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SUPREME COURT OF THE STATE OF WASHINGTON

HENRY GOSSAGE,

Petitioner,

v.

NORM MALENG,

Respondent.

PETITION FOR DISCRETIONARY REVIEW

~~APPELLANT'S OPENING BRIEF~~

Henry Gossage
Pro Se
9321 Johnson Pt. Lp NE
Olympia, WA 98516

FILED
COURT OF APPEALS DIVISION
STATE OF WASHINGTON
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Appellant asserts my State Constitution protected rights and interests and Federally protected rights under the 4th, 5th, 8th, and 14th amendments. In addition Appellants State and Constitution right to VOTE, BEAR ARMS, and EMPLOYMENT and restoration of all civil rights. All of these issues affect other individuals whom seek to have their individual rights restored following a conviction and thus this case presents important questions for this court to address.

The decision by the Division One of the Washington Court of Appeals conflicts with the State Supreme Court and Division 2 and Division 3 of Washington Court of Appeals. The decision is contrary to Federal Circuit Court of Appeals

A. ISSUES

1. The original 1992 Judgment and Sentence was invalid on its face.

2. The Court erred in granting relief from the 1992 trial court ordered restitution. Criminal Restitution Ordered by the trial court is governed by statutes at the time of sentencing and must be strictly followed. Any order entered beyond its jurisdiction is correctable at any time.

2. Appellant is entitled to have all of my civil rights restored.

The scope of any restoration of civil rights law must lie most favorably towards appellant; the rule of lenity dictates the scope of disability lies within the statutes at time of conviction and not after release or at the time restorations is requested.

3. Division One's interpretation and application of a Void Judgment conflicts with this Court and Appellate Courts prior decision.

B. FACTS

The underlying facts in this case are mostly agreed.

Appellant was convicted in 1992 of incest in the first degree, Rape in the third degree, Incest in the first degree, and Attempted Incest in the first degree. Appellant was sentenced on May 29, 1992 (CP 12) to 67 months Attempted Incest 1, a Class C Felony, RCW 9A.28.020 (c), RCW 9A.20.010, RCW 9A.20.021(c), (Statutory Maximum is 5 years)(CP12A). King County held an Order of Restitution hearing was entered before J. Aiken on August 31, 1992 for \$ 2,374.88 (CP 18). This Restitution Order was entered beyond RCW 9.94A.142 mandatory 60 day period and without Appellant presence, without notice of a hearing, and without being informed

of the damages. The court ordered judgment was entered on September 1992 (King County Case # 92-9-13739-4).

It is undisputed the trial court never set any minimum restitution amount to be paid. Appellant originally agreed, when DOC set payment at \$20.00/month towards restitution. The trial court never entered any other order modifying this agreement and no other hearing to modify this order was entered by the trial court. Appellant has paid over half of the original amount of restitution ordered.

King County asserts that Appellant's restitution is not an issue with Federal Employment by OPM. This FACT is in error, The Federal Circuit Court of Appeals in *Gossage v. Office of Personnel Management*, 163 Fed. Appx. 909; 2006 U.S. App. LEXIS 1988 (January 25, 2006), stated:

However, OPM specifically referred to this alleged failure to make restitution in its May 16, 2001 decision here appealed.

It is undisputed fact, this is a criminal appeal and both King County and the Court of Appeals recognized this case as a criminal appeal. Because this is an appeal of a criminal case, due process and Appellant's constitutional rights must be protected from

decisions which are contrary to the statutes enacted at the time of sentencing and an order of a restitution judgment which was beyond the trial court's jurisdiction and one which was arbitrary in nature and an abuse of discretion.

C. ARGUMENT

King County argued before the Court of Appeals, this is a civil case, yet it requested cost under a criminal case. The Appellate Court recognized and accepted this as a criminal appeal.

Appellants Original May 1992 Sentence on Attempted Incest 1 and the trial courts September 1992 Restitution Order was beyond the trials courts jurisdiction. The restitution order, pursuant to RCW 9.94A.142 was entered beyond the mandatory 60 day period. *State v. Duval*, 86 Wn. App. 871, 940 P.2d 671 (1997). Both aspects of Appellants sentencing order was entered beyond the trial courts jurisdiction and is invalid on its face. "A trial court's authority is limited to that expressly found in the statutes. "If the statutory provisions are not followed, the action of the court is void" and must be vacated *State v. Theroff*, 33 Wn.App.741, 744 (1983) (citing *State v. Elites*, 94 Wn.2d 489, 495(1980)); *State v. Johnson*, 96 Wn. App. 813, 815-16 (1999); *State v. Tetreault*, 99 Wn. App.

