

COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION II

In the Personal Restraint Petition of:

Frank Shannon Bellu,

Petitioner.

No. 452624 - 452324

PERSONAL RESTRAINT
PETITION

A. STATUS OF PETITIONER

I, Frank Shannon Bellu, the petitioner, *pro se*,

am currently incarcerated at the Monroe Correctional Complex, WSRU-

MCC - C²¹⁰, P.O. Box 777, Monroe, Washington

98272. I apply for relief from confinement. I am now in custody because

of the following type of court order: 12-1-02120-3 AND

12-1-04771-7

1. The Court in which I was sentenced is: PIERCE COUNTY
SUPERIOR COURT

2. I was convicted of the crimes of: FOR CAUSE # 12-1-02120-3

5 COUNTS OF SECOND DEGREE IDENTITY THEFT,
1 COUNT OF TAMPERING WITNESS
1 COUNT OF FORGERY, 1 COUNT OF UNLAWFUL
POSSESSION OF PAYMENT INSTRUMENTS, 1 COUNT OF
SECOND DEGREE POSSESSION OF STOLEN PROPERTY, 1 COUNT
OF LEADING ORGANIZED CRIME. AND ONE CAUSE #
12-1-04771-7, 18 COUNTS OF SECOND DEGREE IDENTITY THEFT,
1 COUNT OF FORGERY, 2 COUNTS OF UNLAWFUL POSSESSION
OF PAYMENT INSTRUMENTS, 1 COUNT ORGANIZED CRIME

PERSONAL RESTRAINT PETITION

PAGE: 1

3. I was sentenced after trial, after plea of guilty , on the 16th
day of August 2013, _____. The trial judge who imposed the
sentence was the Honorable THOMAS LARKIN

A copy of my judgment and sentence is attached as Appendix- A.

4. My trial court lawyer was: DESMOND S. KOLIK
My trial lawyer's address was: 1201 PACIFIC AVE #600
TACOMA, WASHINGTON 98402

5. I did did not appeal from the decision of the trial court. If the
answer is that I did, I appealed to (name of court or courts to which appeal was
taken): COURT OF APPEALS DIVISION II

My lawyer on appeal was: MARIE J. TREMBLEY
My appellate lawyer's address was: P.O. BOX 829
GRANHAM, WASHINGTON 98338

The decision of the appellate court was was not published. If the
decision was published, and I have this information, the decision was
published in: _____

6. Since my conviction I have have not asked a court for some
relief from my sentence other than I have already written above. (If the
answer is that I have asked), the Court I asked was: _____

Relief was denied on (date of decision or if more than one, all dates) _____

7. (If I have answered in question 6 that I did ask for relief), the name of my lawyer in the proceeding mentioned in my answer to question 6 was

(Name and address if known; if none, write "none"): _____

8. If the answer to the above questions do not really tell about the proceedings and the courts, judges and attorneys involved in your case,

tell about it here: MY CASE IS IN THE COURT
OR APPEALS. NO. 452324, CONSOLIDATE WITH
452626, IM TRYING TO GET DISCOVERY
ADDED TO MY BRIEF. THE DISCOVERY
IS FROM PIERCE COUNTY CAUSE #
12-1-02120-3 AND 12-1-04771-7. AND
THE DISCOVERY WASNT IN THE
TRANSCRIPT FROM MY TRIAL.
THAT DISCOVERY WILL BE ADDED TO
THIS PRP. IN EXHIBITS 1, 2, 3, 4.

B. GROUND FOR RELIEF

(If I claim more than one reason for relief from confinement, I attach sheets for each reason separately, in the same as the first one. The attached sheets should be numbered "First Ground", "Second Ground", "Third Ground", etc.) I claim that I have 2 (number of reasons) for this Court to grant me relief from the conviction and sentence described in Part A.

FIRST GROUND

① I should be given a new trial or released from confinement because

(Here state legal reasons why you think there was some error made in your case which gives you

the right to a new trial or release from confinement): BECAUSE OFFICERS WARRANTLESS ENTRY INTO AND SEARCH OF THE MOTEL ROOM VIOLATED ARTICLE 1 § 7 OF THE WASHINGTON CONSTITUTION THE EVIDENCE WAS ILLEGALLY SEIZED.

② THE SIXTH AMENDMENT GUARANTEES THE RIGHT TO COUNSEL. HERE BECAUSE THE STATE CANNOT SHOW A VALID EXCEPTION TO THE WARRANT REQUIREMENT, THERE WAS NO TACTICAL REASON FOR FAILING TO MOVE TO SUPPRESS. THE MOTION SHOULD HAVE BEEN GRANTED. MR. BELLER'S RIGHTS TO THE EFFECTIVE ASSISTANCE OF COUNSEL WAS VIOLATED.

2. The following facts are important when considering my case (After each fact statement, put the name of the person or persons who know the fact and will support your statement of the fact. If the fact is already in the record of your case, indicate that, also): _____

SEE ATTACHED EXHIBITS 1, 2, 3, 4.

EXHIBIT # 1

INCIDENT # 121580419.4 PAGES 1 OF 6
ENTERED BY T04655 WURGES, GARETH.

EXHIBIT # 2

INCIDENT # 121580419.3 PAGES 1 OF 3
ENTERED BY T202490 Boyd-Brown S.

EXHIBIT # 3

INCIDENT # 121580419.1 PAGES 1 OF 24,
22 OF 24, 23 OF 24, 24 OF 24, 25 OF 24.
ENTERED BY T201334 LOPEZ SAMUEL

EXHIBIT # 4

INCIDENT # 121580419.10 Property # 31/12:9921

IN EXHIBIT # 1 OFFICER WURGES
STATED THAT PPD S. BOYD-BROWN
ENTERED THE ROOM AND WAS
LOOKING AROUND, SHE STATED
THAT SHE MIGHT HAVE

OVER

1. Found some checks in a small garbage
2. can that was directly in front of
3. him on the floor.
4. EXHIBITS #2 OFFICER BOYD / BROWN
5. STATES SHE ENTERS THE ROOM, AND
6. IS LOOKING AROUND, AND FINDS SOME
7. ripped up checks on top of the
8. small trash can, AND SHE BRINGS
9. the ripped up checks outside to
10. OFFICER LOPEZ, WHO WAS IN HIS
11. CAR WITH MS MOORE AND HE RETAINED
12. AND PLACED THE CHECKS INTO PROPERTY,
13. EXHIBIT #3 OFFICER LOPEZ STATES
14. THAT HE & OFFICER WURGES & OFFICER
15. BOYD / BROWN ALL ENTER ROOM #1 FINISHED
16. GOING THROUGH THE TRASH CAN, PUT THE
17. CHECKS INTO A CLEAR PLASTIC BAG, AND
18. CALLED FOR SEARCH WARRANT. DIRECT HOW
19. COULD OFFICER LOPEZ EVER SEE THOSE CHECKS
20. ON THE NIGHTSTAND OR ON THE FLOOR?
21. THATS IN THE TRIAL TRANSCRIPTS (VOL. 2 RP 26, 27
22. 41, 42), BECAUSE THE OFFICER'S WARRANTLESS ENTRY
23. INTO AND SEARCH OF THE MOTEL ROOM VIOLATED
24. ART 157 WASH CONS, THE EVIDENCE WAS ILLEGALLY
25. SEIZED, EVIDENCE SEIZED DURING ILLEGALLY ~~SEARCH~~ SEARCHES
26. AND EVIDENCE DERIVED FROM ILLEGAL SEARCHES IS
SUBJECT TO SUPPRESSION UNDER THE EXCLUSIONARY

RULE.

1. STATE V. GAINES, 154 WM. 2d 711, 716-17, 116 P.3d 993
2. (2005). DERIVATIVE EVIDENCE WILL BE EXCLUDED
3. UNLESS IT WAS OBTAINED WITHOUT EXPLOITING
4. THE ORIGINAL ILLEGALITY OR BY MEANS
5. SUFFICIENTLY DISTINGUISHABLE TO BE PURGED OF
6. THE PRIMARY TAINT. STATE V. LE 103 WM. APP.
7. 354, 361, 12 P.3d 653 (2000).

8. Mr. BELLUE ARGUES ALL THE EVIDENCE OBTAINED
9. FROM THE MOTEL ROOM SEARCH AND SEIZURE MUST
10. BE SUPPRESSED. ALTHOUGH OFFICER EVENEDALLY
11. OBTAINED A SEARCH WARRANT FOR THE MOTEL ROOM,
12. IT WAS BASED ON INFORMATION OBTAINED FROM
13. AND MOTIVATED BY THE EARLIER UNLAWFUL ENTRY,
14. SEARCH AND SEIZURE STATE V. GAINES 154 WM. 2d
15. 711, 718 116 P. 3d 993 (2005). THERE WERE NO
16. INTERVENING CIRCUMSTANCES THAT ATTENUATED
17. THE LINK BETWEEN THE ILLEGALITY AND THE
18. EVIDENCE, Mr. BELLUE RESPECTFULLY ASK THIS COURT
19. TO REVERSE AND REMAND WITH INSTRUCTIONS TO
20. SUPPRESS THE FRUITS OF THE WARRANTLESS SEARCH
21. OBTAINED FROM THE MOTEL ROOM AND REVERSE Mr.
22. BELLUE'S CONVICTIONS FOR EVIDENCE OBTAINED AS
23. A RESULT OF THAT SEARCH. STATE V. WHITE,
24. 97 WM. 2d 97, 110, 140 P. 2d 106d (1992).

1 Mr. Bellve received ineffective assistance
2 of counsel where counsel did not make any
3 motion to suppress evidence which was
4 unlawfully seized.

5 THE SIXTH AMENDMENT GUARANTEES THE
6 RIGHT TO COUNSEL. AN ATTORNEY MUST
7 PERFORM TO THE STANDARDS OF THE
8 PROFESSION, FAILURE TO MEET THOSE STANDARDS
9 REQUIRES A NEW TRIAL WHEN THE CLIENT
10 HAS BEEN PREJUDICED BY COUNSEL'S
11 DEFICIENCY. STATE V. MCFARLAND, 127 W.N.2d
12 322, 334-35, 899 P.2d 1251 (1995)
13 CLAIMS OF INEFFECTIVE ASSISTANCE OF COUNSEL
14 ARE REVIEWED DE NOVO. STATE V. WHITE 80
15 W.N. APP. 406, 410, 907 P.2d 310 (1995). ON
16 REVIEW, THE COURT APPLIES A TWO-PRONG
17 ANALYSIS: WHETHER OR NOT (1) COUNSEL'S
18 PERFORMANCE FAILED TO MEET A STANDARD OF
19 REASONABleness AND (2) ACTUAL PREJUDICE
20 RESULTED FROM COUNSEL'S FAILURES. MCFARLAND,
21 127 W.N.2d AT 334-35. A STRATEGIC OR TACTICAL
22 DECISION IS NOT A BASIS FOR FINDING ERROR.
23 STATE V. ADAMS, 91 W.N.2d 86, 90, 586 P.2d 1168
24 (1978). THERE IS A STRONG PRESUMPTION THAT
25 DEFENSE COUNSEL'S CONDUCT IS NOT DEFICIENT
IN THE CONTEXT OF A CLAIM OF INEFFECTIVE
ASSISTANCE OR COUNSEL, BUT WHERE THERE IS
A NO CONCEIVABLE LEGITIMATE TACTIC EXPLAINING

1 COUNSEL'S PERFORMANCE, THERE IS A
2 SUFFICIENT BASIS ~~OR~~ TO REBUT SUCH A
3 PRESUMPTION, STATE V. REICHENBACH, 153
4 W.N.2d 124, 131, 101 P.3d 80 (2004).

5 HERE, THE ITEMS RETRIEVED FROM THE
6 MOTEL ROOM WERE CRUCIAL EVIDENCE
7 IN SUPPORTING THE STATE'S THEORY OF
8 THE CRIMES. IT WAS CLEAR THAT OFFICERS
9 ENTERED THE MOTEL ROOM WITHOUT A
10 WARRANT, CONDUCTED A WARRANTLESS
11 SEARCH AND SEIZURE OF ITEMS, AND
12 THEN APPLIED FOR THE WARRANT ON BASIS
13 OF WHAT THEY SAW IN THE ROOM, BY
14 DIGGING IN THE TRASH CAN, THIS
15 ARGUMENT WAS AVAILABLE TO COUNSEL AND
16 HIS FAILURE TO CHALLENGE THE INITIAL
17 ENTRY AND SEARCH AND RESULTING SEARCH
18 WARRANT CANNOT BE EXPLAINED AS A
19 LEGITIMATE TACTIC.

20 THE SECOND PRONG OF AN INEFFECTIVE ASSISTANCE
21 OF COUNSEL CLAIM REQUIRES A SHOWING OF
22 PREJUDICE, REICHENBACH, 153 W.N.2d AT 131.
23 HERE, BECAUSE THE STATE CANNOT SHOW A
24 VALID EXCEPTION TO THE WARRANT REQUIREMENT,
25 THERE WAS NO TACTICAL REASON FOR FAILING
TO MOVE TO SUPPRESS. THE MOTION SHOULD
HAVE BEEN GRANTED.

1 WITHOUT THE EVIDENCE OBTAINED FROM
2 THE ROOM, THE STATE COULD NOT PROVE
3 MR. BELLUE WAS INVOLVED IN ANY
4 CRIMINAL ACTIVITY BEYOND A REASONABLE
5 DOUBT. MR. BELLUE'S RIGHT TO THE
6 EFFECTIVE ASSISTANCE OF COUNSEL WAS
7 VIOLATED.

8 EXHIBIT #4

9 PROPERTY ITEM NO. 3112: 9921-RECORDING-
10 SURVEILLANCE TAPE, OF THE MORGAN
11 MOTEL, & OF THEM THROUGH THE 4th
12 OR JUNE TO THE MORNING OF THE 6th
13 OR JUNE, THEY CLEARLY SHOW THE
14 OFFICERS GOING IN THE MOTEL ROOM
15 WITHOUT A WARRANT, MR. BELLUE WAS
16 NOT ABLE TO SEE THE TAPES,
17 BECAUSE HIS COUNSEL WOULD NOT SHOW
18 HIM THE TAPES, SEEING THE TAPES
19 WOULD CLEAR UP EVERYTHING, AND
20 IT WOULD ALSO SHOW EFFECTIVE
21 ASSISTANCE OF COUNSEL. I TRIED TO
22 GET COPIES OF THE TAPES, BUT PIERCE
23 COUNTY WANTED TOO MUCH MONEY TO MAKE
24 ME A COPY SO I COULD MAIL IT WITH
25 THIS PPT.

3. The following reported court decisions (include citations if possible) in cases similar to mine show the error I believe happened in my case (If none are known, state "None known"):

STATE V. FLOWERS, 57 W.N. APP. 636, 789
P.2d 333 (1990)

STATE V. GAINES, 154 W.N.2d 711, 716-17
116 P.3d 993 (2005).

STATE V. LE, 103 W.N. APP. 354, 361,
12 P.3d 653 (2000)

STATE V. WHITE, 97 W.N.2d 92, 110, 640 P.2d 1061 (1982)

STATE V. McFARLAND 127 W.N.2d 322, 334-35, 899
P.2d 1251 (1995)

STATE V. WHITE 80 W.N. APP. 406 410, 907
P.2d 310 (1995)

STATE V. ADAMS 91 W.N.2d 86, 90 586, P.2d 1168 (1978)

STATE V. REICHELBAUGH 153 W.N.2d 126, 131, 101 P.3d 80 (2004)

4. The following statutes and constitutional provisions should be considered by the court (If none are known, state "None known"):

WASHINGTON CONSTITUTION ARTICLE
18 7, & THE SIXTH AMENDMENT.

