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Court of Appeals
Division I
State of Washington

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

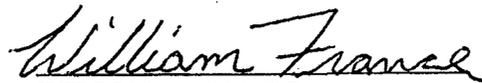
In the Matter of the Application for Relief)
From Personal Restraint of:)
)
)
WILLIAM FRANCE,)
)
Petitioner.)
)
_____)

No. FRST # 74507-7-1

**PERSONAL
RESTRAINT
PETITION**

I declare that I have received a copy of the petition prepared by my attorney and that I consent to the petition being filed on my behalf.

DATED this 4 day of JAN, 2016.


WILLIAM FRANCE

FILED
December 8, 2015
Court of Appeals
Division I
State of Washington

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

In the Matter of the Application for Relief)
From Personal Restraint of:)
)
)
WILLIAM FRANCE,)
)
Petitioner.)
_____)

No. 74507-7

**PERSONAL
RESTRAINT
PETITION**

I. STATUS OF PETITIONER

Petitioner William France is in custody at the Washington State Penitentiary. In October 2011, France pled guilty to nine counts of felony harassment. He received an exceptional sentence. France appealed under 67959-7-I. On September 9, 2013, this Court issued its decision affirming the judgment and sentence, remanding for correction of clerical errors. On February 5, 2014, the Supreme Court denied France's petition for review. This Court issued the mandate on March 21, 2014.

II. GROUND FOR RELIEF

(a) Pertinent facts

In addition to the above procedural facts, the pertinent facts and documents supporting France's claims are fully set forth in the Petitioner's Opening Brief, which is being filed contemporaneously with this Petition.

(b) Other remedies inadequate

There are no other remedies available to France. He has already exercised his right to challenge his conviction and sentence on direct appeal. This Court has officially terminated review of that appeal.

(c) Unlawful restraint

France's restraint is unlawful under RAP 16.4(c) because:

The conviction was obtained or the sentence or other order entered in a criminal proceeding . . . instituted by the state or local government was imposed or entered in violation of the Constitution of the United States or the Constitution or laws of the State of Washington;

RAP 16.4(c)(2).

(d) Legal argument

The legal argument supporting France's claims is found in Petitioner's Opening Brief.

III. Statement of Finances

The Superior Court declared France indigent for purposes of his direct appeal. His position has not changed. He has been incarcerated since sentencing and has no significant assets. Under RAP 16.15(h), France requests that this Court waive his filing fee and other costs necessary for consideration of his petition.

IV. Request for Relief

France requests that this Court vacate six of his nine convictions based on the violation of his right to be free from double jeopardy and remand for resentencing.

I declare that I have examined this petition and to the best of my knowledge and belief it is true and correct.

DATED this 31st day of December, 2015.



CASEY GRANNIS
WSBA No. 37301
Nielsen, Broman & Koch
Attorneys for Petitioner

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

STATE OF WASHINGTON)

Respondent,)

v.)

WILLIAM FRANCE,)

Petitioner.)

COA NO. _____

DECLARATION OF SERVICE

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

THAT ON THE 8TH DAY OF DECEMBER 2015, I CAUSED A TRUE AND CORRECT COPY OF THE PERSONAL RESTRAINT PETITION TO BE SERVED ON THE PARTY / PARTIES DESIGNATED BELOW BY DEPOSITING SAID DOCUMENT IN THE UNITED STATES MAIL.

[X] WILLIAM FRANCE
DOC NO. 626275
WASHINGTON STATE PENITENTIARY
1313 N. 13TH AVENUE
WALLA WALLA, WA 99362

SIGNED IN SEATTLE WASHINGTON, THIS 8TH DAY OF DECEMBER 2015.

x Patrick Mayovsky

NIELSEN, BROMAN & KOCH, PLLC

December 08, 2015 - 3:40 PM

Transmittal Letter

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FILED
December 8, 2015
Court of Appeals
Division I
State of Washington

COA NO. 74507-7

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

IN RE PERSONAL RESTRAINT PETITION OF WILLIAM FRANCE:

STATE OF WASHINGTON,

Respondent,

v.

WILLIAM FRANCE,

Petitioner.

ON APPEAL FROM THE SUPERIOR COURT OF THE
STATE OF WASHINGTON FOR KING COUNTY

The Honorable Steven Gonzalez, Judge

PETITIONER'S OPENING BRIEF

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Attorney for Petitioner

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A. **ASSIGNMENT OF ERROR**

The entry of six of nine felony harassment convictions violates double jeopardy.

Issue Pertaining to Assignment of Error

Whether the constitutional right to be free from double jeopardy requires that six of the nine harassment convictions be vacated because the course of threatening conduct toward a victim, not each individual threat, constitutes the unit of prosecution?

B. **STATEMENT OF THE CASE**

Anita Paulsen, a public defense attorney at The Defender Association, represented William France in a previous case. State v. France, 176 Wn. App. 463, 466, 308 P.3d 812, 814 (2013), review denied, 179 Wn. 2d 1015, 318 P.3d 280 (2014). Nina Beach was involved in that case as France's social worker. France, 176 Wn. App. at 466. Unsatisfied with his representation, France began leaving graphic voicemails with both women threatening to sexually assault them when he got out of jail. Id. Paulsen notified Lisa Daugaard, deputy director at The Defender Association, who sent France a cease and desist letter. Id. France then began leaving Daugaard similar threatening voicemails. Id. All three women feared for their safety and contacted the police. Id.

The State originally charged France with three counts of felony stalking; one count each for Paulsen, Daaugard and Beach. App. A. By amended information, the State replaced the stalking charges with 16 counts of felony harassment, alleging two aggravating factors: France's conduct manifested deliberate cruelty (all 16 counts) and was committed against an officer of the court (counts 1-11 involving Daugaard and Paulsen). App. B.

The parties entered a plea agreement in which France agreed to plead guilty to nine counts of felony harassment as follows: counts 3, 4, 6 (against Paulsen), counts 7, 8, 9 (against Daugaard), and counts 12, 14, 15 (against Beach). App. C, D. In exchange, the State recommended dismissing the remaining seven counts and removing the deliberate cruelty aggravator. App. C, D. France stipulated that the court officer aggravator applied to the six counts (3, 4, 6, 7, 8, and 9) involving Paulsen and Daugaard. App. C.

As a factual basis for the plea, France acknowledged he placed the calls contained in "pre-trial Exhibit 1."¹ App. C. His statement reads as follows:

Counts 3, 4, 6:

On or about December 28, 2010, January 10, 2011 and January 25, 2011 in King County Washington I did

¹ The call transcript for Exhibit 1 is attached as App. E to this petition.

knowingly threaten to cause bodily injury immediately or in the future to Anita Paulsen and threatened to maliciously do an act intended to substantially harm her and my words placed her in reasonable fear that the threat would be carried out. I did this after having been convicted previously of felony violation of a no-contact order against a person specifically named in the no contact order. Also, this offense was against my prior attorney; a public official or officer of the court in retaliation of the performance of her duty to the criminal justice system.

Counts 7, 8, 9:

Also, on or about January 11, 2011, January 12, 2011 and January 25, 2011, I did knowingly threaten to cause bodily injury immediately or in the future to Lisa Daugaard and threatened to maliciously do an act intended to substantially harm her and my words placed her in reasonable fear that the threat would be carried out. I had previously been convicted of a felony violation of a court order against a person specifically named in a no-contact order. Also, this offense was against my prior attorney's supervisor; an officer of the court in retaliation of the performance of her duties to the criminal justice system.

Counts 12, 14, 15:

Also on or about December 28, 2010, January 12, 2011, and January 25, 2011 in King County Washington I did knowingly threaten to cause bodily injury immediately or in the future to Nina Beach and threatened to maliciously do an act intended to substantially harm her and my words placed her in reasonable fear that the threat would be carried out. I had previously been convicted of felony violation of a court order against a person specifically named in a no-contact order.

App. C.

The trial court imposed exceptional consecutive sentences totaling 180 months in confinement based on the court officer and free crimes

aggravators. App. F. On appeal, France argued (1) the free crimes aggravator could not lawfully attach to three current offenses and (2) the trial court imposed a community custody condition of no contact when it lacked statutory authority to do so. France, 176 Wn. App. at 465. The Court of Appeals affirmed, remanding only for correction of clerical errors in the judgment and sentence. Id.; App. G. (order amending judgment and sentence). The mandate issued on March 21, 2014. App. H.

C. ARGUMENT

1. FRANCE'S MULTIPLE CONVICTIONS FOR FELONY HARASSMENT VIOLATE DOUBLE JEOPARDY UNDER THE UNIT OF PROSECUTION TEST.

The unit of prosecution for harassment is the course of threatening conduct directed toward the person threatened. France's convictions for repeatedly threatening the same person constitute multiple punishments for the same offense. That is a double jeopardy violation. Duplicative convictions involving a single victim must be vacated.

a. Overview of double jeopardy and the unit of prosecution analysis.

Both the Fifth Amendment of the United States Constitution and Article 1, section 9 of the Washington Constitution prohibit double

jeopardy.² State v. Tvedt, 153 Wn.2d 705, 710, 107 P.3d 728 (2005). The double jeopardy clause of the Washington Constitution "is given the same interpretation the [United States] Supreme Court gives to the Fifth Amendment." State v. Knight, 162 Wn. 2d 806, 810, 174 P.3d 1167 (2008) (quoting State v. Gocken, 127 Wn.2d 95, 107, 896 P.2d 1267 (1995)). The proper interpretation and application of the double jeopardy clause is a question of law reviewed de novo. Knight, 162 Wn.2d at 810.

The double jeopardy clause prevents multiple punishments for the same offense. State v. Bobic, 140 Wn. 2d 250, 260, 996 P.2d 610 (2000) (citing North Carolina v. Pearce, 395 U.S. 711, 717, 89 S. Ct. 2072, 23 L. Ed. 2d 656 (1969)). Double jeopardy thus protects an individual from being convicted of more than one count of a crime for the same unit of prosecution. Tvedt, 153 Wn.2d at 710; Bell v. United States, 349 U.S. 81, 83-84, 75 S. Ct. 620, 99 L. Ed. 905 (1955).

"The unit of prosecution is the essential conduct that makes up the core of the offense." In re Pers. Restraint of Francis, 170 Wn.2d 517, 528, 242 P.3d 866 (2010). "A unit of prosecution can be either an act or a course of conduct." State v. Hall, 168 Wn.2d 726, 731, 230 P.3d 1048

² "No person shall . . . be subject for the same offense to be twice put in jeopardy of life or limb." U.S. Const. amend. V. "No person shall . . . be twice put in jeopardy for the same offense." Wash. Const. art. I, § 9.

(2010). There is a multistep approach to determine the unit of prosecution: "we first look to the statute to glean the intent of the legislature. Then we look to the statute's history, and finally to the facts of the particular case. If there is still doubt, we apply the rule of lenity in favor of a single unit." Hall, 168 Wn.2d at 737.

b. The unit of prosecution for harassment is the course of threatening conduct directed toward a particular victim.

As charged here, the relevant provisions of the harassment statute provide:

- (1) A person is guilty of harassment if:
 - (a) Without lawful authority, the person knowingly threatens:
 - (i) To cause bodily injury immediately or in the future to the person threatened or to any other person [and] . . .
 - (iv) Maliciously to do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical or mental health or safety; and
 - (b) The person by words or conduct places the person threatened in reasonable fear that the threat will be carried out.

Former RCW 9A.46.020 (2003).³

"Threat" is defined as including "to communicate, directly or indirectly the intent . . . [t]o cause bodily injury in the future to the person threatened or to any other person." Former RCW 9A.04.110(27)(a)

³ This was the version of the statute in effect when France committed the offenses. The current version of the quoted provision is identical.

(2007).⁴ Threat also includes "any other act which is intended to harm substantially the person threatened or another with respect to his or her health, safety, business, financial condition, or personal relationships." Former RCW 9A.04.110(27)(j) (2007) (currently RCW 9A.04.110(28)(j)). "The person threatened" means the target of coercion, intimidation or humiliation. State v. J.M., 144 Wn.2d 472, 485, 28 P.3d 720 (2001).

The Court of Appeals addressed the unit of prosecution for harassment in State v. Morales, 174 Wn. App. 370, 298 P.3d 791 (2013). Morales supports France's argument that his multiple convictions for threats directed at the same victim violate double jeopardy under a unit of prosecution analysis.

Morales was convicted of two counts of felony harassment against Ms. Farias, the mother of his children. Morales, 174 Wn. App. at 374. One act of harassment occurred on February 14, 2011, when Morales told another that when Ms. Farias dropped her children off at day care the next morning, he would be waiting for her and kill her. Id. at 374. The threat was relayed to Farias. Id. The next day, Morales confronted Farias, telling her "This is as far as you've gone, you fucking bitch, because I'm going to kill you here." Id. at 375.

⁴ The current version of the definition, now codified at RCW 9A.04.110(28)(a), is identical.

On appeal, Morales argued the February 14 and 15 communications of the same threat, each placing Farias in fear, was a course of conduct that constituted one unit of prosecution for harassment. Id. at 384. The Court of Appeals agreed, holding convictions on both harassment counts violated double jeopardy. Id. at 374, 387-88.

In reaching that holding, the Court of Appeals first pointed out the legislature expressly found the harassment statute is "aimed at making unlawful the repeated invasions of a person's privacy by acts and threats which show a pattern of harassment designed to coerce, intimidate, or humiliate the victim." Id. at 385 (quoting RCW 9A.46.010). The legislature contemplated the crime of harassment to encompass multiple threats.

In addressing this legislative finding, the Supreme Court concluded the legislature did not intend to criminalize "only invasion of privacy by repeated acts and threats showing a pattern of harassment;" a single act of harassment may be charged. State v. Alvarez, 128 Wn.2d 1, 12, 904 P.2d 754 (1995). Morales, however, presented a different question: "whether, if a person threatens a single harm, placing the person threatened in fear, the unit of prosecution is then that threat of harm, or is instead each time and place he or she repeats it to the victim or third parties." Morales, 174 Wn. App. at 386.

The venue provision of the harassment statute sheds further light on the unit of prosecution by discussing possible components of a harassment offense. Id. It provides: "Any harassment offense committed as set forth in RCW 9A.46.020 . . . may be deemed to have been committed where the conduct occurred or at the place from which the *threat or threats* were made or at the place where the threats were received." RCW 9A.46.030 (emphasis added). The Court of Appeals in Alvarez focused on the fact that the venue provision treats a "harassment offense" as including a single threat to support its holding that the legislature intended a single threat could support conviction. State v. Alvarez, 74 Wn. App. 250, 259, 872 P.2d 1123 (1994), aff'd, 128 Wn.2d 1, 904 P.2d 754 (1995). But the provision, in treating a "harassment offense" as also including multiple threats, supports the conclusion that the unit of prosecution encompasses multiple threats. Morales, 174 Wn. App. at 386.

Further, "[t]he language used to define the operative criminal conduct in RCW 9A.46.020 — to 'knowingly threaten' — is not inherently a single act." Id. at 387. Where the language of a statute does not directly suggest the unit of prosecution, examination is on the focus of the statute, the statutory aim and whether some variables by which the unit of prosecution might be measured are secondary. Id. (citing Tvedt, State v. Varnell, 162 Wn.2d 165, 169, 170 P.3d 24 (2007)).

Morales did not need to "determine the unit of prosecution for all harassment scenarios to conclude that where, as here, (1) a perpetrator threatens to cause bodily harm to a single identified person at a particular time and place and (2) places a single victim of the harassment in reasonable fear that the threat will be carried out, the conduct constitutes a single offense." Morales, 174 Wn. App. at 387. But this is the key part of its analysis: "The harassment statute focuses on a perpetrator's coercing, intimidating, or harassing the victim by a threat or threats that place her in reasonable fear. The number of persons who might learn of the threat and communicate with the victim about it and *the number of times it might be communicated are secondary.*" Id. (emphasis added). A unit of prosecution that results in additional charges based on variables that are secondary may result in convictions that are disproportionate to an offender's conduct. Id. at 387-88 (citing Tvedt, 153 Wn.2d at 716 n. 4).

