who isn't prepared and up to speed
6 on the case. So it takes a while to get these kinds of
7 cases prepared for trial.

8 MS. JOHNSON: Your Honor, Mr. Irwin is
9 declining to sign the Court's motion that his motion was
10 denied.

11 THE COURT: It doesn't matter. I'm signing
12 it.

13 MR. RICHARDS: I guess the other issue is
14 whether, in light of Mr. Irwin's indicating that he wishes
15 perhaps to consider representing himself, if the Court
16 wants to set a hearing at this point or not, if that's his
17 request. I don't anticipate being available next
18 Wednesday. I anticipate being in trial.

19 THE COURT: Is that what you're planning to
20 do, Mr. Irwin?

21 THE DEFENDANT: Possibly, yes. I'm thinking
22 about it, yes. I can't make any decision right now
23 because I haven't made that decision.

24 (DEFENDANT AND COUNSEL CONFER.)

25 MR. RICHARDS: I guess we can wait.

35

SKAGIT COUNTY PUBLIC DEFENDERS OFFICE INMATE
CONFIDENTIAL PUBLIC DEFENDER REQUEST FORM
FORMA CONFIDENCIAL DE PETICIONES PARA PRESOS DEL
DEFENSOR PUBLICO

Name of Attorney: Wesley Richards
Nombre de Abogado: _____

Name of client/inmate: Sam Irwin
Nombre de client/encarcelado: _____

Date: 3-4-14
Fecha: _____

- Request: Please come to see me
 Peticion: Favor de venir a verme
 Please call me
 Favor de llamarme
 Other
 Otro

RECEIVED
MAR 05 2014
PUBLIC DEFENDER

Need to discuss case Court on
Thur. 3-6-14

32

SKAGIT COUNTY PUBLIC DEFENDERS OFFICE INMATE
CONFIDENTIAL PUBLIC DEFENDER REQUEST FORM
FORMA CONFIDENCIAL DE PETICIONES PARA PRESOS DEL
DEFENSOR PUBLICO

Name of Attorney: Wesley Richards
Nombre de Abogado: _____

Name of client/inmate: Sam Iwin
Nombre de client/encarcelado: _____

Date: 3-14-14
Fecha: _____

- Request: Please come to see me
 Peticion: Favor de venir a verme
- Please call me
 Favor de llamarme
- Other
 Otro

Need to talk or see you very
important?

Also when will there be an investigation
or signed to this case?

Please no more wasting time?

I will keep sending these kits everyday
until I hear from you!

2014 MAR 14 PM 12:38

RECEIVED

33

SKAGIT COUNTY PUBLIC DEFENDERS OFFICE INMATE
CONFIDENTIAL PUBLIC DEFENDER REQUEST FORM
FORMA CONFIDENCIAL DE PETICIONES PARA PRESOS DEL
DEFENSOR PUBLICO

Name of Attorney: Wasley Richards
Nombre de Abogado: _____

Name of client/inmate: Sam Lowin
Nombre de client/encarcelado: _____

Date: 3-15-14
Fecha: _____

- Request: Please come to see me
 Peticion: Favor de venir a verme
 Please call me
Favor de llamarme
 Other
 Otro

Need to know when we will have an investigation?
I need to ~~make~~ a call at home and see?
when?

RECEIVED
 MAR 14 11 17 AM '14

34

SKAGIT COUNTY PUBLIC DEFENDERS OFFICE INMATE
CONFIDENTIAL PUBLIC DEFENDER REQUEST FORM
FORMA CONFIDENCIAL DE PETICIONES PARA PRESOS DEL
DEFENSOR PUBLICO

Name of Attorney: Wacław Kieboński
Nombre de Abogado: _____

Name of client/inmate: Saw Pawin
Nombre de client/encarcelado: _____

Date: 4-16-14
Fecha: _____

- Request: Please come to see me
 Peticion: Favor de venir a verme
 Please call me
 Favor de llamarme
 Other
 Otro

Have more question write for interview
SD witnesses have called your office 6 times
& No Answers if answered please call or some else
there disconnected

APR 16 10 51

RECEIVED

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39

SKAGIT COUNTY PUBLIC DEFENDERS OFFICE INMATE
CONFIDENTIAL PUBLIC DEFENDER REQUEST FORM
FORMA CONFIDENCIAL DE PETICIONES PARA PRESOS DEL
DEFENSOR PUBLICO

Name of Attorney: Wally Richards
Nombre de Abogado: _____

Name of client/inmate: Sam Turpin
Nombre de client/encarcelado: _____

Date: 4-17-14
Fecha: _____

- Request: Please come to see me
 Peticion: Favor de venir a verme
 Please call me
 Favor de llamarme
 Other
 Otro

Need to have you pick up questions
for interview and notice
Called still Mr. Justice (office)

2014 APR 17 PM 11:15

A
RECEIVED

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SKAGIT COUNTY PUBLIC DEFENDERS OFFICE INMATE
CONFIDENTIAL PUBLIC DEFENDER REQUEST FORM
FORMA CONFIDENCIAL DE PETICIONES PARA PRESOS DEL
DEFENSOR PUBLICO

Name of Attorney: P. Weston Richards
Nombre de Abogado: _____



Name of client/inmate: Sam Travin
Nombre de client/encarcelado: _____

Date: 5-11-11
Fecha: _____

- Request: Please come to see me
- Peticion: Favor de venir a verme
- Please call me
- Favor de llamarme
- Other
- Otro

Please come to see me at the court house in Skagit County, WA

Multiple horizontal lines for additional text or notes.

RECEIVED
MAY 11 2011

ⓐ

37

SKAGIT COUNTY PUBLIC DEFENDERS OFFICE INMATE
CONFIDENTIAL PUBLIC DEFENDER REQUEST FORM
FORMA CONFIDENCIAL DE PETICIONES PARA PRESOS DEL
DEFENSOR PUBLICO

Name of Attorney: Wesley Richards
Nombre de Abogado: _____

Name of client/inmate: Sam Jones
Nombre de client/encarcelado: _____

Date: 5-15-14
Fecha: _____

- Request: Please come to see me
 Peticion: Favor de venir a verme
 Please call me
 Favor de llamarme
 Other
 Otro

Need to find out some stuff about
Sam & how working on custody.

Lined area for additional text or notes.

2010 JUN 3 11 54 AM 110Z
NEWBORN

39

SKAGIT COUNTY PUBLIC DEFENDERS OFFICE INMATE
CONFIDENTIAL PUBLIC DEFENDER REQUEST FORM
FORMA CONFIDENCIAL DE PETICIONES PARA PRESOS DEL
DEFENSOR PUBLICO

Name of Attorney: W. J. ...
Nombre de Abogado: _____

Name of client/inmate: Sam ...
Nombre de client/encarcelado: _____

Date: 6.22.14
Fecha: _____

- Request: Please come to see me
 Peticion: Favor de venir a verme
 Please call me
 Favor de llamarme
 Other
 Otro

Have some questions
about case

48

SKAGIT COUNTY PUBLIC DEFENDERS OFFICE INMATE
CONFIDENTIAL PUBLIC DEFENDER REQUEST FORM
FORMA CONFIDENCIAL DE PETICIONES PARA PRESOS DEL
DEFENSOR PUBLICO

Name of Attorney: Wesley Richards
Nombre de Abogado: _____

Name of client/inmate: Sam Jimin
Nombre de client/encarcelado: _____

Date: 7-8-14 ✓
Fecha: _____

- Request: Please come to see me
- Peticion: Favor de venir a verme
- Please call me
- Favor de llamarme
- Other
- Otro

want to know about plea
deal
ASAP

what I need to do to do
this This was about getting my plea
Not what he wrote Hevey

wants to appeal conditions of
sentence @ duration of supervision

This as you can see was wrote by Mr Richards
After it was copied to be sent to me on
5/4/15 for my approval

VA
This was Not what I

44

On or about and between June 1, 2013 and September 15, 2013, in Skagit County, State of Washington, in an act separate and distinct from Counts I and III, the above-named Defendant, being at least thirty-six (36) months older than JEH, had sexual contact with JEH, who was at least twelve (12) years old but less than fourteen (14) years old, and not married to nor in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.086.

(Maximum Penalty - Ten (10) years imprisonment and/or a \$20,000 fine pursuant to RCW 9A.44.086(2) and 9A.20.021(1)(b), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT III

Child Molestation in the Second Degree (on or after December 3, 2009, and before June 30, 2014) - RCW 9A.44.086 - Class B Felony

On or about and between June 1, 2013 and September 15, 2013, in Skagit County, State of Washington, in an act separate and distinct from Counts I and II, the above-named Defendant, being at least thirty-six (36) months older than AED, had sexual contact with AED, who was at least twelve (12) years old but less than fourteen (14) years old, and not married to nor in a state registered domestic partnership with the defendant; contrary to Revised Code of Washington 9A.44.086.

