

FILED  
Court of Appeals  
Division III  
State of Washington  
2/9/2018 4:11 PM

NO. 35289-7-III

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON,  
DIVISION III

STATE OF WASHINGTON, RESPONDENT

v.

JAMIE MICHAEL MASON, APPELLANT

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APPEAL FROM THE SUPERIOR COURT  
OF YAKIMA COUNTY

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RESPONDENT'S BRIEF

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MICHAEL J. ELLIS, WSBA #50393  
Deputy Prosecuting Attorney  
Attorney for Respondent

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## **I. ISSUE PRESENTED FOR REVIEW**

1. When a prior conviction is an element of the crime charged, the State must prove that the individual named in the prior judgment and sentence is the same person currently standing trial. Mason was associated with an inmate-specific Department of Corrections number via both a signed form and a wanted poster that testimony confirmed depicted Mason's photograph. Did the State present sufficient evidence connecting Mason to the felony judgment and sentence where the certified document contained the same Department of Corrections number as that independently associated with Mason?

## **II. STATEMENT OF THE CASE**

On October 14, 2016, Mason was charged with one count of escape in the first degree under RCW 9A.76.110. Clerk's Papers (hereinafter "CP") at 1.

On April 18, 2017, Mason's case proceeded to a jury trial. VRP 4/18/17 at 4. After laying foundation through Sonya Brooks, an evidence custodian with the Yakima County Sheriff's Office, the trial court admitted State's Exhibit 12 into evidence. *Id.* at 126. Exhibit 12 was a redacted certified copy of a Felony Judgment and Sentence pertaining to

Yakima County Superior Court cause number 14-1-00765-1. *See* SE-12 (Attachment A). The Judgment and Sentence relayed that it arose from a case entitled “State of Washington vs. Jamie Michael Mason.” *Id.* at 1. The document also included identifying information about Mason, such as (1) a State Identification Number—WA 16597735; (2) a Driver’s License Number—MASONJM241LN; (3) a Department of Corrections (hereinafter “DOC”) number—786095; (4) a date of birth—June 15, 1976; (5) the individual’s gender—male; and (6) the individual’s race—white. *See id.* The Judgment and Sentence stated that the defendant, Jamie Michael Mason, was found guilty of Second Degree Possession of Stolen Property, pursuant to RCW 9A.56.160(1)(a) and 9A.56.140. *Id.* at 1, 3. Mason was sentenced to seventeen months of confinement. *Id.* at 3. The Judgment and Sentence was dated August 6, 2015. *Id.* at 6.

The trial court later admitted State’s Exhibit 14, a redacted copy of a wanted poster. VRP 4/19/17 at 156. The poster contained a picture of an individual identified as Jamie Mason with the DOC number 786095.

SE-14 (Attachment B).

The State next presented testimony from Carol Weigand. VRP 4/19/17 at 158. Weigand discussed her role as a resident monitor at Ahtanum View, a work release detention facility. *Id.* at 159. Weigand identified Mason both as the individual sitting in the courtroom and as the

man pictured in Exhibit 14. *Id.* at 160–61. Weigand further testified that Mason had begun serving a sentence at Ahtanum View on October 19, 2015. *Id.* at 163.

Finally, the State presented testimony from Kesiah Werst. VRP 4/19/17 at 169. Werst also worked as a resident monitor at Ahtanum View and identified Mason, present in the courtroom, as a prior detainee. *Id.* at 170–72. Werst testified that, as part of intake at Ahtanum View, Mason signed a form acknowledging the rules governing work release. *Id.* at 173. The trial court subsequently admitted State’s Exhibit 10, a form outlining the work release standard rules, which Werst testified was signed by Mason and listed DOC number 786095 following Mason’s signature. *See id.*; SE-10 (Attachment C). Werst testified that on December 26, 2015, Mason failed to return from his permitted destination, Walmart. VRP 4/19/17 at 176. Werst then initiated escape procedures. *Id.* at 179. Mason did not return to Ahtanum View on December 26, 2015, his expected return date. *Id.* at 182–83.

The jury ultimately found Mason guilty of escape in the first degree. *Id.* at 226; *see also* CP at 20. Mason was sentenced to sixty-three months confinement and legal financial obligations. *See* VRP 5/5/17 at 243; *see also* CP at 21–27.