5. This petition is the best way I know to get the relief I want, and no other way will work as well because: THE STATEMENT OF FACTS AND EXHIBITS 1, 2, 3A, WERE NOT INTERED INTO THE RECORDS AT MR. BELLUES TRIAL, SO THE FACT AND EXHIBITS WERE UNABLE TO BE PART OF MR BELLUES DIRECT APPEAL. SO NOW I HOPE THEY WILL BE.

C. STATEMENT OF FINANCES

If you cannot afford to pay the filing fee or cannot afford to pay an attorney to help you, fill this out. If you have enough money for these things, do not fill out this part of the form.

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

2. I have a spendable balance of \$ Ø in my prison or institution account. My account certification is attached as **Appendix- B**.

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

4. I am am not employed. My salary or wages amount to \$ 55.00, per month. My employer is: WASHINGTON DEPT OF CORRECTIONS,

My employer's address is: OLYMPIA, WASHINGTON.

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 \$ _____ and the total income I got was \$ _____

6. During the past 12 months, I did did not get any rent payments. If so, the total amount I got was \$_____.

a. I did did not get any interest. If so, the total amount I got was \$_____.

b. I did did not get any dividends. If so, the total amount I got was \$_____.

c. I did did not get any other money. If so, the total amount I got was \$_____.

7. I did did not have any cash except as said in answer 2. If so, the total amount of cash I have is \$_____.

a. I did did not have any savings accounts or checking accounts; if so, the amount in all accounts is \$_____.

b. I did did not own stocks, bonds or notes; if so, their total value is \$_____.

8. 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 of 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

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

9. I am am not married. If I am married, my wife's name and address is: _____

10. All of the persons who need me to support them are listed here.

Name and Address

Relationship

Age

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

11. All the bills I owe are listed here. Name of the creditor(s):

<u>Name of Creditor</u>	<u>Address</u>	<u>Amount</u>
/	/	\$ /
/	/	\$ /
/	/	\$ /
/	/	\$ /

D. REQUEST FOR RELIEF

I request this Court to:

- vacate my conviction and give me a new trial
- vacate my conviction and dismiss the criminal charges against me without a new trial
- other (specify):

IN THE ALTERNATIVE I REQUEST
A NEW TRIAL WHERE THE
EVIDENCE IS PROPERLY
SUPPRESSED BASED ON A
VIOLATION OF MY CONSTITUTIONAL
RIGHTS

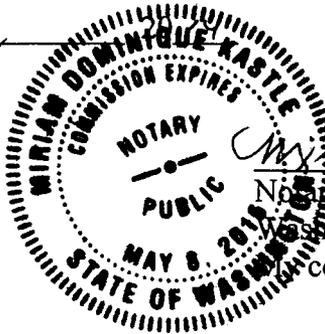
E. OATH OF PETITIONER

STATE OF WASHINGTON)
) ss.
COUNTY OF SNOHOMISH)

After being first duly sworn, on oath, I depose and say: That I am the petitioner, that I have read the petition, know its contents, and I believe the petition is true.

SUBSCRIBED AND SWORN to before me this 16th day of

May



Miriam Dominique Kastle
Notary Public in and for the State of
Washington, residing at Snohomish County
commission expires: 05-08-2016

If a Notary is not available, explain why none are available and indicate who can be contacted to help you find a Notary:

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

Dated this 16th day of May, 2014.

Frank S. Bellve
(Print) ~~293538~~ Frank S. Bellve
Petitioner, *Pro se.*
DOC# 293538, Unit C-210
Monroe Correctional Complex
(Street address) MCC-WSEC
P.O. Box 777
Monroe, WA 98272

**Tacoma Police Department
Supplemental Report**

Incident No. 121580419.3

PDA:	Homeland Security:	Subject:	Forgery Identity Theft Warrant Fel Arrest	Incident No. 121580419.3
IBR Disposition:	Arrest	Case Management Disposition:		
Forensics:		Reporting By/Date:	T202698 - Brown, Shelbie 6/6/2012 10:22:00	
Case Report Status:	Reviewed	Reviewed By/Date:	T74975 - Roberts, GaryJ 6/6/2012 21:29:51	

Related Cases:

Case Report Number	Agency
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Non-Electronic Attachments

Attachment Type	Additional Distribution	Count
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Location Address:	7031 Pacific Av #1	Location Name:	
City, State, Zip:	Tacoma, WA 98408	Cross Street:	
Contact Location:		City, State, Zip:	
Recovery Location:		City, State, Zip:	
CB/Grid/RD:	452 - Tacoma	District/Sector:	TA44 - Tacoma
Occurred From:	6/6/2012 10:00:00 Wednesday	Occurred To:	
Notes:			

Offense Details: 2501 - Forgery Of Checks

Domestic Violence:	No	Child Abuse:		Gang Related:		Juvenile:	
Completed:	Completed	Crime Against:	PR	Hate/Bias:	None (No Bias)	Using:	
Criminal Activity:	Cultivating/Manufacturing/Publishing Possessing/Concealing Using/Consuming			Tools:			
Location Type:	Drug Store	Type of Security:		Evidence Collected:			
Total No. of Units Entered:		Entrance Compromised:		Entry Method:			
Suspect Description:							
Suspect Actions:							
Notes:							

Offense Details: 2604 - Fraud - Identity Theft

Domestic Violence:	No	Child Abuse:		Gang Related:		Juvenile:	
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Call Source:		Assisted By:	T201336 - Lopez, Samuel T10991 - Cockerott, Brandon T04655 - Würges, Gareth				
Phone Report:		Notified:					
Insurance Letter:		Entered By:	T202698 - Brown, Shelbie				
Entered On:	6/6/2012 13:44:35	Approved By:					
Approved On:		Exceptional Clearance:					
Adult/Juvenile Clearance:		Exceptional Clearance Date:					
Additional Distribution:		Other Distribution:					
Validation Processing:	Distribution Date:	County Pros. Atty:	Juvenile:	Other:	CPS:	Supervisor:	
	By:	City Pros. Atty:	Military:	DSHS:	Pre Trial:		

For Law Enforcement Use Only - No Secondary Dissemination Allowed
Records has the authority to ensure correct agency, CB/Grid/RD, and District/Sector are incorporated in the report.

Printed: June 07, 2012 - 8:00 AM
Printed By: 019 - Lilley, Elaine

Completed:	Completed	Crime Against:	PR	Hate/Bias:	None (No Bias)
Criminal Activity:				Using:	
Location Type:	Drug Store	Type of Security:		Tools:	
Total No. of Units Entered:		Evidence Collected:			
Entrance Compromised:					
Entry Method:					
Suspect Description:					
Suspect Actions:					
Notes:					

Offense Details: 8910 - Criminal Arrest Warrant

Domestic Violence:	No	Child Abuse:		Gang Related:		Juvenile:	
Completed:	Completed			Crime Against:		Hate/Bias:	None (No Bias)
Criminal Activity:						Using:	
Location Type:	Hotel/Motel	Type of Security:				Tools:	
Total No. of Units Entered:		Evidence Collected:					
Entrance Compromised:							
Entry Method:							
Suspect Description:							
Suspect Actions:							
Notes:							

Offense Details: 4802 - Obstruct / Tampering Criminal Investigation / Witness / Evidence

Domestic Violence:	No	Child Abuse:		Gang Related:		Juvenile:	
Completed:	Completed			Crime Against:		Hate/Bias:	None (No Bias)
Criminal Activity:						Using:	
Location Type:	Parking Lot	Type of Security:				Tools:	
Total No. of Units Entered:		Evidence Collected:					
Entrance Compromised:							
Entry Method:							
Suspect Description:							
Suspect Actions:							
Notes:							

Investigative Information

Means:		Motive:	
Vehicle Activity:		Direction Vehicle Traveling:	

Synopsis:	
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Narrative:	<p>On the listed date and time I responded with other officers to the Morgan Motel at 7031 Pacific Ave. On my way I heard dispatch inform officers that a victim of a vehicle prowler had called in regarding two individuals trying to pass a stolen check at Rite Aid. I also heard dispatch inform officers that the victims name was Lauren and not on scene.</p> <p>When I arrived to the Morgan Motel, I observed a male and female detained in patrol cars. There was a male and two females as well as a small baby standing outside room number 1. As I approached the group speaking with PPO Wurges, I heard one of the females later known to me as A/CARLSON, YOLANDA say "the guy in the room is my boyfriend". I then walked into hotel room number 1 to stand with the subject in the room. The white male was sitting on the foot of the bed holding onto a black carry on style bag. As I was standing inside the room, I observed a small trash can filled completely. On the top of the garbage in the can</p>
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I observed a large amount of torn up checks. The checks appeared to be different as the designs and colors all looked different. I was also able to see the left upper corner of a few checks, one of them belonging to what I thought was the original victim of the call, "Lauren". I asked PPO Wurges if he knew the name of our victim and he told me he did not but that PPO Cockroft and Lopez knew. Both PPO Cockroft and Lopez were busy dealing with the two individuals they had detained in their patrol cars. I brought the check corners with similar names to what I thought our victims name was out to PPO Lopez and informed him of my findings. He retained and placed the checks into property.

I then asked PPO Wurges if the females he was talking to needed to be pat down. I was told one female, A/CARLSON, YOLANDA had not been patted down. I patted her down and she removed a large green and grey back pack she was wearing. I asked if she had any weapons in her back pack and she told me she had a bunch of needles and that I could remove them. I opened the first two compartments and I located one needle and a blue rubber band know to me to be used in intravenous drug use.

I opened the last compartment of the back pack and saw a black portfolio style planner and immediately A/CARLSON, YOLANDA stated "oh yeah there is a large knife in there. Be careful and take it out." I opened the folder and she stated "Oh my god! How did that get in there?" I looked as a cluster of folded up papers and IIDs fell from the center of the folder. I opened the papers and saw a few checks that appeared to match those that I saw in the garbage can in room 1. I also saw a few different IIDs and a payroll stub among those checks. It seemed the checks, IIDs and pay stub contained different names. A/CARLSON, YOLANDA asked "Can we talk about those please?" and I informed her that at that point I needed to detain her and read her Miranda Rights, then we could talk.

I placed her into double locking handcuffs and into the back of my patrol car. I read her Miranda Rights to her of which she acknowledged and waived. I asked her what she wished to discuss and she told me that the girl (of whom she stated earlier she did not know) renting the motel room brought in checks to the room and then asked if she could use A/CARLSON, YOLANDA's back pack. I asked A/CARLSON, YOLANDA if she saw or knew when the checks were placed into her folder and she told me she did not know.

I informed PPO Lopez of my findings in A/CARLSON, YOLANDA's backpack and handed him the papers.

I transported A/CARLSON, YOLANDA to TPD Headquarters to be interviewed by detectives.

Nothing further.

Reviewed By:

Reviewed Date:

HE
LE

4/10/12

recession

D

**Tacoma Police Department
Supplemental Report**

Incident No. 121580419.4

Page 1 of 6

PDA:	Homeland Security:	Subject:	Forgery Identity Theft Warrant Fel Arrest	Incident No. 121580419.4
IBR Disposition:	Arrest	Case Management Disposition:		
Forensics:		Reporting By/Date:	T04655 - Wurges, Gareth 6/6/2012 10:22:00	
Case Report Status:	Reviewed	Reviewed By/Date:	T74975 - Roberts, GaryJ 6/6/2012 21:32:03	

Related Cases:

Case Report Number	Agency
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Non-Electronic Attachments

Attachment Type	Additional Distribution	Count	
Location Address:	7031 Pacific Av #1	Location Name:	
City, State, Zip:	Tacoma, WA 98408	Cross Street:	
Contact Location:	Morgan Motel	City, State, Zip:	Tacoma, WA
Recovery Location:		City, State, Zip:	
CB/Grid/RD:	452 - Tacoma	District/Sector:	TA44 - Tacoma
Occurred From:	6/6/2012 10:00:00 Wednesday	Occurred To:	
Notes:			

Offense Details: 2501 - Forgery Of Checks

Domestic Violence:	No	Child Abuse:		Gang Related:		Juvenile:	
Completed:	Completed	Crime Against:	PR	Hate/Bias:	None (No Bias)	Using:	
Criminal Activity:	Cultivating/Manufacturing/Publishing Possessing/Concealing Using/Consuming			Tools:			
Location Type:	Drug Store	Type of Security:		Evidence Collected:			
Total No. of Units Entered:		Entrance Compromised:		Entry Method:			
Suspect Description:							
Suspect Actions:							
Notes:							

Offense Details: 2604 - Fraud - Identity Theft

Call Source:		Assisted By:	T201336 - Lopez, Samuel T10991 - Cockcroft, Brandon T202698 - Brown, Shelbie T35760 - Hensley, Daniel				
Phone Report:		Notified:					
Insurance Letter:		Entered By:	T04655 - Wurges, Gareth				
Entered On:	6/6/2012 13:51:16	Approved By:					
Approved On:		Exceptional Clearance:					
Adult/Juvenile Clearance:		Exceptional Clearance Date:					
Additional Distribution:		Other Distribution:					
Validation Processing:	Distribution Date:	County Pros. Atty:	Juvenile:	Other:	CPS:	Supervisor:	
	By:	City Pros. Atty:	Military:	DSHS:	PreTrial:		
For Law Enforcement Use Only - No Secondary Dissemination Allowed			Printed: June 07, 2012 - 8:01 AM				
Records has the authority to ensure correct agency, CB/Grid/RD, and District/Sector are incorporated in the report.			Printed By: 019 - Lilley, Elaine				

Domestic Violence:	No	Child Abuse:		Gang Related:		Juvenile:	
Completed:	Completed	Crime Against:	PR	Hate/Bias:	None (No Bias)	Using:	
Criminal Activity:						Tools:	
Location Type:	Drug Store	Type of Security:					
Total No. of Units Entered:		Evidence Collected:					
Entrance Compromised:							
Entry Method:							
Suspect Description:							
Suspect Actions:							
Notes:							

Offense Details: 8910 - Criminal Arrest Warrant

Domestic Violence:	No	Child Abuse:		Gang Related:		Juvenile:	
Completed:	Completed	Crime Against:		Hate/Bias:	None (No Bias)	Using:	
Criminal Activity:						Tools:	
Location Type:	Hotel/Motel	Type of Security:					
Total No. of Units Entered:		Evidence Collected:					
Entrance Compromised:							
Entry Method:							
Suspect Description:							
Suspect Actions:							
Notes:							

Offense Details: 4802 - Obstruct / Tampering Criminal Investigation / Witness / Evidence

Domestic Violence:	No	Child Abuse:		Gang Related:		Juvenile:	
Completed:	Completed	Crime Against:		Hate/Bias:	None (No Bias)	Using:	
Criminal Activity:						Tools:	
Location Type:	Parking Lot	Type of Security:					
Total No. of Units Entered:		Evidence Collected:					
Entrance Compromised:							
Entry Method:							
Suspect Description:							
Suspect Actions:							
Notes:							

Property Item No. 5/1: 2111 - Financial - Credit Card

Other Common Item:		Photographed:	
Description:	Mastercard	Fingerprinted:	
Quantity:	3	Contents Sampled:	
Finding Location:		Owner:	
Status:	E - Evidence (Including Other Seized Property And Tools)	Value:	
Recovered Date:		Make/Brand:	
Recovered Value:		Model:	
Field Tested:		Serial No:	
Field Test Results:		OAN:	
Property Disposition:	Booked into Property	Insurance Company:	
Disposition Location:	Tacoma Police	Policy No:	
Vehicle Information:			
License:		Locked:	
License State:		Keys in Vehicle:	

License Country:	Delinquent Payment:
Vehicle Year:	Victim Consent:
Make:	Drivable:
Model:	Estimated Damage:
Vehicle Style:	Damage:
Primary Vehicle Color:	Damaged Area:
Secondary Vehicle Color:	Tow Company:
VIN:	Tow Consent:
Special Features:	Hold Requested By:

Drug Information:	
Drug Type:	Drug Measure:
Drug Quantity:	Drug Measure Type:

Jewelry Information:	
Metal Color:	Total # of Stones:
Metal Type:	Inscription:
Stone Color:	Generally Worn By:

Firearm Information:	
Caliber:	Length:
Gauge:	Finish:
Action:	Grips:
Importer:	Stock:

Property Notes: Master card/Debit - Chivecard, Master card/Debit - Netspend, Master card/Debit- H & R Block, 3 Cards

Enter	Date	Time	WACIG	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
Clear						Owner Notified				Operators Name

Property Item No. 6/2: 2111 - Financial - Credit Card

Other Common Item:	Photographed:
Description: Visa Debit Cards	Fingerprinted:
Quantity: 2	Contents Sampled:
Finding Location:	Owner:
Status: E - Evidence (Including Other Seized Property And Tools)	Value:
Recovered Date:	Make/Brand:
Recovered Value:	Model:
Field Tested:	Serial No.:
Field Test Results:	OAN:
Property Disposition: Booked into Property	Insurance Company:
Disposition Location: Tacoma Police	Policy No.:

Vehicle Information:	
License:	Locked:
License State:	Keys in Vehicle:
License Country:	Delinquent Payment:
Vehicle Year:	Victim Consent:
Make:	Drivable:
Model:	Estimated Damage:
Vehicle Style:	Damage:
Primary Vehicle Color:	Damaged Area:
Secondary Vehicle Color:	Tow Company:
VIN:	Tow Consent:

Special Features:	Hold Requested By:
Drug Information:	
Drug Type:	Drug Measure:
Drug Quantity:	Drug Measure Type:
Jewelry Information:	
Metal Color:	Total # of Stones:
Metal Type:	Inscription:
Stone Color:	Generally Worn By:
Firearm Information:	
Caliber:	Length:
Gauge:	Finish:
Action:	Grips:
Importer:	Stock:
Property Notes: Visa Gold/ Debit - Visa/Debit - accountnow	

Enter	Date	Time	WACIC	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
Clear						Owner Notified				Operators Name

Property Item No. 7/3: 2599 - Identification Document - Other

Other Common Item:	Inmate Id, BJ Bingo card, Get out of Jail Free car
Description:	Photographed:
Quantity: 3	Fingerprinted:
Finding Location:	Contents Sampled:
Status: E - Evidence (Including Other Seized Property And Tools)	Owner:
Recovered Date:	Value:
Recovered Value:	Make/Brand:
Field Tested:	Model:
Field Test Results:	Serial No.:
Property Disposition: Booked into Property	Insurance Company:
Disposition Location: Tacoma Police	Policy No.:
Vehicle Information:	
License:	Locked:
License State:	Keys in Vehicle:
License Country:	Delinquent Payment:
Vehicle Year:	Victim Consent:
Make:	Drivable:
Model:	Estimated Damage:
Vehicle Style:	Damage:
Primary Vehicle Color:	Damaged Area:
Secondary Vehicle Color:	Tow Company:
VIN:	Tow Consent:
Special Features:	Hold Requested By:
Drug Information:	
Drug Type:	Drug Measure:
Drug Quantity:	Drug Measure Type:
Jewelry Information:	
Metal Color:	Total # of Stones:
Metal Type:	Inscription:
Stone Color:	Generally Worn By:

Firearm Information:	
Caliber:	Length:
Gauge:	Finish:
Action:	Grips:
Importer:	Stock:
Property Notes:	

Enter	Date	Time	WACIC	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
Clear						Owner Notified			Operators Name	

Property Item No. 8/4: 2111 - Financial - Credit Card

Other Common Item:	Photographed:
Description:	Fingerprinted:
Quantity: 1	Contents Sampled:
Finding Location:	Owner:
Status: E - Evidence (Including Other Seized Property And Tools)	Value:
Recovered Date:	Make/Brand:
Recovered Value:	Model:
Field Tested:	Serial No.:
Field Test Results:	OAN:
Property Disposition: Booked into Property	Insurance Company:
Disposition Location: Tacoma Police	Policy No.:

Vehicle Information:	
License:	Locked:
License State:	Keys in Vehicle:
License Country:	Delinquent Payment:
Vehicle Year:	Victim Consent:
Make:	Drivable:
Model:	Estimated Damage:
Vehicle Style:	Damage:
Primary Vehicle Color:	Damaged Area:
Secondary Vehicle Color:	Tow Company:
VIN:	Tow Consent:
Special Features:	Hold Requested By:

Drug Information:	
Drug Type:	Drug Measure:
Drug Quantity:	Drug Measure Type:

Jewelry Information:	
Metal Color:	Total # of Stones:
Metal Type:	Inscription:
Stone Color:	Generally Worn By:

Firearm Information:	
Caliber:	Length:
Gauge:	Finish:
Action:	Grips:
Importer:	Stock:

Property Notes:	Name on card atterson
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Enter	Date	Time	WACIC	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
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Clear					Owner Notified		Operators Name
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Investigative Information

Means:	Motive:
Vehicle Activity:	Direction Vehicle Traveling:
Synopsis:	

Narrative:

On 06-06-12 at approx 1036 hours I was dispatched to the McDonalds at South 72nd and Pacific Ave for an area check for suspects that attempted to use a stolen check and identification card at the RiteAid at 7041 Pacific Ave. The suspects were seen walking to the McDonalds after leaving RiteAid.

I arrived in the area and PPO. LOPEZ called out that he was at the Morgan Motel and was taking a female into custody matching the description given of one of the suspects. PPO. COCKROFT and I arrived at the same time. I made contact with a W/M (SWEENEY) and W/F (ZIMMERMAN) standing in front of room #1 and they had an infant with them in a car seat.

The door of room #1 was wide open and I could see there were two people inside, a W/M (BELLUE, SR) who was sitting on the bed with a black suitcase in front of him on the floor. The W/F (CARLSON) was standing to his right next to the bed and wearing a backpack. I asked if either was the person(s) who rented the room were and asked for identification. Both were somewhat hesitant to answer any questions so I asked the female (CARLSON) to step outside, and she did with her backpack still strapped to her back.

I asked a second time for identification from (BELLUE, SR) who gave me Washington state inmate identification card with his photo confirming his identity. PPO. S. BOYD entered the room and was looking around; she stated that she might have found some checks in a small garbage can that was directly in front of him on the floor.

I asked (BELLUE, SR) to exit the room, mainly because we had numerous people at the scene and the room had not been searched for weapons and I noticed a syringe on a table. I spoke to both (BELLUE, SR and CARLSON) and asked why they were there at room #1. Both had similar stories that they were hanging out in the room and "Kiarra" who rented the room told them they could stay until checkout.

(BELLUE, SR) told me he and (CARLSON) were walking down the street and "Kiarra" saw them walking and gave them a ride to the Morgan Motel. PPO. S. BOYD asked (CARLSON) if the backpack she had on was hers. (CARLSON) said and PPO. S. BOYD removed it from her back.

PPO. HENSLEY was escorting (BELLUE, SR) to my patrol car and placed a small black leather wallet and a small folding knife on my car. PPO. S. BOYD was asking (CARLSON) questions about the contents of the backpack.

I transported (BELLUE, SR) to the station and placed him in a holding cell. I had him empty what he had in his pockets and had him remove his belt. I inventoried his belongings and listed on the intake form that he had a wallet and listed the contents, credit/Debit cards on the form. There was one "VISA" debit card with a "TurboTax" logo on it, with the name "Angela M Patterson" on it.

I asked (BELLUE, SR) who "Angela" was and why did he have her card. He stated she was his girlfriend and she gave it to him a long time ago. I asked if she knew he had it, he replied "Yes". (BELLUE, SR) had earlier told me (CARLSON) was his girlfriend, so I asked how many he had. (BELLUE, SR) stated he had two and "Angela" has been locked up in Pierce County for "ID Theft" over six months.

I spoke to Det. SHESKEY and asked if I would make copies front and back of the credit cards and place the cards into property.

Reviewed By:	Reviewed Date:
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PDA:	Homeland Security:	Subject:	Forgery Identity Theft Warrant Fel Arrest	Incident No. 121580419.5
IBR Disposition:	Arrest	Case Management Disposition:	CAB - Cleared - Arrest - Booked	
Forensics:		Reporting By/Date:	T27500 - Hayes, Cassie 6/6/2012 23:24:48	
Case Report Status:	In-Progress	Reviewed By/Date:		

Related Cases:

Case Report Number:	Agency:
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Non-Electronic Attachments

Attachment Type	Additional Distribution	Count	
Location Address:	7031 Pacific Av #1	Location Name:	Morgan Motel
City, State, Zip:	Tacoma, WA 98408	Cross Street:	
Contact Location:		City, State, Zip:	
Recovery Location:		City, State, Zip:	
CB/Grid/RD:	452 - Tacoma	District/Sector:	TA44 - Tacoma
Occurred From:	6/6/2012 10:00:00 Wednesday	Occurred To:	
Notes:			

Offense Details: 2501 - Forgery Of Checks

Domestic Violence:	No	Child Abuse:		Gang Related:		Juvenile:	
Completed:	Completed	Crime Against:	PR	Hate/Bias:	None (No Bias)	Using:	
Criminal Activity:	Cultivating/Manufacturing/Publishing Possessing/Concealing Using/Consuming				Tools:		
Location Type:	Drug Store	Type of Security:		Evidence Collected:			
Total No. of Units Entered:		Entrance Compromised:		Entry Method:			
Suspect Description:							
Suspect Actions:							
Notes:							

Offense Details: 4802 - Obstruct / Tampering Criminal Investigation / Witness / Evidence

Domestic Violence:	No	Child Abuse:		Gang Related:		Juvenile:	
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Call Source:		Assisted By:	T06477 - Sheskey, Kimberly T94330 - Williams, Thomas T12450 - Calitis, Alvis				
Phone Report:		Notified:					
Insurance Letter:		Entered By:	T27500 - Hayes, Cassie				
Entered On:	6/6/2012 23:24:48	Approved By:					
Approved On:		Exceptional Clearance:					
Adult/Juvenile Clearance:		Exceptional Clearance Date:					
Additional Distribution:		Other Distribution:					
Validation Processing:	Distribution Date:	County Pros. Atty:	Juvenile:	Other:	CPS:	Supervisor:	
	By:	City Pros. Atty:	Military:	DSHS:	PreTrial:		

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Printed: June 06, 2012 - 11:40 PM
 Printed By: Hayes, Cassie

**Tacoma Police Department
Arrest Report**

Incident No. 121580419.1

PDA:	Homeland Security:	Subject:	Forgery Identity Theft Warrant Fel Arrest	Incident No. 121580419.1
IBR Disposition:	Arrest	Case Management Disposition:		
Forensics:		Reporting By/Date:	T201336 - Lopez, Samuel 6/6/2012 10:22:00	
Case Report Status:	Submitted	Reviewed By/Date:		

Related Cases:

Case Report Number	Agency
121220587	Lakewood Police Department
121530301	Lakewood Police Department

Non-Electronic Attachments

Attachment Type	Additional Distribution	Count
CPE - Copy / Picture of Evidence (copy)		
HWS - Handwritten Statement Form		2
STO - Store Report (copy)		1

Location Address:	7031 Pacific Av #1	Location Name:	
City, State, Zip:	Tacoma, WA 98408	Cross Street:	
Contact Location:		City, State, Zip:	
Recovery Location:		City, State, Zip:	
CB/Grid/RD:	452 - Tacoma	District/Sector:	TA44 - Tacoma
Occurred From:	6/6/2012 10:00:00 Wednesday	Occurred To:	
Notes:			

Offense Details: 2501 - Forgery Of Checks

Domestic Violence:	No	Child Abuse:		Gang Related:		Juvenile:	
Completed:	Completed	Crime Against:	PR	Hate/Bias:	None (No Bias)	Using:	
Criminal Activity:	Cultivating/Manufacturing/Publishing Possessing/Concealing Using/Consuming				Tools:		
Location Type:	Drug Store	Type of Security:					
Total No. of Units Entered:		Evidence Collected:					

Call Source:		Assisted By:	T10991 - Cockcroft, Brandon T04655 - Wurges, Gareth T03333 - Verone, Jon T202698 - Brown, Shelbie T06477 - Sheskey, Kimberly				
Phone Report:		Notified:	Sgt Verone (S179)				
Insurance Letter:		Entered By:	T201336 - Lopez, Samuel				
Entered On:	6/6/2012 12:35:45	Approved By:					
Approved On:		Exceptional Clearance:					
Adult/Juvenile Clearance:		Exceptional Clearance Date:					
Additional Distribution:		Other Distribution:					
Validation Processing	Distribution Date:	County Pros. Atty:	Juvenile:	Other:	CPS:	Supervisor:	
	By:	City Pros. Atty:	Military:	DSHS:	PreTrial:		

For Law Enforcement Use Only - No Secondary Dissemination Allowed
Records has the authority to ensure correct agency, CB/Grid/RD, and District/Sector are incorporated in the report.

Printed: June 07, 2012 - 8:25 AM
Printed By: Williams, Thomas

Entrance Compromised:	
Entry Method:	
Suspect Description:	
Suspect Actions:	
Notes:	

Offense Details: 2604 - Fraud - Identity Theft

Domestic Violence:	No	Child Abuse:		Gang Related:		Juvenile:	
Completed:	Completed	Crime Against:	PR	Hate/Bias:	None (No Bias)		
Criminal Activity:		Using:		Tools:			
Location Type:	Drug Store	Type of Security:		Evidence Collected:			
Total No. of Units Entered:							
Entrance Compromised:							
Entry Method:							
Suspect Description:							
Suspect Actions:							
Notes:							

Offense Details: 8910 - Criminal Arrest Warrant

Domestic Violence:	No	Child Abuse:		Gang Related:		Juvenile:	
Completed:	Completed	Crime Against:		Hate/Bias:	None (No Bias)		
Criminal Activity:		Using:		Tools:			
Location Type:	Hotel/Motel	Type of Security:		Evidence Collected:			
Total No. of Units Entered:							
Entrance Compromised:							
Entry Method:							
Suspect Description:							
Suspect Actions:							
Notes:							

Offense Details: 4802 - Obstruct / Tampering Criminal Investigation / Witness / Evidence

Domestic Violence:	No	Child Abuse:		Gang Related:		Juvenile:	
Completed:	Completed	Crime Against:		Hate/Bias:	None (No Bias)		
Criminal Activity:		Using:		Tools:			
Location Type:	Parking Lot	Type of Security:		Evidence Collected:			
Total No. of Units Entered:							
Entrance Compromised:							
Entry Method:							
Suspect Description:							
Suspect Actions:							
Notes:							

Arrestee A1: Moore, Rochelle Amanda

PDA:

Aliases:		DOB:		Age:	20	Sex:	Female	Race:	White	Ethnicity:	Non-Hispanic
Height:	5' 2"	Weight:	135	Hair Color:		Eye Color:	Brown				
Address:	Transient				County:		Phone:				
City, State Zip:	Tacoma, WA				Country:		Business Phone:				
Other Address:							Other Phone:				
Resident:	Full - Time Resident				Occupation/Grade:		Employer/School:				
SSN:					DOC No:		FBI No:				

Firearm Information:

Caliber:		Length:	
Gauge:		Finish:	
Action:		Grips:	
Importer:		Stock:	
Property Notes:			

Enter	Date	Time	WACIC	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
Clear						Owner Notified				Operators Name