(Maximum Penalty - Ten (10) years imprisonment and/or a \$20,000 fine pursuant to RCW 9A.44.086(2) and 9A.20.021(1)(b), plus restitution and assessments.)

(If the defendant has previously been convicted on two separate occasions of a "most serious offense" as defined by RCW 9.94A.030(29), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(34) and 9.94A.505 or 9.94A.570.)

COUNT IV

Possessing Depictions of Minors Engaged in Sexually Explicit Conduct in the Second Degree - RCW 9.68A.070(2) - Crimes on or after 6/10/2010 - Class C Felony

On or about and between June 1, 2013 and January 30, 2014, in the County of Skagit, State of Washington, the above-named Defendant did knowingly possess any visual or printed matter depicting a minor engaged in sexually explicit conduct involving actual or simulated: Depiction of the genitals or unclothed pubic or rectal areas of any minor, or the unclothed breast of a female minor, for the purpose of sexual stimulation of the viewer; or Touching of a person's clothed or unclothed genitals, pubic area, buttocks, or breast area for the purpose of sexual stimulation of the viewer; contrary to Revised Code of Washington 9.68A.070(2) and 9.68A.011(f) and (g). (Maximum Penalty- Five - (5) years imprisonment and/or a \$10,000 fine pursuant to RCW 9.68A.070 and 9A.20.021(1)(c), plus restitution and assessments.)

In reference Police Interview

Det Terrence Clifford

#a

SKAGIT COUNTY PROSECUTING ATTORNEY

See Page 51 Paragraph M

DATED: July 10, 2014

By Rosemary H. Kaholokula
ROSEMARY H. KAHOLOKULA, WSBA #25026
CHIEF CRIMINAL DEPUTY PROSECUTOR

I never made any plea deal till after I had been in Jail for over 6 month and passed my rights to a speedy trial by more than 3-4 months, and being told by Mr Richards that I really did not have thows right in Skagit Co. that the Judges and prosecutor + lawyers didn't go by The Constitution 4-6-14 that give me those right to a speedy trial.

The reason I did the plea agreement was in July when I ask Mr Richards if he was ready for trial on '7-8-14 he said no that he was just going to continue it because he was busy with other things. (cases)

Thank you
Sam Irwin

Additional Grounds ① ~~_____~~

Page ① B

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2014 FEB -6 AM 11:13

SUPERIOR COURT OF WASHINGTON - COUNTY OF SKAGIT

STATE OF WASHINGTON,

Plaintiff,

VS.

Samuel Lee Irwin,

Defendant.

CASE NO. 14-1-00081-1

- ORDER SETTING DATES AND CONDITIONS OF RELEASE
- ORDER RELEASING DEFENDANT
- ORDER SETTING BAIL
- ORDER QUASHING WARRANT

A criminal information having been filed in this cause and the Court having found that probable cause exists for the charge(s), now therefore, the Court finds:

- The defendant was arraigned on 2-6-14. Time for trial expiration date: 4-7-14 or
- Appears on _____, following FTA.

THE COURT HEREBY ORDERS THAT:

The Defendant shall appear for all scheduled court hearings in this matter, including:

OMNIBUS: 3-6-14 9:00 am TRIAL CONFIRMATION: 3-27-14 1:30 pm TRIAL: 3-31-14 9:00 am

- WARRANTS outstanding to this cause number shall be quashed.
- Bail is set at \$ 50,000 already posted.
- The defendant shall remain in custody, unless bail is posted. PR/Bail Hearing Reserved
- The defendant shall be released upon personal recognizance. OTHER DATE: _____

The defendant shall comply with the following terms and conditions:

1. The defendant shall not leave the state of Washington without permission of the court.
2. The defendant shall maintain residence at: Prison for court, in county
prior to release
3. The defendant shall not have any arrests nor violate any criminal law.
4. The defendant shall contact counsel weekly. Upon any failure of the defendant to make required contact, defense counsel shall promptly notify the Prosecuting Attorney's Office.
5. The defendant shall not possess nor consume alcohol a controlled substance without prescription. Compliance to be monitored by testing at Court or State request without probable cause.
6. Defendant shall not possess any firearm or weapon.
7. Other: do not have contact with Danny Danner; do
not call his residence or other phone
8. The defendant shall have no contact with any minor children.
FAILURE TO COMPLY WITH THIS ORDER SHALL RESULT IN IMMEDIATE ARREST.
FAILURE TO APPEAR AT DATES SET ABOVE OR SUBSEQUENTLY SET PROVIDES A BASIS FOR FELONY BAIL JUMPING CHARGES.

DONE IN OPEN COURT this 6 day of Feb, 2014

Copy received:

Defendant date 2/6/14

Attorney for Defendant date _____

WSBA# 11946

(Deputy) Prosecutor 2806

WSBA# _____

Order

FILED

17

SUPERIOR COURT OF WASHINGTON
COUNTY OF SKAGIT

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA
2014 MAR -6 AM 11:09

STATE OF WASHINGTON,
Plaintiff,
vs.

CAUSE NO. 14-1-00081-1

ORDER RE:

Samuel Irwin
Defendant

- HEARING DATES (Clerk's Action Required)
- QUASHING WARRANT (Sheriff's Action Required)
- BAIL (Sheriff's Action Required)
- CLERK'S ACTION REQUIRED
- OTHER: _____

The Court, being fully advised and good cause having been shown, Now, Therefore, ORDERS:

HEARING DATES: This matter is continued to the dates below. by agreement of the parties (signed by defendant) by motion of defendant/state. The defendant's presence is required for:

OMNIBUS: 3/13/14 9:00 a.m. STATUS: 3/13/14 9:00 a.m.
 3.5/3.6 HEARING: _____ 9:30 a.m. REVIEW: _____ 9:00 a.m.
 TRIAL CONFIRMATION: _____ 1:30 p.m. OTHER: _____ 9:00 a.m.
 TRIAL: _____ 9:00 a.m. (See Waiver Below If Applicable)
 TIME FOR TRIAL: _____ (30 days after trial pursuant to continuance under CrR 3.3)
 SENTENCING: _____ 9:00 a.m. (See Waiver Below If Applicable)

Presentence Investigation required. Defendant is in custody Defendant's Address:

WARRANTS: Outstanding warrants in this cause are quashed. The next hearing date is as noted above.

BAIL: Bail is set at \$ 50,000
 OTHER: AR Denied

Dated: 3/6/14

[Signature]
Judge of the above-titled Court

WAIVERS BY DEFENDANT

SPEEDY TRIAL: The undersigned, having been advised by my Attorney of Record that I have the right to be brought to trial within 60/90 days of the commencement date, hereby requests that trial in this matter be reset. I am aware of and wish to waive my right to speedy trial by resetting a commencement date of: _____ resulting in a new time for trial date as provided in CrR 3.3 of: _____ (60/90 days after commencement date).

SENTENCING: The undersigned, having been advised of my right to be sentenced within 40 court days from the date of the guilty plea or conviction, and being aware of, hereby waive the right to speedy sentencing pursuant to RCW 9.94A.500. I acknowledge this waiver is my personal request and I am not prejudiced by this continuance.

[Signature]
Defendant

C. Wesley Richards
Attorney for Defendant 11946

[Signature]
Prosecuting Attorney 31481

Original: Clerk's Office
PA-8

Canary Copy - Defendant

Pink Copy - Attorney for Defendant

Goldenrod Copy - Prosecuting Attorney

25

SUPERIOR COURT OF WASHINGTON
COUNTY OF SKAGIT

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2014 MAR 13 PM 12:06

STATE OF WASHINGTON,
Plaintiff,

vs.

CAUSE NO. 14-1-00081-1

Samuel Irwin
Defendant

ORDER RE:

- HEARING DATES (Clerk's Action Required)
- QUASHING WARRANT (Sheriff's Action Required)
- BAIL (Sheriff's Action Required)
- OTHER: _____

The Court, being fully advised and good cause having been shown, Now, Therefore, ORDERS:

HEARING DATES: This matter is continued to the dates below. by agreement of the parties (signed by defendant) by motion of defendant/state. The defendant's presence is required for:

OMNIBUS: 4/10/14 9:00 a.m. STATUS: _____ 9:00 a.m.
 3.5/3.6 HEARING: _____ 9:30 a.m. REVIEW: _____ 9:00 a.m.
 TRIAL CONFIRMATION: 5/8/14 1:30 p.m. OTHER: _____ 9:00 a.m.
 TRIAL: ~~_____~~ 5/12/14 9:00 a.m. (See Waiver Below If Applicable)
 TIME FOR TRIAL: 6/11/14 (30 days after trial pursuant to continuance under CrR 3.3)
 SENTENCING: _____ 9:00 a.m. (See Waiver Below If Applicable)

Presentence Investigation required. Defendant is in custody Defendant's Address:

WARRANTS: Outstanding warrants in this cause are quashed. The next hearing date is as noted above.