### III. ARGUMENT

Under RCW 9A.76.110(1), “[a] person is guilty of escape in the first degree if he or she knowingly escapes from custody or a detention facility while being detained pursuant to a conviction of a felony.” RCW 9A.76.110(1). Under WPIC 120.26, “[t]o convict the defendant of the crime of escape in the first degree, each of the following elements of the crime must be proved beyond a reasonable doubt:” (1) “That on or about [December 26, 2015], the defendant escaped from [a detention facility]”; (2) “That the defendant was being detained pursuant to a conviction of [a felony]”; (3) “That the defendant knew that [his] actions would result in leaving confinement without permission”; and (4) “That this act occurred in the State of Washington.” *See* WPIC 120.26.

Mason claims that the State failed to present independent evidence connecting Mason with the individual named in the prior judgment and sentence. Br. of Appellant at 9. Accordingly, Mason’s challenge relates to whether sufficient evidence exists to demonstrate that Mason was being detained pursuant to a “felony” conviction. *See* RCW 9A.76.110(1).

“The test for determining the sufficiency of the evidence is whether, after viewing the evidence in the light most favorable to the State, any rational trier of fact could have found guilt beyond a reasonable doubt.” *State v. Salinas*, 119 Wn.2d 192, 201, 829 P.2d 1068 (1992).

“[A]ll reasonable inferences from the evidence must be drawn in favor of the State and interpreted most strongly against the defendant.” *Id.* “A claim of insufficiency admits the truth of the State’s evidence and all inferences that reasonably can be drawn therefrom.” *Id.*

**A. As Mason was, through other exhibits, associated with an inmate-specific DOC number that appears amongst biographical information on the felony judgment and sentence, the State presented sufficient independent evidence connecting Mason with the individual named in the certified document**

When a former judgment is an element of the substantive crime being charged, “[i]t must be shown by independent evidence that the person whose former conviction is proved is the defendant in the present action.” *State v. Hunter*, 29 Wn. App. 218, 221, 627 P.2d 1339 (1981). “Once the State has done this, it has established a prima facie case and the burden shifts to the defendant to cast doubt upon the identity of the individual in the documents.” *State v. Soto*, No. 32214-9-III, 2015 Wash. App. LEXIS 2160, at \*4 (Sept. 3, 2015) (unpublished opinion). For example, in *Hunter* the defendant was charged with escape in the first degree. *Hunter*, 29 Wn. App. at 219. The State presented testimony from a probation officer who identified the defendant as a former resident at a work training release facility serving time for the prior felony conviction. *Id.* at 221. The court held that the testimony provided sufficient

independent evidence that the defendant was the same “Dallas E. Hunter” named in the certified documents. *Id.* at 221–22.

Courts have examined a variety of ways through which the State can satisfy its burden of proving that an individual named in a certified document is the same individual charged in the current offense. Sufficiently corroborative facts may include an identical inmate-specific DOC number, *see State v. Hargrove*, No. 73220-0-I, 2016 Wash. App. LEXIS 251, at \*8–\*9 (Feb. 29, 2016) (unpublished opinion), or an identical inmate-specific prisoner number. *See State v. Johnson*, 33 Wn. App. 534, 538, 656 P.2d 1099 (1982). Documents containing biographical information including name, sex, race, and date of birth can be sufficient as the jury has an opportunity to compare those characteristics to the individual present in the courtroom. *See State v. Sapp*, 182 Wn. App. 910, 918, 332 P.3d 1058 (2014). While such evidence could consist of booking fingerprints, *see State v. Huber*, 129 Wn. App. 499, 503, 119 P.3d 388 (2005), a fingerprint comparison is not required to connect the defendant to the prior judgment.

Here, Exhibit 14, a wanted poster, depicted a photograph of a man with the caption “DOC# 786095” and “Mason, Jamie.” SE-14. The caption gives rise to the inference that the photographed individual is named “Jamie Mason” and is associated with the listed DOC number. *See*

*Salinas*, 119 Wn.2d at 201 (noting that in sufficiency of the evidence challenges “all reasonable inferences from the evidence must be drawn in favor of the State”). Weigand positively identified the man in the photograph as Mason. VRP 4/19/17 at 160–61. The jury had ample opportunity to compare the individual present in the courtroom to the man pictured in Exhibit 14. Further, Werst testified that Mason signed a document linking him with DOC number 786095. *See* VRP 4/19/17 at 173; SE-10.

The certified judgment and sentence referred to “State of Washington vs. Jamie Michael Mason” and listed, among other biographical information, “DOC 786095” in the caption after Mason’s name. SE-12. Following *Hargrove* and *Johnson*, a rational trier of fact could have determined beyond a reasonable doubt that the Jamie Mason in the courtroom was the same Jamie Mason referenced in the felony judgment and sentence considering the DOC number 786095 linking Mason to the certified document.