435, 436 (2000); See also *State v. Furman*, 122 Wn.2d 440, 456 (1993). Its undisputed Appellant is being DENIED any restoration of my civil rights by the trial court and Courts of Appeals clearly raises Constitutional protected rights and established an unlawful restraint from this restitution judgment clearly affords Appellant the right to seek relief in this criminal case. RAP 16.4 *In re PRP Meyer*, 142 Wn.2d. 608, 615 (2001). These are matters of continuing and substantial public interest.

This Court and Divison II has held, a defendant may challenge his sentence if the trial court exceeded its statutory jurisdiction. *State v. Phelps*, 113 Wn.App. 347 (2002); *State v. Elites*, 94 Wn. 2d. 489, 495-96 (1980). The failure of the trial court to restore Appellant any of his civil rights amounts to continued punishment and thus Appellant cannot be punished more than the legislature allows. *In re Moore*, 116 Wn.2d. 30, 38 (1991). "a defendant may challenge his sentence if the trial court exceeded its statutory sentencing authority" The Courts refusal to restore Appellants civil right, is essentially reviving the sentencing punishment, this is contrary to this court's previously held decision, when a restitution order becomes void, it cannot be revived. *In re PRP Sappenfied*, 138 Wn.2d. 588 594 (1999).

If nothing more, the 10 years for enforcement and payment has long expired and the courts authority to hold this restitution and deny Appellant restoration of his civil rights is continued punishment and thus raises Constitutional Issues. The courts' order is purely statutory and the 1992 restitution order is null and void. "If a court's jurisdiction over a restitution order lapses...the order becomes void." *State v. Johnson*, 96 Wn. App. 813, 815 (1999); *Sappenfied*, 138 Wn.2d. at 594. Cf *State v. Tetreault*, 99Wn. App. 435, 436. (2000). The courts authority to enforce a null and void order in refusing to restore appellants civil rights exceeds the courts jurisdiction and raises State and Federal Constitutional issues for appeal, because sentencing requirements remain.

King County argues the scope of Appellant's right to possess firearms is referenced to the state law at the time his civil rights were restored, this is clear error. See *United States v. Collins*, 61 F.3d 1379, 1382 (9th Cir. 1995); *United States v. Qualls*, 108 F.3d 1019, 1023 (9th Cir. 1997), The Federal Court looked to the state law at the time of his conviction because it is analogous to the time of restoration. *USA v. Qualls*, 140 F.3d 824 (CA9, 1998). At Appellants 1992 sentencing, Rape 3 and Incest 1 were classified as a non-violent sex offense; this was subsequently changed to a

violent sex offense. Based upon the new and old statutes of firearms restoration under RCW 9.41, Appellant is entitled to a hearing to determine his eligibility to have his firearm rights restored.

D. CONCLUSION

For the foregoing reasons, this court should vacate the 1992 restitution order and remand for a hearing on Appellants restoration of firearm and civil rights, to included relief from sex offender registration. This court should vacate the cost of this appeal.

DATED this 29th day of May, 2007.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Henry Gossage", with a long horizontal flourish extending to the right.

Henry Gossage
9421 Johnson Pt. Lp NE
Olympia, WA 98516
(360) 438-1069

APPENDIX

Judgment and Sentence
Order Setting restitution
April 30, 2007 Division I Court of Appeals Decision

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

STATE OF WASHINGTON,)	No. 58231-3-I
)	
Respondent,)	
)	
v.)	
)	
HENRY GOSSAGE,)	PUBLISHED OPINION
)	
Appellant.)	FILED: April 30, 2007
)	

ELLINGTON, J. Under some circumstances, an offender may seek a certificate of discharge and restoration of civil rights, and a sex offender may seek early termination of registration obligations. Henry Gossage sought both, and appeals the denial of his petition. Because he does not satisfy the requirements for a certificate of discharge, and offered no proof that he should be relieved of registration obligations, we affirm.

BACKGROUND

Henry Gossage pleaded guilty in April 1992 to multiple sexual offenses against his minor daughter. In addition to confinement, Gossage was ordered to pay a victim penalty assessment, court costs, and restitution. The conditions of Gossage's sentence include sex offender registration, and a prohibition on possession of firearms.