BAIL: Bail is set at \$ _____

OTHER: Defendant objects to any continuance. The Court finds good cause to continue trial over Defendant's objection to permit defense counsel to prepare for trial. The Court finds defendant will not be prejudiced by the continuance.

Dated: 3/13/14
Steve Noda
Judge of the above-titled Court

WAIVERS BY DEFENDANT

SPEEDY TRIAL: The undersigned, having been advised by my Attorney of Record that I have the right to be brought to trial within 60/90 days of the commencement date, hereby requests that trial in this matter be reset. I am aware of and wish to waive my right to speedy trial by resetting a commencement date of: _____ resulting in a new time for trial date as provided in CrR 3.3 of: _____ (60/90 days after commencement date).

SENTENCING: The undersigned, having been advised of my right to be sentenced within 40 court days from the date of the guilty plea or conviction, and being aware of, hereby waive the right to speedy sentencing pursuant to RCW 9.94A.500. I acknowledge this waiver is my personal request and I am not prejudiced by this continuance.

Declined
Defendant

C. Wesley Korman
Attorney for Defendant 11946

Raymond P. Holsten
Prosecuting Attorney 25026

IN THE SUPERIOR COURT OF SKAGIT COUNTY

FILED
Skagit County Clerk
Skagit County, WA
3/13/2014

State of Washington Plaintiff	NO. 14-1-00081-1 CLERK'S CRIMINAL MINUTES
v	
IRWIN, SAMUEL LEE Defendant	

ARRAIGN MTHRG OMNHRG GPOH GPSH ALFHRG SNTHRG SCVHRG FNRHRG DSMHRG
 EXWACT HCNTSTP Agreed Order of Continuance HSTKPA HSTKDA ARGPSH ARGPOH
 JUDGE: DAVE NEEDY CLERK: C. WILSON
 COURT RPTR: J. Schroeder E. Sterns AVC _____ Not reported INTERPRETER: _____

STATE REPRESENTED BY: R. Brown T. Johnson S. Johnson R. Kaholokula P. Nielson
 E. Norton E. Pedersen K. Pinnell H. Sebens M. Spangenberg M. Sullivan R. Weyrich _____
 DEFENDANT REPRESENTED BY: J. Bonkoski T. Candler C. Hazelrigg-Hernandez N. Neal
 C W Richards L. Riquelme R. Roth D. Terrillion K. Tyne K. Denise Wilson _____
 DEFENDANT: PRESENT NOT PRESENT CUSTODY NOT IN CUSTODY

Bench Warrant Ordered Bench Warrant Quashed Bail \$ _____
 Motion for Continuance; Order signed Next Hearing: _____
 Defendant present without counsel; Order of Continuance signed Next Hearing: _____
 Order signed No Order signed Court signs order Dismissing case
 Defendant waives right to extradition Review Date: _____

ARRAIGNMENT
 Defendant answers to name and age Defendant WAIVES Formal Arraignment Defendant Formally Arraigned
 Acknowledgement of Rights signed Defendant advised of RIGHTS by Court
 Defendant enters NOT GUILTY PLEA Defendant enters GUILTY PLEA Court signs NO CONTACT ORDER
 Release on P.R. Reserved Agreed; Court Grants Denies Bail \$ _____
 Defendant is arraigned on AMENDED INFORMATION and enters plea(s) of NOT GUILTY
 Court signs Order Setting Dates & Pretrial release conditions. Omnibus 4/10 Trial Conf _____ Trial 5/12
 OMNIBUS: Court signs Order 3.5 Hearing Set 3.6 Hearing Set Next Hearing: _____
 TRIAL CONFIRMATION Confirmed Continued
 GUILTY PLEA

AMENDED INFORMATION filed Defendant WAIVES formal arraignment Defendant formally arraigned
 ALFORD PLEA Filed Findings of Fact Conclusions of Law on Alford Plea
 Defendant advised of RIGHTS by Court Counsel stipulate to affidavit of probable cause on file
 Court reviews STATEMENT ON PLEA OF GUILTY with Defendant PSI Ordered
 CHANGE OF PLEA accepted by the Court, Defendant is found Guilty Sentence Date: _____
 SENTENCING

IT IS THE JUDGMENT and SENTENCE of the Court finding Defendant GUILTY as charged & Sentenced as follows:
 Prosecuting Attorney Defendant's Counsel make(s) sentencing recommendations
 Defendant makes Statement Statement(s) made on behalf of the Defendant
 Court follows AGREED recommendation set forth in the J&S
 EXCEPTIONAL Sentence, Court makes FINDINGS/CONCLUSIONS
 DEPT OF CORRECTIONS: Months Ct 1 _____ Months Ct 2 _____ Months Ct 3 _____ Months Ct 4 _____ Months Ct 5 _____
 SKAGIT COUNTY JAIL: Days/Months _____ Suspended _____ shall run Concurrently Consecutively
 9/12/18/24/36 months COMMUNITY CUSTODY/SUPERVISION after release CREDIT FOR TIME SERVED
 Standard Legal Financial Obligations Restitution \$ _____ Restitution Hrg: _____
 JUDGMENT & SENTENCE signed, Deft FINGERPRINTED Follow attached appendix _____
 GROSS MISDEMEANOR signed, Deft not fingerprinted Follow attached appendix _____
 NO CONTACT ORDER SIGNED NO CONTACT ORDER TERMINATED
 Rights on Appeal read & signed
 REVIEW/PROBATION VIOLATION Defendant is in is not in compliance Court signs Order closing case
 Order Modifying Judgment & Sentenced signed Review Date: _____

Notes:
 Mr Richards moves for continuance. Mr Irwin responds to court
 Court continues case over Mr Irwins objection

0-12

24

5

IN THE SUPERIOR COURT OF SKAGIT COUNTY

FILED
Skagit County Clerk
Skagit County, WA
4/2/2014

State of Washington Plaintiff	
v	
IRWIN, SAMUEL LEE Defendant	NO. 14-1-00081-1 CLERK'S CRIMINAL MINUTES

ARRAIGN MTHRG OMNHRG GPOH GPSH ALFHRG SNTHRG SCVHRG FNRHRG DSMHRG
 EXWACT HCNTSTP Agreed Order of Continuance HSTKPA HSTKDA ARGPSH ARGPOH
 JUDGE: SUSAN K COOK CLERK: C WILSON
 COURT RPTR: J. Schroeder E. Sterns AVC _____ Not reported INTERPRETER: _____

STATE REPRESENTED BY: R. Brown T. Johnson S. Johnson R. Kaholokula P. Nielson
 E. Norton E. Pedersen K. Pinnell H. Sebens M. Spangenberg M. Sullivan R. Weyrich _____
 DEFENDANT REPRESENTED BY: J. Bonkoski T. Candler C. Hazelrigg-Hernandez N. Neal
 C W Richards L. Riquelme R. Roth D. Terrillion K. Tyne K. Denise Wilson _____
 DEFENDANT: PRESENT NOT PRESENT CUSTODY NOT IN CUSTODY

Bench Warrant Ordered Bench Warrant Quashed Bail \$ _____
 Motion for Continuance; Order signed Next Hearing: _____
 Defendant present without counsel; Order of Continuance signed Next Hearing: _____
 Order signed No Order signed Court signs order Dismissing case
 Defendant waives right to extradition Review Date: _____

ARRAIGNMENT
 Defendant answers to name and age Defendant WAIVES Formal Arraignment Defendant Formally Arraigned
 Acknowledgement of Rights signed Defendant advised of RIGHTS by Court
 Defendant enters NOT GUILTY PLEA Defendant enters GUILTY PLEA Court signs NO CONTACT ORDER
 Release on P.R. Reserved Agreed; Court Grants Denies Bail \$ _____
 Defendant is arraigned on AMENDED INFORMATION and enters plea(s) of NOT GUILTY
 Court signs Order Setting Dates & Pretrial release conditions. Omnibus _____ Trial Conf _____ Trial _____
 OMNIBUS: Court signs Order 3.5 Hearing Set 3.6 Hearing Set Next Hearing: _____
 TRIAL CONFIRMATION Confirmed Continued
 GUILTY PLEA

AMENDED INFORMATION filed Defendant WAIVES formal arraignment Defendant formally arraigned
 ALFORD PLEA Filed Findings of Fact Conclusions of Law on Alford Plea
 Defendant advised of RIGHTS by Court Counsel stipulate to affidavit of probable cause on file
 Court reviews STATEMENT ON PLEA OF GUILTY with Defendant PSI Ordered
 CHANGE OF PLEA accepted by the Court, Defendant is found Guilty Sentence Date: _____
 SENTENCING