Although Morales did not "determine the unit of prosecution for all harassment scenarios,"⁵ its analysis leads to the conclusion that there is a double jeopardy violation in France's case. Examination of statutory intent does not change from one factual scenario to the next. Intent is gleaned from the language of the statute and from what the legislature has said in related provisions. The legislature envisioned the crime of

⁵ Morales, 174 Wn. App. at 387.

harassment to encompass a pattern of threatening conduct. RCW 9A.46.010; Morales, 174 Wn. App. at 385. The venue provision likewise treats the offense as encompassing multiple threats. RCW 9A.46.030; Morales, 174 Wn. App. at 386. The focus of the harassment statute is "on a perpetrator's coercing, intimidating, or harassing the victim by a threat or threats that place her in reasonable fear," while the number of times that threat is communicated is secondary. Id. at 387. That proposition applies to all harassment cases, including France's case.

France committed one unit of prosecution in relation to each of the three victims. France threatened harm against each of the three targets of harassment. The threats, while not identically worded, all conveyed the same message: that he would find after them after he was released and sexually assault them. Those threats formed a course of conduct that placed the person threatened in fear. Under Morales, the unit of prosecution is the course of threatening conduct, not the number of times the threat is communicated. Even if the statute is ambiguous as to the unit of prosecution, the rule of lenity applies and the ambiguity must be "resolved against turning a single transaction into multiple offenses." Tvedt, 153 Wn.2d at 711 (internal quotation marks omitted) (quoting State v. Adel, 136 Wn.2d 629, 635, 965 P.2d 1072 (1998)).

The next step in the analysis is to consider the facts of the particular case. Even where the legislature has expressed its view on the unit of prosecution, the facts in a particular case may reveal more than one "unit of prosecution" is present. Varnell, 162 Wn.2d at 168. There is no bright-line test. In France's case, the course of conduct was ongoing, aimed at the same three people, in an attempt to put those people in fear of being attacked. The charges consisted of 16 counts. App. B. The threats directed against Paulsen to which he pled guilty occurred on December 28, 2010, January 10, 2011 and January 25, 2011. App. C. The threats directed against Daugaard to which he pled guilty occurred on January 11, 2011, January 12, 2011 and January 25, 2011. App. C. The threats directed against Beach to which he pled guilty occurred on December 28, 2010, January 12, 2011, and January 25, 2011. App. C. These threats were not made one day after another as in Morales, but they still form a single unit of prosecution in relation to each victim. France waged a campaign of fear over a span of several weeks. The unit of prosecution is the campaign — the course of conduct over that time period — not the number of times the same kind of threat was repeated.

Hall is instructive. In that case, the defendant was convicted of three counts of witness tampering after calling a witness over 1,200 times in an attempt to convince her not to testify against him. Hall, 168 Wn.2d

at 729. The Supreme Court held that the unit of prosecution for witness tampering is the "ongoing attempt to persuade a witness not to testify in a proceeding." Id. at 734. The facts of that case supported a single unit of prosecution because Hall's conduct was continuous, aimed at a single person, and meant to tamper with the witness's testimony in a single proceeding. Id. at 736. However, the Supreme Court noted circumstances in which multiple units of prosecution could be present: "Our determination might be different if Hall had changed his strategy by, for example, sending letters in addition to phone calls or sending intermediaries, or if he had been stopped by the State briefly and found a way to resume his witness tampering campaign." Id. at 737.

In France's case, the course of conduct was ongoing, aimed at the same person, in an attempt to place that person in fear. He did not change his strategy. France used the same method to convey the threats: telephone voicemail messages. There was no stoppage due to State intervention and then a resumption of the threatening conduct. The particular facts of France's case show one unit of prosecution per victim. Any doubt must be resolved in favor of France under the rule of lenity. Hall, 168 Wn.2d at 737. One conviction attaches to each of the three victims, so that three convictions remain intact and six duplicative convictions are vacated.

c. The remedy France seeks is available.

France pled guilty, but a guilty plea does not waive a double jeopardy challenge. Francis, 170 Wn.2d at 522. A guilty plea, by its nature, admits factual guilt and thus waives any challenge on that ground, but a guilty plea does not waive a challenge to "the very power of the State to bring the defendant into court to answer the charge brought against him," nor does it waive a challenge when the court enters multiple convictions for the same offense. Id. (quoting Knight, 162 Wn.2d at 811). France challenges the trial court's ability to enter convictions and sentence him for duplicative charges. He did not waive that challenge by pleading guilty. Francis, 170 Wn.2d at 522.

France does not seek to withdraw his plea. He seeks to vacate the convictions that violate double jeopardy. He can do so without withdrawing his plea. The double jeopardy violation was the *entry* of multiple convictions for the same offense, not the guilty plea itself. Id. at 532 (citing Knight). A defendant can challenge the court's entry of any convictions that violate double jeopardy, even where the plea to multiple counts is indivisible. Id. at 431-32. "The appropriate remedy for a double jeopardy violation is vacating the offending conviction." Id. at 432. The appropriate remedy here is vacating six of the nine convictions, leaving

one conviction for each of the victims intact, and remanding for resentencing.

d. The personal restraint petition is not time-barred.

RCW 10.73.090(1) provides "No petition or motion for collateral attack on a judgment and sentence in a criminal case may be filed more than one year after the judgment becomes final if the judgment and sentence is valid on its face and was rendered by a court of competent jurisdiction." A judgment becomes final on "The date that an appellate court issues its mandate disposing of a timely direct appeal from the conviction." RCW 10.73.090(3)(b). The mandate in France's appeal issued in March 2014. App. H. However, the time limit specified in RCW 10.73.090 does not apply to a petition that is based solely on the ground that "The conviction was barred by double jeopardy under Amendment V of the United States Constitution or Article I, section 9 of the state Constitution." RCW 10.73.100(3). France's petition is not procedurally barred because he seeks relief on the ground of double jeopardy. The petition is not subject to the one-year time bar under RCW 10.73.100(3).

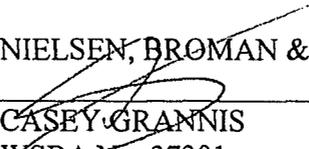
D. CONCLUSION

For the reasons set forth, France requests that this Court grant his personal restraint petition, vacate six of the nine convictions, and remand for resentencing.

DATED this 4th day of December 2015

Respectfully Submitted,

NIELSEN, BROMAN & KOCH, PLLC.



CASEY GRANNIS

WSBA No. 37301

Office ID No. 91051

Attorneys for Petitioner

APPENDIX A

1 And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
2 the authority of the State of Washington further do accuse the defendant WILLIAM NEAL
3 FRANCE that the defendant demonstrated and displayed an egregious lack of remorse under the
4 authority of RCW 9.94A.535(q).

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COUNT II

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM
NEAL FRANCE of the crime of **Stalking - Felony**, a crime of the same or similar character and
based on the same conduct as another crime charged herein, which crimes were part of a
common scheme or plan and which crimes were so closely connected in respect to time, place
and occasion that it would be difficult to separate proof of one charge from proof of the other,
committed as follows:

That the defendant WILLIAM NEAL FRANCE in King County, Washington, during a
period of time intervening between October 1, 2010 through February 7, 2011, did, without
lawful authority, intentionally and repeatedly harass or follow Nina Beach; and Nina Beach was
reasonably placed in fear that the defendant intended to injure her; and the defendant either
intended to frighten, intimidate, or harass Nina Beach, or knew or reasonably should have known
that she was afraid, intimidated, or harassed even if the defendant did not intend to place Nina
Beach in fear or intimidate or harass her; and the defendant had previously been convicted in this
state or any other state of a crime of harassment;

Contrary to RCW 9A.46.110, and against the peace and dignity of the State of
Washington.

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
the authority of the State of Washington further do accuse the defendant WILLIAM NEAL
FRANCE that the defendant demonstrated and displayed an egregious lack of remorse under the
authority of RCW 9.94A.535(q).

COUNT III

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM
NEAL FRANCE of the crime of **Stalking - Felony**, a crime of the same or similar character and
based on the same conduct as another crime charged herein, which crimes were part of a
common scheme or plan and which crimes were so closely connected in respect to time, place
and occasion that it would be difficult to separate proof of one charge from proof of the other,
committed as follows:

That the defendant WILLIAM NEAL FRANCE in King County, Washington, during a
period of time intervening between October 1, 2010 through February 7, 2011, did, without
lawful authority, intentionally and repeatedly harass or follow Lisa Daugaard; and Lisa Daugaard
was reasonably placed in fear that the defendant intended to injure her; and the defendant either
intended to frighten, intimidate, or harass Lisa Daugaard, or knew or reasonably should have

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known that she was afraid, intimidated, or harassed even if the defendant did not intend to place Lisa Daugaard in fear or intimidate or harass her; and the defendant had previously been convicted in this state or any other state of a crime of harassment;

Contrary to RCW 9A.46.110, and against the peace and dignity of the State of Washington.

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington further do accuse the defendant WILLIAM NEAL FRANCE that the defendant demonstrated and displayed an egregious lack of remorse under the authority of RCW 9.94A.535(q).

DANIEL T. SATTERBERG
Prosecuting Attorney

By: 
Erin H. Becker, WSBA #28289
Deputy Prosecuting Attorney

APPENDIX B

1
2 And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
3 the authority of the State of Washington further do accuse the defendant WILLIAM NEAL
4 FRANCE that the defendant committed the offense against a public official or officer of the
5 court in retaliation of the public official's performance of his or her duty to the criminal justice
6 system under the authority of RCW 9.94A.535(3)(x).

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COUNT II

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM
NEAL FRANCE of the crime of **Felony Harassment**, based on a series of acts connected
together with another crime charged herein, committed as follows:

That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or
about December 26, 2010, having been previously convicted on September 23, 2009, of the
crime of Felony Violation of a Court Order against a person specifically named in a no contact or
no harassment order, without lawful authority, knowingly did threaten to cause bodily injury
immediately or in the future to Anita Paulsen, to subject Anita Paulsen to physical confinement
or restraint, to maliciously do an act intended to substantially harm Anita Paulsen with respect to
her physical or mental health or safety; and the words or conduct did place Anita Paulsen in
reasonable fear that the threat would be carried out;

Contrary to RCW 9A.46.020(1), (2), and against the peace and dignity of the State of
Washington.

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
the authority of the State of Washington further do allege the crime involves the following
aggravating factor and accuse the defendant WILLIAM NEAL FRANCE of committing said
offense and that the defendant's conduct during the commission of this offense manifested
deliberate cruelty to the victim, under the authority of RCW 9.94A.535(3)(a).

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
the authority of the State of Washington further do accuse the defendant WILLIAM NEAL
FRANCE that the defendant committed the offense against a public official or officer of the
court in retaliation of the public official's performance of his or her duty to the criminal justice
system under the authority of RCW 9.94A.535(3)(x).

COUNT III

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM
NEAL FRANCE of the crime of **Felony Harassment**, based on a series of acts connected
together with another crime charged herein, committed as follows:

That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or
about December 28, 2010, having been previously convicted on September 23, 2009, of the
crime of Felony Violation of a Court Order against a person specifically named in a no contact or

1 no harassment order, without lawful authority, knowingly did threaten to cause bodily injury
2 immediately or in the future to Anita Paulsen, to subject Anita Paulsen to physical confinement
3 or restraint, to maliciously do an act intended to substantially harm Anita Paulsen with respect to
her physical or mental health or safety; and the words or conduct did place Anita Paulsen in
reasonable fear that the threat would be carried out;

4 Contrary to RCW 9A.46.020(1), (2), and against the peace and dignity of the State of
5 Washington.

6 And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
7 the authority of the State of Washington further do allege the crime involves the following
8 aggravating factor and accuse the defendant WILLIAM NEAL FRANCE of committing said
offense and that the defendant's conduct during the commission of this offense manifested
deliberate cruelty to the victim, under the authority of RCW 9.94A.535(3)(a).

9 And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
10 the authority of the State of Washington further do accuse the defendant WILLIAM NEAL
11 FRANCE that the defendant committed the offense against a public official or officer of the
12 court in retaliation of the public official's performance of his or her duty to the criminal justice
system under the authority of RCW 9.94A.535(3)(x).

12 COUNT IV

13 And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM
14 NEAL FRANCE of the crime of **Felony Harassment**, based on a series of acts connected
together with another crime charged herein, committed as follows:

15 That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or
16 about January 10, 2011, having been previously convicted on September 23, 2009, of the crime
17 of Felony Violation of a Court Order against a person specifically named in a no contact or no
18 harassment order, without lawful authority, knowingly did threaten to cause bodily injury
immediately or in the future to Anita Paulsen, to subject Anita Paulsen to physical confinement
or restraint, to maliciously do an act intended to substantially harm Anita Paulsen with respect to
her physical or mental health or safety; and the words or conduct did place Anita Paulsen in
reasonable fear that the threat would be carried out;

19 Contrary to RCW 9A.46.020(1), (2), and against the peace and dignity of the State of
20 Washington.

21 And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
22 the authority of the State of Washington further do allege the crime involves the following
23 aggravating factor and accuse the defendant WILLIAM NEAL FRANCE of committing said
24 offense and that the defendant's conduct during the commission of this offense manifested
deliberate cruelty to the victim, under the authority of RCW 9.94A.535(3)(a).

1 And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
2 the authority of the State of Washington further do accuse the defendant WILLIAM NEAL
3 FRANCE that the defendant committed the offense against a public official or officer of the
4 court in retaliation of the public official's performance of his or her duty to the criminal justice
5 system under the authority of RCW 9.94A.535(3)(x).

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COUNT V

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM
NEAL FRANCE of the crime of **Felony Harassment**, based on a series of acts connected
together with another crime charged herein, committed as follows:

That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or
about January 12, 2011, having been previously convicted on September 23, 2009, of the crime
of Felony Violation of a Court Order against a person specifically named in a no contact or no
harassment order, without lawful authority, knowingly did threaten to cause bodily injury
immediately or in the future to Anita Paulsen, to subject Anita Paulsen to physical confinement
or restraint, to maliciously do an act intended to substantially harm Anita Paulsen with respect to
her physical or mental health or safety; and the words or conduct did place Anita Paulsen in
reasonable fear that the threat would be carried out;

Contrary to RCW 9A.46.020(1), (2), and against the peace and dignity of the State of
Washington.

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
the authority of the State of Washington further do allege the crime involves the following
aggravating factor and accuse the defendant WILLIAM NEAL FRANCE of committing said
offense and that the defendant's conduct during the commission of this offense manifested
deliberate cruelty to the victim, under the authority of RCW 9.94A.535(3)(a).

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
the authority of the State of Washington further do accuse the defendant WILLIAM NEAL
FRANCE that the defendant committed the offense against a public official or officer of the
court in retaliation of the public official's performance of his or her duty to the criminal justice
system under the authority of RCW 9.94A.535(3)(x).

COUNT VI

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM
NEAL FRANCE of the crime of **Felony Harassment**, based on a series of acts connected
together with another crime charged herein, committed as follows:

That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or
about January 25, 2011, having been previously convicted on September 23, 2009, of the crime
of Felony Violation of a Court Order against a person specifically named in a no contact or no
harassment order, without lawful authority, knowingly did threaten to cause bodily injury

1 immediately or in the future to Anita Paulsen, to subject Anita Paulsen to physical confinement
2 or restraint, to maliciously do an act intended to substantially harm Anita Paulsen with respect to
3 her physical or mental health or safety; and the words or conduct did place Anita Paulsen in
4 reasonable fear that the threat would be carried out;

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Contrary to RCW 9A.46.020(1), (2), and against the peace and dignity of the State of
Washington.

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
the authority of the State of Washington further do allege the crime involves the following
aggravating factor and accuse the defendant WILLIAM NEAL FRANCE of committing said
offense and that the defendant's conduct during the commission of this offense manifested
deliberate cruelty to the victim, under the authority of RCW 9.94A.535(3)(a).