Gossage was released from confinement in 1995, and since then has been registered as a level one sex offender. The Department of Corrections terminated his supervision on November 4, 2003. At that time, a balance of \$4,020.98, including accrued interest, remained owing on his legal financial obligations. He continued to make payments, apparently keeping just abreast of interest charges, and owed \$4,016.45 as of April 2006.¹

In December 2005, Gossage petitioned pro se for a certificate of discharge, early termination of registration requirements, rehabilitation from firearm disability, and restoration of civil rights. The superior court denied the motion without a hearing. Gossage appeals.

DISCUSSION

Appealability

Preliminarily, the State challenges whether the trial court's order is appealable. We conclude it is a final judgment that leaves "nothing else to be done to arrive at the ultimate disposition of the petition,"² and is thus appealable. We reject as inapt the State's analogy to In re Detention of Petersen,³ In re Dependency of Chubb,⁴ and In re

¹ Pro Se Appendix A-8. An April 6 statement is the most recent account statement submitted to this court. Though the State notes this documentation was filed only in this court and not in the superior court, it does not object to our consideration of the information. The specific amount outstanding does not affect our analysis, but we nonetheless accept the supplemental documentation as additional evidence under RAP 9.11.

² In re Detention of Petersen, 138 Wn.2d 70, 98, 980 P.2d 1204 (1999) (Sanders, J., dissenting); see In re Detention of Turay, 139 Wn.2d 379, 392, 986 P.2d 790 (1999) (final ruling settles all the issues in a case); CR 54(a)(1) (a "judgment is the final determination of the rights of the parties in the action"); RAP 2.2(a).

Marriage of Greenlaw,⁵ because in contrast to the proceedings in those cases, a court reviewing a petition for restoration of civil rights or relief from the obligation to register as a sex offender does not have continuing jurisdiction over the offender,⁶ and there is no set review of an offender's eligibility for restoration of rights or relief from the registration obligation.⁷

We conclude the trial court's order is appealable as a matter of right.

Certificate of Discharge

RCW 9.94A.637(1)(a) requires discharge of an offender who has completed all sentencing requirements:

When an offender has completed all requirements of the sentence, including any and all legal financial obligations, and while under the custody and supervision of the department, the secretary or the secretary's designee shall notify the sentencing court, which shall discharge the offender and provide the offender with a certificate of discharge by issuing the certificate to the offender in person or by mailing

³ 138 Wn.2d 70, 98, 980 P.2d 1204 (1999).

⁴ 112 Wn.2d 719, 773 P.2d 851 (1989).

⁵ 67 Wn. App. 755, 759, 840 P.2d 223 (1992).

⁶ The court has neither a duty nor power to enforce registration requirements; any violation constitutes an independent crime. State v. Acheson, 75 Wn. App. 151, 155-56, 877 P.2d 217 (1994).

⁷ A renewed petition for termination of registration obligations is a mere potentiality, dependent entirely on the offender filing anew, whereas in Petersen, Chubb, and Greenlaw, future proceedings were certain. RCW 71.09.090 (annual review of sexually violent predator status); former RCW 13.34.130(3) (1984) (dependency review hearing at least every six months); RCW 26.09.181 (permanent parenting plan proposals must be submitted within 30 days of notice for trial or 180 days after action filed).

the certificate to the offender's last known address.

Gossage contends that he has completed all sentencing requirements because the only outstanding condition, payment of financial obligations, is no longer enforceable by the court.

For offenses committed before July 1, 2000, the court loses jurisdiction to enforce an order on restitution and other legal financial obligations 10 years after the offender's release, unless the court extends its jurisdiction before the period ends.⁸ The court did not extend its jurisdiction here, and thus in 2005, the court lost the ability to take action against Gossage for failure to pay his financial obligations.

But loss of enforcement jurisdiction does not nullify the order for all purposes. Gossage cites language from Personal Restraint of Sappenfield to the effect that "[i]f a court's jurisdiction over a restitution order lapses under RCW 9.94A.142, that restitution order becomes void."⁹ But Sappenfield addressed only the enforceability of an expired restitution order, not an offender's entitlement to discharge and restoration of civil rights. The statement in Sappenfield is dicta,¹⁰ is supported by no cited authority, and we do not believe the court meant to say the order disappears from all notice.

The rule that a restitution order cannot be enforced after a certain period of time

⁸ RCW 9.94A.753(4), .760(4); see also RCW 6.17.020(4).

⁹ 138 Wn.2d 588, 594, 980 P.2d 1271 (1999).