Property Item No. 18/13: 1800 - Financial Document - Bank Statement

Other Common Item:		Photographed:	
Description:	Pay statement of TERESA CONGEMI	Fingerprinted:	
Quantity:	1	Contents Sampled:	
Finding Location:		Owner:	
Status:	6 - Seized-Evidence Taken In Drug, Forgery/Counterfeiting Or Gambling Offenses	Value:	
Recovered Date:		Make/Brand:	
Recovered Value:		Model:	
Field Tested:		Serial No:	
Field Test Results:		OAN:	
Property Disposition:	Booked into Property	Insurance Company:	
Disposition Location:	Tacoma Police	Policy No:	

Vehicle Information:

License:		Locked:	
License State:		Keys in Vehicle:	
License Country:		Delinquent Payment:	
Vehicle Year:		Victim Consent:	
Make:		Drivable:	
Model:		Estimated Damage:	
Vehicle Style:		Damage:	
Primary Vehicle Color:		Damaged Area:	
Secondary Vehicle Color:		Tow Company:	
VIN:		Tow Consent:	
Special Features:		Hold Requested By:	

Drug Information:

Drug Type:		Drug Measure:	
Drug Quantity:		Drug Measure Type:	

Jewelry Information:

Metal Color:		Total # of Stones:	
Metal Type:		Inscription:	
Stone Color:		Generally Worn By:	

Firearm Information:

Caliber:		Length:	
Gauge:		Finish:	
Action:		Grips:	
Importer:		Stock:	
Property Notes:			

Enter	Date	Time	WACIC	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
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Clear						Owner Notified			Operators Name
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Property Item No. 19/14: 1812 - Financial Document - Receipt

Other Common Item:		Photographed:	
Description:	Rite Aid receipt	Fingerprinted:	
Quantity:	1	Contents Sampled:	
Finding Location:		Owner:	
Status:	E - Evidence (Including Other Seized Property And Tools)	Value:	
Recovered Date:		Make/Brand:	
Recovered Value:		Model:	
Field Tested:		Serial No:	
Field Test Results:		OAN:	
Property Disposition:	Booked into Property	Insurance Company:	
Disposition Location:	Tacoma Police	Policy No:	

Vehicle Information:

License:		Locked:	
License State:		Keys in Vehicle:	
License Country:		Delinquent Payment:	
Vehicle Year:		Victim Consent:	
Make:		Drivable:	
Model:		Estimated Damage:	
Vehicle Style:		Damage:	
Primary Vehicle Color:		Damaged Area:	
Secondary Vehicle Color:		Tow Company:	
VIN:		Tow Consent:	
Special Features:		Hold Requested By:	

Drug Information:

Drug Type:		Drug Measure:	
Drug Quantity:		Drug Measure Type:	

Jewelry Information:

Metal Color:		Total # of Stones:	
Metal Type:		Inscription:	
Stone Color:		Generally Worn By:	

Firearm Information:

Caliber:		Length:	
Gauge:		Finish:	
Action:		Grips:	
Importer:		Stock:	

Property Notes:

Enter	Date	Time	WACIC	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
Clear						Owner Notified			Operators Name	

Investigative Information

Means:		Motive:	
Vehicle Activity:		Direction Vehicle Traveling:	

Synopsis: ROCHELLE A. MOORE and FRANK S. BELLUE JR presented a stolen check as payment for merchandise at the Rite Aid (7041 Pacific Avenue). The check was rejected once the employees learned it was stolen and/or forged.

At approx. 1042hrs, I observed MOORE and FRANK S. BELLUE JR standing in the parking lot of the Morgan Motel (7030 Pacific Avenue). Both reasonably matched the suspects' description broadcasted by LESA Dispatch.

Upon becoming aware of my presence, MOORE and FRANK S. BELLUE immediately started running away towards room #1. Both ignored my verbal commands to stop. I apprehended and detained MOORE after a short struggle. FRANK S. BELLUE managed to flee into the motel room.

FRANK S. BELLUE was detained as he tried to flee out of the room. Inside the room Officers clearly observed numerous ripped up personal checks and drug paraphernalia.

Post Miranda, MOORE stated she was given numerous checks by FRANK S. BELLUE JR which she knew to be stolen and/or forged. MOORE stated she intentionally forged and presented the stolen checks along with a stolen identification card as form of payment at the Rite Aid (7041 Pacific Avenue). MOORE initially gave a false name and was confirmed to be wanted on both Felony and Misdemeanor warrants.

Post Miranda, FRANK S. BELLUE stated he knew the checks were stolen and knowingly became an accomplice. FRANK S. BELLUE was also wanted on a Misdemeanor warrant.

Inside the room we also contacted and identified the following persons:

- FRANK S. BELLUE SR
- YOLANDA F. CARLSON
- TARA L. ZIMMERMAN
- STEVEN A. SWEENEY

Inside the motel room Officers observed drug paraphernalia and numerous ripped up personal checks. A search warrant was served on the room and evidence was seized by detectives.

FRANK S. BELLUE SR, YOLANDA CARLSON, MOORE, FRANK S. BELLUE JR were all arrested on counts of Identity Theft 2nd Degree and Forgery.

How did he see it?

Narrative:

At approx. 1036hrs, on 06/06/2012, I responded to a report of forgery/identity theft at the Rite Aid (7041 Pacific Avenue). LESA Dispatch advised that 1 male and 1 female suspect had attempted to use stolen checks and a stolen identification. The suspects were reported to have gone to the Morgan Motel (7030 Pacific Avenue). LESA Dispatch advised that the caller, CARLSON, was reporting she had received a phone call from the manager at the Rite Aid advising her that her checks and her identification were being used by the suspects described above. This was reportedly related to Lakewood Police report #12-122-0587 in which CARLSON was a victim of theft. The Rite Aid manager was later identified as IPDEGPAFF.

The male suspect was described as a white male, approx. 20y/o, 5 foot 9 inches tall, thin build, wearing a red baseball cap, black shirt, and black shorts. The female suspect was described as white, approx. 5 foot 3 inches tall, thin build, wearing a green top, and gray pants.

During this investigation I was dressed in full Tacoma Police uniform and driving a marked patrol vehicle. The following uniformed Tacoma Police Officers also responded to assist.

- Officer B. Cockcroft (F058)
- Officer G. Wurges (F195)
- Officer S. Boyd/Brown (X207)
- Officer D. Hensley (X417)
- Sgt J. Verone (S179)

At approx. 1042hrs, I arrived in the area of of the Morgan Motel and observed a male (now known as FRANK S. BELLUE JR) and a female (now known as ROCHELLE MOORE) standing in the parking lot near the sidewalk. Both reasonably matched the description broadcasted by LESA Dispatch. MOORE was

wearing a green long sleeve shirt and gray pants while FRANK S. BELLUE JR wore a red hat, black jacket, and dark pants.

At this time I had reasonable suspicion to detain both MOORE and FRANK S. BELLUE JR. The crimes of Forgery and Identity Theft were being investigated.

As I drove into the driveway of the Morgan Motel both MOORE and FRANK S. BELLUE JR started running way towards room #1. I immediately gave them both verbal commands to stop running saying "Police stop." Both appeared to look back in my direction and ignored my verbal commands.

Quickly exiting my patrol vehicle I apprehended MOORE approx. 10 feet from room #1. FRANK S. BELLUE JR. managed to flee into the room. As I attempted to restrain MOORE she repeatedly and forcefully pulled away from me while yelling, "Frank! Help me!" She continued to pull away from me until I was able to restrain her with handcuffs and placed her in the back of my patrol vehicle.

The following persons were contacted inside or as they were exiting room #1.

FRANK S. BELLUE JR (DOB
TARA L. ZIMMERMAN (DOB
STEVEN A. SWEENEY (DOB
FRANK S. BELLUE SR (DOB
YOLANDA F. CARLSON (DOB

As I placed MOORE into the back of my patrol vehicle I observed FRANK S. BELLUE JR coming back out of room #1. At the same time Officer B. Cockcroft (F058) was arriving and detained FRANK S. BELLUE JR without incident. He was detained only a couple feet outside the motel room leaving the front door open. Inside the room Officers could clearly see 4 other persons inside (now known as ZIMMERMAN, SWEENEY, FRANK S. BELLUE SR, and YOLANDA F. CARLSON). The close proximity to these other individuals presented a safety hazard.

Inside room #1 Officers clearly observed drug paraphernalia and numerous ripped up personal checks in plain view. At this time Officers had reasonable suspicion to detain all occupants in room. The crimes of Identity Theft and Forgery were being investigated. At this point in the investigation Officer safety and evidence preservation were a high priority. During this investigation Officer Wurges (F195), Officer S. Boyd/Brown (X207) and I entered room #1 based on officer safety (proximity to other suspects/accomplices) and evidence preservation. I having evidence preservation in mind I initially started to place various pieces of what appeared to be torn personal checks into a clear plastic bag. The pieces had been spread out onto a table next to the garbage can. Realizing a search warrant would be needed I stopped what I was doing and left the bag and all other evidence inside the room. All occupants of room #1 were eventually detained outside as they tried to leave or remained inside.

Officer G. Wurges (F195) contacted SWEENEY and ZIMMERMAN as they exited room #1 and were attempting to leave with their infant. Both were advised they were not free to leave. See supplemental report from Officer Wurges (F195) for further details.

Officer G. WURGES (F195) and Officer Boyd/Brown (X207) contacted FRANK S. BELLUE SR. who was also detained on reasonable suspicion. See supplemental report from Officer Wurges (F195) for further details.

Officer S. Boyd/Brown (X207) handed me 2 pieces of what appeared to be ripped up personal bank checks. The pieces listed the names of LINDSEY JENSEN and LAUREN CARLSON. These items were seized and later booked as evidence. The name of LAUREN CARLSON was a match to the victim of theft reported under LKWD PD case #12-122-0587. See Officer Boyd/Brown's supplemental report for further details.

Officer S. Boyd/Brown (X207) contacted YOLANDA F. CARLSON and detained her. YOLANDA F. CARLSON was wearing a backpack at the time. During weapons pat-down Officer Boyd/Brown (X207) located the following items. See Officer S. Boyd/Brown's supplemental report for further information.

- 1 Military Identification of BRANDENBURG
- 1 Picture Identification of SUTTER
- 1 Military Identification of YOHITARO
- 1 Driver's license of ROBERT
- 1 Social Security card of OSHITARO
- 1 Unendorsed personal check with the name of CERVANTES
- 2 Endorsed personal checks with the name of JENSEN
- 3 Unendorsed personal checks with the name of JENSEN

Officer Boyd/Brown (X207) handed me the above listed items. I seized the items and later booked them as evidence. These items were reasonably believed to be part of a large scale identity theft criminal operation. The numerous ripped up checks plainly visible inside the room were also believed to part of that criminal operation.

Upon returning to my patrol vehicle I advised MOORE of Miranda Rights by reading from a prepared sheet (Advisement of Rights form). MOORE stated she understood her rights and voluntarily agreed to speak to me. Post Miranda MOORE said her boyfriend "Frank" had given her multiple checks and an identification card with the name of LAUREN CARLSON. MOORE said she suspected the checks and identification to be stolen. She and "Frank" then walked over to the Rite Aid with the intention of using the checks to purchase various merchandise items. MOORE stated she knew this to be illegal and was a willing participant. Once inside the Rite Aid she selected merchandise, presented one of LAUREN CARLSON's checks as payment along with LAUREN CARLSON's identification. MOORE signed the check at the checkout counter which was shortly thereafter rejected by the manager UPDEGRAFF. After the check was rejected MOORE and FRANK S. BELLUE JR. exited the store eventually walking to the parking lot of the Morgan Motel. MOORE then gave LAUREN CARLSON's checks and identification back to "Frank".

When I asked MOORE for her name she gave the name of "Maldonado" with a date of birth of MOORE's facial expressions and body language at that time lead me to believe she was being deceptive. A jail booking photo under that name did not match MOORE's facial structure. I confronted MOORE and advised her that she was giving me a false name. For approx. 15-20 minutes MOORE continued to give a false name. Even after Officer B. Cockcroft (F058) confronted MOORE with her real name she continued to give a false name. LESA Records confirmed MOORE was wanted on both Felony and Misdemeanor warrants.

A approx. 1100hrs, I UPDEGRAFF was contacted. She positively identified MOORE and FRANK S. BELLUE JR as the same persons who had presented LAUREN CARLSON's check and identification as payment. UPDEGRAFF stated she had suspected the check and identification to be stolen. She called the phone number on the check and spoke with LAUREN CARLSON who confirmed the check be either stolen or forged.

UPDEGRAFF stated the incident had been captured on surveillance video. A copy of the video would be available on the next day. UPDEGRAFF and her cashier, LOREDO, both completed handwritten statements forms further detailing the event. UPDEGRAFF handed me the now voided inventory receipt of the merchandise items MOORE and FRANK S. BELLUE JR attempted to purchase. The receipt was seized and later booked as evidence. A copy of it was attached to this report.

Room #1 was secured pending a search warrant. See detective narrative(s) for further details.

MOORE, FRANK S. BELLUE JR, FRANK S. BELLUE SR, and YOLANDA CARLSON, were all transported to the Tacoma Police Headquarters to be interviewed by detectives. See detective narratives (soon to follow) for further details.

While at TPD Headquarters I contacted CARLSON via telephone. She had been the victim of a theft (LKWD PD Case #12-122-0587). She confirmed that she did not know any of the persons we had detained and at no time had she given any of them permission or access to her bank checks, back account(s), or her identification.

Detective K. Sheskey confirmed one of the identifications BRANDENBURG's ID seized from YOLANDA CARLSON had been reported stolen under Lakewood Police case #12-153-0301.

04572

Identifications belonging to YOSHITARO aka ROBERT were pending confirmation of being stolen. Seized checks with the name JENSEN were also pending confirmation of being stolen and/or forged. See Detective Sheskey's supplemental report for further information.

MOORE, FRANK S. BELLUE JR, FRANK S. BELLUE Sr, and YOLANDA CARLSON were all transported to the Pierce County Jail where they were booked on the listed charges.

Reviewed By:		Reviewed Date:	
--------------	--	----------------	--

[Handwritten notes and signatures]

low

JA

72

COMMERCIAL

11

E

A

M

Tacoma Police Department Supplemental Report

Incident No. 121580419.10

Page 13 of 15

Status:	E - Evidence (Including Other Seized Property And Tools)	Value:	
Recovered Date:		Make/Brand:	
Recovered Value:		Model:	
Field Tested:		Serial No:	
Field Test Results:		OAN:	
Property Disposition:	Booked into Property	Insurance Company:	
Disposition Location:	PCSD/TPD Main Property Room	Policy No:	
Vehicle Information:			
License:		Locked:	
License State:		Keys in Vehicle:	
License Country:		Delinquent Payment:	
Vehicle Year:		Victim Consent:	
Make:		Drivable:	
Model:		Estimated Damage:	
Vehicle Style:		Damage:	
Primary Vehicle Color:		Damaged Area:	
Secondary Vehicle Color:		Tow Company:	
VIN:		Tow Consent:	
Special Features:		Hold Requested By:	
Drug Information:			
Drug Type:		Drug Measure:	
Drug Quantity:		Drug Measure Type:	
Jewelry Information:			
Metal Color:		Total # of Stones:	
Metal Type:		Inscription:	
Stone Color:		Generally Worn By:	
Firearm Information:			
Caliber:		Length:	
Gauge:		Finish:	
Action:		Grips:	
Importer:		Stock:	
Property Notes: 6 security CD's received from Misko Maynard.			