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
the authority of the State of Washington further do accuse the defendant WILLIAM NEAL
FRANCE that the defendant committed the offense against a public official or officer of the
court in retaliation of the public official's performance of his or her duty to the criminal justice
system under the authority of RCW 9.94A.535(3)(x).

COUNT VII

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM
NEAL FRANCE of the crime of **Felony Harassment**, based on a series of acts connected
together with another crime charged herein, committed as follows:

That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or
about January 11, 2011, having been previously convicted on September 23, 2009, of the crime
of Felony Violation of a Court Order against a person specifically named in a no contact or no
harassment order, without lawful authority, knowingly did threaten to cause bodily injury
immediately or in the future to Lisa Daugaard, to subject Lisa Daugaard to physical confinement
or restraint, to maliciously do an act intended to substantially harm Lisa Daugaard with respect to
her physical or mental health or safety; and the words or conduct did place Lisa Daugaard in
reasonable fear that the threat would be carried out;

Contrary to RCW 9A.46.020(1), (2), and against the peace and dignity of the State of
Washington.

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
the authority of the State of Washington further do allege the crime involves the following
aggravating factor and accuse the defendant WILLIAM NEAL FRANCE of committing said
offense and that the defendant's conduct during the commission of this offense manifested
deliberate cruelty to the victim, under the authority of RCW 9.94A.535(3)(a).

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
the authority of the State of Washington further do accuse the defendant WILLIAM NEAL

Daniel T. Satterberg, Prosecuting Attorney
W554 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
(206) 296-9000, FAX (206) 296-0955

1 FRANCE that the defendant committed the offense against a public official or officer of the
2 court in retaliation of the public official's performance of his or her duty to the criminal justice
3 system under the authority of RCW 9.94A.535(3)(x).

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COUNT VIII

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM NEAL FRANCE of the crime of **Felony Harassment**, based on a series of acts connected together with another crime charged herein, committed as follows:

That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or about January 12, 2011, having been previously convicted on September 23, 2009, of the crime of Felony Violation of a Court Order against a person specifically named in a no contact or no harassment order, without lawful authority, knowingly did threaten to cause bodily injury immediately or in the future to Lisa Daugaard, to subject Lisa Daugaard to physical confinement or restraint, to maliciously do an act intended to substantially harm Lisa Daugaard with respect to her physical or mental health or safety; and the words or conduct did place Lisa Daugaard in reasonable fear that the threat would be carried out;

Contrary to RCW 9A.46.020(1), (2), and against the peace and dignity of the State of Washington.

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington further do allege the crime involves the following aggravating factor and accuse the defendant WILLIAM NEAL FRANCE of committing said offense and that the defendant's conduct during the commission of this offense manifested deliberate cruelty to the victim, under the authority of RCW 9.94A.535(3)(a).

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington further do accuse the defendant WILLIAM NEAL FRANCE that the defendant committed the offense against a public official or officer of the court in retaliation of the public official's performance of his or her duty to the criminal justice system under the authority of RCW 9.94A.535(3)(x).

COUNT IX

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM NEAL FRANCE of the crime of **Felony Harassment**, based on a series of acts connected together with another crime charged herein, committed as follows:

That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or about January 25, 2011, having been previously convicted on September 23, 2009, of the crime of Felony Violation of a Court Order against a person specifically named in a no contact or no harassment order, without lawful authority, knowingly did threaten to cause bodily injury immediately or in the future to Lisa Daugaard, to subject Lisa Daugaard to physical confinement or restraint, to maliciously do an act intended to substantially harm Lisa Daugaard with respect to

1 her physical or mental health or safety; and the words or conduct did place Lisa Daugaard in
2 reasonable fear that the threat would be carried out;

3 Contrary to RCW 9A.46.020(1), (2), and against the peace and dignity of the State of
4 Washington.

5 And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
6 the authority of the State of Washington further do allege the crime involves the following
7 aggravating factor and accuse the defendant WILLIAM NEAL FRANCE of committing said
8 offense and that the defendant's conduct during the commission of this offense manifested
9 deliberate cruelty to the victim, under the authority of RCW 9.94A.535(3)(a).

10 And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
11 the authority of the State of Washington further do accuse the defendant WILLIAM NEAL
12 FRANCE that the defendant committed the offense against a public official or officer of the
13 court in retaliation of the public official's performance of his or her duty to the criminal justice
14 system under the authority of RCW 9.94A.535(3)(x).

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COUNT X

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM
NEAL FRANCE of the crime of **Felony Harassment**, based on a series of acts connected
together with another crime charged herein, committed as follows:

That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or
about January 25, 2011, having been previously convicted on September 23, 2009, of the crime
of Felony Violation of a Court Order against a person specifically named in a no contact or no
harassment order, without lawful authority, knowingly did threaten to cause bodily injury
immediately or in the future to Lisa Daugaard, to subject Lisa Daugaard to physical confinement
or restraint, to maliciously do an act intended to substantially harm Lisa Daugaard with respect to
her physical or mental health or safety; and the words or conduct did place Lisa Daugaard in
reasonable fear that the threat would be carried out;

Contrary to RCW 9A.46.020(1), (2), and against the peace and dignity of the State of
Washington.

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
the authority of the State of Washington further do allege the crime involves the following
aggravating factor and accuse the defendant WILLIAM NEAL FRANCE of committing said
offense and that the defendant's conduct during the commission of this offense manifested
deliberate cruelty to the victim, under the authority of RCW 9.94A.535(3)(a).

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
the authority of the State of Washington further do accuse the defendant WILLIAM NEAL
FRANCE that the defendant committed the offense against a public official or officer of the

Daniel T. Satterberg, Prosecuting Attorney
W554 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
(206) 296-9000, FAX (206) 296-0955

1 court in retaliation of the public official's performance of his or her duty to the criminal justice
2 system under the authority of RCW 9.94A.535(3)(x).

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COUNT XI

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM NEAL FRANCE of the crime of **Felony Harassment**, based on a series of acts connected together with another crime charged herein, committed as follows:

That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or about January 29, 2011, having been previously convicted on September 23, 2009, of the crime of Felony Violation of a Court Order against a person specifically named in a no contact or no harassment order, without lawful authority, knowingly did threaten to cause bodily injury immediately or in the future to Lisa Daugaard, to subject Lisa Daugaard to physical confinement or restraint, to maliciously do an act intended to substantially harm Lisa Daugaard with respect to her physical or mental health or safety; and the words or conduct did place Lisa Daugaard in reasonable fear that the threat would be carried out;

Contrary to RCW 9A.46.020(1), (2), and against the peace and dignity of the State of Washington.

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington further do allege the crime involves the following aggravating factor and accuse the defendant WILLIAM NEAL FRANCE of committing said offense and that the defendant's conduct during the commission of this offense manifested deliberate cruelty to the victim, under the authority of RCW 9.94A.535(3)(a).

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington further do accuse the defendant WILLIAM NEAL FRANCE that the defendant committed the offense against a public official or officer of the court in retaliation of the public official's performance of his or her duty to the criminal justice system under the authority of RCW 9.94A.535(3)(x).

COUNT XII

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM NEAL FRANCE of the crime of **Felony Harassment**, based on a series of acts connected together with another crime charged herein, committed as follows:

That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or about December 28, 2010, having been previously convicted on September 23, 2009, of the crime of Felony Violation of a Court Order against a person specifically named in a no contact or no harassment order, without lawful authority, knowingly did threaten to cause bodily injury immediately or in the future to Nina Beach, to subject Nina Beach to physical confinement or restraint, to maliciously do an act intended to substantially harm Nina Beach with respect to her

1 physical or mental health or safety; and the words or conduct did place Nina Beach in reasonable
2 fear that the threat would be carried out;

3 Contrary to RCW 9A.46.020(1), (2), and against the peace and dignity of the State of
4 Washington.

5 And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
6 the authority of the State of Washington further do allege the crime involves the following
7 aggravating factor and accuse the defendant WILLIAM NEAL FRANCE of committing said
8 offense and that the defendant's conduct during the commission of this offense manifested
9 deliberate cruelty to the victim, under the authority of RCW 9.94A.535(3)(a).

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COUNT XIII

8 And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM
9 NEAL FRANCE of the crime of **Felony Harassment**, based on a series of acts connected
together with another crime charged herein, committed as follows:

10 That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or
11 about December 28, 2010, having been previously convicted on September 23, 2009, of the
12 crime of Felony Violation of a Court Order against a person specifically named in a no contact or
13 no harassment order, without lawful authority, knowingly did threaten to cause bodily injury
14 immediately or in the future to Nina Beach, to subject Nina Beach to physical confinement or
15 restraint, to maliciously do an act intended to substantially harm Nina Beach with respect to her
16 physical or mental health or safety; and the words or conduct did place Nina Beach in reasonable
17 fear that the threat would be carried out;

18 Contrary to RCW 9A.46.020(1), (2), and against the peace and dignity of the State of
19 Washington.

20 And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
21 the authority of the State of Washington further do allege the crime involves the following
22 aggravating factor and accuse the defendant WILLIAM NEAL FRANCE of committing said
23 offense and that the defendant's conduct during the commission of this offense manifested
24 deliberate cruelty to the victim, under the authority of RCW 9.94A.535(3)(a).

COUNT XIV

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM
NEAL FRANCE of the crime of **Felony Harassment**, based on a series of acts connected
together with another crime charged herein, committed as follows:

That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or
about January 12, 2011, having been previously convicted on September 23, 2009, of the crime
of Felony Violation of a Court Order against a person specifically named in a no contact or no
harassment order, without lawful authority, knowingly did threaten to cause bodily injury

1 immediately or in the future to Nina Beach, to subject Nina Beach to physical confinement or
 2 restraint, to maliciously do an act intended to substantially harm Nina Beach with respect to her
 3 physical or mental health or safety; and the words or conduct did place Nina Beach in reasonable
 4 fear that the threat would be carried out;

5 Contrary to RCW 9A.46.020(1), (2), and against the peace and dignity of the State of
 6 Washington.

7 And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
 8 the authority of the State of Washington further do allege the crime involves the following
 9 aggravating factor and accuse the defendant WILLIAM NEAL FRANCE of committing said
 10 offense and that the defendant's conduct during the commission of this offense manifested
 11 deliberate cruelty to the victim, under the authority of RCW 9.94A.535(3)(a).

12 COUNT XV

13 And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM
 14 NEAL FRANCE of the crime of **Felony Harassment**, based on a series of acts connected
 15 together with another crime charged herein, committed as follows:

16 That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or
 17 about January 25, 2011, having been previously convicted on September 23, 2009, of the crime
 18 of Felony Violation of a Court Order against a person specifically named in a no contact or no
 19 harassment order, without lawful authority, knowingly did threaten to cause bodily injury
 20 immediately or in the future to Nina Beach, to subject Nina Beach to physical confinement or
 21 restraint, to maliciously do an act intended to substantially harm Nina Beach with respect to her
 22 physical or mental health or safety; and the words or conduct did place Nina Beach in reasonable
 23 fear that the threat would be carried out;

24 Contrary to RCW 9A.46.020(1), (2), and against the peace and dignity of the State of
 Washington.

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
 the authority of the State of Washington further do allege the crime involves the following
 aggravating factor and accuse the defendant WILLIAM NEAL FRANCE of committing said
 offense and that the defendant's conduct during the commission of this offense manifested
 deliberate cruelty to the victim, under the authority of RCW 9.94A.535(3)(a).

COUNT XVI

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse WILLIAM
 NEAL FRANCE of the crime of **Felony Harassment**, based on a series of acts connected
 together with another crime charged herein, committed as follows:

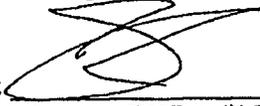
That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or
 about January 29, 2011, having been previously convicted on September 23, 2009, of the crime

1 of Felony Violation of a Court Order against a person specifically named in a no contact or no
2 harassment order, without lawful authority, knowingly did threaten to cause bodily injury
3 immediately or in the future to Nina Beach, to subject Nina Beach to physical confinement or
4 restraint, to maliciously do an act intended to substantially harm Nina Beach with respect to her
5 physical or mental health or safety; and the words or conduct did place Nina Beach in reasonable
6 fear that the threat would be carried out;

7 Contrary to RCW 9A.46.020(1), (2), and against the peace and dignity of the State of
8 Washington.

9 And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by
10 the authority of the State of Washington further do allege the crime involves the following
11 aggravating factor and accuse the defendant WILLIAM NEAL FRANCE of committing said
12 offense and that the defendant's conduct during the commission of this offense manifested
13 deliberate cruelty to the victim, under the authority of RCW 9.94A.535(3)(a).

14 DANIEL T. SATTERBERG
15 Prosecuting Attorney

16 By: 
17 Mark Larson, WSBA #15328
18 Senior Deputy Prosecuting Attorney
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APPENDIX C

FILED
2011 OCT 19 PM 12:17
KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

No. 11-1-01715-6 SEA

vs.

William France

STATEMENT OF DEFENDANT ON
PLEA OF GUILTY TO FELONY
NON-SEX OFFENSE (STDFG)

Defendant.

- 1. My true name is William France
- 2. My date of birth is 3-11-1955
- 3. I went through the 10th grade.

4. I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT:

(a) I have the right to representation by a lawyer; if I cannot afford to pay for a lawyer, one will be provided at no expense to me. My lawyer's name is Brian T. Dodd

(b) I am charged with the crime(s) of Felony Harassment - 9 counts
3x counts include an aggravator in support of an exceptional sentence
The elements of this crime(s) are set forth in the information/_____ amended information,
which is incorporated by reference and which I have reviewed with my lawyer.

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5. I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT I HAVE THE FOLLOWING IMPORTANT RIGHTS, AND I GIVE THEM ALL UP BY PLEADING GUILTY:

(a) The right to a speedy and public trial by an impartial jury in the county where the crime is alleged to have been committed;

(b) The right to remain silent before and during trial, and the right to refuse to testify against myself;

(c) The right at trial to testify and to hear and question the witnesses who testify against me;

(d) The right at trial to have witnesses testify for me. These witnesses can be made to appear at no expense to me;

(e) The right to be presumed innocent until the charge is proven beyond a reasonable doubt or I enter a plea of guilty;

(f) The right to appeal a determination of guilt after a trial.

6. IN CONSIDERING THE CONSEQUENCES OF MY GUILTY PLEA(S), I UNDERSTAND THAT:

(a) The crime(s) with which I am charged carries a sentence(s) of:

Count No.	Standard Range	Enhancement That Will Be Added to Standard Range	Maximum Term and Fine
ALL			_____ years \$ _____
3, 4, 6, 7, 8, 9, 12, 14, 15	51-60 mo	N/A	5 years \$ 15,000
			_____ years \$ _____

1 The crime of _____ is a most serious offense as defined by
2 RCW 9.94A.030, and if I have at least two prior convictions on separate occasions whether in this
3 state, in federal court, or elsewhere, of most serious crimes, I may be found to be a Persistent
4 Offender. If I am found to be a Persistent Offender, the Court must impose the mandatory sentence
5 of life imprisonment without the possibility of early release of any kind. RCW 9.94A.570. [If not
6 applicable, this paragraph should be stricken and initialed by the defendant and the judge. *W.F.G.*]

7 (b) The standard sentence range is based on the crime charged and my criminal history.
8 Criminal history includes prior convictions and juvenile adjudications or convictions, whether in
9 this state, in federal court, or elsewhere.

10 (c) The prosecuting attorney's statement of my criminal history is attached to this agreement.
11 Unless I have attached a different statement, I agree that the prosecuting attorney's statement is
12 correct and complete. If I have attached my own statement, I assert that it is correct and complete.
13 If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated
14 to tell the sentencing judge about those convictions.