¹⁰ Ass'n of Wash. Bus. v. Dep't of Revenue, 155 Wn.2d 430, 442 n.11, 120 P.3d 46 (2005) ("Statements in a case that do not relate to an issue before the court and are unnecessary to decide the case constitute obiter dictum, and need not be followed.") (citation omitted).

conserves court and correctional resources by concentrating collection efforts and thereafter removing any duty to attempt collection on debts unlikely to be repaid.¹¹ But the State's inability to take action to collect the debt does not mean the sentence condition is satisfied. RCW 9.94A.637 allows discharge only upon completion of all sentence requirements. An offender does not complete all his sentence requirements by merely avoiding payment of restitution until the court's enforcement jurisdiction expires. Such a rule would give offenders an incentive not to pay and would defeat both the punitive and restorative purposes of restitution.¹² His debt remains unpaid, and Gossage is not entitled to a certificate of discharge.

Because Gossage is not entitled to the certificate of discharge, he is not entitled to reinstatement of civil rights, which derives from issuance of the certificate. Gossage concedes that he does not qualify for reinstatement of firearm rights.

Sex Offender Registration

Any person convicted of a sex offense must register with the county sheriff.¹³ A sex offender whose offense was a class B felony must register for 15 years after release from confinement,¹⁴ but may petition for relief from the duty to register after 10

¹¹ See State v. Adams, 121 Wn. App. 438, 443, 88 P.3d 1012 (2004) ("It is for the legislature to decide what resources will be expended in the effort to recoup funds from offenders."), reversed on other grounds, 153 Wn.2d 746, 108 P.3d 130 (2005).

¹² See State v. Dennis, 101 Wn. App. 223, 229, 6 P.3d 1173 (2000).

¹³ RCW 9A.44.130.

¹⁴ RCW 9A.44.130(1), .140(1)(b).

crime-free years in the community.¹⁵ The petitioner must bring clear and convincing evidence that he merits relief:

The court shall consider the nature of the registrable offense committed, and the criminal and relevant noncriminal behavior of the petitioner both before and after conviction, and may consider other factors. . . . [T]he court may relieve the petitioner of the duty to register only if the petitioner shows, with clear and convincing evidence, that future registration of the petitioner will not serve the purposes of RCW 9A.44.130, 10.01.200, 43.43.540, 46.20.187, 70.48.470, and 72.09.330.¹⁶

Gossage argues that his petition should not have been dismissed without an opportunity to present evidence to satisfy the statutory standard.

Granting such a petition is wholly discretionary.¹⁷ The statute does not specify a procedure. Rather, it outlines criteria for consideration, and then leaves the determination to the court's discretion. An evidentiary hearing may in some circumstances be useful, or even required. But whether to conduct an evidentiary hearing is also in the reviewing court's discretion.

Gossage's petition documented that his offense is a class B felony covered by RCW 9A.44.140(3), and that he has been crime-free for 10 years following his release from custody. He thus demonstrated the threshold requirements for a petition. But

¹⁵ RCW 9A.44.140(3)(a).

¹⁶ RCW 9A.44.140(3)(a). The listed statutes regulate local law enforcement implementation of the offender registration system, the purpose of which is to assist law enforcement's effort to protect the community, investigate sex crimes and apprehend sex offenders. State v. Heiskell, 129 Wn.2d 113, 117, 916 P.2d 366 (1996) (citing Laws of 1990, ch. 3, § 401).

¹⁷ The word "may" when used in a statute is generally permissive and operates to confer discretion. National Elec. Contr. Ass'n v. Riveland, 138 Wn.2d 9, 28, 978 P.2d 481 (1999) (citing Yakima County (W. Valley) Fire Protection Dist. No. 12 v. City of Yakima, 122 Wn.2d 371, 381, 858 P.2d 245 (1993)).

No. 58231-3-I/7

Gossage offered nothing to indicate why he should be excused from registration, and did not even allege that the purposes of the registration statutes would not be served by his continued registration.

We think an evidentiary hearing is unwarranted absent some indication of a triable issue. These petitions are frequently filed pro se, and form must not be elevated over substance. But a petitioner who shows merely that he has passed the required time period without committing new offenses has not demonstrated that registration has ceased to serve its statutory purposes. Unless the petitioner makes at least some minimal showing that he can satisfy the statutory standard, we see no reason to require the court to convene a hearing.

The fact that Gossage was classified at the lowest risk of reoffense does not change the analysis. The legislature decided that public safety would be served by registration of even low-level offenders. Every registrant seeking early release must demonstrate that continued registration would not serve the statutory purposes.

The court did not abuse its discretion in denying Gossage's petition without an evidentiary hearing.