Further, sufficient evidence supports the remaining elements of escape in the first degree. Prior to escaping, Mason was detained at Ahtanum View work release, a detention facility in Yakima County, Washington. *See* VRP 4/19/17 at 159–160. On October 19, 2015, during intake at Ahtanum View, Mason acknowledged that “[a]ny resident who

willfully fails to return to his/her assigned facility at their designated time shall be deemed an escapee and fugitive from justice.” *See* SE-8 (Attachment D); VRP 4/19/16 at 163. The escape occurred on December 26, 2015, just over four months after Mason was sentenced to seventeen months following his conviction for the felony possession of stolen property in the second degree. *See* SE-12; VRP 4/19/17 at 176; RCW 9A.56.160. Finally, Mason failed to return from his authorized work release location at Walmart on December 26, 2015. *See* VRP 4/19/17 at 176. Accordingly, sufficient evidence supports the remaining, unchallenged elements of escape in the first degree.

#### **IV. CONCLUSION**

The State presented sufficient evidence to allow a rational jury to conclude that the Jamie Mason present in the courtroom was the same Jamie Mason detained pursuant to a felony conviction at the time of his escape. As Mason does not challenge whether sufficient evidence existed to support the remaining elements of escape in the first degree, this Court should affirm Mason’s conviction.

Dated this 9th day of February, 2018.

STATE OF WASHINGTON

/s/Michael J. Ellis  
MICHAEL J. ELLIS, WSBA # 50393  
Deputy Prosecuting Attorney  
Attorney for Respondent

# **ATTACHMENT A**

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COUNTY CLERK

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SUPERIOR COURT OF WASHINGTON FOR YAKIMA COUNTY

STATE OF WASHINGTON

Plaintiff,

NO. 14-1-00765-1

vs.

FELONY JUDGMENT AND SENTENCE  
(FJS)

JAMIE MICHAEL MASON

Defendant.

- Prison
- Clerk's Action Required: 4.D.8 (Payroll Deduction); 5.2 (NLVR); 5.3 (NTIPF)
- Clerk's Action Required: Dismissal of Count 2 (ORDSM)

SID NO.: WA16597735  
 Motor Vehicle Involved: No  
 D.L.#: MASONJM241LN; DOC: 786095;  
 DOB: 6/15/1976; SEX: Male; RACE: White

I. HEARING

1.1 **Hearing:** A sentencing hearing was held August 6, 2015. Present were the defendant, PAUL KELLEY, attorney for the defendant, and ALVIN L. GUZMAN JR., Deputy Prosecuting Attorney.

1.2 **Allocution:** The defendant was given the right of allocution and asked if any legal cause existed why judgment should not be entered. There being no reason why judgment should not be pronounced, the Court makes the following findings and judgment.

1.3 **Dismissal:** The State moves for dismissal of Count 2 of this action for the reason that the defendant has entered a plea of guilty or is being sentenced on Count 1 and prosecution of Count 2 is not necessary or desired.

II. FINDINGS

Based on testimony heard, statements by the defendant and/or victims, argument of counsel, any pre-sentence report, and case record to date, the court finds:

2.1 **Current Offense(s):** On August 6, 2015, the defendant was found guilty by a plea to:

Count 1      **SECOND DEGREE POSSESSION OF STOLEN PROPERTY**  
**RCW 9A.56.160(1)(a) and 9A.56.140**  
 Date of Crime: May 27, 2014  
 Law Enforcement Incident No.: YSO #14C07884

2.2 **Special Findings:** The Court makes no special findings.

ORIGINAL

**2.4 Other Current Convictions** under other cause number(s) used to determine offender score:

Crime	Cause Number	Court (County and State)
None		

**2.5 Sentencing Data:** The following is the defendant's standard range for each crime pursuant to RCW 9.94A.510:

Count	Offender Score	Seriousness Level	Standard Range	Enhancements*	Enhanced Range	Maximum Term
1			22-29 mos.			5 years

**2.6 Exceptional Sentence:** Substantial and compelling reasons exist which justify an exceptional sentence. Pursuant to *State v. Hilyard*, 63 Wn. App. 413 (1991), *petition for review denied*, 118 Wn.2d 1025 (1992), the Court finds that an exceptional sentence furthers and is consistent with the interests of justice and the purposes of the sentencing reform act.