IT IS THE JUDGMENT and SENTENCE of the Court finding Defendant GUILTY as charged & Sentenced as follows:
 Prosecuting Attorney Defendant's Counsel make(s) sentencing recommendations
 Defendant makes Statement Statement(s) made on behalf of the Defendant
 Court follows AGREED recommendation set forth in the J&S
 EXCEPTIONAL Sentence, Court makes FINDINGS/CONCLUSIONS
 DEPT OF CORRECTIONS: Months Ct 1 _____ Months Ct 2 _____ Months Ct 3 _____ Months Ct 4 _____ Months Ct 5 _____
 SKAGIT COUNTY JAIL: Days/Months _____ Suspended _____ shall run Concurrently Consecutively
 9/12/18/24/36 months COMMUNITY CUSTODY/SUPERVISION after release CREDIT FOR TIME SERVED
 Standard Legal Financial Obligations Restitution \$ _____ Restitution Hrg: _____
 JUDGMENT & SENTENCE signed, Deft FINGERPRINTED Follow attached appendix _____
 GROSS MISDEMEANOR signed, Deft not fingerprinted Follow attached appendix _____
 NO CONTACT ORDER SIGNED NO CONTACT ORDER TERMINATED
 Rights on Appeal read & signed
 REVIEW/PROBATION VIOLATION Defendant is in is not in compliance Court signs Order closing case
 Order Modifying Judgment & Sentenced signed Review Date: _____

Notes: Mr. Irwin addresses court & requests new attorney. Court addresses Mr. Richards
Mr. Richards responds. Court denies motion for new counsel. Mr. Irwin inquires about
PRO se status. Court responds. Parties discuss charge

OPEN

30



SUPERIOR COURT OF WASHINGTON
COUNTY OF SKAGIT

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

STATE OF WASHINGTON,
Plaintiff,
vs.

2014 APR -2 AM 11:08

CAUSE NO. 14-1-81-1

ORDER RE:

- HEARING DATES (Clerk's Action Required)
- QUASHING WARRANT (Sheriff's Action Required)
- BAIL (Sheriff's Action Required)
- OTHER: _____

Irwin, Samuel
Defendant

The Court, being fully advised and good cause having been shown, Now, Therefore, ORDERS:

HEARING DATES: This matter is continued to the dates below. by agreement of the parties (signed by defendant) by motion of defendant/state. The defendant's presence is required for:

OMNIBUS: _____ 9:00 a.m. STATUS: _____ 9:00 a.m.
 3.5/3.6 HEARING: _____ 9:30 a.m. REVIEW: _____ 9:00 a.m.
 TRIAL CONFIRMATION: _____ 1:30 p.m. OTHER: _____ 9:00 a.m.
 TRIAL: _____ 9:00 a.m. (See Waiver Below If Applicable)
 TIME FOR TRIAL: _____ (30 days after trial pursuant to continuance under CrR 3.3)
 SENTENCING: _____ 9:00 a.m. (See Waiver Below If Applicable)

Presentence Investigation required. Defendant is in custody Defendant's Address:

WARRANTS: Outstanding warrants in this cause are quashed. The next hearing date is as noted above.

BAIL: Bail is set at \$ _____

OTHER: Court denies D's motion for new counsel / out of county counsel.

Dated: 4-2-14

Susan K Cook
Judge of the above-titled Court

WAIVERS BY DEFENDANT

SPEEDY TRIAL: The undersigned, having been advised by my Attorney of Record that I have the right to be brought to trial within 60/90 days of the commencement date, hereby requests that trial in this matter be reset. I am aware of and wish to waive my right to speedy trial by resetting a commencement date of: _____ resulting in a new time for trial date as provided in CrR 3.3 of: _____ (60/90 days after commencement date).

SENTENCING: The undersigned, having been advised of my right to be sentenced within 40 court days from the date of the guilty plea or conviction, and being aware of, hereby waive the right to speedy sentencing pursuant to RCW 9.94A.500. I acknowledge this waiver is my personal request and I am not prejudiced by this continuance.

Declined
Defendant

C. Wesley Richards
Attorney for Defendant 11946

Josh Jar
Prosecuting Attorney 24437

this is already
90 days from
my commencement
Date 2-6-14

SUPERIOR COURT OF WASHINGTON
COUNTY OF SKAGIT

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

STATE OF WASHINGTON,
Plaintiff,
vs.

2014 MAY -8 AM 11:00

CAUSE NO. 14-1-00081-1

ORDER RE:

Samuel Irwin
Defendant

- HEARING DATES (Clerk's Action Required)
- QUASHING WARRANT (Sheriff's Action Required)
- BAIL (Sheriff's Action Required)
- CLERK'S ACTION REQUIRED
- OTHER: _____

The Court, being fully advised and good cause having been shown, Now, Therefore, ORDERS:

HEARING DATES: This matter is continued to the dates below. by agreement of the parties (signed by defendant) by motion of defendant's state. The defendant's presence is required for:

OMNIBUS: _____ 9:00 a.m. STATUS: 6/19/14 9:00 a.m.
 3.5/3.6 HEARING: _____ 9:30 a.m. REVIEW: _____ 9:00 a.m.
 TRIAL CONFIRMATION: 7/3/14 1:30 p.m. OTHER: _____ 9:00 a.m.
 TRIAL: 7/7/14 9:00 a.m. (See Waiver Below If Applicable)
 TIME FOR TRIAL: 8/6/14 (30 days after trial pursuant to continuance under CrR 3.3)
 SENTENCING: _____ 9:00 a.m. (See Waiver Below If Applicable)

Presentence Investigation required. Defendant is in custody Defendant's Address:

WARRANTS: Outstanding warrants in this cause are quashed. The next hearing date is as noted above.

BAIL: Bail is set at \$ _____

OTHER: Defendant objects to continuance. The Court finds good cause to continue trial over defendant's objection to permit defense counsel to prepare. The Court finds defendant will not be prejudiced by the continuance. The

Dated: 5/8/14 Steve N. [Signature]
Judge of the above-titled Court
is required in the administration of justice.
WAIVERS BY DEFENDANT

SPEEDY TRIAL: The undersigned, having been advised by my Attorney of Record that I have the right to be brought to trial within 60/90 days of the commencement date, hereby requests that trial in this matter be reset. I am aware of and wish to waive my right to speedy trial by resetting a commencement date of: _____ resulting in a new time for trial date as provided in CrR 3.3 of: _____ (60/90 days after commencement date).

SENTENCING: The undersigned, having been advised of my right to be sentenced within 40 court days from the date of the guilty plea or conviction, and being aware of, hereby waive the right to speedy sentencing pursuant to RCW 9.94A.500. I acknowledge this waiver is my personal request and I am not prejudiced by this continuance.

Present-District
Defendant to sign

C. Wesley Richard
Attorney for Defendant 11946

Steve N. [Signature]
Prosecuting Attorney 2008

Original: Clerk's Office Canary Copy - Defendant Pink Copy - Attorney for Defendant Goldenrod Copy - Prosecuting Attorney
PA-8

IN THE SUPERIOR COURT OF SKAGIT COUNTY

FILED
Skagit County Clerk
Skagit County, WA
5/8/2014

State of Washington Plaintiff	NO. 14-1-00081-1 CLERK'S CRIMINAL MINUTES
v IRWIN, SAMUEL LEE Defendant	

ARRAIGN MTHRG OMNHRG GPOH GPSH ALFHRG SNTHRG SCVHRG FNRHRG DSMHRG
 EKWACT HCNTSTP Agreed Order of Continuance HSTKPA HSTKDA ARGPSH ARGPOH
 JUDGE: DAVE NEEDY CLERK: L. PETRZELKA
 COURT RPTR: J. Schroeder E. Sterns AVC _____ Not reported INTERPRETER: _____

STATE REPRESENTED BY: R. Brown T. Johnson S. Johnson R. Kaholokula P. Nielson
 E. Norton E. Pedersen K. Pinnell H. Sebens M. Spangenberg M. Sullivan R. Weyrich _____
 DEFENDANT REPRESENTED BY: J. Bonkoski T. Candler C. Hazelrigg-Hernandez N. Neal
 W Richards L. Riquelme R. Roth D. Terrillon K. Tyne K. Denise Wilson _____
 DEFENDANT: PRESENT NOT PRESENT CUSTODY NOT IN CUSTODY

Bench Warrant Ordered Bench Warrant Quashed Bail \$ _____
 Motion for Continuance; Order signed Next Hearing: _____
 Defendant present without counsel; Order of Continuance signed Next Hearing: _____
 Order signed No Order signed Court signs order Dismissing case
 Defendant waives right to extradition Review Date: _____

ARRAIGNMENT
 Defendant answers to name and age Defendant WAIVES Formal Arraignment Defendant Formally Arraigned
 Acknowledgement of Rights signed Defendant advised of RIGHTS by Court
 Defendant enters NOT GUILTY PLEA Defendant enters GUILTY PLEA Court signs NO CONTACT ORDER
 Release on P.R. Reserved Agreed; Court Grants Denies Bail \$ _____
 Defendant is arraigned on AMENDED INFORMATION and enters plea(s) of NOT GUILTY
 Court signs Order Setting Dates & Pretrial release conditlons. Omnibus _____ Trial Conf _____ Trial _____
 OMNIBUS: Court signs Order 3.5 Hearing Set 3.6 Hearing Set Next Hearing: _____
 TRIAL CONFIRMATION Confirmed Continued