Statement of Additional Grounds for Review

Gossage renews certain due process and jurisdictional challenges to the original restitution order. These arguments were dismissed in 1996 and 1997, and those orders were not appealed. The issues are thus not preserved for review here.

Affirmed.

Erington, J

WE CONCUR:

Ajid, J.

Baker, J

WASH STATE & WNA

JUN 3 1992

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)
 Plaintiff,)
 vs.)
 Henry Gossage)
 Defendant.)

NO. 92-1-00072-1
 JUDGMENT AND SENTENCE

COMMITMENT ISSUED

I. HEARING

- 1.1 Pursuant to RCW 9.94A.110, sentencing hearing in this case was held on 5-29-92
- 1.2 Present were:
 Defendant: Henry Gossage Defendant's Lawyer: Mike Foshau
 Deputy Prosecuting Attorney: Rod Scarr for R. Roe
 Other: _____
- 1.3 The state has moved for dismissal of count(s) _____
- 1.4 Defendant was asked if there was any legal cause why judgment should not be pronounced, and none was shown.

II. FINDINGS

Based on the testimony heard, statements by defendant and/or victims, argument of counsel, the presentence report(s) and case record to date, court finds:

- 2.1 CURRENT OFFENSE(S): The defendant was found guilty on (date): _____ by plea/jury verdict/bench trial of:
- | | |
|-----------------------|------------------------------------|
| Count No.: <u>I</u> | Crime: <u>INCEST 1^o</u> |
| RCW <u>9A.64.020</u> | Crime Code _____ |
| Date of Crime _____ | Incident No. _____ |
| Count No.: <u>II</u> | Crime: <u>Rape 3^o</u> |
| RCW <u>9A.44.070</u> | Crime Code _____ |
| Date of Crime _____ | Incident No. _____ |
| Count No.: <u>III</u> | Crime: <u>INCEST 1^o</u> |
| RCW <u>9A.64.020</u> | Crime Code _____ |
| Date of Crime _____ | Incident No. _____ |
- Additional current offenses are attached in Appendix A.
- (a) With a special verdict/finding for being armed with a deadly weapon on Count(s): _____
- (b) With a special verdict/finding that the defendant committed the crimes(s) with a sexual motivation on Count(s): _____
- (c) With a special verdict/finding for Violation of the Uniform Controlled Substances Act offense taking place
 in a school zone in a school on a school bus in a public park in public transit vehicle
 in a public transit stop shelter on Count(s): _____
- (d) Vehicle Homicide Violent Offense (D.W.I. and/or reckless) or Nonviolent (disregard safety of others)
- (e) Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number): _____
- (f) Current offenses encompassing the same criminal conduct and counting as one crime in determining the offender score (RCW 9.94A.400(1)(a)) are: _____

(Current offenses not listed here are not encompassed)

PRESENTING STATEMENT INFORMATION ATTACHED

COPY TO SENTENCING GUIDELINES COMMISSION JUN 3 1992

2.2 CRIMINAL HISTORY: Prior convictions constituting criminal history for purposes of calculating the offender score are (RCW 9.94A.360):

Crime	Sentencing Date	Adult or Juv. Crime	Cause Number	Location
(a)				
(b)				
(c)				
(d)				

- Additional criminal history is attached in Appendix B.
- Prior convictions (offenses committed before July 1, 1986) served concurrently and counted as one offense in determining the offender score are (RCW 9.94A.360(6)(c)): _____

2.3 SENTENCING DATA:

Count	OFFENSE	OFFENDER SCORE	SERIOUSNESS LEVEL	RANGE	MAXIMUM TERM
I	INCEST 1 ^o	3	VI	26-34	10 yrs or 20,000
II	Pape 3 ^o	3	VI	"	"
III	INCEST 1 ^o	3	VI	"	"

Additional current offense sentencing data is attached in Appendix C.

2.4 EXCEPTIONAL SENTENCE:

- Substantial and compelling reasons exist which justify a sentence above/below the standard range for Count(s) _____

Findings of fact and conclusion(s) are attached in Appendix D.

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) _____

IV. ORDER

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

4.1 MONETARY 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.

Defendant shall pay to the Clerk of this Court:

- (a) \$ _____ Total amount restitution (with credit for amounts paid by co-defendant) to:

Name	Address	Amount
_____	_____	\$ _____
_____	_____	\$ _____

- Schedule of Restitution is attached as Appendix E.