The defendant and State stipulate that justice is best served by imposition of an exceptional sentence below the standard range of 22-29 months for Count1. The defendant and State stipulate that this sentence is not subject to appeal.

The Prosecuting Attorney did recommend a similar sentence.

**2.7 Financial Ability:** The Court has considered the total amount owing, the defendant's past, present, and future ability to pay legal financial obligations, including the defendant's financial resources and the likelihood that the defendant's status will change. The court finds that the defendant is an adult and is not disabled and therefore has the ability or likely future ability to pay the legal financial obligations imposed herein. RCW 10.01.160.

The following extraordinary circumstances exist that make restitution inappropriate (RCW 9.94A.753):

---

### III. JUDGMENT

**3.1 Guilty:** IT IS ADJUDGED that the defendant is guilty of the counts and charges listed in paragraph 2.1.

**3.2 Dismissal of Counts:** For the reasons given above, Count 2 is dismissed with prejudice.

**3.3 Exceptional Sentence:** Pursuant to *State v. Hilyard*, 63 Wn. App. 413 (1991), *petition for review denied*, 118 Wn.2d 1025 (1992), the Court is justified in entering an exceptional sentence of 17 months, which is below the standard range of 22-29 months.

### IV. SENTENCE AND ORDER

IT IS ORDERED that the defendant serve the sentence and abide by the conditions set forth below.

#### A. CONFINEMENT

**4.A.1 Confinement:** The defendant is sentenced to the following term of confinement:

**17 Months on Count 1**

**Credit for Time Served in the Yakima County Jail:** The defendant shall be given credit for TBD days served on this charge only. The defendant shall be given credit for good behavior as administered and computed by the Yakima County Department of Corrections.

**Credit for Time in Other Jail:** The defendant shall receive \_\_\_\_\_ days credit for time served on this case  in jail or prison \_\_\_\_\_;  in transport from \_\_\_\_\_;  in other \_\_\_\_\_

**4.A.2 Concurrent or Consecutive:**

**Consecutive With Other Sentences:** Unless otherwise specified here, this sentence shall be consecutive with prior sentences.

**4.A.3 Means of Confinement:** The defendant shall serve this sentence as follows:

**Total Confinement:** The defendant shall serve the balance of confinement in a prison operated by the Washington State Department of Corrections because the term of confinement is over one year.

**4.A.4 Time of Confinement:** If not already in custody, the defendant shall report to the above facility  immediately  on or before \_\_\_\_\_ by \_\_\_\_\_ a.m./p.m. to begin serving this sentence.

### B. SUPERVISION BY THE DEPARTMENT OF CORRECTIONS

**4.B.1 No Community Custody or Probation:** The defendant, by virtue of the offense committed, is not subject to community custody or probation.

### C. SENTENCE CONDITIONS

**4.C.1 DNA Testing:** The defendant shall have a biological sample collected for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing. The appropriate agency shall be responsible for obtaining the sample prior to the defendant's release from confinement. If you are out of custody at the time of sentencing, you will immediately report to the front desk of the Yakima County Jail for the taking of a DNA sample. RCW 43.43.754.

**4.C.2 No Conditions:** Because there is no supervision ordered, the defendant must only complete any incarceration ordered and pay all financial obligations.

### D. FINANCIAL OBLIGATIONS

**4.D.1 Financial:** The defendant shall pay financial obligations and abide by the conditions as set forth below. The defendant shall be under the jurisdiction and supervision of this Court for purposes of payment of financial obligations ordered until they are paid. The defendant shall report to the Yakima County Clerk, Yakima County Courthouse, Room 323, 128 North Second Street, Yakima, WA, within 24 hours of this order or release from incarceration, whichever is later. The defendant must notify the Yakima County Clerk's Office of changes in address or employment. During the period of repayment, the county clerk may require the offender to report to the clerk for the purpose of reviewing the appropriateness of the collection schedule for the legal financial obligation. During this reporting, the offender is required under oath to respond truthfully and honestly to all questions concerning earning capabilities and the location and nature of all property or financial assets. The offender shall bring all documents requested by the county clerk in order to prepare the collection schedule. RCW 9.94A.760(7)(b).

**4.D.2 Jurisdiction:** All legal financial obligations for an offense committed on or after July 1, 2000, may be enforced at any time the offender remains under the court's jurisdiction. For an offense committed on or after July 1, 2000, the court shall retain jurisdiction over the offender, for purposes of the offender's compliance with payment of the legal financial obligations, until the obligation is completely satisfied, regardless of the statutory maximum for the crime. The clerk of the court is authorized to collect unpaid financial obligations at any time the offender remains under the jurisdiction of the court for purposes of his or her financial obligations. RCW 9.94A.753(4) and RCW 9.94A.760(4).