Enter	Date	Time	WACIC	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
Clear						Owner Notified			Operators Name	

Investigative Information

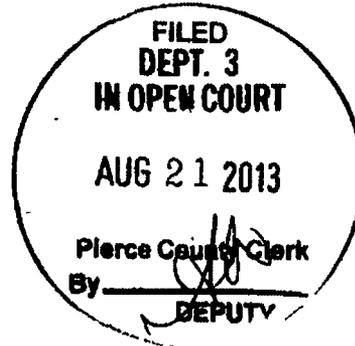
Means:		Motive:	
Vehicle Activity:		Direction Vehicle Traveling:	

Synopsis:	
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Narrative:	<p>I assisted with two aspects of this fraud case at the Morgan Motel. First, I was assigned to assist Detective Sheskey with the post arrest interview of Yolanda Carlson. Second, I was assigned to assist with serving a search warrant at the Morgan Motel, 7031 Pacific Avenue Room #1.</p> <p>This report was written on 06-07-2012 and I did not have any previous knowledge of the suspects or arrestee's in this case.</p> <p>On 06-06-2012, I was requested by Detective Williams and Sheskey to assist with a fraud investigation that resulted in the arrest of several individuals by patrol officers. Detectives Williams and</p>
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12-1-04771-7 41086137 ORCJS 08-22-13



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 12-1-04771-7

vs.

FRANK SHANNON BELLUE,

ORDER CORRECTING JUDGMENT AND SENTENCE

Defendant.

CLERKS ACTION REQUIRED

THIS MATTER having come on before the above entitled court, and it appearing that on August 16, 2013, the defendant, FRANK SHANNON BELLUE, was sentenced for the crime(s) of Identity Theft in the Second Degree (18 Counts), Forgery and Unlawful Possession of Payment Instruments (2 Counts), and that it was erroneously omitted from the Judgment and Sentence that Count XXII (Leading Organized Crime) was ~~dismissed~~ ^{Vacated} on this cause number as that count was already included in the companion case, now, therefore, it is hereby

ORDERED:

That Count XXII on the Judgment and Sentence in Cause 12-1-04771-7, dated August 16, 2013, is dismissed IT IS FURTHER

ORDERED that the Clerk of the Court shall attach a copy of this order to the judgment filed on August 16, 2013 so that any one obtaining a certified copy of the judgment will also obtain a copy of this order. FURTHER that

1 All other terms and conditions of the original Judgment and Sentence shall remain in full
2 force and effect as if set forth in full herein.
3

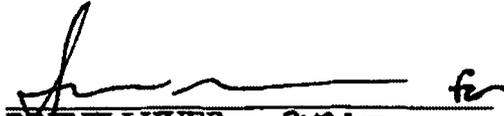
4 DONE IN OPEN COURT this _____ day of August, 2013. NUNC PRO TUNC to
5 August 16, 2013.

6 

JUDGE

THOMAS P. LARKIN

7 Presented by:

8  for

9 BRENT J HYER 2423 r
10 Deputy Prosecuting Attorney
11 WSB# 33338

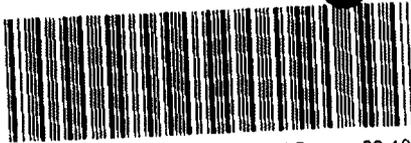
12 Approved as to Form:

13 

14 DESMOND DANIEL KOLKE
15 Attorney for Defendant
16 WSB# 23563

17 skn





12-1-04771-7 41064329 JDSWCD 08-19-13



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO: 12-1-04771-7

AUG 19 2013

vs.

FRANK SHANNON BELLUE,

Defendant.

WARRANT OF COMMITMENT

- 1) County Jail
- 2) Dept. of Corrections
- 3) Other Custody

THE STATE OF WASHINGTON TO THE DIRECTOR OF ADULT DETENTION OF PIERCE COUNTY:

WHEREAS, Judgment has been pronounced against the defendant in the Superior Court of the State of Washington for the County of Pierce, that the defendant be punished as specified in the Judgment and Sentence/Order Modifying/Revoking Probation/Community Supervision, a full and correct copy of which is attached hereto.

[] 1. YOU, THE DIRECTOR, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence. (Sentence of confinement in Pierce County Jail).

X 2. YOU, THE DIRECTOR, ARE COMMANDED to take and deliver the defendant to the proper officers of the Department of Corrections; and

YOU, THE PROPER OFFICERS OF THE DEPARTMENT OF CORRECTIONS, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence. (Sentence of confinement in Department of Corrections custody).

[] 3. YOU, THE DIRECTOR, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence. (Sentence of confinement or placement not covered by Sections 1 and 2 above).

By direction of the Honorable

Dated: 8/16/13

TKL

JUDGE
KEVIN STOCK

CLERK

Melissa Engler
DEPUTY CLERK



CERTIFIED COPY DELIVERED TO SHERIFF

AUG 19 2013

Date By Melissa Engler Deputy



STATE OF WASHINGTON

ss:

County of Pierce

I, Kevin Stock, Clerk of the above entitled Court, do hereby certify that this 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 _____ day of _____

KEVIN STOCK, Clerk

By: _____ Deputy

mmk



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 12-1-04771-7

vs.

JUDGMENT AND SENTENCE (JJS)

FRANK SHANNON BELLUE

Defendant.

- Prison
- RCW 9.94A.712/9.94A.507 Prison Confinement
- Jail One Year or Less
- First-Time Offender
- Special Sexual Offender Sentencing Alternative
- Special Drug Offender Sentencing Alternative
- Alternative to Confinement (ATC)
- Clerk's Action Required, para 4.5 (SDOSA), 4.7 and 4.8 (SSOSA) 4.15.2, 5.3, 5.6 and 5.8
- Juvenile Decline Mandatory Discretionary

SID: 13240968
DOB: 11/10/64

I HEARING

1.1 A sentencing hearing was held and the defendant, the defendant's lawyer and the (deputy) prosecuting attorney were present.

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 7/2/13 by plea jury-verdict bench trial of:

COUNT	CRIME	RCW	ENHANCEMENT TYPE*	DATE OF CRIME	INCIDENT NO.
I	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
II	FORGERY	9A.60.020(1)(a)(b) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183

JUDGMENT AND SENTENCE (JS)
(Felony) (7/2007) Page 1 of 1

13-9-08818-6

III	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
IV	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
V	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
VI	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
VII	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
VIII	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
IX	UNLAWFUL POSSESSION OF PAYMENT INSTRUMENTS	9A.56.320(2)(a)(i) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
X	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
XI	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
XII	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183

XIII	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
XIV	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
XV	UNLAWFUL POSSESSION OF PAYMENT INSTRUMENTS	9A.56.320(2)(a)(i) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
XVI	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
XVII	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
XVIII	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
XIX	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
XX	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
XXI	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183
XXII	LEADING ORGANIZED CRIME	9A.82.060(1)(a) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121450548/ 121980183

* (F) Firearm, (D) Other deadly weapons, (V) VUCSA in a protected zone, (VH) Veh. Harm, See RCW 46.61.520, (JP) Juvenile present, (SM) Sexual Motivation, (SCF) Sexual Conduct with a Child for a Fee. See RCW 9.94A.533(8). (If the crime is a drug offense, include the type of drug in the second column.)

as charged in the SECOND AMENDED Information

Current offenses encompassing the same criminal conduct and counting as one crime in determining the offender score are (RCW 9.94A.589):

Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number): 12-1-02120-3

JUDGMENT AND SENTENCE (JS)
(Felony) (7/2007) Page 3 of 3

Office of Prosecuting Attorney
930 Tacoma Avenue S. Room 946
Tacoma, Washington 98402-2171
Telephone: (253) 709-7400

2.2 CRIMINAL HISTORY (RCW 9.94A.525):

	CRIME	DATE OF SENTENCE	SENTENCING COURT (County & State)	DATE OF CRIME	A or J ADULT JUV	TYPE OF CRIME
1	BURG 2	6/15/77	PIERCE	4/10/77	JUV	NV
2	BURG 2	6/15/77	PIERCE	4/10/77	JUV	NV
3	TMVWOP	5/10/78	PIERCE	4/11/78	JUV	NV
4	THEFT 2	5/10/78	PIERCE	4/11/78	JUV	NV
5	ESCAPE 2	1/23/79	PIERCE	6/1/78	JUV	NV
6	BURG 2	1/23/79	PIERCE	6/1/78	JUV	NV
7	BURG 2	12/11/79	PIERCE	11/7/79	JUV	NV
8	ESCAPE 2	2/28/80	PIERCE	1/16/80	JUV	NV
9	ESCAPE 2	2/28/80	PIERCE	1/24/80	JUV	NV
10	BURG 2	2/28/80	PIERCE	1/24/80	JUV	NV
11	BURG 2	2/28/80	PIERCE	1/24/80	JUV	NV
12	BURG 2	2/28/80	PIERCE	1/24/80	JUV	NV
13	ESCAPE 2	7/29/80	LEWIS	7/1/80	JUV	NV
14	ESCAPE 2	7/29/80	LEWIS	12/28/80	JUV	NV
15	ESCAPE 2	3/9/82	LEWIS	2/17/81	JUV	NV
16	ESCAPE 1	2/7/85	LEWIS	1/9/85	A	NV
17	BURG 2	1/16/87	PIERCE	9/1/86	A	NV
18	FORGERY	6/11/91	PIERCE	8/7/90	A	NV
19	TMVWOP	9/6/95	PIERCE	7/30/95	A	NV
20	VUCSA-UMCS W/DW	10/14/98	PIERCE	11/1/95	A	NV
21	CRIM POS LEASE	9/29/05	KING	3/29/04	A	NV
22	ATT BURG 2	9/8/05	PIERCE	1/24/05	A	NV
23	FORGERY	CURRENT	PIERCE	5/24/12	A	NV
24	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
25	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
26	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
27	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
28	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
29	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
30	UPPI	CURRENT	PIERCE	5/24/12	A	NV
31	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
32	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
33	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
34	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
35	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
36	UPPI	CURRENT	PIERCE	5/24/12	A	NV
37	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
38	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
39	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
40	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
41	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
42	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
43	LEADING ORGANIZED CRIME	CURRENT	PIERCE	5/24/12	A	NV
44	ID THEFT 2	OTHER CURRENT	PIERCE	6/6/12	A	NV
45	FORGERY	OTHER CURRENT	PIERCE	6/6/12	A	NV

JUDGMENT AND SENTENCE (JS)

(Felony) (7/2007) Page 4 of 4

46	UPPID	OTHER CURRENT	PIERCE	6/6/12	A	NV
47	ID THEFT 2	OTHER CURRENT	PIERCE	6/6/12	A	NV
48	ID THEFT 2	OTHER CURRENT	PIERCE	6/6/12	A	NV
49	UPPI	OTHER CURRENT	PIERCE	6/6/12	A	NV
50	ID THEFT 2	OTHER CURRENT	PIERCE	6/6/12	A	NV
51	PSP 2	OTHER CURRENT	PIERCE	6/6/12	A	NV
52	ID THEFT 2	OTHER CURRENT	PIERCE	6/6/12	A	NV
53	LEADING ORGANIZED CRIME	OTHER CURRENT	PIERCE	6/6/12	A	NV
54	TAMPERING W/ WITNESS	OTHER CURRENT	PIERCE	2/8/13	A	NV

[] The court finds that the following prior convictions are one offense for purposes of determining the offender score (RCW 9.94A.525):

2.3 SENTENCING DATA:

COUNT NO.	OFFENDER SCORE	SERIOUSNESS LEVEL	STANDARD RANGE (not including enhancements)	PLUS ENHANCEMENTS	TOTAL STANDARD RANGE (including enhancements)	MAXIMUM TERM
I	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
II	45	I	22 - 29 MOS.		22 - 29 MOS.	5 YRS.
III	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
IV	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
V	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
VI	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
VII	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
VIII	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
IX	45	I	22 - 29 MOS.		22 - 29 MOS.	5 YRS.
X	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
XI	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
XII	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
XIII	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
XIV	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
XV	45	I	22 - 29 MOS.		22 - 29 MOS.	5 YRS.
XVI	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
XVII	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
XVIII	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
XIX	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
XX	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
XXI	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.

JUDGMENT AND SENTENCE (JS)

(Felony) (7/2007) Page 5 of 5

2.4 EXCEPTIONAL SENTENCE. Substantial and compelling reasons exist which justify an exceptional sentence:

within below the standard range for Count(s) _____

above the standard range for Count(s) I - XXII

The defendant and state stipulate that justice is best served by imposition of the exceptional sentence above the standard range and the court finds the exceptional sentence furthers and is consistent with the interests of justice and the purposes of the sentencing reform act.

Aggravating factors were stipulated by the defendant, found by the court after the defendant waived jury trial, found by jury by special interrogatory.

Findings of fact and conclusions of law are attached in Appendix 2.4. Jury's special interrogatory is attached. The Prosecuting Attorney did did not recommend a similar sentence.

2.5 ABILITY TO PAY LEGAL FINANCIAL OBLIGATIONS. 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 has the ability or likely future ability to pay the legal financial obligations imposed herein. RCW 9.94A.753.

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

The following extraordinary circumstances exist that make payment of nonmandatory legal financial obligations inappropriate:

2.6 For violent offenses, most serious offenses, or armed offenders recommended sentencing agreements or plea agreements are attached as follows: N/A

III. JUDGMENT

3.1 The defendant is GUILTY of the Counts and Charges listed in Paragraph 2.1.

3.2 The court DISMISSES Counts _____ The defendant is found NOT GUILTY of Counts _____

IV. SENTENCE AND ORDER

IT IS ORDERED:

4.1 Defendant shall pay to the Clerk of this Court: (Pierce County Clerk, 930 Tacoma Ave #110, Tacoma WA 98402)

JASS CODE

RTNRJN	\$ <u>TBD</u>	Restitution to: _____
	\$ _____	Restitution to: _____
	(Name and Address--address may be withheld and provided confidentially to Clerk's Office).	
PCV	\$ <u>500.00</u>	Crime Victim assessment
DNA	\$ <u>100.00</u>	DNA Database Fee
PUB	\$ <u>150.00</u>	Court-Appointed Attorney Fees and Defense Costs
FRC	\$ <u>200.00</u>	Criminal Filing Fee
FCM	\$ _____	Fine

JUDGMENT AND SENTENCE (JS)

(Felony) (7/2007) Page 6 of 6

OTHER LEGAL FINANCIAL OBLIGATIONS (specify below)

\$ _____ Other Costs for: _____

\$ _____ Other Costs for: _____

\$700.00 \$ ~~2300.00~~ TOTAL

The above total does not include all restitution which may be set by later order of the court. An agreed restitution order may be entered. RCW 9.94A.753. A restitution hearing:

shall be set by the prosecutor.

is scheduled for _____

RESTITUTION. Order Attached

Restitution ordered above shall be paid jointly and severally with:

	NAME of other defendant	CAUSE NUMBER	(Victim name)	(Amount-\$)
RJN	Yolanda Carlson	12-1-04772-5		

	NAME of other defendant	CAUSE NUMBER	(Victim name)	(Amount-\$)

	NAME of other defendant	CAUSE NUMBER	(Victim name)	(Amount-\$)

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

All payments shall be made in accordance with the policies of the clerk, commencing immediately, unless the court specifically sets forth the rate herein: Not less than \$ 400 per month commencing Jan 200. RCW 9.94.760. If the court does not set the rate herein, the defendant shall report to the clerk's office within 24 hours of the entry of the judgment and sentence to set up a payment plan.

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

COSTS OF INCARCERATION. In addition to other costs imposed herein, the court finds that the defendant has or is likely to have the means to pay the costs of incarceration, and the defendant is ordered to pay such costs at the statutory rate. RCW 10.01.160.

1
2 **COLLECTION COSTS** The defendant shall pay the costs of services to collect unpaid legal financial obligations per contract or statute. RCW 36.18.190, 9.94A.780 and 19.16.500.