15 (d) If I am convicted of any new crimes before sentencing, or if any additional criminal
16 history is discovered, both the standard sentence range and the prosecuting attorney's
17 recommendations may increase or a mandatory sentence of life imprisonment without possibility of
18 parole may be required by law. Even so, I cannot change my mind and my plea of guilty to this
19 charge is binding on me.

20 (e) In addition to sentencing me to confinement, the judge will order me to pay \$500 as a
21 victim's compensation fund assessment and a \$100 DNA fee. If this crime is a felony drug violation
22 of RCW Chapter 69.50, the judge will impose an additional fine of \$1000 (\$2000 if this is not my

1 first such conviction) unless the judge finds that I am indigent. If this crime resulted in injury to any
2 person or damages to or loss of property, the judge will order me to make restitution, unless
3 extraordinary circumstances exist which make restitution inappropriate. The judge may also order
4 that I pay a fine, court costs, attorney fees, and other costs and fees, and place other restrictions and
5 requirements upon me. Furthermore, the judge may place me on community custody.

6 (f) In addition to confinement, if the total period of confinement ordered is more than 12
7 months, the judge will sentence me to the following period of community custody, unless the judge
8 finds substantial and compelling reasons to do otherwise:

9 For crimes committed prior to July 1, 2000: for a drug offense, assault 2, assault of a child
10 2, or any crime against a person where there is a finding that I or an accomplice was armed with a
11 deadly weapon, one year; for any vehicular homicide or for a vehicular assault by being under the
12 influence or by operation of a vehicle in a reckless manner, 18 months; for a serious violent offense,
13 two years.

14 For crimes committed on or after July 1, 2000, and prior to August 1, 2009, as follows:

- 15 Serious violent offense: a range of 24 to 36 months.
16 Violent offense: 18 months.
17 Crimes against persons or violation of RCW 69.50 or 69.52 : a range of 9 to 12
18 months.

19 For crimes committed on or after August 1, 2009, as follows:

- 20 Serious violent offense: 36 months.
21 Violent offense: 18 months.
22 Crimes against persons or violation of RCW 69.50 or 69.52 : 12 months.

The longest applicable period of community custody will be imposed. During the period of
community custody I may be under the supervision of the Department of Corrections, and I will
have restrictions and requirements placed upon me. My failure to comply with these conditions will

1 result in the Department of Corrections transferring me to a more restrictive confinement status or
2 other sanctions being imposed. ~~If not applicable, this section should be stricken and initialed by the~~
3 defendant and the judge ~~(W.F.S.)~~ *60 months on 3,4,6 concurrent w/ each other*
60 months on 7,8,9 concurrent w/ each other
60 months on 12,14,15 concurrent w/ each other

4 (g) The prosecuting attorney will make the following recommendation to the judge: *each 60*
5 ~~with sentence recommendation of totaling 180 months,~~
6 ~~mandatory \$500 VBA + \$100 VNA will fee, court costs, recidivism~~

7 ~~no contact with Anita Nelsen, Nina Beach or Lisa Duggard~~
8 ~~Dismiss 7 remaining counts and remove deliberate cruelty~~
 The prosecutor will make the recommendation stated in the plea Agreement and State's eg.g.

9 Sentence Recommendation, which are incorporated by reference.

10 (h) The judge does not have to follow anyone's recommendation as to sentence. The judge
11 must impose a sentence within the standard range unless there is a finding of substantial and
12 compelling reasons not to do so or both parties stipulate to a sentence outside the standard range. If
13 the judge goes outside the standard range, either I or the State can appeal that sentence to the extent
14 to which it was not stipulated. If the sentence is within the standard range, no one can appeal the
15 sentence.

16 (i) The crime of _____ has a mandatory minimum sentence of
17 at least _____ years of total confinement. The law does not allow any reduction of this sentence.
18 For crimes committed on or after July 24, 2005, this does not apply to juveniles tried as adults
19 pursuant to a transfer of jurisdiction under RCW 13.40.110 (see RCW 9.94A.540(3)). ~~If not~~
20 applicable, this paragraph should be stricken and initialed by the defendant and judge ~~(W.F.S.)~~

21 (j) The crime charged in Count _____ includes a firearm / deadly weapon
22 sentence enhancement of _____ months. This

1 additional confinement time is mandatory and must be served consecutively to any other
2 sentence and any other enhancement I have already received or will receive in this or any
3 other cause. [If not applicable, this paragraph should be stricken and initialed by the defendant
4 and the judge WFS 3, 4, 6, 7, 8, 9

5 (k) The sentences imposed on counts 12, 14, 15, except for any weapons enhancement,
6 will run concurrently unless there is a finding of substantial and compelling reasons to do otherwise.
7 [If not applicable, this paragraph should be stricken and initialed by the defendant and judge
8 _____.]

9 (l) For the crime of vehicular homicide ~~while~~ under the influence of intoxicating liquor or
10 any drug, the sentence will be increased by two years for each prior offense as defined in RCW
11 46.61.5055. This additional confinement time is mandatory and must be served consecutively to
12 any other sentence and any other enhancement I have already received or will receive in this or any
13 other cause. [If not applicable, this paragraph should be stricken and initialed by the defendant and
14 the judge WFS]

15 (m) Counts _____ are serious violent offenses arising from separate and distinct
16 criminal conduct and the sentences on those counts will run consecutively unless the judge finds
17 substantial and compelling reasons to do otherwise. [If not applicable, this paragraph should be
18 stricken and initialed by the defendant and the judge WFS]

19 (n) The judge may sentence me as a first-time offender instead of imposing a sentence
20 within the standard range if I qualify under RCW 9.94A.650. This sentence may include as much as
21 90 days of confinement plus all of the conditions described in paragraph (6)(e). The judge also may
22 require me to undergo treatment, to devote time to a specific occupation, and to pursue a prescribed

1 course of study or occupational training. In addition, I may be sentenced to up to 6 months or, if
2 treatment is ordered, 12 months of community custody. [If not applicable, this paragraph should
3 be stricken and initialed by the defendant and the judge WFF]

4 (o) The judge may sentence me under the special drug offender sentencing alternative
5 (DOSA) if I qualify under former RCW 9.94A.120(6) (for crimes committed before July 1, 2001),
6 or RCW 9.94A.660 (for offenses committed on or after July 1, 2001). This sentence could include a
7 period of total confinement for one-half of the midpoint of the standard range or 12 months,
8 whichever is greater, and community custody of at least one-half of the midpoint of the standard
9 range, plus all of the other conditions described in paragraph (6)(e). The judge could impose a
10 residential treatment-based DOSA alternative that would include three to six months of residential
11 chemical dependency treatment and 24 months of community custody, plus all the other conditions
12 described in paragraph (6)(e). During confinement and community custody under either alternative,
13 I will be required to participate in substance abuse evaluation and treatment, not to use illegal
14 controlled substances and to submit to testing to monitor that, and other restrictions and
15 requirements will be placed on me. [If not applicable, this paragraph should be stricken and
16 initialed by the defendant and the judge _____.]

17 (p) The judge may sentence me under the parenting sentencing alternative if I qualify under
18 RCW 9.94A.655. A sentence under that alternative would consist of a period of 12 months of
19 community custody, plus all of the other conditions described in paragraph (6)(e). During
20 community custody, I will be required to follow conditions imposed by the court and the
21 Department of Corrections. [If not applicable, this paragraph should be stricken and initialed by the
22 defendant and the judge WFF]

1 (q) This plea of guilty will result in revocation of my privilege to drive under RCW
2 46.20.285 (1)-(3), (5)-(7). If I have a driver's license, I must now surrender it to the judge. [If not
3 applicable, this paragraph should be stricken and initialed by the defendant and the judge W F S]

4 (r) I understand that RCW 46.20.285(4) requires that my driver's license be revoked if the
5 judge finds I used a motor vehicle in the commission of this felony.

6 (s) If this crime involves a sexual offense, prostitution, or a drug offense associated with
7 hypodermic needles, I will be required to undergo testing for the human immunodeficiency virus
8 (HIV). [If not applicable, this paragraph should be stricken and initialed by the defendant and the
9 judge W F S]

10 (t) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a
11 crime under state law is grounds for deportation, exclusion from admission to the United States, or
12 denial of naturalization pursuant to the laws of the United States.

13 (u) I will be required to provide a biological sample for purposes of DNA identification
14 analysis.

15 (v) Because this crime involves a kidnapping or unlawful imprisonment offense involving a
16 minor, I will be required to register with the sheriff of the county of the state of Washington where I
17 reside, study, or work. The specific registration requirements are described in the "Offender
18 Registration" Attachment. [If not applicable, this paragraph should be stricken and initialed by the
19 defendant and the judge W F S]

20 (w) This plea of guilty will result in the revocation of my right to possess, own, or have in
21 my control any firearm unless my right to do so is restored by a superior court in Washington State,
22

1 and by a federal court if required. I must immediately surrender any concealed pistol license. RCW
2 9.41.040.

3 (x) I will be ineligible to vote until that right is restored in a manner provided by law. If I
4 am registered to vote, my voter registration will be cancelled.

5 (y) Because this is a crime of domestic violence, I may be ordered to pay a domestic
6 violence assessment of up to \$100. If I, or the victim of the crime, have a minor child, the court
7 may order me to participate in a domestic violence perpetrator program approved under RCW
8 26.50.150. [If not applicable, this paragraph should be stricken and initialed by the defendant and
9 the judge WFS]

10 (z) Because this crime involves the manufacture, delivery, or possession with intent to
11 deliver methamphetamine, including its salts, isomers, and salts of isomers, or amphetamine,
12 including its salts, isomers, and salts of isomers, a mandatory cleanup fine of \$3000 will be
13 assessed. RCW 69.50.401(2)(b). [If not applicable, this paragraph should be stricken and initialed
14 by the defendant and the judge WFS]

15 (aa) Because this crime involves a violation of the state drug laws, my eligibility for state
16 and federal food stamps, welfare, and education benefits will be affected. 20 U.S.C. § 1091(r) and
17 21 U.S.C. § 862a. [If not applicable, this paragraph should be stricken and initialed by the
18 defendant and the judge WFS]

19 (bb) Because the crimes I am pleading guilty to include both a conviction under RCW
20 9.41.040 for unlawful possession of a firearm in the first or second degree and one or more
21 convictions for the felony crimes of theft of a firearm or possession of a stolen firearm, the
22 sentences imposed for these crimes shall be served consecutively to each other. RCW

1 9.94A.589(1)(c). [If not applicable, this paragraph should be stricken and initialed by the defendant
2 and the judge WFA]

3 (cc) If I have Washington State volunteer firefighters vehicle license plates, I must surrender
4 those license plates at the time this plea is entered.

5 7. I plead guilty to the crime(s) of Felony Harassment -
6 9 counts

7 And to the aggravator in counts 3, 4, 6, 7, 8, 9 in support of
8 an exceptional sentence.
as charged in the information/ _____ amended information, including all charged
9 enhancements and domestic violence designations. I have received a copy of that information.

10 8. I make this plea freely and voluntarily.

11 9. No one has threatened harm of any kind to me or to any other person to cause me to make
12 this plea.

13 10. No person has made promises of any kind to cause me to enter this plea except as set
14 forth in this statement.

15 11. The judge has asked me to state briefly in my own words what I did that makes me
16 guilty of this (these) crime(s), including enhancements and domestic violence relationships, if they
17 apply. This is my statement:

18 COUNTS 3, 4, 6: I placed the calls that are contained in pre-trial exhibit 1
on or about December 28, 2010, January 10, 2011 and January

19 25, 2011 in King County Washington I did knowingly threaten
20 to cause bodily injury immediately or in the future to Michelle
21 Paalson and threatened to maliciously do an act intended to
22 substantially harm her and my words placed her in

→
see next
page

Paragraph 11 (cont'd)

reasonable fear that the threat would be carried out, I did this after having been convicted previously of felony violation of a no contact order against a ~~the~~ person specifically named in the no contact order. Also, this offense was against my prior attorney, a public official or officer of the court in retaliation of the performance of his duty to the criminal justice system.

COUNTS 12, 14, 15:

Also on or about December 28, 2010, January 12, 2011, and January 25, ~~2011~~²⁰¹¹ in King County Washington I did knowingly threaten to cause bodily injury immediately or in the future to Miss Beach and threatened to maliciously do an act intended to substantially harm her and my words placed her in reasonable fear the threat would be carried out. I had previously been convicted of felony violation of a court order against a person specifically named in a no contact order.

COUNTS
7: Also on or about January 11, 2011, January 12, 2011, and January 25, 2011, I did knowingly threaten to cause bodily injury immediately or in the future to Lisa Mangard and threatened to maliciously do an act intended to substantially harm her and my words placed her in reasonable fear the threat would be carried out. I had previously been convicted of a felony violation of a court order against a person specifically named in a no contact order.
8:
9: Also, this offense was against my prior attorney's supervisor, a public official or officer of the court in retaliation of the performance of her duties to the criminal justice system.

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12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

William Frano
DEFENDANT

I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement.

Mark Laeson
PROSECUTING ATTORNEY
Print Name: MARK LAESON
WSBA# 15328

Brian J Todd
DEFENDANT'S LAWYER 29436
Print Name: Brian J Todd
WSBA#

The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that [check appropriate box]:

- (a) The defendant had previously read; or
- (b) The defendant's lawyer had previously read to him or her; or
- (c) An interpreter had previously read to the defendant the entire statement above;

and that the defendant understood it in full:

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. The defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated this 19th day of October, 2011.

Steven Gonzalez
JUDGE
STEVEN GONZALEZ

APPENDIX D

FILED
2011 OCT 26 PM 2:44
KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

State of Washington vs. William France

Cause Number 11-1-01715-6 SEA

Attachment(s): Supplement to Statement of
Plan

POSTED

FELONY PLEA AGREEMENT

Date of Crime: Nov 2010 - March 2011

Date: 10-19-11

Defendant: William France
SEA/KNT

Cause No: 11-1-01715-6 SEA

The State of Washington and the defendant enter into this PLEA AGREEMENT which is accepted only by a guilty plea. This agreement may be withdrawn at any time prior to entry of the guilty plea. The PLEA AGREEMENT is as follows:

On Plea To: As charged in Count(s) 3, 4, 6, 7, 8, 9, 12, 14, 15 of the original amended information.
 With Special Finding(s): deadly weapon - firearm, RCW 9.94A.510(3); deadly weapon other than firearm, RCW 9.94A.510(4); sexual motivation, RCW 9.94A.835; protected zone, RCW 69.50.435; domestic violence, RCW 10.99.020; other offense of court aggression on; for count(s): _____

This is part of an indivisible agreement that includes cause number(s): _____

DISMISS: Upon disposition of Count(s) above the State moves to dismiss: counts 1, 2, 5, 10, 11, 13, 14

REAL FACTS OF HIGHER/MORE SERIOUS AND/OR ADDITIONAL CRIMES: In accordance with RCW 9.94A.530, the parties have stipulated that the following are real and material facts for purposes of this sentencing:

- The facts set forth in the certification(s) for determination of probable cause and prosecutor's summary.
- The facts set forth in Appendix C; _____

The defendant acknowledges and waives any right to have a jury determine these facts by proof beyond a reasonable doubt.

RESTITUTION: Pursuant to RCW 9.94A.753, the defendant shall pay restitution in full to the victim(s) on charged counts and agrees to pay restitution in the specific amount of \$ _____ agrees to pay restitution _____

OTHER: _____

CRIMINAL HISTORY AND OFFENDER SCORE:

a. The defendant agrees to this Plea Agreement and that the attached sentencing guidelines scoring form(s) (Appendix A), offender score, and the attached Prosecutor's Understanding of Defendant's Criminal History (Appendix B) are accurate and complete and that the defendant was represented by counsel or waived counsel at the time of prior conviction(s). The State makes the sentencing recommendation set forth in the State's sentence recommendation. An essential term of this agreement is the parties' understanding of the standard sentencing range(s) if the parties are mistaken as to the offender score on any count, neither party is bound by any term of this agreement. Defendant agrees that he has 6 prior felony convictions

- b. The defendant disputes the Prosecutor's Statement of the Defendant's Criminal History, as follows: that count in his offender score.
- (1) Conviction: _____ Basis: _____
 - (2) Conviction: _____ Basis: _____

c. The defendant understands that one or more convictions from other jurisdictions have been included in the offender score, and agrees that these convictions have been properly included and scored according to the comparable offense definitions provided by Washington law.

d. The parties agree that neither party will seek an exceptional sentence, and the defendant agrees that he or she will not request a first-time offender waiver, or a drug offender or parenting sentencing alternative.