**4.D.3 Restitution, Costs, Assessments, and Fine:** Defendant shall pay the following to the Yakima County Superior Court Clerk, Room 323, Yakima County Courthouse, Yakima, WA 98901:

RTN	\$ 1.00	Restitution distributed to: Robert Conrad, subject to modification. Restitution shall be joint and several with any codefendant.
PCV	\$ 500.00	Crime Penalty Assessment – felony or gross misd. (RCW 7.68.035)
<del>FRC</del>	<del>\$ 200.00</del>	<del>Criminal filing fee</del>
<del>PUB</del>	<del>\$ 600.00</del>	<del>Court appointed attorney recoupment (RCW 9.94A.760)</del>
DNA	\$ 100.00	DNA collection fee (any felony committed after 7/1/02) (RCW 43.43.7541)
<del>WRF</del>	<del>\$ 100.00</del>	<del>Warrant fee</del>
	\$ 1,501.00	TOTAL

\$ 601

**4.D.4 Costs of Incarceration:** In addition to the above costs, the court finds that the defendant has the means to pay for the costs of incarceration, in prison at a rate of \$50.00 per day of incarceration or in the Yakima County Jail at the actual rate of incarceration but not to exceed \$100.00 per day of incarceration (the rate in 2015 is up to \$87.95 per day), and orders the defendant to pay such costs at the statutory rate as assessed by the Clerk. Such costs are payable only after restitution costs, assessments and fines listed above are paid. RCW 9.94A.760(2). *waived DM*

**4.D.5 Costs of Medical Care:** In addition to the above costs, the court finds that the defendant has the means to pay for any costs of medical care incurred by Yakima County on behalf of the defendant, and orders the defendant to pay such medical costs as assessed by the Clerk. Such costs are payable only after restitution costs, assessments and fines listed above are paid. RCW 70.48.130.

**4.D.6  Forfeiture of Funds:** The financial obligations ordered above, in part or in full, shall be paid from defendant's funds held by \_\_\_\_\_ who is ordered to pay such funds to the Clerk of the above Court. Any balance shall be paid by the defendant.

**4.D.7 Payments:** Unless provided above, the Yakima County Clerk shall, after investigation, set a minimum monthly payment for the defendant to pay towards the financial obligations. The Clerk may modify the monthly payment amount. Payments shall first apply to any restitution. Costs and assessments shall be paid in 180 days after restitution is paid in full/release. All other fees shall be paid in 270 days after restitution is paid in full/release. The defendant shall pay financial obligations to the Clerk of the Court, Room 323, Yakima County Courthouse, Yakima, Washington.

**4.D.8 Payroll Deduction:** Without further notice, the Yakima County Clerk may issue a Notice of Payroll Deduction at any time until all financial obligations are paid. RCW 9.94A.7602. Other income-withholding action under RCW 9.94A.760 may be taken without further notice. RCW 9.94A.7606.

**4.D.9 Interest, Judgment, and Collection:** The financial obligations listed herein shall bear interest from the date hereof until paid in full at the rate applicable to civil judgments. RCW 10.82.090. An award of costs on appeal against the defendant may be added to the total financial obligations. RCW 10.73.160. The financial obligations listed above may be enforced in the same manner as a civil judgment. The defendant shall pay the costs of services to collect unpaid legal financial obligations.

**4.D.10 Petition For Remission:** The defendant, if not in willful default on financial obligations due hereunder, may at any time petition the court for remission of all or part of the financial obligations due, except restitution or interest on restitution, or to modify the method of payment under RCW 10.01.160 through RCW 10.01.180 and RCW 10.73. Non-restitution interest may be waived only after the defendant has either (a) paid the principal amount in full or (b) made at least fifteen monthly payments within an eighteen-month period, as set by the Clerk, and further payment of interest will cause a significant hardship. RCW 10.82.090.

## V. NOTICES

The defendant, by signing below, acknowledges each of the statements in this section.

**5.1 Collateral Attack:** The defendant may not file a petition or motion for collateral attack on a judgment and sentence in a criminal case 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. For purposes of this section, "collateral attack" means any form of post-conviction relief other than a direct appeal. "Collateral attack" includes, but is not limited to, a personal restraint petition, a habeas corpus petition, a motion to vacate judgment, a motion to withdraw a guilty plea, a motion for a new trial, and a motion to arrest judgment under RCW 10.73.090 and RCW 10.73.100.