3 **INTEREST** The financial obligations imposed in this judgment shall bear interest from the date of the judgment until payment in full, at the rate applicable to civil judgments. RCW 10.82.090

4 **COSTS ON APPEAL** An award of costs on appeal against the defendant may be added to the total legal financial obligations. RCW. 10.73.160.

5 4.1b **ELECTRONIC MONITORING REIMBURSEMENT.** The defendant is ordered to reimburse
6 _____ (name of electronic monitoring agency) at _____
7 for the cost of pretrial electronic monitoring in the amount of \$ _____.

8 4.2 **DNA TESTING.** The defendant shall have a blood/biological sample drawn for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing. The appropriate agency, the county or DOC, shall be responsible for obtaining the sample prior to the defendant's release from confinement. RCW 43.43.754.

9 **HIV TESTING.** The Health Department or designee shall test and counsel the defendant for HIV as soon as possible and the defendant shall fully cooperate in the testing. RCW 70.24.340.

4.3 NO CONTACT

The defendant shall not have contact with T. CONGEMI AND OR J. JOHNSON AND OR L. JOHNSON, A. SHEPPLER, K. O'NEILL, M. CASEY, S. DAFFER, J. DILL, K. CHAPUT, N. FRAZIER, S. FRAIZIER, J. STRAIN, J. ROBERT, J.S. ROBERT, A. ROBERT, J.J. ROBERT, A.J. ROBERT, K. YASHITARO AND OR K. ROBERT (name, DOB) including, but not limited to, personal, verbal, telephonic, written or contact through a third party for _____ years (not to exceed the maximum statutory sentence).

[] Domestic Violence No-Contact Order, Antiharassment No-Contact Order, or Sexual Assault Protection Order is filed with this Judgment and Sentence.

4.4 OTHER: Property may have been taken into custody in conjunction with this case. Property may be returned to the rightful owner. Any claim for return of such property must be made within 90 days. After 90 days, if you do not make a claim, property may be disposed of according to law.

<i>per CCO</i>
<i>per Appendix F</i>
<i>Forfeit items in property</i>

4.4a [] All property is hereby forfeited

[] Property may have been taken into custody in conjunction with this case. Property may be returned to the rightful owner. Any claim for return of such property must be made within 90 days. After 90 days, if you do not make a claim, property may be disposed of according to law.

4.4b BOND IS HEREBY EXONERATED

4.5 CONFINEMENT OVER ONE YEAR. The defendant is sentenced as follows:

(a) CONFINEMENT. RCW 9.94A.589. Defendant is sentenced to the following term of total confinement in the custody of the Department of Corrections (DOC):

<u>57</u> months on Count	<u>I, III, IV, V,</u>	_____ months on Count	_____
_____	<u>VI, VII, VIII,</u>	_____ months on Count	_____
_____	<u>X, XI, XII,</u>	_____ months on Count	_____
_____	<u>XIII, XIV,</u>	_____ months on Count	_____
_____	<u>XVI, XVII,</u>	_____ months on Count	_____
_____	<u>XVIII, XIX,</u>	_____ months on Count	_____
_____	<u>XXI,</u>	_____ months on Count	_____
<u>29</u> months on Count	<u>II, IX, XV</u>	_____ months on Count	_____

1
2 _____ months on Count _____ months on Count _____
3 _____ months on Count _____ months on Count _____
4 _____ months on Count _____ months on Count _____
5 _____ months on Count _____ months on Count _____
6 _____ months on Count _____ months on Count _____
7 _____ months on Count _____ months on Count _____
8 _____ months on Count _____ months on Count _____
9 _____ months on Count _____ months on Count _____

10 Actual number of months of total confinement ordered is: 57 months

11 (Add mandatory firearm, deadly weapons, and sexual motivation enhancement time to run consecutively to other counts, see Section 2.3, Sentencing Data, above).

12 The confinement time on Count(s) _____ contain(s) a mandatory minimum term of 57 months

13 **CONSECUTIVE/CONCURRENT SENTENCES.** RCW 9.94A.589. All counts shall be served
14 concurrently, except for the portion of those counts for which there is a special finding of a firearm, other
15 deadly weapon, sexual motivation, VUCSA in a protected zone, or manufacture of methamphetamine with
16 juvenile present as set forth above at Section 2.3, and except for the following counts which shall be served
17 consecutively: _____

18 * -Concurrent with 12-1-02120-3

19 The sentence herein shall run consecutively to all felony sentences in other cause numbers imposed prior to
20 the commission of the crime(s) being sentenced. The sentence herein shall run concurrently with felony
21 sentences in other cause numbers imposed after the commission of the crime(s) being sentenced except for
22 the following cause numbers. RCW 9.94A.589: _____

23 Confinement shall commence immediately unless otherwise set forth here: _____

24 (c) The defendant shall receive credit for time served prior to sentencing if that confinement was solely
25 under this cause number. RCW 9.94A.505. The time served shall be computed by the jail unless the
26 credit for time served prior to sentencing is specifically set forth by the court: 234 days

27 4.6 **COMMUNITY PLACEMENT** (pre 7/1/00 offenses) is ordered as follows:

28 Count _____ for _____ months,
Count _____ for _____ months,
Count _____ for _____ months,

COMMUNITY CUSTODY (To determine which offenses are eligible for or required for community
custody see RCW 9.94A.701)

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

(1) the period of early release. RCW 9.94A.728(1)(2); or

(2) the period imposed by the court, as follows:

Count(s) _____ 36 months for Serious Violent Offenses

Count(s) _____ 18 months for Violent Offenses

Count(s) I, III, IV, V, VI, VII, VIII, X, XI, XII, XIII, XIV, XVI, XVII, XVIII, XIX, XXI, _____ 12 months (for crimes against a person, drug offenses, or offenses involving the unlawful possession of a firearm by a street gang member or associate)

(B) While on community placement or community custody, the defendant shall: (1) report to and be available for contact with the assigned community corrections officer as directed; (2) work at DOC-approved education, employment and/or community restitution (service); (3) notify DOC of any change in defendant's address or employment; (4) not consume controlled substances except pursuant to lawfully issued prescriptions; (5) not unlawfully possess controlled substances while in community custody; (6) not own, use, or possess firearms or ammunition; (7) pay supervision fees as determined by DOC; (8) perform affirmative acts as required by DOC to confirm compliance with the orders of the court; (9) abide by any additional conditions imposed by DOC under RCW 9.94A.704 and .706 and (10) for sex offenses, submit to electronic monitoring if imposed by DOC. The defendant's residence location and living arrangements are subject to the prior approval of DOC while in community placement or community custody. Community custody for sex offenders not sentenced under RCW 9.94A.712 may be extended for up to the statutory maximum term of the sentence. Violation of community custody imposed for a sex offense may result in additional confinement.

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

consume no alcohol.

have no contact with: per CCO

remain within outside of a specified geographical boundary, to wit: _____

per CCO

not serve in any paid or volunteer capacity where he or she has control or supervision of minors under 13 years of age

participate in the following crime-related treatment or counseling services: _____

undergo an evaluation for treatment for domestic violence substance abuse

mental health anger management and fully comply with all recommended treatment.

comply with the following crime-related prohibitions: _____

per CCO

Other conditions:

per CCO

per Appendix F

For sentences imposed under RCW 9.94A.702, other conditions, including electronic monitoring, may be imposed during community custody by the Indeterminate Sentence Review Board, or in an emergency by DOC. Emergency conditions imposed by DOC shall not remain in effect longer than seven working days.

JUDGMENT AND SENTENCE (JS)

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

4 **PROVIDED:** That under no circumstances shall the total term of confinement plus the term of community
 custody actually served exceed the statutory maximum for each offense

5 4.7 **WORK ETHIC CAMP.** RCW 9.94A.690, RCW 72.09.410. The court finds that the defendant is
 6 eligible and is likely to qualify for work ethic camp and the court recommends that the defendant serve the
 7 sentence at a work ethic camp. Upon completion of work ethic camp, the defendant shall be released on
 community custody for any remaining time of total confinement, subject to the conditions below. Violation
 of the conditions of community custody may result in a return to total confinement for the balance of the
 defendant's remaining time of total confinement. The conditions of community custody are stated above in
 Section 4.6.

8 4.8 **OFF LIMITS ORDER** (known drug trafficker) RCW 10.66.020. The following areas are off limits to the
 9 defendant while under the supervision of the County Jail or Department of Corrections: _____
 10 _____
 11 _____
 12 _____

13 **V. NOTICES AND SIGNATURES**

14 5.1 **COLLATERAL ATTACK ON JUDGMENT.** Any petition or motion for collateral attack on this
 15 Judgment and Sentence, including but not limited to any personal restraint petition, state habeas corpus
 16 petition, motion to vacate judgment, motion to withdraw guilty plea, motion for new trial or motion to
 arrest judgment, must be filed within one year of the final judgment in this matter, except as provided for in
 RCW 10.73.100. RCW 10.73.090.

17 5.2 **LENGTH OF SUPERVISION.** For an offense committed prior to July 1, 2000, the defendant shall
 18 remain under the court's jurisdiction and the supervision of the Department of Corrections for a period up to
 19 10 years from the date of sentence or release from confinement, whichever is longer, to assure payment of
 20 all legal financial obligations unless the court extends the criminal judgment an additional 10 years. For an
 21 offense committed on or after July 1, 2000, the court shall retain jurisdiction over the offender, for the
 22 purpose 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. RCW 9.94A.760 and RCW
 9.94A.505. The clerk of the court is authorized to collect unpaid legal financial obligations at any time the
 offender remains under the jurisdiction of the court for purposes of his or her legal financial obligations.
 RCW 9.94A.760(4) and RCW 9.94A.753(4).

23 5.3 **NOTICE OF INCOME-WITHHOLDING ACTION.** If the court has not ordered an immediate notice
 24 of payroll deduction in Section 4.1, you are notified that the Department of Corrections or the clerk of the
 25 court may issue a notice of payroll deduction without notice to you if you are more than 30 days past due in
 26 monthly payments in an amount equal to or greater than the amount payable for one month. RCW
 9.94A.7602. Other income-withholding action under RCW 9.94A may be taken without further notice.
 RCW 9.94A.760 may be taken without further notice. RCW 9.94A.7606.

27 5.4 **RESTITUTION HEARING.**

28 Defendant waives any right to be present at any restitution hearing (sign initials): _____

5.5 **CRIMINAL ENFORCEMENT AND CIVIL COLLECTION.** Any violation of this Judgment and Sentence is punishable by up to 60 days of confinement per violation. Per section 2.5 of this document, legal financial obligations are collectible by civil means. RCW 9.94A.634.

5.6 **FIREARMS.** You must immediately surrender any concealed pistol license and you may not own, use or possess any firearm unless your right to do so is restored by a court of record. (The court clerk 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.

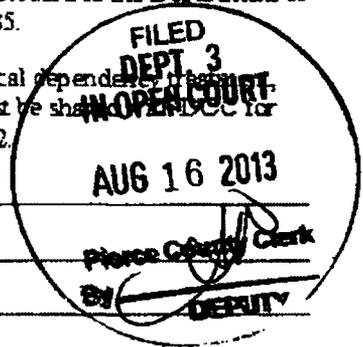
5.7 **SEX AND KIDNAPPING OFFENDER REGISTRATION.** RCW 9A.44.130, 10.01.200.

N/A

5.8 [] The court finds that Court _____ is a felony in the commission of which a motor vehicle was used. The clerk of the court is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must revoke the defendant's driver's license. RCW 46.20.285.

5.9 If the defendant is or becomes subject to court-ordered mental health or chemical dependency treatment, the defendant must notify DOC and the defendant's treatment information must be shared with DOC for the duration of the defendant's incarceration and supervision. RCW 9.94A.562.

5.10 **OTHER:** _____



DONE in Open Court and in the presence of the defendant this date: 8/16/13

JUDGE [Signature]
Print name THOMAS P. LARKIN

[Signature]
Deputy Prosecuting Attorney
Print name: _____
WSB # _____

[Signature]
Attorney for Defendant
Print name: Demond Folke
WSB # 23563

[Signature]
Defendant
Print name: FRANKS BOLLE

VOTING RIGHTS STATEMENT: RCW 10.64.140. I acknowledge that my right to vote has been lost due to felony convictions. If I am registered to vote, my voter registration will be cancelled. My right to vote may be restored by: a) A certificate of discharge issued by the sentencing court, RCW 9.94A.637; b) A court order issued by the sentencing court restoring the right, RCW 9.92.066; c) A final order of discharge issued by the indeterminate sentence review board, RCW 9.96.050, or d) A certificate of restoration issued by the governor, RCW 9.96.020. Voting before the right is restored is a class C felony, RCW 92A.84.660.

Defendant's signature [Signature]

CERTIFICATE OF CLERK

CAUSE NUMBER of this case: 12-1-04771-7

I, KEVIN STOCK Clerk of this Court, certify that the foregoing is a full, true and correct copy of the Judgment and Sentence in the above-entitled action now on record in this office.

WITNESS my hand and seal of the said Superior Court affixed this date: _____

Clerk of said County and State, by: _____, Deputy Clerk

IDENTIFICATION OF COURT REPORTER

JENNIFER McLEOD
Court Reporter

APPENDIX "F"

The defendant having been sentenced to the Department of Corrections for a:

- sex offense
- serious violent offense
- assault in the second degree
- any crime where the defendant or an accomplice was armed with a deadly weapon
- any felony under 69.50 and 69.52

The offender shall report to and be available for contact with the assigned community corrections officer as directed:

The offender shall work at Department of Corrections approved education, employment, and/or community service;

The offender shall not consume controlled substances except pursuant to lawfully issued prescriptions:

An offender in community custody shall not unlawfully possess controlled substances;

The offender shall pay community placement fees as determined by DOC:

The residence location and living arrangements are subject to the prior approval of the department of corrections during the period of community placement.

The offender shall submit to affirmative acts necessary to monitor compliance with court orders as required by DOC.