Maximum on Count(s) at each is not more than 5 years each and \$ 10,000 fine each.

Maximum on Count(s) _____ is not more than _____ years each and \$ _____ fine each.

Mandatory Minimum Term(s) pursuant to RCW 9.94A.540 only: _____

Mandatory weapon sentence enhancement for Count(s) _____ is _____ months each; for Count(s) _____ is _____ months each. This/these additional term(s) must be served consecutively to each other and to any other term and without any earned early release.

The State's recommendation will increase in severity if additional criminal convictions are found or if the defendant commits any new charged or uncharged crimes, fails to appear for sentencing or violates the conditions of release.

William France
Defendant

Mark
Deputy Prosecuting Attorney

[Signature] 28436
Attorney for Defendant

[Signature]
Judge, King County Superior Court

STEVEN GONZALEZ

GENERAL SCORING FORM

Nonviolent Offenses

Use this form only for the following offenses: Abandonment of Dependent Persons 1 and 2; Abstract of Driving Records - Intentional Use; Advancing Money or Property for Extortionate Extension of Credit; Assault 3; Assault by Watercraft; Assault of a Child 3; Bail Jumping with Class A Felony; Bail Jumping with Class B or C Felony; Bribe Received by Witness; Bribery; Bribing a Witness; Commercial Bribery; Computer Trespass 1; Counterfeiting - 3rd Conviction & Value Greater Than \$10,000; Counterfeiting - Endangering Public Health & Safety; Criminal Gang Intimidation; Criminal Mistreatment 1; and 2; Custodial Assault; Domestic Violence Court Order Violation; Delivery of Imitation Controlled Substance by Person 18 or Over to Person Under 18; Digital Signatures Fraud; Extortion 2; Extortionate Extension of Credit; Extortionate Means to Collect Extensions of Credit; False Verification for Welfare; Forged Prescription (Legend Drug); Forged Prescription for a Controlled Substance; Forgery; Harassment; Health Care False Claims; Hit and Run with Vessel - Injury Accident; Improperly Obtaining Financial Information; Identity Theft 1 and 2; Inciting Criminal Profiteering; Indecent Exposure to Person under Age 14; Influencing Outcome of a Sporting Event; Intimidating a Judge; Intimidating a Juror; Intimidating a Public Servant; Intimidating a Witness; Intentional Infliction of Injury or Death to Guide Dog; Introducing Contraband 1 and 2; Malicious Explosion 3; Malicious Harassment; Malicious Injury to Railroad Property; Malicious Mischief 1 and 2; Malicious Placement of Explosives 2 and 3; Malicious Placement of Imitation Device 1 and 2; Manufacture, Distribute, or Possess with Intent to Distribute an Imitation Controlled Substance; Perjury 1 and 2; Persistent Prison Misbehavior; Possession of a Stolen Firearm; Possession of a Controlled Substance that is Heroin or a Narcotic from Schedule I or II or Flunitrazepam from Schedule IV; Possession of a Controlled Substance that is a Narcotic from Schedule III-V or a Nonnarcotic from Schedule I-V (Except PCP or Flunitrazepam); Possession of Incendiary Device; Possession of Machine Gun or Short-Barreled Shotgun or Rifle; Possession of Phencyclidine (PCP); Possession of Stolen Property 1 and 2; Promoting Prostitution 1 and 2; Reckless Burning 1; Rendering Criminal Assistance 1; Securities Act Violation; Stalking; Taking Motor Vehicle Without Permission; Tampering with a Witness; Telephone Harassment; Theft 1 and 2; Theft of Anhydrous Ammonia; Theft of a Firearm; Theft of Livestock 1 and 2; Theft of Rental, Leased, or Lease-purchase Property-Class B and C; Threats to Bomb; Trafficking in Insurance Claims; Trafficking in Stolen Property 1 and 2; Unlawful Imprisonment; Unlawful Issuance of Checks or Drafts; Unlawful Possession of a Firearm 1 and 2; Unlawful Practice of Law; Unlawful Storage of Anhydrous Ammonia; Unlawful Use of a Professional Title; Unlawful use of Building for Drug Purposes; Unlawful Use of Food Stamps; Unlicensed Practice of a Profession or Business; Unused Property Merchant; Use of Proceeds of Criminal Profiteering; Vehicle Prowl 1; Voting Violation-Mail Ballot.

OFFENDER'S NAME WILLIAM NEAL FRANCE	OFFENDER'S DOB 03/11/1954	STATE ID# WA10356245
JUDGE	CAUSE# 11-1-01715-6 SEA	FBI ID# 606594N1

DOC# - 626275

In the case of multiple prior convictions for offenses committed before July 1, 1986, for purposes of computing the offender score, count all adult convictions served concurrently as one offense and all juvenile convictions entered on the same date as one offense (RCW 9.94A.525).

ADULT HISTORY:

Enter number of felony convictions 6 x 1 = 6

JUVENILE HISTORY:

Enter number of serious violent and violent felony dispositions x 1 = _____

Enter number of other nonviolent felony dispositions x 1/2 = _____

OTHER CURRENT OFFENSES: (Those offenses not encompassing the same criminal conduct)

Enter number of other felony convictions 8 x 1 = 8

STATUS AT TIME OF CURRENT OFFENSES:

Community Placement 09-1-05185-9

If on community placement at time of current offense, add 1 point + 1 = _____

Total the columns to get the Offender Score (Round down to the nearest whole number) 14

STANDARD RANGE CALCULATION*			
Count I - III Felony Stalking Fel. Harass. CURRENT OFFENSE BEING SCORED	SERIOUSNESS LEVEL <u>III</u>	OFFENDER SCORE <u>14</u>	LOW STANDARD SENTENCE RANGE <u>51</u> TO <u>60</u> HIGH

- If the court orders a deadly weapon enhancement, use the applicable enhancement sheets on pages III-18 or III-20 to calculate the enhanced sentence.
- Multiply the range by 75% if the current offense is an attempt, conspiracy or solicitation under RCW 9A.28. For Possession of a Controlled Substance or Forged Prescription of a Controlled Substance, see RCW 69.50.407.

**APPENDIX B TO PLEA AGREEMENT
PROSECUTOR'S UNDERSTANDING OF DEFENDANT'S CRIMINAL HISTORY
(SENTENCING REFORM ACT)**

Defendant: WILLIAM N FRANCE

FBI No.: 606594N1

State ID No.: WA10356245

DOC No.: 626275

This criminal history compiled on: February 23, 2011

- None known. Recommendations and standard range assumes no prior felony convictions.
 Criminal history not known and not received at this time. WASIS/NCIC last received on 08/13/2009

Adult Felonies

Offense	Score	Disposition
70233 robbery 2	10/18/1974	WA King Superior Court - Guilty 03/28/1978 1 year jail, 5 years deferred; parol revoked 20 years released from prison 8/22/83
89-1-01068-9 atempt to elude pursuing poli	01/25/1989	WA King Superior Court - Guilty 04/24/1989 p/guilty. serve 90d k cjail conc w/89-1-00964-8. 12m comm supervision. pay costs/atty fees. pay cv/pen asst \$70.
02-1-06390-6 felony harassment	09/26/2001	WA King Superior Court - Guilty 02/21/2003 felony 12+m doc.
05-1-04985-1 felony telephone harassment dv	02/20/2005	WA King Superior Court - Guilty 06/17/2005 felony 14m doc ct 1. sntod 12m jail suspd ct 2 (non-felony) conc w/ct 1. serve 3m jail ct 2 conc w/ct 1. 24m prob.
09-1-05185-9 protection order viol-prev co	08/10/2009	WA King Superior Court - Guilty 10/16/2009 19m doc conc w/tukwila muni ct #cr0053819. 19m comm custody (dosa sentence).
05-1-08744-3 malicious mischief-2	01/18/2005	WA King Superior Court - Guilty 09/23/2005 4m jail conc w/05-1-04985-1.
99-1-00937-6 taking vehicle w/o permission	10/15/1999	WA Lewis Superior Court - Guilty 01/28/2000 2 mos lcj/12 mos comm super/lfo
99-1-00937-6 possess stolen property 2nd d	10/15/1999	WA Lewis Superior Court - Guilty 01/28/2000 2 mos lcj/12 mos comm super/lfo

Adult Misdemeanors

Offense	Score	Disposition
malicious mischief 3rd	06/12/1981	WA Seattle Municipal Court - Guilty
malicious mischief	11/27/1983	WA Seattle Municipal Court - Guilty
dui	11/27/1983	WA Seattle Municipal Court - Guilty
F1102479 dui	12/14/1984	WA Seattle Municipal Court - Guilty
dwi	03/11/1988	WA Seattle District Court - Guilty
89-1-00964-8 attempt taking motor vehicle	10/14/1988	WA King Superior Court - Guilty 04/21/1989 30 days
J92519 assault 4th	10/02/1997	WA Southwest Div King Co Dist Ct - Guilty

**APPENDIX B TO PLEA AGREEMENT
PROSECUTOR'S UNDERSTANDING OF DEFENDANT'S CRIMINAL HISTORY
(SENTENCING REFORM ACT)**

Defendant: WILLIAM N FRANCE

FBI No.: 606594N1

State ID No.: WA10356245

DOC No.: 626275

Adult Misdemeanors

Offense	Score	Disposition
99-1-04173-5 harassment	12/24/1998	WA King Superior Court - Guilty 01/07/2000 12m suspended, 80d jail.
00-1-03788-7 assault 4th dv	04/22/2000	WA King Superior Court - Guilty 08/25/2000 12m suspd sent, serve 6m jail, 12m comm supv. 09 17 01 ord mod sent, 90d jail.
Y00302966 KC malicious mischief 3rd	10/01/2000	WA Seattle District Court - Guilty
02-1-10116-6 attempt harassment	10/30/2002	WA King Superior Court - Guilty 02/21/2003 non felony 12m jail susp. 100d jail. 24m prob. 06 25 04 ord mod sent. serve 30d jail, 10d in ccap.
05-1-04985-1 misd telephone harassment dv	02/20/2005	WA King Superior Court - Guilty 06/17/2005 felony 14m doc ct 1. sntcd 12m jail suspd ct 2 (non-felony) conc w/ct 1. serve 3m jail ct 2 conc w/ct 1. 24m prob.
06-1-02578-1 protection order violation (g)	02/11/2006	WA King Superior Court - Guilty 06/16/2006 12m jail suspd cts 1-3 conc. 120d jail. 12m prob. 01 24 07 ord mod prob. serve 60d jail, conc w/05-1-04985-1. 09 14 07 ord mod prob. serve 185d jail.
06-1-02578-1 protection order violation (g)	02/11/2006	WA King Superior Court - Guilty 06/16/2006 12m jail suspd cts 1-3 conc. 120d jail. 12m prob. 01 24 07 ord mod prob. serve 60d jail, conc w/05-1-04985-1. 09 14 07 ord mod prob. serve 185d jail.
06-1-02578-1 theft-3 dv	02/11/2006	WA King Superior Court - Guilty 06/16/2006 12m jail suspd cts 1-3 conc. 120d jail. 12m prob. 01 24 07 ord mod prob. serve 60d jail, conc w/05-1-04985-1. 09 14 07 ord mod prob. serve 185d jail.
CR0053819 TK assault fourth degree - dv	05/02/2009	WA Tukwila Municipal Court - Guilty
BC0152591 BE criminal trespass-2nd degree	04/25/2009	WA KCD - Guilty
488200 SP dv viol ordr	06/24/2006	WA Seattle Municipal Court - Guilty
C00495718 WS dui	07/10/2004	WA Seattle District Court - Guilty
Y20300268 BU theft third degree	09/29/2002	WA Southwest Div King Co Dist Ct - Guilty
CR0021861 RE disorderly conduct	05/25/2002	WA Northeast District Court - Guilty
CR0021860 RE assault 4th degree	05/25/2002	WA Northeast District Court - Guilty
Y20022036 BU criminal trespass-2nd degree	01/20/2002	WA Southwest Div King Co Dist Ct - Guilty

**APPENDIX B TO PLEA AGREEMENT
PROSECUTOR'S UNDERSTANDING OF DEFENDANT'S CRIMINAL HISTORY
(SENTENCING REFORM ACT)**

Defendant: WILLIAM N FRANCE

FBI No.: 606594N1

State ID No.: WA10356245

DOC No.: 626275

Adult Misdemeanors

Offense	Score	Disposition
CQ44045KC KC dwls 3rd degree	01/17/2002	WA Renton District Court - Guilty
Y20013095 KC fail transfer/pass/pay metro	01/12/2002	WA Shoreline Div King Co District Ct - Guilty
Y10147832 KC theft third degree	05/08/2001	WA Seattle District Court - Guilty
394834 SP harassment	12/30/2000	WA Seattle Municipal Court - Guilty
59456 CT dv protection order vio	12/03/1999	WA Centralia Municipal Court - Guilty
990303899 KC third degree theft	08/12/1999	WA Southwest Div King Co Dist Ct - Guilty
990303899 KC harassment	08/12/1999	WA Southwest Div King Co Dist Ct - Guilty
990066952 BU telephone calls to harass	03/01/1999	WA Southwest Div King Co Dist Ct - Guilty
990028309 BU third degree theft	01/27/1999	WA Southwest Div King Co Dist Ct - Guilty
CQ16942KC KC obstructing a public servant	08/23/1998	WA Southwest Div King Co Dist Ct - Guilty
J00106665 SP resisting arrest	11/17/1990	WA Seattle District Court - Guilty
J00020300 KC negligent driving	08/20/1989	WA Seattle District Court - Guilty
J00020300 KC dwls	08/20/1989	WA Seattle District Court - Guilty
I00068518 KC dui	12/12/1987	WA Southwest Div King Co Dist Ct - Guilty
I00068518 KC hit and run unattended vehicl	12/12/1987	WA Southwest Div King Co Dist Ct - Guilty
872950004 SP d.u.i.	10/22/1987	WA Seattle Municipal Court - Guilty
872950004 SP susp.ol.	10/22/1987	WA Seattle Municipal Court - Guilty
861590434 SP d.u.i.	06/08/1986	WA Seattle Municipal Court - Guilty
861590434 SP susp.ol.	06/08/1986	WA Seattle Municipal Court - Guilty
852170015 SP menacing	08/05/1985	WA Seattle Municipal Court - Guilty
852170014 SP trespass	08/05/1985	WA Seattle Municipal Court - Guilty

**APPENDIX B TO PLEA AGREEMENT
PROSECUTOR'S UNDERSTANDING OF DEFENDANT'S CRIMINAL HISTORY
(SENTENCING REFORM ACT)**

Defendant: WILLIAM N FRANCE

FBI No.: 606594N1

State ID No.: WA10356245

DOC No.: 626275

Juvenile Felonies - None Known

Juvenile Misdemeanors - None Known

Comments

Prepared by:

Chanthavy San, CCA
Department of Corrections

STATE'S SENTENCE RECOMMENDATION
(USE FOR NON-SEX OFFENSE, NON-DOSA SENTENCES OF OVER ONE YEAR ONLY)

Date of Crime: Nov 2010 - March 2011

Date: 10-19-11

Defendant: William France

Cause No.: 11-1-01715-6 SEA SEA/KNT

The State recommends that the defendant be sentenced to a term of total confinement in the Department of Corrections as follows:

60 months/days on Counts ~~1,2,3~~ 3,4,6,7,8,9 months/days on Count _____
_____ months/days on Count 12,14,15 months/days on Count _____

with credit for time served as provided under RCW 9.94A.505. Terms to be served concurrently/consecutively with each other. Terms to be served concurrently/consecutively with: Counts 3, 4, 6, 7, 8, 9 ~~base incarceration but consecutive to counts 7, 8, 9~~ which are consecutive to each other but consecutive to counts 12, 14, 15.