**5.2 Loss of Voting Rights:** The defendant understands and acknowledges that:

1. The defendant's right to vote is lost because of this felony conviction.
2. If the defendant is registered to vote, his or her registration will be canceled.
3. The defendant's right to vote is provisionally restored as long as the defendant is not under the authority of the department of corrections.
4. The defendant must reregister before voting.
5. The provisional right to vote may be revoked if the defendant fails to comply with all the terms of his or her legal financial obligations or an agreement for the payment of legal financial obligations.
6. The defendant's right to vote may be permanently restored by one of the following for each felony conviction:
  - a. A certificate of discharge issued by the Yakima County Superior Court, as provided in RCW 9.94A.637; or
  - b. A court order issued by the Yakima County Superior Court restoring the defendant's right to vote, as provided in RCW 9.92.066; or
  - c. A final order of discharge issued by the indeterminate sentence review board, as provided in RCW 9.96.050; or
  - d. A certificate of restoration issued by the governor, as provided in RCW 9.96.020.
7. Voting before the right to vote is restored is a class C felony under RCW 29A.84.660.

**5.3 Firearms:** The defendant understands that he or she must immediately surrender any concealed pistol license and may not own, use, or possess any firearm unless the right to do so is restored by a court of record. (The clerk of the court shall forward a copy of the defendant's driver's license, identicard, or comparable identification to the Department of Licensing along with the date of conviction or commitment.) RCW 9.41.040, 9.41.047.

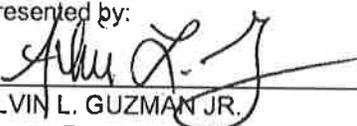
**5.4 Successful Completion:** Upon successful completion of the requirements of the sentence, the defendant shall be eligible for a certificate of discharge. RCW 9.94A.637.

**5.5 Restitution Hearing:** If this box is checked  and initialed here \_\_\_\_\_ then the defendant gives up or waives the right to be present at any restitution hearing.

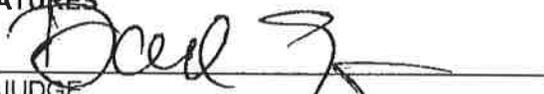
**VI. SIGNATURES**

DATED: August 6, 2015

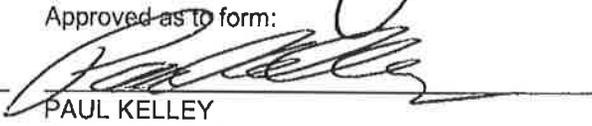
Presented by:

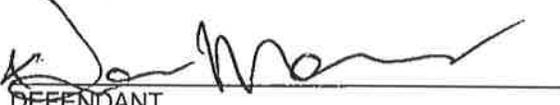
  
ALVIN L. GUZMAN JR.  
Deputy Prosecuting Attorney  
Washington State Bar No. 36298

Acknowledging the notices in Section V and receiving a copy:

  
JUDGE

Approved as to form:

  
PAUL KELLEY  
Attorney for Defendant  
Washington State Bar No. 23068

  
DEFENDANT

**VII. WARRANT OF CONFINEMENT**

THE STATE OF WASHINGTON

TO: The Yakima County Sheriff  
TO: The Yakima County Department of Corrections  
TO: The Washington State Department of Corrections

The defendant has been convicted in the Superior Court of the State of Washington of the crime of:

**COUNT 1 - SECOND DEGREE POSSESSION OF STOLEN PROPERTY**

and the court has ordered that the defendant be punished as set out in the attached Judgment and Sentence.

YOU ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence.