GUILTY PLEA
 AMENDED INFORMATION filed Defendant WAIVES formal arraignment Defendant formally arraigned
 ALFORD PLEA Filed Findings of Fact Conclusions of Law on Alford Plea
 Defendant advised of RIGHTS by Court Counsel stipulate to affidavit of probable cause on file
 Court reviews STATEMENT ON PLEA OF GUILTY with Defendant PSI Ordered
 CHANGE OF PLEA accepted by the Court, Defendant is found Guilty Sentence Date: _____
 SENTENCING

IT IS THE JUDGMENT and SENTENCE of the Court finding Defendant GUILTY as charged & Sentenced as follows:
 Prosecuting Attorney Defendant's Counsel make(s) sentencing recommendations
 Defendant makes Statement Statement(s) made on behalf of the Defendant
 Court follows AGREED recommendation set forth in the J&S
 EXCEPTIONAL Sentence, Court makes FINDINGS/CONCLUSIONS
 DEPT OF CORRECTIONS: Months Ct 1 _____ Months Ct 2 _____ Months Ct 3 _____ Months Ct 4 _____ Months Ct 5 _____
 SKAGIT COUNTY JAIL: Days/Months _____ Suspended _____ shall run Concurrently Consecutively
 9/12/18/24/36 months COMMUNITY CUSTODY/SUPERVISION after release CREDIT FOR TIME SERVED
 Standard Legal Financial Obligations Restitution \$ _____ Restitution Hrg: _____
 JUDGMENT & SENTENCE signed, Deft FINGERPRINTED Follow attached appendix _____
 GROSS MISDEMEANOR signed, Deft not fingerprinted Follow attached appendix _____
 NO CONTACT ORDER SIGNED NO CONTACT ORDER TERMINATED
 Rights on Appeal read & signed

REVIEW/PROBATION VIOLATION Defendant is in is not in compliance Court signs Order closing case
 Order Modifying Judgment & Sentenced signed Review Date: _____

Notes: Mr. Richards requires more time prior the felony of amended charges last week + move to cont. trial. State has no objections + grants cont. noting depts. objection.

9

SUPERIOR COURT OF WASHINGTON
COUNTY OF SKAGIT

STATE OF WASHINGTON,
Plaintiff,
vs.

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA
2014 MAY 15 AM 10:54

CAUSE NO. 14-1-81-1

ORDER RE:

Samuel Irwin
Defendant

- HEARING DATES (Clerk's Action Required)
- QUASHING WARRANT (Sheriff's Action Required)
- BAIL (Sheriff's Action Required)
- OTHER: PR request / bail reduction denied

The Court, being fully advised and good cause having been shown, Now, Therefore, ORDERS:

HEARING DATES: This matter is continued to the dates below. by agreement of the parties (signed by defendant) by motion of defendant/state. The defendant's presence is required for:

OMNIBUS: _____ 9:00 a.m. STATUS: _____ 9:00 a.m.
 3.5/3.6 HEARING: _____ 9:30 a.m. REVIEW: _____ 9:00 a.m.
 TRIAL CONFIRMATION: _____ 1:30 p.m. OTHER: _____ 9:00 a.m.
 TRIAL: _____ 9:00 a.m. (See Waiver Below If Applicable)
 TIME FOR TRIAL: _____ (30 days after trial pursuant to continuance under CrR 3.3)
 SENTENCING: _____ 9:00 a.m. (See Waiver Below If Applicable)

Presentence Investigation required. Defendant is in custody Defendant's Address:

WARRANTS: Outstanding warrants in this cause are quashed. The next hearing date is as noted above.

BAIL: Bail is set at \$ _____

OTHER: request for PR denied / bail reduction denied + \$59000 maintained

Dated: 5/15/14

[Signature]
Judge of the above-titled Court

WAIVERS BY DEFENDANT

SPEEDY TRIAL: The undersigned, having been advised by my Attorney of Record that I have the right to be brought to trial within 60/90 days of the commencement date, hereby requests that trial in this matter be reset. I am aware of and wish to waive my right to speedy trial by resetting a commencement date of: _____ resulting in a new time for trial date as provided in CrR 3.3 of: _____ (60/90 days after commencement date).

SENTENCING: The undersigned, having been advised of my right to be sentenced within 40 court days from the date of the guilty plea or conviction, and being aware of, hereby waive the right to speedy sentencing pursuant to RCW 9.94A.500. I acknowledge this waiver is my personal request and I am not prejudiced by this continuance.

[Signature]
Defendant

[Signature]
Attorney for Defendant

[Signature]
Prosecuting Attorney

Original: Clerk's Office Canary Copy - Defendant Pink Copy - Attorney for Defendant Goldenrod Copy - Prosecuting Attorney PA-8

51

10

This is the one where the prosecutor lied about my son saying that I should stay in jail and that I was a predator of children

IN THE SUICIDE COURT OF SKAGIT COUNTY

State of Washington Plaintiff	
v IRWIN, SAMUEL LEE Defendant	NO. 14-1-00081-1 CLERK'S CRIMINAL MINUTES

FILED
Skagit County Clerk
Skagit County, WA
5/15/2014

ARRaign MTHRG OMNHRG GPOH GPSH ALFHRG SNTHRG SCVHRG FNRHRG DSMHRG
 EKWACT HCNTSTP Agreed Order of Continuance HSTKPA HSTRDA ARGPSH ARGPOH
 JUDGE: MICHAEL E. RICKERT CLERK: C. WILSON
 COURT RPTR: J. Schroeder E. Sterns AVC _____ Not reported INTERPRETER: _____

STATE REPRESENTED BY: R. Brown T. Johnson S. Johnson R. Kaholokula P. Nielson
 E. Norton E. Pedersen K. Pinnell H. Sebens M. Spangenberg M. Sullivan R. Weyrich _____
 DEFENDANT REPRESENTED BY: J. Bonkoski T. Candler C. Hazelrigg-Hernandez N. Neal
 C W Richards L. Riquelme R. Roth D. Terrillion K. Tyne K. Denise Wilson _____
 DEFENDANT: PRESENT NOT PRESENT CUSTODY NOT IN CUSTODY

Bench Warrant Ordered Bench Warrant Quashed Bail \$ _____
 Motion for Continuance; Order signed Next Hearing: _____
 Defendant present without counsel; Order of Continuance signed Next Hearing: _____
 Order signed No Order signed Court signs order Dismissing case
 Defendant waives right to extradition Review Date: _____

ARRAIGNMENT
 Defendant answers to name and age Defendant WAIVES Formal Arraignment Defendant Formally Arraigned
 Acknowledgement of Rights signed Defendant advised of RIGHTS by Court
 Defendant enters NOT GUILTY PLEA Defendant enters GUILTY PLEA Court signs NO CONTACT ORDER
 Release on P.R. Reserved Agreed; Court Grants Denies Bail \$ _____
 Defendant is arraigned on AMENDED INFORMATION and enters plea(s) of NOT GUILTY
 Court signs Order Setting Dates & Pretrial release conditions. Omnibus _____ Trial Conf _____ Trial _____
 OMNIBUS: Court signs Order 3.5 Hearing Set 3.6 Hearing Set Next Hearing: _____
 TRIAL CONFIRMATION Confirmed Continued
 GUILTY PLEA

AMENDED INFORMATION filed Defendant WAIVES formal arraignment Defendant formally arraigned
 ALFORD PLEA Filed Findings of Fact Conclusions of Law on Alford Plea
 Defendant advised of RIGHTS by Court Counsel stipulate to affidavit of probable cause on file
 Court reviews STATEMENT ON PLEA OF GUILTY with Defendant PSI Ordered
 CHANGE OF PLEA accepted by the Court, Defendant is found Guilty Sentence Date: _____
 SENTENCING

IT IS THE JUDGMENT and SENTENCE of the Court finding Defendant GUILTY as charged & Sentenced as follows:
 Prosecuting Attorney Defendant's Counsel make(s) sentencing recommendations
 Defendant makes Statement Statement(s) made on behalf of the Defendant
 Court follows AGREED recommendation set forth in the J&S
 EXCEPTIONAL Sentence, Court makes FINDINGS/CONCLUSIONS
 DEPT OF CORRECTIONS: Months Ct 1 _____ Months Ct 2 _____ Months Ct 3 _____ Months Ct 4 _____ Months Ct 5 _____
 SKAGIT COUNTY JAIL: Days/Months _____ Suspended _____ shall run Concurrently Consecutively
 9/12/18/24/36 months COMMUNITY CUSTODY/SUPERVISION after release CREDIT FOR TIME SERVED
 Standard Legal Financial Obligations Restitution \$ _____ Restitution Hrg: _____
 JUDGMENT & SENTENCE signed, Deft FINGERPRINTED Follow attached appendix _____
 GROSS MISDEMEANOR signed, Deft not fingerprinted Follow attached appendix _____
 NO CONTACT ORDER SIGNED NO CONTACT ORDER TERMINATED
 Rights on Appeal read & signed

REVIEW/PROBATION VIOLATION Defendant is in is not in compliance Court signs Order closing case
 Order Modifying Judgment & Sentenced signed. Review Date: _____

Notes: Court signs Stipulation to admissibility of statements. Mr Richards requests release, deft has job waiting Ms Kaholokula responds. Parties agree Court denies motion

A. 611
page 11

Mr Richards said He need this continuance because He was Interviewing witnesses. The only witness Mr Richards interviewed were 2 police man & Rain Hill and they were done in April and May.