WEAPONS ENHANCEMENT - RCW 9.94A.510: The above recommended term(s) of confinement do not include the following weapons enhancement time: _____ months for Ct. _____ months for Ct. _____ months for Ct. _____; which is/are mandatory, served without good time and served consecutive to any other term of confinement.

_____ ENHANCEMENT: : _____ months for Ct. _____.

TOTAL LENGTH OF CONFINEMENT recommended in this cause, including all counts and enhancements is 180 months.

This is an agreed recommendation.

NO DRUG OFFENDER SENTENCE ALTERNATIVE (DOSA) - RCW 9.94A.660:

- Defendant is not legally eligible for DOSA because current sex or violent offense; prior violent offense within 10 years or any prior sex offense; weapon enhancement; subject to final deportation order; not small quantity of drugs; more than one prior DOSA within 10 years; felony DUI or physical control.
- Defendant is eligible but DOSA is not recommended because Defendant committed this crime while serving a DOSA sentence

EXCEPTIONAL SENTENCE: This is an exceptional sentence, and the substantial and compelling reasons for departing from the presumptive sentence range are set forth in the attached form or brief. State intends to seek an exceptional sentence based on 'free crimes' agreement for all counts and 'officer of court' agreement for counts

NO CONTACT: For the maximum term, defendant shall have no contact, direct or indirect, in person; in writing; by telephone, or through third parties, with: Lisa Daugood, Nina Beach, Anita Paulson or any other member of The Defender Association

MONETARY PAYMENTS: Defendant shall make the following monetary payments pursuant to RCW 9.94A.753 and RCW 9.94A.760.

- Restitution as set forth in the "Plea Agreement" page and _____
- Court costs; mandatory \$500 Victim Penalty Assessment and \$100 DNA collection fee; recoupment of cost for appointed counsel.
- King County Local Drug Fund \$ _____; \$100 lab fee (RCW 43.43.690).
- Fine of \$ _____; \$1,000 fine for VUCSA; \$2,000 fine for subsequent VUCSA.
- Costs of incarceration in K.C. Jail at \$50 per day (RCW 9.94A.760(2)).
- Emergency response costs \$ _____ (RCW 38.52.430); Extradition costs of \$ _____; Other _____.

COMMUNITY CUSTODY: for qualifying crimes, the defendant shall serve a term of community custody set forth below.

- Serious violent offense: 36 months (a range of 24 to 36 months if crime committed before 8/1/2009).
- Violent offense: 18 months
- Crimes against persons or violation of Ch. 69.50 or .52: 12 months (a range of 9 to 12 months if crime committed before 8/1/2009).

Community Custody includes mandatory statutory conditions as well as discretionary conditions set by the court or Dept. of Corrections. The State recommends the court impose these discretionary conditions:

- Obtain an alcohol/substance abuse evaluation within 30 days of release and follow all treatment recommendations.
- Enter into within 30 days of release, make reasonable progress in, and successfully complete state-certified Domestic Violence treatment.
- Other: _____

MANDATORY CONSEQUENCES: HIV blood testing (RCW 70.24.340) for any prostitution related offense, or drug offense associated with needle use. DNA testing (RCW 43.43.754). Revocation of right to possess a FIREARM (RCW 9.41.040). DRIVER'S LICENSE REVOCATION (RCW 46.20.285; RCW 69.50.420). REGISTRATION: Persons convicted of some kidnap/unlawful imprisonment offenses are required to register pursuant to RCW 9A.44.130.

MaOR
Deputy Prosecuting Attorney, WSBA No.

APPENDIX E

FILED
SUPERIOR COURT, WASHINGTON
OCT 19 2011
SUPERIOR COURT CLERK
ANDRE JONES
DEPUTY

Pre Trial
LIST OF EXHIBITS
(EXLST)

CAUSE NO. 11-1-01715-6 SEA

CAPTION:

State of Washington

Plaintiff / Petitioner

VS.

William France

Defendant / Respondent

LEGEND:

- II= Plaintiff/Petitioner
- Δ= Defendant/Respondent
- A = Admitted
- AN = Admitted but not to go to jury
- R = Refused
- Re-O&A = Re-offered and Admitted
- ID = For Identification Only
- Rtn'd = Returned

CODES:

76

Pre Trial

Exhibit List, Page 2 of 2

Cause No. 11-1-01715-6 SEA

Caption: State of Washington vs. William France

No.	II	Δ	Description	A AN R	Date	Re-O & A	I D	R e t	EXHIBIT ROOM USE ONLY
1	X		CD Phone calls				X		



SEATTLE
POLICE
DEPARTMENT

STATEMENT FORM

INCIDENT NUMBER
11-28089
UNIT FILE NUMBER

DATE	TIME	PLACE
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STATEMENT OF COMPLAINANT WITNESS VICTIM OFFICER OTHER

NAME (LAST, FIRST, M.I.) VOICEMAILS FROM WILLIAM FRANCE	DOB
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Voicemail 12-1-10

①

FRANCE: Hey Nina bitch. Yeah, this is France calling ya. You've got the biggest, fucking ass in town. You know that? You got nightmares coming, bitch. Because you're a fuckin' snitch. I don't like snitchin' bitches. You understand? When I see you, I'm going to knock you out and fuck you in your ass. Turn it and deposit it, bitch. Because I'm going to fuckin' do it. I don't like snitchin' bitches. You're nothing worthless, worthless mother fucking cunt. I'm going to get you. When I get out of prison, I'm going to get your fuckin' ass.

Nina Beach 12-28-10

②

FRANCE: Hey Nina bitch. How you doing? This is France again. Did you get my message this morning? Were you, were you in the closet over at the King County, King County Courthouse. In the closet with some mother fucker sucking, sucking more cock so you can make more money? Huh? You got suck more cock? Huh? Sucking dick, huh? You're a good dick sucking bitch, aren't ya? Plus, you're a snitch bitch. Yeah. Well I got a surprise for you when I'm getting out of jail, bitch. I'm going to kick your holy, I'm going to grab a hold of you and rip your fucking shirt right off ya. So I can see those big tits of yours. I want to see them big fuckin' tits ya got. I want to maybe suck on them. Suck on them. See how you fucking feel; bitch. See, huh? Then maybe bend you over and stick my dick in your ass. Fuck you in you're a-s-s-s. Yeah-h-h. While I'm sucking on your tits. Yeah-h-h. Just do it right in the main street. Right on the sidewalk. Ha ha ha ha ha ha ha. Bitch. I got surprises for you, you snitchin' mother fucking bitch. You just fucking wait. When I get out, you're going to get a whole lot of it. A whole lot of my cock up in your ass.

Nina B 12-30-10

③

FRANCE: Nina. You're nothing but a snitching fucking bitch. You know that? A rotten fucking nigger. This is France calling you, cunt. When I get out of jail, I've got a surprise for you. A big fucking surprise. When I see

WITNESS	STATEMENT TAKEN BY	SERIAL	UNIT	
WITNESS				
TRANSCRIBED BY (Taped / Translated Statements)	SERIAL	UNIT	SUPERVISOR	SERIAL
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SEATTLE
POLICE
DEPARTMENT

STATEMENT FORM

INCIDENT NUMBER 11-28089
UNIT FILE NUMBER

DATE	TIME	PLACE
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STATEMENT OF	COMPLAINANT	WITNESS	VICTIM	OFFICER	OTHER
NAME (LAST, FIRST, M.I.) VOICEMAILS FROM WILLIAM FRANCE					DOB

you come out of that fucking building, I'm going to grab a hold of you and rip your fucking shirt right off ya. Because I want to see them big brown fucking tits, bitch. Because you're fucking mine, when I get out. You hear me, you nigger bitch? You rotten snitching fucking bitch. I got a letter from Lisa telling me I've been harassing you. I didn't harass your fucking ass. At least you could have done is wrote me a fucking letter and told me that you couldn't help me. But you didn't want, want to do that. You want to be a stupid nigger bitch. And I'm out to get ya. Believe it. I'm going to get ya. I get out in a fucking year, bitch. And I'm going to get you. I'm going to get you good.

Nina 12-30-10

4) FRANCE: Yeah Nina, this is France again. Just remember I got a surprise for you when I get out of prison. I'm thinking about putting a stick up your fucking ass and rip your fucking blouse off so everybody can see those brown tits right on the street. You got a surprise coming, you fucking snitching bitch, nigger.

Nina 1-11-11

5) FRANCE: Nina. How come you never answer your fucking phone, your worthless black fucking nigger bitch? This is France. And by the way, you think for one fucking minute of what I'm telling you on the fucking phone, and been telling you on the fucking phone, won't come true? My dreams come true, bitch. And when I get out in nine mother fucking months, I'm going to stalk you. In the right place, the right time. I'm cutting your fucking bra right off you, bitch. And I'm going to put a shit sandwich down your mother fucking throat. Count on it, bitch. It's like a deposit in the fucking bank. You worthless nigger bitch. You're worthless. You're worthless fucking nigger bitch. But you do got nice titties. You do got some nice tits.

Lisa-man to cell 1-11-11

6) FRANCE: Yeah, well Lisa, this is France again. I'm trying to get a hold of you. Apparently some man came to my door and told me that you're my, you was my fucking lawyer at one point and time. You've never been

WITNESS	X			
WITNESS	STATEMENT TAKEN BY		SERIAL	UNIT
TRANSCRIBED BY (Taped / Translated Statements)	SERIAL	UNIT	SUPERVISOR	SERIAL
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SEATTLE
POLICE
DEPARTMENT

STATEMENT FORM

INCIDENT NUMBER 11-28089
UNIT FILE NUMBER

DATE	TIME	PLACE
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STATEMENT OF	COMPLAINANT	WITNESS	VICTIM	OFFICER	OTHER
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NAME (LAST, FIRST, M.I.) VOICEMAILS FROM WILLIAM FRANCE	DOB
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my lawyer. Okay. That I can remember. Okay. Ah, as far as it goes by, by me, me pursuing what I've told you what I'm going to do. Yes. I got nine fucking months. And I got a surprise for you. Okay. Like I said, you got a fucking bullet with your fucking name on it, bitch. So does Paulsen. Okay. She's going to eat a shit sandwich first because I'm going to put it right in the fuckin' kneecap. And I'm going to cut your bra off when I see you in the mother fucking hallway or in the fucking elevator. When I first put sights on you, bitch, I'm cutting your bra right off you. And I'm going to do it. I don't give a fuck what the consequences. You got in my fucking position. You got in my program. So eat shit and die, bitch. Got it? Huh? Ya got it?

① Lisa bullet 1-12-11

FRANCE: Hey Daugaard, this is France again. Just remember all what I said to you on your, on your voicemail will come true. Do you understand? My dreams come true when I hit the bricks. I make them happen because I'm a villain. I'm a good for nothing mother fucking white boy. And I don't like you getting in my fucking business. So beware, bitch. I'm going to get you one way or another.

② Lisa-bullet 1-11-11

FRANCE: Hey Lisa, this is France. In nine months you're going to be available because you got a bullet with your fucking name on it, bitch. Don't interfere with anything I'm doing on the phone with fucking Paulsen. You got that? Or Nina Beach. Got that? You got, you got that? Get it up your cunt, bitch. Get wise. Don't be stupid.

③ Lisa Daugaard 1-3-11

VOICEMAIL: ..messages in your in box today at 10:17 AM.

FRANCE: Hey Lisa. You're going to get this message when you come in to work tomorrow. Because this is Sunday. I'm (unintelligible) take a letter from you. This is Mr. France calling. I think your letter was fucking derogatory. Very fucking vain. Do you understand, lady? You worthless fucking bitch. When I get a hold of you, I'm going to fuck your whole world up. You got nightmares coming, lady, when, when I see you.

WITNESS	X
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WITNESS	STATEMENT TAKEN BY	SERIAL	UNIT
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SEATTLE
POLICE
DEPARTMENT

STATEMENT FORM

INCIDENT NUMBER 11-28089
UNIT FILE NUMBER

DATE	TIME	PLACE
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STATEMENT OF	COMPLAINANT	WITNESS	VICTIM	OFFICER	OTHER
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NAME (LAST, FIRST, M.I.) VOICEMAILS FROM WILLIAM FRANCE	DOB
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You get my drift, bitch? Because I'll slap the dog shit out of you. And right there on the spot I'll pull your fucking skirt down. I'll take your skirt right off ya. I'll fuck you right in your ass right on the street. You're nothing but a worthless fucking bitch sending me that fucking letter. Worthless cunt. I don't give a fuck what you do. But I'm going to come back to the fucking jail. I'm going to talk to the judge and tell him how derogatory and how stupid you fucking are. Do you understand, bitch? Yeah, take it upon yourself this time because I'm going to keep calling you every fucking day. And telling you how much I'm going to fuck you in your fucking ass, you worthless bitch. You worthless fucking cunt.

VOICEMAIL: To save the message, press 1. To move to your deleted folder, press 2. To review press..message saved today at 10:16 AM.

? Hi Brenda. This is the second of several from Mr. France.

VOICEMAIL: Attached message one.

FRANCE: Hey Daugaard. You worthless fucking bitch. This is William France calling you. You sent me a letter and I didn't like. Okay. You got the impression that I threatened, or I was harassing Nina Beach and Miss Paul..Miss Anita, Anita, Rita, Rita Paulsen. Okay. I was asking fucking, I was asking Nina for some fucking help. She was declining on me. She wouldn't even write me a letter to tell me that she couldn't even help me. At least that, at least tell me that much. She's ignored me. And it was pissing me the fucking off. Okay. That nigger bitch has shit coming. You hear me, girl? That nigger bitch is going to get knocked the fuck out and I'm going to fuck her right in the ass on the fucking street. I'm going to kick her fucking, I'm going to rip her fucking clothes off right, right in front of everybody. I don't give a fuck. That bitch. I don't like snitches. That fucking Paulsen bitch she brung something up in court that was eleven, eleven, twelve years old. Should have been in archive shit. She bring it up to the fucking judge and something that should never brung up. Should never have been brung up. Do you understand, Lisa? Because I tell you what you, especially you, sending me a fucking letter I did not like to hear. I

WITNESS	STATEMENT TAKEN BY	SERIAL	UNIT
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SEATTLE
POLICE
DEPARTMENT

STATEMENT FORM

INCIDENT NUMBER 11-28089
UNIT FILE NUMBER

DATE	TIME	PLACE
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STATEMENT OF	COMPLAINANT	WITNESS	VICTIM	OFFICER	OTHER
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NAME (LAST, FIRST, M.I.) VOICEMAILS FROM WILLIAM FRANCE	DOB
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didn't like to read. You understand? When you get back on January 3rd you can do whatever you want. Okay? All I know, all I know is I got two bitches out there that I'm going to slap the dog shit out of. One may have a bullet with her fucking name on it. Don't know which one yet. But I'll figure that out when I walk out of prison. Because they can't keep me forever, you stupid bitch.

VOICEMAIL To save the message, press 1. Message saved today at 10:16 AM.

? Hey Brenda, William France is now leaving comparable messages for me as well. Could you, we're going to do something with all of these. Could you...