DATED: August 6, 2015

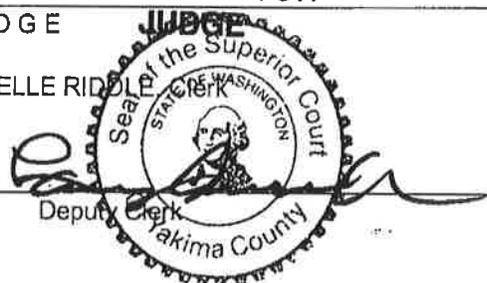
By the Direction of the Honorable

**DAVID ELOFSON**

JUDGE

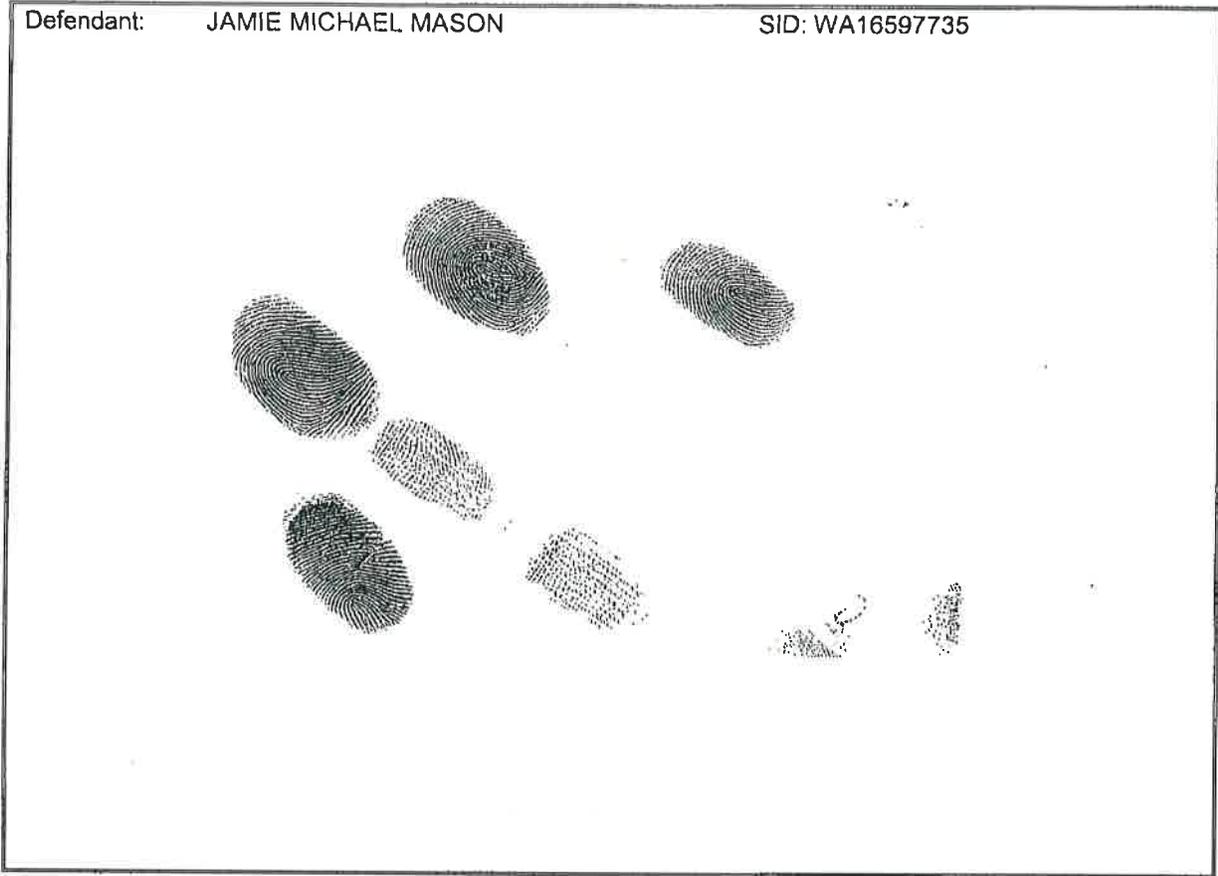
JANELLE RIDOLE

By:



Defendant: JAMIE MICHAEL MASON

SID: WA16597735



FINGERPRINT CERTIFICATE OF ATTESTATION

STATE OF WASHINGTON )  
 )  
 County of Yakima ) ss.

I, JANELLE RIDDLE, Yakima County Clerk and ex-officio Clerk of the Superior Court, hereby attest that the fingerprints appearing on this certificate are the fingerprints of the above-named defendant, and were affixed in open court on August 6, 2015.

DATED: August 6, 2015

JANELLE RIDDLE, Clerk

By: \_\_\_\_\_



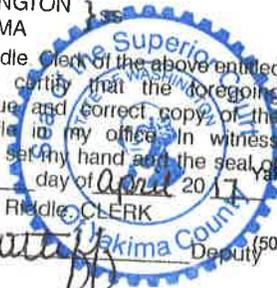
Address of Defendant:  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF WASHINGTON )  
 COUNTY OF YAKIMA )

I, Janelle Riddle, Clerk of the above entitled court, do hereby certify that the foregoing instrument is a true and correct copy of the original now on file in my office. In witness whereof, I hereunto set my hand and the seal of said court this 18 day of April 2017.