SUPERIOR COURT OF WASHINGTON
COUNTY OF SKAGIT

STATE OF WASHINGTON,
Plaintiff,
vs.

As you can see in Additional Grounds #5 He refused to interview victims. as he said in his letter to me
2014 JUN 19 AM 11:09
CAUSE NO. 14-1-00081-1

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

Samuel Irwin
Defendant

ORDER RE:
 HEARING DATES (Clerk's Action Required)
 QUASHING WARRANT (Sheriff's Action Required)
 BAIL (Sheriff's Action Required)
 OTHER: _____

The Court, being fully advised and good cause having been shown, Now, Therefore, ORDERS:

HEARING DATES: This matter is continued to the dates below. ~~By agreement of the parties (signed by defendant) & by motion of defendant/state.~~ The defendant's presence is required for:

OMNIBUS: _____ 9:00 a.m. STATUS: 7/17/14 9:00 a.m.
3.5/3.6 HEARING: _____ 9:30 a.m. REVIEW: _____ 9:00 a.m.
TRIAL CONFIRMATION: 8/7/14 1:30 p.m. OTHER: _____ 9:00 a.m.
TRIAL: 8/11/14 9:00 a.m. (See Waiver Below If Applicable)
TIME FOR TRIAL: 9/10/14 (30 days after trial pursuant to continuance under CrR 3.3)
SENTENCING: _____ 9:00 a.m. (See Waiver Below If Applicable)

Presentence Investigation required. Defendant is in custody Defendant's Address:

WARRANTS: Outstanding warrants in this cause are quashed. The next hearing date is as noted above.

BAIL: Bail is set at \$ _____

OTHER: The Court finds good cause to continue trial over objection to permit's defense counsel to continue to prepare witnesses as been interviewed. Court finds is not prejudiced by continuance

Dated: 6/19/14 Continuance Debra Mearns
Judge of the above-titled Court
required in administration of justice.
WAIVERS BY DEFENDANT

SPEEDY TRIAL: The undersigned, having been advised by my Attorney of Record that I have the right to be brought to trial within 60/90 days of the commencement date, hereby requests that trial in this matter be reset. I am aware of and wish to waive my right to speedy trial by resetting a commencement date of: _____ resulting in a new time for trial date as provided in CrR 3.3 of: _____ (60/90 days after commencement date).

SENTENCING: The undersigned, having been advised of my right to be sentenced within 40 court days from the date of the guilty plea or conviction, and being aware of, hereby waive the right to speedy sentencing pursuant to RCW 9.94A.500. I acknowledge this waiver is my personal request and I am not prejudiced by this continuance.

Samuel Irwin
Defendant

C. Wesley Richards
Attorney for Defendant
11946

Debra Mearns
Prosecuting Attorney
25026

55

A.G. ①
page ②

IN THE SUPERIOR COURT OF SKAGIT COUNTY

FILED
Skagit County Clerk
Skagit County, WA
6/19/2014

State of Washington Plaintiff	NO. 14-1-00081-1 CLERK'S CRIMINAL MINUTES
v IRWIN, SAMUEL LEE Defendant	

ARRAIGN MATHRG OMNHRG GPOH GPSH ALFHRG SNTHRG SCVHRG FNRHRG DSMHRG
 EXWACT STP Agreed Order of Continuance HSTKPA HSTKDA ARGPSH ARGPOH
 JUDGE: DAVE NEEDY CLERK: L. PETRZELKA
 COURT RPTR: J. Schroeder E. Sterns AVC DC Not reported INTERPRETER: _____

STATE REPRESENTED BY: R. Brown T. Johnson S. Johnson R. Kaholokula P. Nielson
 E. Norton E. Pedersen K. Pinnell H. Sebens M. Spangenberg M. Sullivan R. Weyrich _____
 DEFENDANT REPRESENTED BY: J. Bonkoski T. Candler C. Hernandez N. Neal
 C W Richards L. Riquelme R. Roth D. Terrill K. Tyne K. Denise Wilson _____
 DEFENDANT: PRESENT NOT PRESENT CUSTODY NOT IN CUSTODY

Bench Warrant Ordered Bench Warrant Quashed Bail \$ _____
 Motion for Continuance; Order signed Next Hearing: _____
 Defendant present without counsel; Order of Continuance signed Next Hearing: _____
 Order signed No Order signed Court signs order Dismissing case
 Defendant waives right to extradition Review Date: _____

ARRAIGNMENT
 Defendant answers to name and age Defendant WAIVES Formal Arraignment Defendant Formally Arraigned
 Acknowledgement of Rights signed Defendant advised of RIGHTS by Court
 Defendant enters NOT GUILTY PLEA Defendant enters GUILTY PLEA Court signs NO CONTACT ORDER
 Release on P.R. Reserved Agreed; Court Grants Denies Bail \$ _____
 Defendant is arraigned on AMENDED INFORMATION and enters plea(s) of NOT GUILTY
 Court signs Order Setting Dates & Pretrial release conditions. Omnibus _____ Trial Conf _____ Trial _____
 OMNIBUS: Court signs Order 3.5 Hearing Set 3.6 Hearing Set Next Hearing: _____
 TRIAL CONFIRMATION Confirmed Continued

GUILTY PLEA
 AMENDED INFORMATION filed Defendant WAIVES formal arraignment Defendant formally arraigned
 ALFORD PLEA Filed Findings of Fact Conclusions of Law on Alford Plea
 Defendant advised of RIGHTS by Court Counsel stipulate to affidavit of probable cause on file
 Court reviews STATEMENT ON PLEA OF GUILTY with Defendant PSI Ordered
 CHANGE OF PLEA accepted by the Court, Defendant is found Gully Sentence Date: _____

SENTENCING
 IT IS THE JUDGMENT and SENTENCE of the Court finding Defendant GUILTY as charged & Sentenced as follows:
 Prosecuting Attorney Defendant's Counsel make(s) sentencing recommendations
 Defendant makes Statement Statement(s) made on behalf of the Defendant
 Court follows AGREED recommendation set forth in the J&S
 EXCEPTIONAL Sentence, Court makes FINDINGS/CONCLUSIONS
 DEPT OF CORRECTIONS: Months Ct 1 _____ Months Ct 2 _____ Months Ct 3 _____ Months Ct 4 _____ Months Ct 5 _____
 SKAGIT COUNTY JAIL: Days/Months _____ Suspended _____ shall run Concurrently Consecutively
 9/12/18/24/36 months COMMUNITY CUSTODY/SUPERVISION after release CREDIT FOR TIME SERVED
 Standard Legal Financial Obligations Restitution \$ _____ Restitution Hrg: _____
 JUDGMENT & SENTENCE signed, Deft FINGERPRINTED Follow attached appendix _____
 GROSS MISDEMEANOR signed, Deft not fingerprinted Follow attached appendix _____
 NO CONTACT ORDER SIGNED NO CONTACT ORDER TERMINATED
 Rights on Appeal read & signed

REVIEW/PROBATION VIOLATION Defendant is in is not in compliance Court signs Order closing case
 Order Modifying Judgment & Sentenced signed Review Date: _____

Notes: Mr Richards indicates defendant not in agreement to cont. trial & moves court to find good cause & made motion. Court grants & notes objection. Deft does not wish to sign order.