LISA2 1-3-11

FRANCE: Hey Lisa baby. This is France again. Calling you one more time on the phone. Yeah, I called you Sunday and I'm calling you on Tuesday. Wait for you to come back. I don't like letters, letters from people like you. Do you understand? I don't like snitchin' bitch fucking niggers either like Nina Beach. And that fucking Paulsen bitch she's going to get it when I get out of jail, out of prison. Do you understand? Now you're on my shit list, you're going to get some too. Because when I find out what you fucking look like, I'm going to rip your fucking blouse right off you. I'm going to see your fucking tits, bitch. I want to see your tits. I want to see them and I want to squeeze them. I want to squeeze the hell out of them. Give you fucking, give you fucking bruises, you fucking worthless mother fucking cunt. You think your voice sounds so fucking nice on the phone. Shit. (unintelligible) free to suck my dick for about a mother fucking month. Every fucking day from, yeah, hours upon hours suck my dick and LICK MY ASSHOLE. Lick the corn out of my shit, bitch, is what I want you to fuckin' do. Do you understand, bitch? Because I've got a surprise for you, bitch.

VOICEMAIL: To save the message, press 1. To move..message saved December 30, 2010, at 2:40 PM.

Copy of Lisa Bullit 1-12-11

WITNESS	STATEMENT TAKEN BY	SERIAL	UNIT	
WITNESS				
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SEATTLE
POLICE
DEPARTMENT

STATEMENT FORM

INCIDENT NUMBER 11-28089
UNIT FILE NUMBER

DATE	TIME	PLACE
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STATEMENT OF	COMPLAINANT	WITNESS	VICTIM	OFFICER	OTHER
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NAME (LAST, FIRST, M.I.) VOICEMAILS FROM WILLIAM FRANCE.	DOB
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(12)

FRANCE: Hey Daugaard, this is France again. Just remember all what I said to you on your, on your voicemail, will come true. Do you understand? My dreams come true when I hit the bricks. I make them happen because I'm a villain. I'm a good for nothing mother fucking white boy. And I don't like you getting in my fucking business. So beware, bitch. I'm going to get you one way or another.

Copy of Anita Paulsen, 11-24-10

VOICEMAIL Attachment to....

(13)

FRANCE: Hi Anita. Always remember, baby, I want to lick your pussy because you got a nice fine pussy on you. I can tell you when you walk. Every time you used to come up and visit me up at the jail, yeah. I want to eat the hell out of your pussy, bitch. I want you to remember that. One day I will. I'll see you. Go out for dinner. I'll wine and dine you. Yeah, yeah. Can smoke a joint and we'll get all lovey-dovey underneath the sheets, sheet. Do you understand me, baby? Because I'm going to lick your fucking pussy. You fucked me in court, you rotten bitch.

VOICEMAIL: To save the message, press 1. Message saved today at 3:02 PM.

Anita Aftaid 1-12-11

(14)

FRANCE: Hey Anita. Are you scared yet? Well you better be scared because in nine fucking months I'm going to make you eat a shit sandwich. And I'm cutting your fucking bra right off ya. I don't give a fuck where you are, bitch. You fucked up. You fucked up by getting my fucking, fucking cock sucking mother fuckin' Chehalis court shit in the mother fucking in, in the process. This is just too long a fucking time to tell me that when you got three fucking no, no contact orders against ya, and you violate one of them, it's a fucking felony. You took too long for that mother fucking bullshit, you dumb bitch. And you're going to pay for it. You got it? You're going to pay for it. I'm just waiting nine mother fucking months and I'm going to find your ass. I'm fucking you off, bitch. I'm going to fuck you off good.

AnitaPaulsen2 11-24-10

WITNESS	X
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WITNESS	STATEMENT-TAKEN BY	SERIAL	UNIT
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SEATTLE
POLICE
DEPARTMENT

STATEMENT FORM

INCIDENT NUMBER 11-28089
UNIT FILE NUMBER

DATE	TIME	PLACE
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STATEMENT OF	COMPLAINANT	WITNESS	VICTIM	OFFICER	OTHER
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NAME (LAST, FIRST, M.I.) VOICEMAILS FROM WILLIAM FRANCE	DOB
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Here's a message I got on Monday.

VOICEMAIL Attachment to ..

?? (unintelligible) (crying female) Okay, I've had enough of this guy. I'm really getting kind of scared. So I don't know what to do about this guy.

VOICEMAIL Attachment 3

FRANCE: Nina, honey, when you come into work on Monday you'll get this message. And the message is when I get out of jail, after doing eight more months, I'm going to find you, knock you out, fuck you in your ass. Okay? Because you fucked me in court, you worthless fucking cunt. You're the most disgust..fucking ugliest bitch I've ever met in my fucking life. Someone needs to find you. Knock you out and fuck the living shit out of you in your ass. You have a nice life because when I get out of jail, I'll find you. I'm going to stalk you. I'll find out where you live. I'm going to fucking knock you out and fuck you and keep fucking you, and keep fucking you and keep fucking you and keep fucking you. You're not going to be able to make it work because you're going to get fucked (unintelligible).

VOCEMAIL To save the message, press 1. To move to..

Anita 1-10-11

FRANCE: Hey Anita, this is France calling ya. You got such a sweet voice, you know it? I bet you got some sweet lips too to go around my fuckin' cock. Suck my dick when I want, when I want you to. You know that I got a shit sandwich for you? Yeah, when I see you on the streets. I get out in nine months, bitch. Nine mother fucking months I'm getting out. You got it? And I'm going to be, I'm going to be all over you like stink on shit, bitch. I got a shit sandwich for you. Oh yeah. You don't think this is all going to happen? You fucked off. You're a worthless, fucking lawyer. You brung shit up on me that came out of Chehalis and should have never came up. Eleven fucking years old. You understand? Eleven fucking years old, period. It should have stayed in the archives, you dumb bitch. You're stupid. You're really fucking

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WITNESS	STATEMENT TAKEN BY	SERIAL	UNIT
WITNESS			

TRANSCRIBED BY (Taped / Translated Statements)	SERIAL	UNIT	SUPERVISOR	SERIAL
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SEATTLE
POLICE
DEPARTMENT

STATEMENT FORM

INCIDENT NUMBER 11-28089
UNIT FILE NUMBER

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STATEMENT OF	COMPLAINANT	WITNESS	VICTIM	OFFICER	OTHER
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NAME (LAST, FIRST, M.I.) VOICEMAILS FROM WILLIAM FRANCE	DOB
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stupid. I didn't want to hear nothing about that shit in Chehalis every again. I walked out of that fucking jail and I got that mother fucker behind me. You wanted to bring it up in court. You're a worthless bitch, Anita. You're worthless. And I'm going to stick a fucking shit sandwich down your fucking throat when I get out of prison. I'm going to find ya. I'm going to find ya coming out of that mother fuckin' building. I'm going to do. I'm going to walk right up to you and I'm going to shove it right down your fucking throat. Count on it, bitch. It's a dream come true. Don't think I'm not going to do it because I will do it. You have a nice fucking life until I get out, which is nine months away.

12-1-10 wav

FRANCE:

(17)

Anita, honey. This is Ray Stevens. I'm in jail. I'm going to be doing about another eight months. You kind of fucked me on, on a case. It was way down by Centralia. A fucking place, a place that I got rid of ten years ago. But I'm going to look you up when I get out because I'm going to put my dick in your pussy, baby girl. I'm going to get up deep in you like a jalapeno. And I might put it in your butt. You'll like that even better.

WITNESS	X
---------	---

WITNESS	STATEMENT TAKEN BY	SERIAL	UNIT
---------	--------------------	--------	------

TRANSCRIBED BY (Taped / Translated Statements) ila	SERIAL	UNIT	SUPERVISOR	SERIAL
---	--------	------	------------	--------

APPENDIX F

FILED
KING COUNTY, WASHINGTON

NOV 10 2011

NOV 14 2011

SUPERIOR COURT CLERK COMMITMENT ISSUED
PRESENTENCING STATEMENT & INFORMATION ATTACHED

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

Vs.

WILLIAM NEAL FRANCE

Defendant,

No. 11-1-01715-6 SEA

JUDGMENT AND SENTENCE
FELONY (FJS)

I. HEARING

Law Office of Brian J Todd
6523 California Ave SW #179
Seattle, WA 98136

I.1 The defendant, the defendant's lawyer, BRIAN TODD, and the deputy prosecuting attorney were present at the sentencing hearing conducted today. Others present were: Det Cooper, Anita Bensen, Nina Brach, Lisa Davgaard

II. FINDINGS

There being no reason why judgment should not be pronounced, the court finds:

2.1 CURRENT OFFENSE(S): The defendant was found guilty on 10/19/2011 by plea of:

Count No.: III Crime: FELONY HARASSMENT
RCW 9A.46.020(1), (2) Crime Code: 00500
Date of Crime: 12/28/2010 Incident No. _____

Count No.: IV Crime: FELONY HARASSMENT
RCW 9A.46.020(1), (2) Crime Code: 00500
Date of Crime: 09/23/2009 Incident No. _____

Count No.: VI Crime: FELONY HARASSMENT
RCW 9A.46.020(1), (2) Crime Code: 00500
Date of Crime: 01/25/2011 Incident No. _____

Count No.: VII Crime: FELONY HARASSMENT
RCW 9A.46.020(1), (2) Crime Code: 00500
Date of Crime: 01/11/2011 Incident No. _____

[X] Additional current offenses are attached in Appendix A

82

IV. ORDER

IT IS ORDERED that the defendant serve the determinate sentence and abide by the other terms set forth below.

4.1 RESTITUTION AND VICTIM ASSESSMENT:

- Defendant shall pay restitution to the Clerk of this Court as set forth in attached Appendix E.
 - Defendant shall not pay restitution because the Court finds that extraordinary circumstances exist, and the court, pursuant to RCW 9.94A.753(5), sets forth those circumstances in attached Appendix E.
 - Restitution to be determined at future restitution hearing on (Date) _____ at _____ m.
 - Date to be set.
 - Defendant waives presence at future restitution hearing(s).
 - Restitution is not ordered.
- Defendant shall pay Victim Penalty Assessment pursuant to RCW 7.68.035 in the amount of \$500.

4.2 OTHER FINANCIAL OBLIGATIONS: Having considered the defendant's present and likely future financial resources, the Court concludes that the defendant has the present or likely future ability to pay the financial obligations imposed. The Court waives financial obligation(s) that are checked below because the defendant lacks the present and future ability to pay them. Defendant shall pay the following to the Clerk of this Court:

- (a) \$ _____, Court costs (RCW 9.94A.030, RCW 10.01.160); Court costs are waived;
- (b) \$100 DNA collection fee (RCW 43.43.7541)(mandatory for crimes committed after 7/1/02);
- (c) \$ _____, Recoupment for attorney's fees to King County Public Defense Programs (RCW 9.94A.030); Recoupment is waived;
- (d) \$ _____, Fine; \$1,000, Fine for VUCSA \$2,000, Fine for subsequent VUCSA (RCW 69.50.430); VUCSA fine waived;
- (e) \$ _____, King County Interlocal Drug Fund (RCW 9.94A.030);
 Drug Fund payment is waived;
- (f) \$ _____, \$100 State Crime Laboratory Fee (RCW 43.43.690); Laboratory fee waived;
- (g) \$ _____, Incarceration costs (RCW 9.94A.760(2)); Incarceration costs waived;
- (h) \$ _____, Other costs for: _____

4.3 PAYMENT SCHEDULE: Defendant's TOTAL FINANCIAL OBLIGATION is: \$ 600 -. The payments shall be made to the King County Superior Court Clerk according to the rules of the Clerk and the following terms: Not less than \$ _____ per month; On a schedule established by the defendant's Community Corrections Officer or Department of Judicial Administration (DJA) Collections Officer. Financial obligations shall bear interest pursuant to RCW 10.82.090. The Defendant shall remain under the Court's jurisdiction to assure payment of financial obligations: for crimes committed before 7/1/2000, for up to ten years from the date of sentence or release from total confinement, whichever is later; for crimes committed on or after 7/1/2000, until the obligation is completely satisfied. Pursuant to RCW 9.94A.7602, if the defendant is more than 30 days past due in payments, a notice of payroll deduction may be issued without further notice to the offender. Pursuant to RCW 9.94A.760(7)(b), the defendant shall report as directed by DJA and provide financial information as requested.

- Court Clerk's trust fees are waived.
- Interest is waived except with respect to restitution.

4.4 CONFINEMENT OVER ONE YEAR: Defendant is sentenced to a term of total confinement in the custody of the Department of Corrections as follows, commencing: immediately; (Date): _____ by _____, m.

60 months/days on count 3, 4; 60 months/days on count 4; 60 months/day on count 6

60 months/days on count 7; 60 months/days on count 8; 60 months/day on count 9

60 months on count 12 60 months on count 14 60 months on count 15
The above terms for counts _____ are consecutive / concurrent.

The above terms shall run CONSECUTIVE CONCURRENT to cause No.(s) _____
Cts 3, 4, 6 shall run concurrent to each other + consecutive to all others
Cts 7, 8, 9 shall run concurrent to each other + consecutive to all others

The above terms shall run CONSECUTIVE CONCURRENT to any previously imposed sentence not referred to in this order.

Cts 12, 14, 15 shall run concurrent to each other + consecutive to all others

In addition to the above term(s) the court imposes the following mandatory terms of confinement for any special WEAPON finding(s) in section 2.1: _____

which term(s) shall run consecutive with each other and with all base term(s) above and terms in any other cause. (Use this section only for crimes committed after 6-10-98)

The enhancement term(s) for any special WEAPON findings in section 2.1 is/are included within the term(s) imposed above. (Use this section when appropriate, but for crimes before 6-11-98 only, per In Re Charles)

The TOTAL of all terms imposed in this cause is 180 months.

Credit is given for time served in King County Jail or EHD solely for confinement under this cause number pursuant to RCW 9.94A.505(6): _____ day(s) or days determined by the King County Jail.

For nonviolent, nonsex offense, credit is given for days determined by the King County Jail to have been served in the King County Supervised Community Option (Enhanced CCAP) solely under this cause number.

For nonviolent, nonsex offense, the court authorizes earned early release credit consistent with the local correctional facility standards for days spent in the King County Supervised Community Option (Enhanced CCAP).

4.5 NO CONTACT: For the maximum term of 15 years, defendant shall have no contact with _____
See attached Appendix H

4.6 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, as ordered in APPENDIX G.

HIV TESTING: For sex offense, prostitution offense, drug offense associated with the use of hypodermic needles, the defendant shall submit to HIV testing as ordered in APPENDIX G.

4.7 (a) COMMUNITY CUSTODY for qualifying crimes committed before 7-1-2000, is ordered for one year (for a drug offense, assault 2, assault of a child 2, or any crime against a person where there is a finding that defendant or an accomplice was armed with a deadly weapon); 18 months (for any vehicular homicide or for a vehicular assault by being under the influence or by operation of a vehicle in a reckless manner); two years (for a serious violent offense).

(b) COMMUNITY CUSTODY for any SEX OFFENSE committed after 6-5-96 but before 7-1-2000, is ordered for a period of 36 months.

SPECIAL VERDICT or FINDING(S):

- (a) While armed with a firearm in count(s) _____ RCW 9.94A.533(3).
- (b) While armed with a deadly weapon other than a firearm in count(s) _____ RCW 9.94A.533(4).
- (c) With a sexual motivation in count(s) _____ RCW 9.94A.835.
- (d) A V.U.C.S.A offense committed in a protected zone in count(s) _____ RCW 69.50.435.
- (e) Vehicular homicide Violent traffic offense DUI Reckless Disregard.
- (f) Vehicular homicide by DUI with _____ prior conviction(s) for offense(s) defined in RCW 46.61.5055, RCW 9.94A.533(7).
- (g) Non-parental kidnapping or unlawful imprisonment with a minor victim. RCW 9A.44.128, .130.
- (h) Domestic violence as defined in RCW 10.99.020 was pled and proved for count(s) _____.
- (i) Current offenses encompassing the same criminal conduct in this cause are count(s) _____ RCW 9.94A.589(1)(a).
- (j) Aggravating circumstances as to count(s) III, IV, VI, VII, VIII, IX, XII, XIV, XV: OFFICER OF THE COURT AGGRAVATOR

2.2 OTHER CURRENT CONVICTION(S): Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number): _____

2.3 CRIMINAL HISTORY: Prior convictions constituting criminal history for purposes of calculating the offender score are (RCW 9.94A.525):

- Criminal history is attached in Appendix B.
- One point added for offense(s) committed while under community placement for count(s) _____

2.4 SENTENCING DATA:

Sentencing Data	Offender Score	Seriousness Level	Standard Range	Enhancement	Total Standard Range	Maximum Term
Count III, IV, VI, VII, VIII, IX, XII, XIV & XV	14	III	51 TO 60		51 TO 60 MONTHS	5 YEARS AND/OR \$10,000
Count						
Count						
Count						

Additional current offense sentencing data is attached in Appendix C.