Janelle Riddle, CLERK

By: *Holly Sata*  
 Deputy



JOSEPH A. BRUSIC

Yakima County Prosecuting Attorney

128 N. 2nd Street, Room 329

Yakima, Washington 98901

(509) 574-1210 Fax (509) 574-1211

## **ATTACHMENT B**

16-82



**DOC# 786095**

**MASON, JAMIE**

**PICTURE TAKEN: 08/12/15**

16-1-01967-39

4/19/2017

State Of Washington VS Jamie Mason

State Ident. 14 Defts. Ident. \_\_\_\_\_

State Exhibit 14 Defts. Exhibit \_\_\_\_\_

## **ATTACHMENT C**



WORK RELEASE STANDARD RULES

In consideration of being granted Work Release, the offender must agree to observe and abide by the following rules:

- 1. Continue in the approved Work Release Plan until it is officially changed. Any modification of the plan must be authorized in writing by the Work Release CCO.
2. Comply with local Work Release Facility rules and any special restrictions imposed in writing by the Work Release CCO.
3. Comply with such other restrictions and/or conditions as may be imposed in the original Work Release Plan by the State Supervisor, Work Release, or his/her designee.
4. Remain confined to the Work Release Facility premises at all times other than the time necessary to implement the plan or when on an authorized outing or pass.
5. Have employment or other resources in order to meet financial needs.
6. Not consume, ingest, inject or possess, non-prescription narcotic or "dangerous" drugs or controlled substances, alcoholic beverages, or foods containing poppy seeds.
7. Agree to deposit all earnings into the Inmate Banking System account.
8. Comply with all federal, state, and local laws.

Custodial Sexual Misconduct: I am aware that sexual conduct between a DOC offender and DOC employee is a violation of Washington State Law under RCW 9A.44.160. Any allegation of custodial sexual misconduct will be investigated and may result in the prosecution of the employee. I understand that under the law, there is no consensual sex between an employee of a correctional agency and a person under correctional supervision. I understand the reporting process for custodial sexual misconduct. If you have any questions, you may contact your Field Administrator Phone number or by calling 1-800-586-9431.

I hereby waive extradition to the state of Washington from any state or territory of the United States or from the District of Columbia should it be the case that I am found outside of the state of Washington and am subject to return to Washington State custody pursuant to RCW 72.65, or any other provision of Washington State law.

I also agree that I will not contest any effort to return me to the state of Washington. I make this waiver of extradition freely, voluntarily and without compulsion. No one has threatened harm of any kind to me or any other person to cause me to make this waiver. No person has made promises of any kind to cause me to make this waiver, except as set forth in this agreement. I have been informed and fully understand that by waiving extradition,

I am waiving the following rights: (a) the right to issuance and service of a warrant of extradition; (b) the right to obtain a writ of habeas corpus under RCW 10.88.290; (c) the right to counsel; and (d) the opportunity to petition the executive of the asylum state for relief from extradition.

I have also been informed and fully understand that once I sign this agreement, the waiver of extradition is irrevocable.

Jamie Mason
Offender (Print Name)

786095
DOC Number

Jamie Mason
Offender Signature

10/19/15
Date

Theriah West
Staff

10-19-15
Date

## **ATTACHMENT D**



DECLARATION OF SERVICE

I, Michael J. Ellis, state that on February 9, 2018, by agreement of the parties, I emailed a copy of BRIEF OF RESPONDENT to Mr. David Gasch at GASCHLAW@msn.com.

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

DATED this 9th day of February, 2018, at Yakima, Washington.

\_\_\_\_\_/s/Michael J. Ellis\_\_\_\_\_  
MICHAEL J. ELLIS  
WSBA# 50393  
Deputy Prosecuting Attorney  
Yakima County, Washington  
128 N. Second Street, Room 329  
Yakima, WA 98901  
Telephone: (509) 574-1204  
Fax: (509) 574-1211  
michael.ellis@co.yakima.wa.us

for Respondent

**YAKIMA COUNTY PROSECUTING ATTORNEY'S OFFICE**

**February 09, 2018 - 4:11 PM**

**Transmittal Information**

**Filed with Court:** Court of Appeals Division III  
**Appellate Court Case Number:** 35289-7  
**Appellate Court Case Title:** State of Washington v. Jamie Michael Mason  
**Superior Court Case Number:** 16-1-01967-1

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