REC

13
A

IN THE SUPERIOR COURT OF SKAGIT COUNTY

State of Washington Plaintiff	NO. 14-1-00081-1 CLERK'S CRIMINAL MINUTES
v IRWIN, SAMUEL LEE Defendant	

FILED
Skagit County Clerk
Skagit County, WA
7/2/2014

ARRAIGN MTHRG OMNHRG GPOH GP5H ALFHRG 5NTHRG SCVHRG FNRHRG DSMHRG
 EKWACT HCONTSTP Agreed Order of Continuance HSTKPA HSTKDA ARGPSH ARGPOH
 JUDGE: DAVE NEEDY CLERK: L. PETRZELKA
 COURT RPTR: J. Schroeder E. Sterns AVC Not reported INTERPRETER: _____

STATE REPRESENTED BY: R. Brown T. Johnson S. Johnson R. Kaholokula P. Nielson
 E. Norton E. Pedersen K. Pinnell H. Sebens M. Spangenberg M. Sullivan R. Weyrich _____
 DEFENDANT REPRESENTED BY: J. Bonkoski T. Candler C. Hernandez N. Neal
 C W Richards L. Riquelme R. Roth D. Terrillion K. Tyne K. Denise Wilson _____
 DEFENDANT: PRESENT NOT PRESENT CUSTODY NOT IN CUSTODY

Bench Warrant Ordered Bench Warrant Quashed Bail \$ _____
 Motion for Continuance; Order signed Next Hearing: _____
 Defendant present without counsel; Order of Continuance signed Next Hearing: _____
 Order signed No Order signed Court signs order Dismissing case
 Defendant waives right to extradition Review Date: _____

ARRAIGNMENT

Defendant answers to name and age Defendant WAIVES Formal Arraignment Defendant Formally Arraigned
 Acknowledgement of Rights signed Defendant advised of RIGHTS by Court
 Defendant enters NOT GUILTY PLEA Defendant enters GUILTY PLEA Court signs NO CONTACT ORDER
 Release on P.R. Reserved Agreed; Court Grants Denies Bail \$ _____
 Defendant is arraigned on AMENDED INFORMATION and enters plea(s) of NOT GUILTY
 Court signs Order Setting Dates & Pretrial release conditions. Omnibus _____ Trial Conf _____ Trial _____
 OMNIBUS: Court signs Order 3.5 Hearing Set 3.6 Hearing Set Next Hearing: _____
 TRIAL CONFIRMATION Confirmed Continued

GUILTY PLEA

AMENDED INFORMATION filed Defendant WAIVES formal arraignment Defendant formally arraigned
 ALFORD PLEA Filed Findings of Fact Conclusions of Law on Alford Plea
 Defendant advised of RIGHTS by Court Counsel stipulate to affidavit of probable cause on file
 Court reviews STATEMENT ON PLEA OF GUILTY with Defendant PSI Ordered
 CHANGE OF PLEA accepted by the Court, Defendant is found Guilty Sentence Date: _____

SENTENCING

IT IS THE JUDGMENT and SENTENCE of the Court finding Defendant GUILTY as charged & Sentenced as follows:
 Prosecuting Attorney Defendant's Counsel make(s) sentencing recommendations
 Defendant makes Statement Statement(s) made on behalf of the Defendant
 Court follows AGREED recommendation set forth in the J&S
 EXCEPTIONAL Sentence, Court makes FINDINGS/CONCLUSIONS
 DEPT OF CORRECTIONS: Months Ct 1 _____ Months Ct 2 _____ Months Ct 3 _____ Months Ct 4 _____ Months Ct 5 _____
 SKAGIT COUNTY JAIL: Days/Months _____ Suspended _____ shall run Concurrently Consecutively
 9/12/18/24/36 months COMMUNITY CUSTODY/SUPERVISION after release CREDIT FOR TIME SERVED
 Standard Legal Financial Obligations Restitution \$ _____ Restitution Hrg: _____
 JUDGMENT & SENTENCE signed, Deft FINGERPRINTED Follow attached appendix _____
 GROSS MISDEMEANOR signed, Deft not fingerprinted Follow attached appendix _____
 NO CONTACT ORDER SIGNED NO CONTACT ORDER TERMINATED
 Rights on Appeal read & signed

REVIEW/PROBATION VIOLATION Defendant is in is not in compliance Court signs Order closing case
 Order Modifying Judgment & Sentenced signed Review Date: _____

Notes: _____

CR-14

59

13B



SUPERIOR COURT OF WASHINGTON
COUNTY OF SKAGIT

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

STATE OF WASHINGTON,
Plaintiff,
vs.

2014 JUL -2 AM 10:33

CAUSE NO. 14-1-00081-1

ORDER RE:

Samuel Irwin
Defendant

- HEARING DATES (Clerk's Action Required)
- QUASHING WARRANT (Sheriff's Action Required)
- BAIL (Sheriff's Action Required)
- OTHER: _____

The Court, being fully advised and good cause having been shown, Now, Therefore, ORDERS:

Never Signed
HAIS

HEARING DATES: This matter is continued to the dates below. by agreement of the parties (signed by defendant) by motion of defendant/state. The defendant's presence is required for: _____

OMNIBUS: _____ 9:00 a.m. STATUS: _____ 9:00 a.m.

3.5/3.6 HEARING: _____ 9:30 a.m. REVIEW: _____ 9:00 a.m.

TRIAL CONFIRMATION: _____ 1:30 p.m. OTHER: 7/9/14 9:00 a.m.

TRIAL: _____ 9:00 a.m. (See Waiver Below If Applicable) *motion to sever / arraignment*

TIME FOR TRIAL: _____ (30 days after trial pursuant to continuance under CrR 3.3)

SENTENCING: _____ 9:00 a.m. (See Waiver Below If Applicable)

Presentence Investigation required. Defendant is in custody Defendant's Address: _____

WARRANTS: Outstanding warrants in this cause are quashed. The next hearing date is as noted above.

BAIL: Bail is set at \$ _____

OTHER: _____

Dated: 7/2/14

David Neely
Judge of the above-titled Court

WAIVERS BY DEFENDANT

SPEEDY TRIAL: The undersigned, having been advised by my Attorney of Record that I have the right to be brought to trial within 60/90 days of the commencement date, hereby requests that trial in this matter be reset. I am aware of and wish to waive my right to speedy trial by resetting a commencement date of: _____ resulting in a new time for trial date as provided in CrR 3.3 of: _____ (60/90 days after commencement date).

SENTENCING: The undersigned, having been advised of my right to be sentenced within 40 court days from the date of the guilty plea or conviction, and being aware of, hereby waive the right to speedy sentencing pursuant to RCW 9.94A.500. I acknowledge this waiver is my personal request and I am not prejudiced by this continuance.



Defendant

C. Wesley Richards
Attorney for Defendant 11946

Samuel D. Kalkreuth
Prosecuting Attorney 25026

Original: Clerk's Office
PA-8

Canary Copy - Defendant

Pink Copy - Attorney for Defendant

Goldenrod Copy - Prosecuting Attorney

60

SUPERIOR COURT OF WASHINGTON
COUNTY OF SKAGIT

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

STATE OF WASHINGTON,
Plaintiff,

2014 JUL -9 AM 10:36

vs.

CAUSE NO. 14-1-81-1

ORDER RE:

Samuel Tawin
Defendant

- HEARING DATES (Clerk's Action Required)
- QUASHING WARRANT (Sheriff's Action Required)
- BAIL (Sheriff's Action Required)
- OTHER: A motion to sever

The Court, being fully advised and good cause having been shown, Now, Therefore, ORDERS:

HEARING DATES: This matter is continued to the dates below. by agreement of the parties (signed by defendant) by motion of defendant/state. The defendant's presence is required for:

OMNIBUS: _____ 9:00 a.m. STATUS: _____ 9:00 a.m.
 3.5/3.6 HEARING: _____ 9:30 a.m. REVIEW: _____ 9:00 a.m.
 TRIAL CONFIRMATION: _____ 1:30 p.m. OTHER: _____ 9:00 a.m.
 TRIAL: _____ 9:00 a.m. (See Waiver Below If Applicable)
 TIME FOR TRIAL: _____ (30 days after trial pursuant to continuance under CrR 3.3)
 SENTENCING: _____ 9:00 a.m. (See Waiver Below If Applicable)

Presentence Investigation required. Defendant is in custody Defendant's Address:

WARRANTS: Outstanding warrants in this cause are quashed. The next hearing date is as noted above.

BAIL: Bail is set at \$ _____

OTHER: Courts 5 + 6 are severed from the remaining courts.

Dated: 7/9/14

[Signature]
Judge of the above-titled Court

WAIVERS BY DEFENDANT

SPEEDY TRIAL: The undersigned, having been advised by my Attorney of Record that I have the right to be brought to trial within 60/90 days of the commencement date, hereby requests that trial in this matter be reset. I am aware of and wish to waive my right to speedy trial by resetting a commencement date of: _____ resulting in a new time for trial date as provided in CrR 3.3 of: _____ (60/90 days after commencement date).

SENTENCING: The undersigned, having been advised of my right to be sentenced within 40 court days from the date of the guilty plea or conviction, and being aware of, hereby waive the right to speedy sentencing pursuant to RCW 9.94A.500. I acknowledge this waiver is my personal request and I am not prejudiced by this continuance.