2.5 EXCEPTIONAL SENTENCE

Findings of Fact and Conclusions of Law as to sentence above the standard range:

Finding of Fact: The jury found or the defendant stipulated to aggravating circumstances as to

Count(s) ~~3, 4, 6, 7, 8, 9~~ 3, 4, 6, 7, 8, 9 see 9.94A.535(2) officer of the court.

Conclusion of Law: These aggravating circumstances constitute substantial and compelling reasons that justify a sentence above the standard range for Count(s) see above The court would impose the same sentence on the basis of any one of the aggravating circumstances.

An exceptional sentence above the standard range is imposed pursuant to RCW 9.94A.535(2) (including free crimes or the stipulation of the defendant). Findings of Fact and Conclusions of Law are attached in Appendix D.

An exceptional sentence below the standard range is imposed. Findings of Fact and Conclusions of Law are attached in Appendix D.

The State did did not recommend a similar sentence (RCW 9.94A.480(4)).

III. JUDGMENT

IT IS ADJUDGED that defendant is guilty of the current offenses set forth in Section 2.1 above and Appendix A.

The Court DISMISSES Count(s) I, II, V, X, XI, XIII & XVI

(c) **COMMUNITY CUSTODY** - for qualifying crimes committed after 6-30-2000 is ordered for the following established range or term:

- Sex Offense, RCW 9.94A.030 - 36 months—when not sentenced under RCW 9.94A.507
- Serious Violent Offense, RCW 9.94A.030 - 36 months
 - If crime committed prior to 8-1-09, a range of 24 to 36 months.
- Violent Offense, RCW 9.94A.030 - 18 months
- Crime Against Person, RCW 9.94A.411 or Felony Violation of RCW 69.50/52 - 12 months
 - If crime committed prior to 8-1-09, a range of 9 to 12 months.

Sanctions and punishments for non-compliance will be imposed by the Department of Corrections or the court. **APPENDIX H** for Community Custody conditions is attached and incorporated herein. **APPENDIX J** for sex offender registration is attached and incorporated herein.

4.8 **WORK ETHIC CAMP:** The court finds that the defendant is eligible for work ethic camp, is likely to qualify under RCW 9.94A.690 and recommends that the defendant serve the sentence at a work ethic camp. Upon successful completion of this program, the defendant shall be released to community custody for any remaining time of total confinement, subject to the conditions set out in Appendix H.

4.9 **ARMED CRIME COMPLIANCE,** RCW 9.94A.475, 480. The State's plea/sentencing agreement is attached as follows:

The defendant shall report to an assigned Community Corrections Officer upon release from confinement for monitoring of the remaining terms of this sentence.

Date: 11-10-11



JUDGE
Print Name: Steven Gonzalez

Presented by:

Maal Rai
Deputy Prosecuting Attorney, WSBA#
Print Name: _____

Approved as to form:

Brian J Todd 20436
Attorney for Defendant, WSBA #
Print Name: Law Office of Brian J Todd
5523 California Ave SW #179
Seattle, WA 98136
206-778-0750

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

WILLIAM NEAL FRANCE

Defendant,

No. 11-1-01715-6 SEA

JUDGMENT AND SENTENCE
(FELONY) - APPENDIX A
ADDITIONAL CURRENT OFFENSES

2.1 The defendant is also convicted of these additional current offenses:

Count No.: VIII Crime: FELONY HARASSMENT
RCW 9A.46.020(1), (2) Crime Code 00500
Date Of Crime 01/12/2011 Incident No. _____

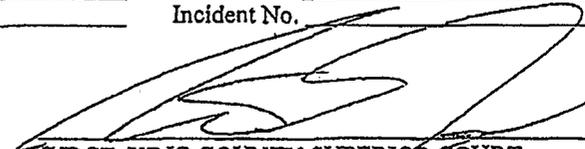
Count No.: IX Crime: FELONY HARASSMENT
RCW 9A.46.020(1), (2) Crime Code 00500
Date Of Crime 01/25/2011 Incident No. _____

Count No.: XII Crime: FELONY HARASSMENT
RCW 9A.46.020(1), (2) Crime Code 00500
Date Of Crime 12/28/2010 Incident No. _____

Count No.: XIV Crime: FELONY HARASSMENT
RCW 9A.46.020(1), (2) Crime Code 00500
Date Of Crime 01/12/2011 Incident No. _____

Count No.: XV Crime: FELONY HARASSMENT
RCW 9A.46.020(1), (2) Crime Code 00500
Date Of Crime 01/25/2011 Incident No. _____

Date: 11/10/11



JUDGE, KING COUNTY SUPERIOR COURT

STEVEN GONZALEZ

BEST AVAILABLE IMAGE POSSIBLE

FINGERPRINTS



RIGHT HAND
FINGERPRINTS OF:

DEFENDANT'S SIGNATURE: William France
DEFENDANT'S ADDRESS: DOC

WILLIAM NEAL FRANCE

DATED: 11-10-11

ATTESTED BY: BARBARA MINER,
SUPERIOR COURT CLERK
BY: Indre Jones
DEPUTY CLERK

Steven Gonzalez
JUDGE, KING COUNTY SUPERIOR COURT
STEVEN GONZALEZ

CERTIFICATE

I, _____,
CLERK OF THIS COURT, CERTIFY THAT
THE ABOVE IS A TRUE COPY OF THE
JUDGEMENT AND SENTENCE IN THIS
ACTION ON RECORD IN MY OFFICE.
DATED: _____

OFFENDER IDENTIFICATION

S.I.D. NO. WA10356245
DOB: MARCH 11, 1954
SEX: M
RACE: W

CLERK

BY: _____
DEPUTY CLERK

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

WILLIAM NEAL FRANCE

Defendant,

)
)
) No. 11-1-01715-6 SEA
)
) JUDGMENT AND SENTENCE,
) (FELONY) - APPENDIX B,
) CRIMINAL HISTORY
)
)

2.2 The defendant has the following criminal history used in calculating the offender score (RCW 9.94A.525):

Crime	Sentencing Date	Adult or Juv. Crime	Cause Number	Location
ROBBERY-2	03/28/1978	ADULT	70233	KING CO
FELONY HARASSMENT	02/21/2003	ADULT	021063906	KING CO
FELONY TELEPHONE HARASSMENT-DV	06/17/2005	ADULT	051049851	KING CO
PROTECTION ORDER VIOL-PREV CO	10/16/2009	ADULT	091051859	KING CO
MALICIOUS MISCHIEF-2	09/23/2005	ADULT	051087443	KING CO
TAKING VEHICLE W/O PERMISSION	01/28/2000	ADULT	991009376	LEWIS CO
POSSESS STOLEN PROPERTY-2	01/28/2000	ADULT	991009376	LEWIS CO

[] The following prior convictions were counted as one offense in determining the offender score (RCW 9.94A.525(5)):

Date: 11/10/11



JUDGE, KING COUNTY SUPERIOR COURT

STEVEN GONZALEZ

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

WILLIAM NEAL FRANCE

Defendant,

No. 11-1-01715-6 SEA

APPENDIX G
ORDER FOR BIOLOGICAL TESTING
AND COUNSELING

(1) DNA IDENTIFICATION (RCW 43.43.754):

The Court orders the defendant to cooperate with the King County Department of Adult Detention, King County Sheriff's Office, and/or the State Department of Corrections in providing a biological sample for DNA identification analysis. The defendant, if out of custody, shall promptly call the King County Jail at 296-1226 between 8:00 a.m. and 1:00 p.m., to make arrangements for the test to be conducted within 15 days.

(2) HIV TESTING AND COUNSELING (RCW 70.24.340):

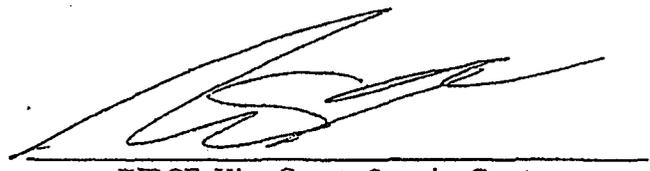
(Required for defendant convicted of sexual offense, drug offense associated with the use of hypodermic needles, or prostitution related offense.)

The Court orders the defendant contact the Seattle-King County Health Department and participate in human immunodeficiency virus (HIV) testing and counseling in accordance with Chapter 70.24 RCW. The defendant, if out of custody, shall promptly call Seattle-King County Health Department at 205-7837 to make arrangements for the test to be conducted within 30 days.

If (2) is checked, two independent biological samples shall be taken.

Date:

4/10/14



JUDGE, King County Superior Court

STEVEN GONZALEZ

APPENDIX G

FILED
KING COUNTY

DEC 05 2013

KARLA CHRISTENSEN
DEPUTY

COPY TO COUNTY JAIL DEC 06 2013

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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

WILLIAM NEAL FRANCE,

Defendant.

No. 11-1-01715-6 SEA

ORDER AMENDING JUDGMENT
AND SENTENCE

THIS MATTER having come on regularly before the undersigned judge of the above-entitled court upon the motion of the State of Washington, plaintiff, for an order amending the Judgment and Sentence in the above entitled cause, and the court being fully advised in the premises; now, therefore,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the Judgment and Sentence shall be amended, in accordance with the opinion of the Court of Appeals, in the following manner:

In Section 2.1, entitled "Special Verdict or Finding(s)", subsection (j) should not include counts XII, XIV, or IV as aggravating circumstances (officer of the court aggravator). This is a correction of a clerical error, as it is clear that all parties were in agreement that the aggravating circumstances only applied to counts III, IV, VI, VII, and VIII, as evidenced by the Statement of Defendant on Plea of Guilty, section 7, page 10.

In Section 4.7, entitled Community Custody, subsection (c), a box for Appendix H was inadvertently checked. As the appellate court noted, this was an erroneous reference to community custody conditions that do not apply to the sentence in this case. The Appendix H that was filed with the Judgment and Sentence is hereby deleted. The No Contact Order that was filed under Section 4.5 is in effect, however.

Order Amending Judgment and Sentence - 1

Norm Maleng,
Prosecuting Attorney
Regional Justice Center
401 Fourth Avenue North
Kent, Washington 98032-4429



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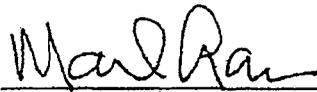
All other portions of the Judgment and Sentence, including the confinement period, remain in force.

DONE IN OPEN COURT this 5th day of ^{December}~~September~~, 2013.



JUDGE **Lori K. Smith**

Presented by:



Mark Larson, WSBA #15328
Chief Criminal Deputy Prosecuting Attorney

Approved for entry:



Brian J. Todd, WSBA #29436
Attorney for Defendant

APPENDIX H

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

STATE OF WASHINGTON,
Respondent,
v.
WILLIAM NEAL FRANCE,
Appellant.

)
) No. 67959-7-1
)
) MANDATE
)
) King County
)
) Superior Court No. 11-1-01715-6 SEA
)
) **Court Action Required**

RECEIVED
MAR 21 2014
Johnson, Brennan C. Koch, PLLC

THE STATE OF WASHINGTON TO: The Superior Court of the State of Washington in and for King County.

This is to certify that the opinion of the Court of Appeals of the State of Washington, Division I, filed on September 9, 2013, became the decision terminating review of this court in the above entitled case on March 21, 2014. An order denying a petition for review was entered in the Supreme Court on February 5, 2014. This case is mandated to the Superior Court from which the appeal was taken for further proceedings in accordance with the attached true copy of the opinion.

c: Casey Grannis
Samantha Kanner
Hon. Steven Gonzalez

Court Action Required: The sentencing court or criminal presiding judge is to place this matter on the next available motion calendar for action consistent with the opinion.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Seattle, this 21st day of March, 2014.


RICHARD D. JOHNSON
Court Administrator/Clerk of the Court of Appeals, State of Washington, Division I.

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

STATE OF WASHINGTON)

Respondent,)

v.)

WILLIAM FRANCE,)

Petitioner.)

COA NO. _____

DECLARATION OF SERVICE

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

THAT ON THE 8TH DAY OF DECEMBER 2015, I CAUSED A TRUE AND CORRECT COPY OF THE **PETITIONER'S OPENING BRIEF** TO BE SERVED ON THE PARTY / PARTIES DESIGNATED BELOW BY DEPOSITING SAID DOCUMENT IN THE UNITED STATES MAIL.

[X] WILLIAM FRANCE
DOC NO. 626275
WASHINGTON STATE PENITENTIARY
1313 N. 13TH AVENUE
WALLA WALLA, WA 99362

SIGNED IN SEATTLE WASHINGTON, THIS 8TH DAY OF DECEMBER 2015.

x Patrick Mayovsky

74507-7-I

STATEMENT OF FINANCES: Case no. PRP of William France

If you cannot afford to pay the \$250 filing fee or cannot afford to pay an attorney to help you, fill out this form. If you have enough money for these, do not fill this part of the form. If currently in confinement you will need to attach a copy of your prison finance statement.

1. I do do not ask the court to file this without making me pay the \$250 filing fee because I am so poor and cannot pay the fee.

2. I have \$ 7.23 in my prison or institution account.

3. I do do not ask the court to appoint a lawyer for me because I am so poor and cannot afford to pay a lawyer.

4. I am am not employed. My salary or wages amount to \$ 55.00 a month. My employer is Washington State Penitentiary
Name and address of employer

5. During the past 12 months I did did not get any money from a business, profession or other form of self-employment. (If I did, it was _____
Type of self-employment

And the total income I received was \$ _____.

6. During the past 12 months I:

Did Did Not Receive any rent payments. If so, the total I received was \$ _____

Did Did Not Receive any interest. If so, the total I received was \$ _____

Did Did Not Receive any dividends. If so, the total I received was \$ _____

Did Did Not Receive any other money. If so the total I received was \$ _____

Do Do Not Have any cash except as said in question 2 of Statement of Finances. If so the total amount of cash I have is \$ _____.

Do Do Not Have any savings or checking accounts. If so, the total amount in all accounts is \$ _____

Do Do Not Own stocks, bonds or notes. If so, their total value is: 2-2-16
\$ _____

PETITIONER MAY FILE PETITION WITHOUT PAYMENT OF FILING FEE


COURT ADMINISTRATOR/CI FRK

7. List all real estate and other property or things of value which belong to you or in which you have an interest. Tell what each item or property is worth and how much you owe on it. Do not list household furniture and furnishings and clothing which you or your family need.

Items	Value
N/A	

8. I am ___ am not married. If I am married, my wife or husband's name and address is:

9. All of the persons who need me to support them are listed below:

Name & Address	Relationship	Age
N/A		

10. All the bills I owe are listed here:

Name & Address of Creditor
Amount

I HAVE COURT COST, BUT DO NOT KNOW THE AMOUNT

01/27/2016

Department of Corrections

PAGE: 01 OF 01

MLPERKINS

WASHINGTON STATE PENITENTIARY

OIRPLRAR

10.2.1.18

PLRA IN FORMA PAUPERIS STATUS REPORT
FOR DEFINED PERIOD 06/30/2015 TO 12/31/2015

DOC#: 0000626275

NAME: FRANCE WILLIAM

ADMIT DATE: 10/20/2009

DOB: 03/11/1955

ADMIT TIME: 11:40

AVERAGE
MONTHLY RECEIPTS

20% OF
RECEIPTS

AVERAGE
SPENDABLE BALANCE

20% OF
SPENDABLE

43.84

8.77

7.23

1.45