The Court may also order any of the following special conditions:

- (I) The offender shall remain within, or outside of, a specified geographical boundary: pucco
- (II) The offender shall not have direct or indirect contact with the victim of the crime or a specified class of individuals: pucco
- (III) The offender shall participate in crime-related treatment or counseling services; pucco
- (IV) The offender shall not consume alcohol; _____
- (V) The residence location and living arrangements of a sex offender shall be subject to the prior approval of the department of corrections; or
- (VI) The offender shall comply with any crime-related prohibitions.
- (VII) Other: pucco

IDENTIFICATION OF DEFENDANT

SID No. 13240968
(If no SID take fingerprint card for State Patrol)

Date of Birth 11/10/64

FBI No. 957825EA8

Local ID No. UNKNOWN

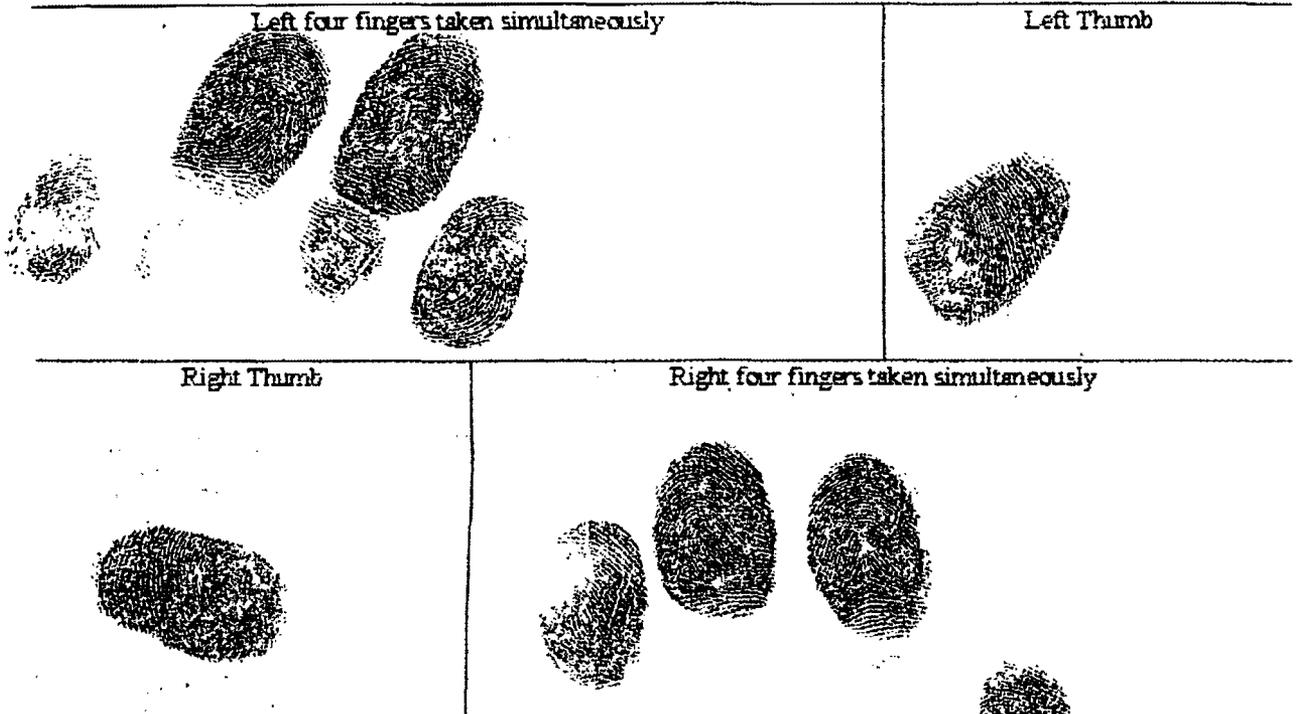
PCN No. 540732591

Other

Alias name, SSN, DOB:

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

FINGERPRINTS



I attest that I saw the same defendant who appeared in court on this document affix his or her fingerprints and signature thereto. Clerk of the Court, Deputy Clerk, Sharon A. Redmond Dated: 8/16/13

DEFENDANT'S SIGNATURE [Signature]

DEFENDANT'S ADDRESS: Peace County Jail



12-1-04771-7 41086137 ORCJS 08-22-13



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 12-1-04771-7

vs.

FRANK SHANNON BELLUE,

ORDER CORRECTING JUDGMENT AND SENTENCE

Defendant.

CLERKS ACTION REQUIRED

THIS MATTER having come on before the above entitled court, and it appearing that on August 16, 2013, the defendant, FRANK SHANNON BELLUE, was sentenced for the crime(s) of Identity Theft in the Second Degree (18 Counts), Forgery and Unlawful Possession of Payment Instruments (2 Counts), and that it was erroneously omitted from the Judgment and Sentence that Count XXII (Leading Organized Crime) was ~~dismissed~~ ^{Vacated} on this cause number as that count was already included in the companion case, now, therefore, it is hereby

ORDERED:

That Count XXII on the Judgment and Sentence in Cause 12-1-04771-7, dated August 16, 2013, is dismissed IT IS FURTHER

ORDERED that the Clerk of the Court shall attach a copy of this order to the judgment filed on August 16, 2013 so that any one obtaining a certified copy of the judgment will also obtain a copy of this order. FURTHER that

1 All other terms and conditions of the original Judgment and Sentence shall remain in full
2 force and effect as if set forth in full herein.

3
4 DONE IN OPEN COURT this _____ day of August, 2013. NUNC PRO TUNC to
5 August 16, 2013.

6 

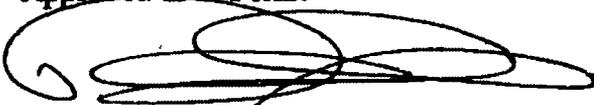
JUDGE

THOMAS P. LARKIN

7 Presented by:

8 
9 BRENT J HYER 24235
10 Deputy Prosecuting Attorney
11 WSB# 33338

12 Approved as to Form:

13 

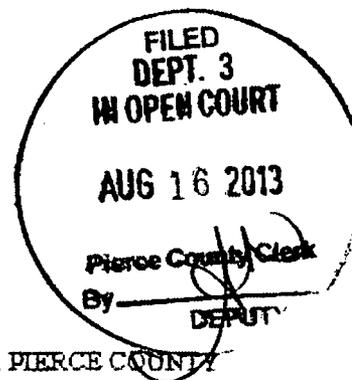
14 DESMOND DANIEL KOLKE
15 Attorney for Defendant
16 WSB# 23563

17 skn





12-1-02120-3 41064082 JDSWCD 08-19-13



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO: 12-1-02120-3

vs

FRANK SHANNON BELLUE,

Defendant.

WARRANT OF COMMITMENT

- 1) County Jail
- 2) Dept. of Corrections
- 3) Other Custody

AUG 19 2013

THE STATE OF WASHINGTON TO THE DIRECTOR OF ADULT DETENTION OF PIERCE COUNTY:

WHEREAS, Judgment has been pronounced against the defendant in the Superior Court of the State of Washington for the County of Pierce, that the defendant be punished as specified in the Judgment and Sentence/Order Modifying/Revoking Probation/Community Supervision, a full and correct copy of which is attached hereto.

[] 1. YOU, THE DIRECTOR, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence. (Sentence of confinement in Pierce County Jail).

[X] 2. YOU, THE DIRECTOR, ARE COMMANDED to take and deliver the defendant to the proper officers of the Department of Corrections, and

YOU, THE PROPER OFFICERS OF THE DEPARTMENT OF CORRECTIONS, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence. (Sentence of confinement in Department of Corrections custody).

[] 3. YOU, THE DIRECTOR, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence. (Sentence of confinement or placement not covered by Sections 1 and 2 above).

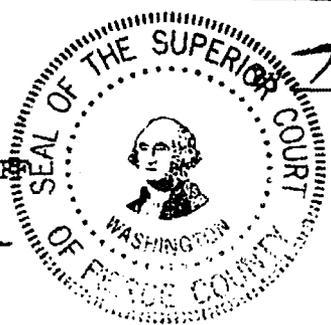
By direction of the Honorable

Dated: 8/16/13

Kevin Stock
KEVIN STOCK

CLERK

Melba Engler
DEPUTY CLERK



CERTIFIED COPY DELIVERED TO SHERIFF

AUG 19 2013 Melba Engler

STATE OF WASHINGTON

ss:

County of Pierce

I, Kevin Stock, Clerk of the above entitled Court, do hereby certify that this 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

_____ day of _____, _____

KEVIN STOCK, Clerk

By: _____ Deputy

mmk



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 12-1-02120-3

vs

JUDGMENT AND SENTENCE (J/S)

FRANK SHANNON BELLUE

Defendant

- Prison
- RCW 9.94A.712/9.94A.507 Prison Confinement
- Jail One Year or Less
- First-Time Offender
- Special Sexual Offender Sentencing Alternative
- Special Drug Offender Sentencing Alternative
- Alternative to Confinement (ATC)
- Clerk's Action Required, para 4.5 (SDOSA), 4.7 and 4.8 (SSOSA) 4.15.2, 5.3, 5.6 and 5.8
- Juvenile Decline Mandatory Discretionary

SID: 13240968
DOB: 11/10/64

I HEARING

1.1 A sentencing hearing was held and the defendant, the defendant's lawyer and the (deputy) prosecuting attorney were present.

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 7/2/13 by plea jury-verdict bench trial of:

COUNT	CRIME	RCW	ENHANCEMENT TYPE*	DATE OF CRIME	INCIDENT NO.
I	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535 (2)(C) AND 9.94A.535(3)(d)		5/24/12	121580419
II	FORGERY	9A.60.020(1)(a)(b) and 9.94A.535(2)(c) AND 9.94A.535 (3)(d)		5/24/12	121580419

JUDGMENT AND SENTENCE (JS)
(Felony) (7/2007) Page 1 of 1

12-9-08817-8

COUNT	CRIME	RCW	ENHANCEMENT TYPE*	DATE OF CRIME	INCIDENT NO.
III	UNLAWFUL POSSESSION OF INSTRUMENTS OF FINANCIAL FRAUD	9A.56.320(5) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121580419
IV	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535 (2)(C) AND 9.94A.535(3)(d)		5/24/12	121580419
V	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535 (2)(C) AND 9.94A.535(3)(d)		5/24/12	121580419
VI	UNLAWFUL POSSESSION OF PAYMENT INSTRUMENTS	9A.56.320(2)(a)(i) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121580419
VII	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535 (2)(C) AND 9.94A.535(3)(d)		5/24/12	121580419
VIII	POSSESSING STOLEN PROPERTY IN THE SECOND DEGREE	9A.56.140(1) AND 9A.56.160(1)(c) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121580419
IX	IDENTITY THEFT IN THE SECOND DEGREE	9.35.020(3) AND 9.94A.535 (2)(C) AND 9.94A.535(3)(d)		5/24/12	121580419
X	LEADING ORGANIZED CRIME	9A.82.060(1)(a) AND 9.94A.535(2)(c) AND 9.94A.535(3)(d)		5/24/12	121580419
XI	TAMPERING WITH A WITNESS	9A.72.120(1)(a) AND 9.94A.535(2)(c)		2/8/13	121580419

* (F) Firearm, (D) Other deadly weapons, (V) VUCSA in a protected zone, (VH) Veh. Horn, See RCW 46.61.520, (JP) Juvenile present, (SM) Sexual Motivation, (SCF) Sexual Conduct with a Child for a Fee. See RCW 9.94A.533(8). (If the crime is a drug offense, include the type of drug in the second column.)

as charged in the THIRD AMENDED Information

Current offenses encompassing the same criminal conduct and counting as one crime in determining the offender score are (RCW 9.94A.589):

Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number): 12-1-04771-7

JUDGMENT AND SENTENCE (JS)

(Felony) (7/2007) Page 2 of 2

2.2 CRIMINAL HISTORY (RCW 9A.525):

	CRIME	DATE OF SENTENCE	SENTENCING COURT (County & State)	DATE OF CRIME	A or J ADULT JUV	TYPE OF CRIME
1	BURG 2	6/15/77	PIERCE	4/10/77	JUV	NV
2	BURG 2	6/15/77	PIERCE	4/10/77	JUV	NV
3	TMVWOP	5/10/78	PIERCE	4/11/78	JUV	NV
4	THEFT 2	5/10/78	PIERCE	4/11/78	JUV	NV
5	ESCAPE 2	1/23/79	PIERCE	6/1/78	JUV	NV
6	BURG 2	1/23/79	PIERCE	6/1/78	JUV	NV
7	BURG 2	12/11/79	PIERCE	11/7/79	JUV	NV
8	ESCAPE 2	2/28/80	PIERCE	1/16/80	JUV	NV
9	ESCAPE 2	2/28/80	PIERCE	1/24/80	JUV	NV
10	BURG 2	2/28/80	PIERCE	1/24/80	JUV	NV
11	BURG 2	2/28/80	PIERCE	1/24/80	JUV	NV
12	BURG 2	2/28/80	PIERCE	1/24/80	JUV	NV
13	ESCAPE 2	7/29/80	LEWIS	7/1/80	JUV	NV
14	ESCAPE 2	7/29/80	LEWIS	12/28/80	JUV	NV
15	ESCAPE 2	3/9/82	LEWIS	2/17/81	JUV	NV
16	ESCAPE 1	2/7/85	LEWIS	1/9/85	A	NV
17	BURG 2	1/16/87	PIERCE	9/1/86	A	NV
18	FORGERY	6/11/91	PIERCE	8/7/90	A	NV
19	TMVWOP	9/6/95	PIERCE	7/30/95	A	NV
20	VUCSA-UMCS W/DW	10/14/96	PIERCE	11/1/95	A	NV
21	CRIM POS LEASE	9/29/05	KING	3/29/04	A	NV
22	ATT BURG 2	9/8/05	PIERCE	1/24/05	A	NV
23	FORGERY	CURRENT	PIERCE	5/24/12	A	NV
24	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
25	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
26	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
27	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
28	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
29	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
30	UPPI	CURRENT	PIERCE	5/24/12	A	NV
31	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
32	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
33	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
34	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
35	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
36	UPPI	CURRENT	PIERCE	5/24/12	A	NV
37	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
38	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
39	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
40	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
41	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
42	ID THEFT 2	CURRENT	PIERCE	5/24/12	A	NV
43	LEADING ORGANIZED CRIME	CURRENT	PIERCE	5/24/12	A	NV
44	ID THEFT 2	OTHER CURRENT	PIERCE	6/6/12	A	NV
45	FORGERY	OTHER CURRENT	PIERCE	6/6/12	A	NV
46	UPPID	OTHER CURRENT	PIERCE	6/6/12	A	NV
47	ID THEFT 2	OTHER	PIERCE	6/6/12	A	NV

JUDGMENT AND SENTENCE (JS)

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		CURRENT				
48	ID THEFT 2	OTHER CURRENT	PIERCE	6/6/12	A	NV
49	UPPI	OTHER CURRENT	PIERCE	6/6/12	A	NV
50	ID THEFT 2	OTHER CURRENT	PIERCE	6/6/12	A	NV
51	PSP 2	OTHER CURRENT	PIERCE	6/6/12	A	NV
52	ID THEFT 2	OTHER CURRENT	PIERCE	6/6/12	A	NV
53	LEADING ORGANIZED CRIME	OTHER CURRENT	PIERCE	6/6/12	A	NV
54	TAMPERING W/ WITNESS	OTHER CURRENT	PIERCE	2/8/13	A	NV

[] The court finds that the following prior convictions are one offense for purposes of determining the offender score (RCW 9.94A.525):

2.3 SENTENCING DATA:

COUNT NO.	OFFENDER SCORE	SERIOUSNESS LEVEL	STANDARD RANGE (not including enhancements)	PLUS ENHANCEMENTS	TOTAL STANDARD RANGE (including enhancements)	MAXIMUM TERM
I	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
II	45	I	22 - 29 MOS.		22 - 29 MOS.	5 YRS.
III	45	I	22 - 29 MOS.		22 - 29 MOS.	5 YRS.
IV	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
V	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
VI	45	I	22 - 29 MOS.		22 - 29 MOS.	5 YRS.
VII	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
VIII	45	I	22 - 29 MOS.		22 - 29 MOS.	5 YRS.
IX	45	II	43 - 57 MOS.		43 - 57 MOS.	5 YRS.
X	45	X	149 - 198 MOS.		149 - 198 MOS.	LIFE
XI	45	III	51 - 60 MOS.		51 - 60 MOS.	5 YRS.

2.4 EXCEPTIONAL SENTENCE. Substantial and compelling reasons exist which justify an exceptional sentence:

[] within [] below the standard range for Count(s)

above the standard range for Count(s) I - XIII

[] The defendant and state stipulate that justice is best served by imposition of the exceptional sentence above the standard range and the court finds the exceptional sentence furthers and is consistent with the interests of justice and the purposes of the sentencing reform act.

Aggravating factors were stipulated by the defendant, found by the court after the defendant waived jury trial, [] found by jury by special interrogatory.

Findings of fact and conclusions of law are attached in Appendix 2.4. Jury's special interrogatory is attached. The Prosecuting Attorney did [] did not recommend a similar sentence.

2.5 ABILITY TO PAY LEGAL FINANCIAL OBLIGATIONS. 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 has the ability or likely future ability to pay the legal financial obligations imposed herein. RCW 9.94A.753.