Drewent D. Diner
Defendant

C. Wesley Richards
Attorney for Defendant

Rebecca B. Kahlert
Prosecuting Attorney

Original: Clerk's Office
PA-8

Canary Copy - Defendant

Pink Copy - Attorney for Defendant

Goldenrod Copy - Prosecuting Attorney

IN THE SU. OR COURT OF SKAGIT COUNTY

FILED
Skagit County Clerk
Skagit County, WA
7/9/2014

State of Washington Plaintiff	NO. 14-1-00081-1 CLERK'S CRIMINAL MINUTES
v IRWIN, SAMUEL LEE Defendant	

ARRAIGN MTHRG OMNHRG GPOH GPSH ALFHRG SNTHRG SCVHRG FNRHRG DSMHRG
 EXWACT HCNTSTP Agreed Order of Continuance HSTKPA HSTKDA ARGPSH ARGPOH
 JUDGE: JOHN M. MEYER CLERK: C. WILSON
 COURT RPTR: J. Schroeder E. Sterns AVC _____ Not reported INTERPRETER: _____

STATE REPRESENTED BY: R. Brown T. Johnson S. Johnson R. Kaholokua P. Nielson
 E. Norton E. Pedersen K. Pinnell H. Sebens M. Spangenberg M. Sullivan R. Weyrich _____
 DEFENDANT REPRESENTED BY: J. Bonkoski T. Candler C. Hernandez N. Neal
 C W Richards L. Riquelme R. Roth D. Terrillion K. Tyne K. Denise Wilson _____
 DEFENDANT: PRESENT NOT PRESENT CUSTODY NOT IN CUSTODY

Bench Warrant Ordered Bench Warrant Quashed Bail \$ _____
 Motion for Continuance; Order signed Next Hearing: _____
 Defendant present without counsel; Order of Continuance signed Next Hearing: _____
 Order signed No Order signed Court signs order Dismissing case
 Defendant waives right to extradition Review Date: _____

ARRAIGNMENT
 Defendant answers to name and age Defendant WAIVES Formal Arraignment Defendant Formally Arraigned
 Acknowledgement of Rights signed Defendant advised of RIGHTS by Court
 Defendant enters NOT GUILTY PLEA Defendant enters GUILTY PLEA Court signs NO CONTACT ORDER
 Release on P.R. Reserved Agreed; Court Grants Denies Bail \$ _____
 Defendant is arraigned on AMENDED INFORMATION and enters plea(s) of NOT GUILTY
 Court signs Order Setting Dates & Pretrial release conditions. Omnibus _____ Trial Conf _____ Trial _____
 OMNIBUS: Court signs Order 3.5 Hearing Set 3.6 Hearing Set Next Hearing: _____
 TRIAL CONFIRMATION Confirmed Continued
 GUILTY PLEA

AMENDED INFORMATION filed Defendant WAIVES formal arraignment Defendant formally arraigned
 ALFORD PLEA Filed Findings of Fact Conclusions of Law on Alford Plea
 Defendant advised of RIGHTS by Court Counsel stipulate to affidavit of probable cause on file
 Court reviews STATEMENT ON PLEA OF GUILTY with Defendant PSI Ordered
 CHANGE OF PLEA accepted by the Court, Defendant is found Guilty Sentence Date: _____
 SENTENCING

IT IS THE JUDGMENT and SENTENCE of the Court finding Defendant GUILTY as charged & Sentenced as follows:
 Prosecuting Attorney Defendant's Counsel make(s) sentencing recommendations
 Defendant makes Statement Statement(s) made on behalf of the Defendant
 Court follows AGREED recommendation set forth in the J&S
 EXCEPTIONAL Sentence, Court makes FINDINGS/CONCLUSIONS
 DEPT OF CORRECTIONS: Months Ct 1 _____ Months Ct 2 _____ Months Ct 3 _____ Months Ct 4 _____ Months Ct 5 _____
 SKAGIT COUNTY JAIL: Days/Months _____ Suspended _____ shall run Concurrently Consecutively
 9/12/18/24/36 months COMMUNITY CUSTODY/SUPERVISION after release CREDIT FOR TIME SERVED
 Standard Legal Financial Obligations Restitution \$ _____ Restitution Hrg: _____
 JUDGMENT & SENTENCE signed, Deft FINGERPRINTED Follow attached appendix _____
 GROSS MISDEMEANOR signed, Deft not fingerprinted Follow attached appendix _____
 NO CONTACT ORDER SIGNED NO CONTACT ORDER TERMINATED
 Rights on Appeal read & signed

REVIEW/PROBATION VIOLATION Defendant is in is not in compliance Court signs Order closing case
 Order Modifying Judgment & Sentenced signed Review Date: _____

Notes: *Mr. Richards advised the Court re. Mt to serve & argue. Court's counsel discuss. Ms Kambrella responds, objects to motion to serve & argue. Court's counsel discuss. Mr. Richards responds. Court makes findings & grants motion to serve counts 5 & 6, to be tried together.*

IN THE SUPERIOR COURT OF SKAGIT COUNTY

FILED
Skagit County Clerk
Skagit County, WA
7/11/2014

State of Washington Plaintiff	
v	
IRWIN, SAMUEL LEE Defendant	NO. 14-1-00081-1 CLERK'S CRIMINAL MINUTES

[ARRAIGN] [MTHRG] [OMNHRG] [GPOH] [GPSH] [ALFHRG] [SNTHRG] [SCVHRG] [FNRHRG] [DSMHRG]
 [EKWACT] [HCNTSTP Agreed Order of Continuance] [HSTKPA] [HSTKDA] [ARGPSH] [ARGPOH]
 JUDGE: DAVE NEEDY CLERK: B. HOYT
 COURT RPTR: J. Schroeder E. Sterns AVC _____ Not reported INTERPRETER: _____

STATE REPRESENTED BY: R. Brown T. Johnson S. Johnson R. Kaholokula P. Nielson
 E. Norton E. Pedersen K. Pinnell H. Sebens M. Spangenberg M. Sullivan R. Weyrich _____
 DEFENDANT REPRESENTED BY: J. Bonkoski T. Candler C. Hernandez N. Neal
 C W Richards L. Riquelme R. Roth D. Terrillion K. Tyne K. Denise Wilson _____
 DEFENDANT: PRESENT NOT PRESENT CUSTODY NOT IN CUSTODY

Bench Warrant Ordered Bench Warrant Quashed Bail \$ _____
 Motion for Continuance; Order signed Next Hearing: _____
 Defendant present without counsel; Order of Continuance signed Next Hearing: _____
 Order signed No Order signed Court signs order Dismissing case
 Defendant waives right to extradition Review Date: _____

[ARRAIGNMENT]
 Defendant answers to name and age Defendant WAIVES Formal Arraignment Defendant Formally Arraigned
 Acknowledgement of Rights signed Defendant advised of RIGHTS by Court
 Defendant enters NOT GUILTY PLEA Defendant enters GUILTY PLEA Court signs NO CONTACT ORDER
 Release on P.R. Reserved Agreed; Court Grants Denies Bail \$ _____
 Defendant is arraigned on AMENDED INFORMATION and enters plea(s) of NOT GUILTY
 Court signs Order Setting Dates & Pretrial release conditions. Omnibus _____ Trial Conf _____ Trial _____
 [OMNIBUS]: Court signs Order 3.5 Hearing Set 3.6 Hearing Set Next Hearing: _____
 [TRIAL CONFIRMATION] Confirmed Continued

GUILTY PLEA
 AMENDED INFORMATION filed Defendant WAIVES formal arraignment Defendant formally arraigned
 ALFORD PLEA Filed Findings of Fact Conclusions of Law on Alford Plea
 Defendant advised of RIGHTS by Court Counsel stipulate to affidavit of probable cause on file
 Court reviews STATEMENT ON PLEA OF GUILTY with Defendant PSI Ordered
 CHANGE OF PLEA accepted by the Court, Defendant is found Guilty Sentence Date: 8/7/2014

INTENCING
 IT IS THE JUDGMENT and SENTENCE of the Court finding Defendant GUILTY as charged & Sentenced as follows:
 Prosecuting Attorney _____ Defendant's Counsel make(s) sentencing recommendations
 Defendant makes Statement Statement(s) made on behalf of the Defendant
 Court follows AGREED recommendation set forth in the J&S
 EXCEPTIONAL Sentence, Court makes FINDINGS/CONCLUSIONS
 DEPT OF CORRECTIONS: Months Ct 1 _____ Months Ct 2 _____ Months Ct 3 _____ Months Ct 4 _____ Months Ct 5 _____
 SKAGIT COUNTY JAIL: Days/Months _____ Suspended _____ shall run Concurrently Consecutively
 9/12/18/24/36 months COMMUNITY CUSTODY/SUPERVISION after release CREDIT FOR TIME SERVED
 Standard Legal Financial Obligations Restitution \$ _____ Restitution Hrg: _____
 JUDGMENT & SENTENCE signed, Deft FINGERPRINTED Follow attached appendix _____
 GROSS MISDEMEANOR signed, Deft not fingerprinted Follow attached appendix _____
 NO CONTACT ORDER SIGNED NO CONTACT ORDER TERMINATED
 Rights on Appeal read & signed

[REVIEW/PROBATION VIOLATION] Defendant is in is not in compliance Court signs Order closing case
 Order Modifying Judgment & Sentence signed Review Date: _____

Notes: Court will sign guilty plea when presented. The last page of guilty plea is missing; Mr. Richards will present it later, defendant waives his presence