Restitution to be determined at future restitution hearing on (Date) _____ ~~Date to be set.~~

(b) \$ 85.50, Court costs;

(c) \$100, Victim assessment;

(d) \$ _____, Recoupment for attorney's fees to King County Public Defense Programs, 2015 Smith Tower, Seattle, WA 98104.

(e) \$ _____, Fine; \$1,000, Fine for VUCSA; \$2,000, Fine for subsequent VUCSA; VUCSA fine waived because court finds defendant is indigent.

(f) \$ _____, King County Interlocal Drug Fund;

(g) \$ _____, Other cost for: _____

(h) TOTAL monetary obligations: \$ 185.50 + restitution

(i) The above payments shall be made to the King County Superior Court Clerk according to the rules of the Clerk which are attached and incorporated into this order and the following terms:

- Not less than \$ _____ per month

On a schedule established by the defendant's Community Corrections Officer. : _____

and the clerk of the court shall credit monetary payments to the above obligations in the above-listed order.

(j) The defendant shall remain under the Court's jurisdiction and the supervision of the Department of Corrections for a period up to ten years to assure payment of the above monetary obligations.

4.2 CONFINEMENT OVER ONE YEAR: Defendant is sentenced to a term of immediately confinement in the custody of the Department of Corrections as follows, commencing (date):

30 months/days on Count No. I

30 months/days on Count No. II

30 months/days on Count No. III

67 months on ct. IV

TWINN RIVERS IS RECOMMENDED
 The terms in Count(s) No. I, II, III, IV are concurrent/~~consecutive~~

and the sentence herein shall run concurrently/consecutively with the sentence in cause number(s) _____ but consecutive to any other cause not referred to in this Judgment.

The defendant shall receive credit for time served of 4 days solely for conviction under this cause number pursuant to RCW 9.94A.120(13).

4.3 NO CONTACT: For the maximum term of 10 years, defendant shall have no contact with Sarah Gossaga unless approved by Therapist & mother.

NO CONTACT MINOR CHILD unless supervised by responsible adult who knows of this order
4.4 BLOOD TESTING (sex, violent or prostitution offense or drug offense associated with the use of hypodermic needles): Appendix G, covering blood testing and counseling, is attached and incorporated by reference into this Judgment and Sentence.

4.5 COMMUNITY PLACEMENT: Community Placement is ordered for sex offense, serious violent offense, second degree assault, deadly weapon finding, Chapter 69.50 or 69.52 RCW offense, and standard mandatory conditions are ordered. Community placement is ordered for the maximum period of time provided by law. Appendix H (for additional conditions) is attached and incorporated by reference in this Judgment and Sentence.

4.6 OFF-LIMITS ORDER: The defendant, having been found to be a known drug trafficker, shall neither enter nor remain in the protected against drug trafficking area(s) as described in Appendix I during the term of community placement.

4.7 SEX OFFENDER REGISTRATION (sex offender crime conviction): Appendix J is attached and incorporated by reference into this Judgment and Sentence.

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

Date: 5-29-92

[Signature]
Judge, King County Superior Court

Presented by:

[Signature]
Deputy Prosecuting Attorney

Approved as to form:

[Signature]
Attorney for Defendant

FIL ✓

SEP 23

1 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR KING COUNTY
 2 STATE OF WASHINGTON,)
 3 Plaintiff,) NO. 92-1-00072-1
 4 V.) ORDER SETTING RESTITUTION
 5 HENRY E. GOSSAGE,)
 6 Defendant.)

The court ordered payment of restitution as a condition of sentencing. The Court has determined that the following person is entitled to restitution in the following amounts;

IT IS ORDERED that defendant make payments through the registry of the clerk of the court as follows:

Dept. of Labor & Industries
 Crime Victims Compensation
 406 Legion Way SE; HC-720
 Olympia, WA 98504
 RE: ID# VR07195

AMOUNT: \$2,374.88

DONE IN OPEN COURT this 31 day of August, 1992.

Patricia H. Aitken

 JUDGE PATRICIA H. AITKEN

Presented by:
[Signature]

 Deputy Prosecuting Attorney

Copy received; Notice
 Presentation waived:
[Signature]

 Mike Foshaug
 Attorney for Defendant

Order Setting Restitution
 CEN# 1611296 REF# 91091686

JUDGMENT NUMBER 92-9-13739-4

18	DIS
19	CRIM
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JY21.023TS

Norm Maleng
 Prosecuting Attorney
 W 554 King County Court House
 Seattle, Washington 98101
 (206) 296-9000

[Signature]
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