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

[] The following extraordinary circumstances exist that make payment of nonmandatory legal financial obligations inappropriate:

2.6 For violent offenses, most serious offenses, or armed offenders recommended sentencing agreements or plea agreements are [] attached [] as follows: N/A

III. JUDGMENT

3.1 The defendant is GUILTY of the Counts and Charges listed in Paragraph 2.1.

3.2 [] The court DISMISSES Counts _____ [] The defendant is found NOT GUILTY of Counts _____

IV. SENTENCE AND ORDER

IT IS ORDERED:

4.1 Defendant shall pay to the Clerk of this Court: (Pierce County Clerk, 930 Tacoma Ave #110, Tacoma WA 98402)

JASS CODE

RTNR/N	\$ <u>750</u>	Restitution to: _____
	\$ _____	Restitution to: _____
	(Name and Address--address may be withheld and provided confidentially to Clerk's Office).	
PCV	\$ <u>500.00</u>	Crime Victim assessment
DNA	\$ <u>100.00</u>	DNA Database Fee
PUB	\$ <u>1006.00</u>	Court-Appointed Attorney Fees and Defense Costs
FRC	\$ <u>200.00</u>	Criminal Filing Fee
FCM	\$ _____	Fine

OTHER LEGAL FINANCIAL OBLIGATIONS (specify below)

\$ _____ Other Costs for: _____

\$ _____ Other Costs for: _____

\$ 1800 TOTAL

The above total does not include all restitution which may be set by later order of the court. An agreed restitution order may be entered. RCW 9.94A.753. A restitution hearing:

shall be set by the prosecutor.

[] is scheduled for _____

[] RESTITUTION. Order Attached

[X] Restitution ordered above shall be paid jointly and severally with:

JUDGMENT AND SENTENCE (JS)

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The defendant shall not have contact with LAUREN CARLSON, KAITLIN CHAPUT, SILVESTRE CERVANTES, STEPHANIE FRAZIER, NICKOLAS FRAZIER (name, DOB) including, but not limited to, personal, verbal, telephonic, written or contact through a third party for _____ years (not to exceed the maximum statutory sentence).

[] Domestic Violence No-Contact Order, Antiharassment No-Contact Order, or Sexual Assault Protection Order is filed with this Judgment and Sentence.

4.4 OTHER: Property may have been taken into custody in conjunction with this case. Property may be returned to the rightful owner. Any claim for return of such property must be made within 90 days. After 90 days, if you do not make a claim, property may be disposed of according to law.

<i>pa CCU</i>
<i>per Appendix F</i>

4.4a All property is hereby forfeited

[] Property may have been taken into custody in conjunction with this case. Property may be returned to the rightful owner. Any claim for return of such property must be made within 90 days. After 90 days, if you do not make a claim, property may be disposed of according to law.

4.4b BOND IS HEREBY EXONERATED

4.5 CONFINEMENT OVER ONE YEAR. The defendant is sentenced as follows:

(a) CONFINEMENT. RCW 9.94A.589. Defendant is sentenced to the following term of total confinement in the custody of the Department of Corrections (DOC):

<u>57</u> months on Count	<u>I, IV, V, VII,</u>	_____ months on Count	_____
_____ months on Count	<u>IX</u>	_____ months on Count	_____
<u>29</u> months on Count	<u>II, III, VI, VIII</u>	_____ months on Count	_____
<u>225</u> months on Count	<u>X</u>	_____ months on Count	_____
<u>60</u> months on Count	<u>XI</u>	_____ months on Count	_____
_____ months on Count	_____	_____ months on Count	_____
_____ months on Count	_____	_____ months on Count	_____
_____ months on Count	_____	_____ months on Count	_____
_____ months on Count	_____	_____ months on Count	_____

225 Months

Actual number of months of total confinement ordered is: _____

(Add mandatory firearm, deadly weapons, and sexual motivation enhancement time to run consecutively to other counts, see Section 2.3, Sentencing Data, above).

[] The confinement time on Count(s) _____ contain(s) a mandatory minimum term of _____

CONSECUTIVE/CONCURRENT SENTENCES. RCW 9.94A.589. All counts shall be served concurrently, except for the portion of those counts for which there is a special finding of a firearm, other deadly weapon, sexual motivation, VUCSA in a protected zone, or manufacture of methamphetamine with juvenile present as set forth above at Section 2.3, and except for the following counts which shall be served consecutively:

Concurrent with 120-02120-3

The sentence herein shall run consecutively to all felony sentences in other cause numbers imposed prior to the commission of the crime(s) being sentenced. The sentence herein shall run concurrently with felony sentences in other cause numbers imposed after the commission of the crime(s) being sentenced except for the following cause numbers. RCW 9.94A.589: _____

Confinement shall commence immediately unless otherwise set forth here: _____

(c) The defendant shall receive credit for time served prior to sentencing if that confinement was solely under this cause number. RCW 9.94A.505. The time served shall be computed by the jail unless the credit for time served prior to sentencing is specifically set forth by the court: _____

437 days
DOB
FB

4.6 [] COMMUNITY PLACEMENT (pre 7/1/00 offenses) is ordered as follows:

Count _____ for _____ months;

Count _____ for _____ months;

Count _____ for _____ months;

[] COMMUNITY CUSTODY (To determine which offenses are eligible for or required for community custody see RCW 9.94A.701)

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

(1) the period of early release. RCW 9.94A.728(1)(2); or

(2) the period imposed by the court, as follows:

Count(s) _____ 36 months for Serious Violent Offenses

Count(s) X _____ 18 months for Violent Offenses

Count(s) I, IV, V, VII, IX _____ 12 months (for crimes against a person, drug offenses, or offenses involving the unlawful possession of a firearm by a street gang member or associate)

(B) While on community placement or community custody, the defendant shall: (1) report to and be available for contact with the assigned community corrections officer as directed; (2) work at DOC-approved education, employment and/or community restitution (service); (3) notify DOC of any change in defendant's address or employment; (4) not consume controlled substances except pursuant to lawfully

JUDGMENT AND SENTENCE (JS)

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1 issued prescriptions; (5) not unlawfully possess controlled substances while in community custody, (6) not
2 own, use, or possess firearms or ammunition; (7) pay supervision fees as determined by DOC; (8) perform
3 affirmative acts as required by DOC to confirm compliance with the orders of the court; (9) abide by any
4 additional conditions imposed by DOC under RCW 9.94A.704 and .706 and (10) for sex offenses, submit
5 to electronic monitoring if imposed by DOC. The defendant's residence location and living arrangements
6 are subject to the prior approval of DOC while in community placement or community custody.
7 Community custody for sex offenders not sentenced under RCW 9.94A.712 may be extended for up to the
8 statutory maximum term of the sentence. Violation of community custody imposed for a sex offense may
9 result in additional confinement.

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

11 consume no alcohol.

12 have no contact with: per CCU

13 remain within outside of a specified geographical boundary, to wit: _____

14 per CCU

15 not serve in any paid or volunteer capacity where he or she has control or supervision of minors under
16 13 years of age

17 participate in the following crime-related treatment or counseling services: _____

18 per CCU

19 undergo an evaluation for treatment for domestic violence substance abuse

20 mental health anger management and fully comply with all recommended treatment.

21 comply with the following crime-related prohibitions: _____

22 per CCU

23 Other conditions: _____

24 per CCU

25 per Appeal IX F

26 For sentences imposed under RCW 9.94A.702, other conditions, including electronic monitoring, may
27 be imposed during community custody by the Indeterminate Sentence Review Board, or in an
28 emergency by DOC. Emergency conditions imposed by DOC shall not remain in effect longer than
seven working days.

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

PROVIDED: That under no circumstances shall the total term of confinement plus the term of community
custody actually served exceed the statutory maximum for each offense

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4.7 **WORK ETHIC CAMP.** RCW 9.94A.690, RCW 72.09.410. The court finds that the defendant is eligible and is likely to qualify for work ethic camp and the court recommends that the defendant serve the sentence at a work ethic camp. Upon completion of work ethic camp, the defendant shall be released on community custody for any remaining time of total confinement, subject to the conditions below. Violation of the conditions of community custody may result in a return to total confinement for the balance of the defendant's remaining time of total confinement. The conditions of community custody are stated above in Section 4.6.

4.8 **OFF LIMITS ORDER** (known drug trafficker) RCW 10.66.020. The following areas are off limits to the defendant while under the supervision of the County Jail or Department of Corrections: _____

V. NOTICES AND SIGNATURES

5.1 **COLLATERAL ATTACK ON JUDGMENT.** Any petition or motion for collateral attack on this Judgment and Sentence, including but not limited to any personal restraint petition, state habeas corpus petition, motion to vacate judgment, motion to withdraw guilty plea, motion for new trial or motion to arrest judgment, must be filed within one year of the final judgment in this matter, except as provided for in RCW 10.73.100. RCW 10.73.090.

5.2 **LENGTH OF SUPERVISION.** For an offense committed prior to July 1, 2000, the defendant shall remain under the court's jurisdiction and the supervision of the Department of Corrections for a period up to 10 years from the date of sentence or release from confinement, whichever is longer, to assure payment of all legal financial obligations unless the court extends the criminal judgment an additional 10 years. For an offense committed on or after July 1, 2000, the court shall retain jurisdiction over the offender, for the purpose 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. RCW 9.94A.760 and RCW 9.94A.505. The clerk of the court is authorized to collect unpaid legal financial obligations at any time the offender remains under the jurisdiction of the court for purposes of his or her legal financial obligations. RCW 9.94A.760(4) and RCW 9.94A.753(4).

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

5.4 **RESTITUTION HEARING.**

Defendant waives any right to be present at any restitution hearing (sign initials): _____

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- 5.5 **CRIMINAL ENFORCEMENT AND CIVIL COLLECTION.** Any violation of this Judgment and Sentence is punishable by up to 60 days of confinement per violation. Per section 2.5 of this document, legal financial obligations are collectible by civil means. RCW 9.94A.634.
- 5.6 **FIREARMS.** You must immediately surrender any concealed pistol license and you may not own, use or possess any firearm unless your right to do so is restored by a court of record. (The court clerk 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.
- 5.7 **SEX AND KIDNAPPING OFFENDER REGISTRATION.** RCW 9A.44.130, 10.01.200.
- N/A
- 5.8 The court finds that Count _____ is a felony in the commission of which a motor vehicle was used. The clerk of the court is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must revoke the defendant's driver's license. RCW 46.20.285.
- 5.9 If the defendant is or becomes subject to court-ordered mental health or chemical dependency treatment, the defendant must notify DOC and the defendant's treatment information must be shared with DOC for the duration of the defendant's incarceration and supervision. RCW 9.94A.562.

5.10 OTHER: _____

DONE in Open Court and in the presence of the defendant this date: 8/16/2013

JUDGE [Signature]
Print name THOMAS P. LARKIN

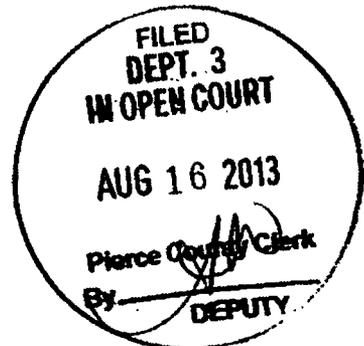
[Signature]
Deputy Prosecuting Attorney
Print name: Brent Aya
WSB # 33338

[Signature]
Attorney for Defendant
Print name: Desmond Kolke
WSB # 23563

X
Defendant
Print name: FRANKS, Bellue

VOTING RIGHTS STATEMENT: RCW 10.64.140. I acknowledge that my right to vote has been lost due to felony convictions. If I am registered to vote, my voter registration will be cancelled. My right to vote may be restored by: a) A certificate of discharge issued by the sentencing court, RCW 9.94A.637; b) A court order issued by the sentencing court restoring the right, RCW 9.92.066; c) A final order of discharge issued by the indeterminate sentence review board, RCW 9.96.050; or d) A certificate of restoration issued by the governor, RCW 9.96.020. Voting before the right is restored is a class C felony, RCW 92A.84.660.

Defendant's signature: X [Signature]



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CERTIFICATE OF CLERK

CAUSE NUMBER of this case: 12-1-02120-3

I, KEVIN STOCK Clerk of this Court, certify that the foregoing is a full, true and correct copy of the Judgment and Sentence in the above-entitled action now on record in this office.

WITNESS my hand and seal of the said Superior Court affixed this date: _____

Clerk of said County and State, by: _____, Deputy Clerk

IDENTIFICATION OF COURT REPORTER

JENNIFER McLEOD

Court Reporter

IDENTIFICATION OF DEFENDANT

SID No. 13240968
(If no SID take fingerprint card for State Patrol)

Date of Birth 11/10/64

FBI No. 957825EA8

Local ID No. UNKNOWN

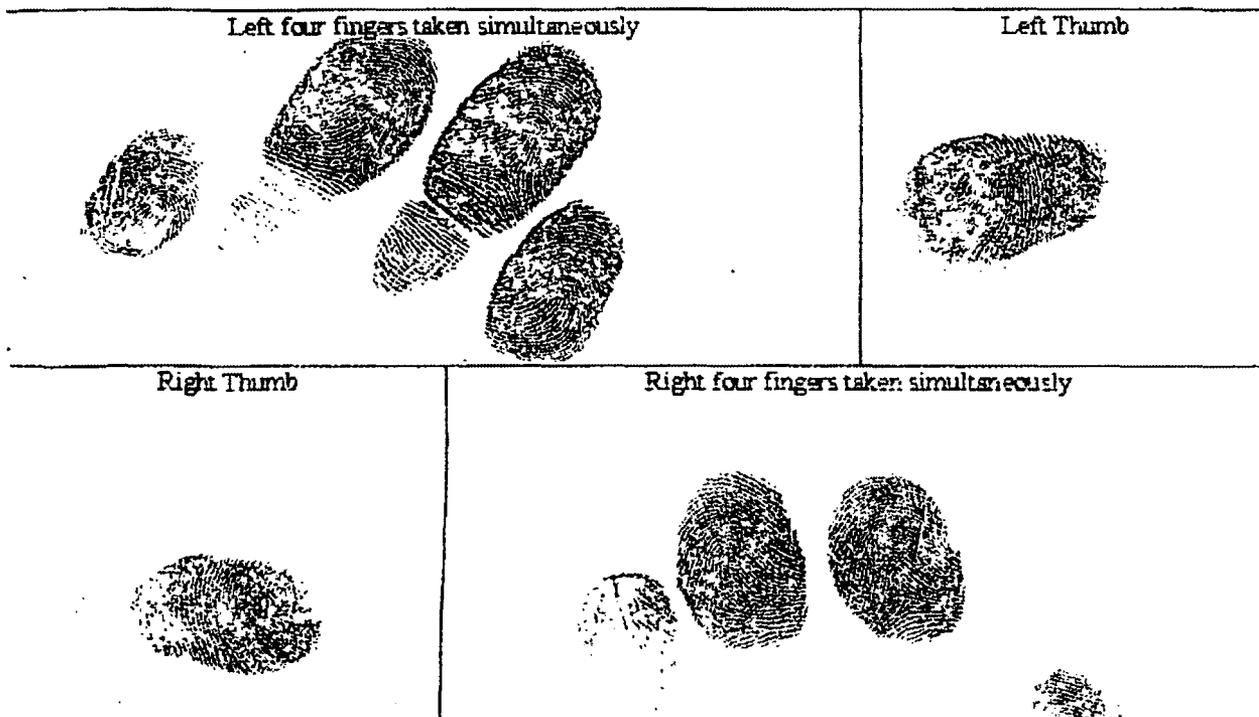
PCN No. 540732591

Other

Alias name, SSN, DOB: _____

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

FINGERPRINTS



I attest that I saw the same defendant who appeared in court on this document affix his or her fingerprints and signature thereto. Clerk of the Court, Deputy Clerk Sharon A. Redmond Dated: 8/16/13

DEFENDANT'S SIGNATURE: [Signature]

DEFENDANT'S ADDRESS: Pierce County Jail