

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

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

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

No. 74508-5

**PERSONAL
RESTRAINT
PETITION**

I. STATUS OF PETITIONER

Petitioner William France is in custody at the Washington State Penitentiary. In 2011, France was convicted of five counts of felony harassment and one count of witness intimidation. He received an exceptional sentence. France appealed under 68652-6-I. On June 17, 2013, this Court issued its decision vacating the witness intimidation count and affirming the harassment counts. On July 3, 2014, the Supreme Court affirmed. The Supreme Court issued the mandate on July 25, 2014. France received another exceptional sentence at resentencing. He appealed under 72652-8-I and then voluntarily withdrew the appeal. This Court issued the mandate for the second appeal on June 5, 2015.

II. GROUNDS FOR RELIEF

(a) Pertinent facts

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

(b) Other remedies inadequate

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

(c) Unlawful restraint

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

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

RAP 16.4(c)(2).

(d) Legal argument

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

III. Statement of Finances

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

IV. Request for Relief

France requests that this Court vacate three of his five felony harassment convictions based on the violation of his right to be free from double jeopardy, and remand for resentencing.

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

DATED this 31st day of December, 2015.



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

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

STATE OF WASHINGTON)	
)	
Respondent,)	
)	
v.	)	COA NO. _____
)	
WILLIAM FRANCE,)	
)	
Petitioner.)	

DECLARATION OF SERVICE

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

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

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

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

x Patrick Mayovsky

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

COA NO. _____

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

IN RE PERSONAL RESTRAINT PETITION OF WILLIAM FRANCE:

STATE OF WASHINGTON,

Respondent,

v.

WILLIAM FRANCE,

Petitioner.

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

The Honorable Harry McCarthy, Judge

PETITIONER'S OPENING BRIEF

CASEY GRANNIS
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A. **ASSIGNMENT OF ERROR**

The entry of three of five felony harassment convictions violates double jeopardy.

Issue Pertaining to Assignment of Error

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

B. **STATEMENT OF THE CASE**

Public defender Anita Paulsen was assigned to represent France in August 2009. State v. France, 175 Wn. App. 1024 (2013),¹ aff'd, 180 Wn.2d 809, 329 P.3d 864 (2014). The case was resolved in a plea agreement. Id. Upset with his representation, France began leaving voicemail messages for Paulsen in October 2010, threatening to sexually assault her upon his release. Id. Paulsen estimated she received more than 12 calls from France through early 2011, threatening sexual assault and physical injury. Id. Lisa Daugaard, Paulsen's supervisor, sent a cease and

¹ "The general rule is that unpublished opinions may be cited for evidence of facts established in earlier proceedings in the same case involving the same parties." State v. Seek, 109 Wn. App. 876, 878 n.1, 37 P.3d 339, 340 (2002).

desist letter to France. Id. France continued to leave messages for Paulsen. Id. He also left messages for Daugaard, threatening to sexually assault and injure Daugaard. Id. France was charged with multiple counts of felony harassment and convicted. Id. On November 10, 2011, the court sentenced France to 180 months and ordered no contact with the victims. Id.²

Later that day after the sentencing hearing, France left another voicemail for Daugaard, stating:

Hey bitch, you fucked up by coming into the courtroom today. You think for one fucking minute nothing's going to happen to you? You worthless mother fucking slut. Give a message to Rita, Anita Paulsen, same thing, eight years, you'd better find a new job, bitch, you better find a new fucking job.

Id.

Paulsen also received additional voicemails. Id. On November 11, France left a voice mail stating:

Hello honey. Glad to hear your voice. What you did in the courtroom was outstanding. That was a marvelous fucking act. I never heard [inaudible] in my whole life. I called up [a] friend, I called up a few of my friends. I told them about [you]. They'll be paying you a visit. Have a nice fucking life, you worthless fucking bitch.

Id.

² The judgment and sentence from this earlier case is the subject of a separate personal restraint petition.

On November 17, France left Paulsen another voicemail, stating:

Hello Anita. That was spectacular you being in the courtroom. That was great. I like that, you was really concerned about my welfare. Just want to let you know there's a couple of, that a couple of my buddies are coming to see ya. They're gonna take you out for lunch. You know. Show you appreciation. Just to let [you] know. It's gonna be okay. I told them to take care of ya. [You know] treat you really good." Id. Paulsen testified that she interpreted France's words, "[t]hey're gonna to take you out for lunch," as "meaning to take me out, period."

Id.

Paulsen perceived these words as a threat, and believed France would recruit other people to hurt her. Id.

On December 5, France left the following voicemail for Paulsen:

Anita Paulsen, I don't have a phone number for you to call me back. The only way I can call you, the only way I can get a hold of you is if I call you. But I do want to say one thing. You were spectacular in that courtroom on the 10th of this last month. Goddamn you were good. But there's one thing I want to do though, I want to put a bullet up your fucking ass. [Approximately 40 seconds of silence] . . . But before I do that, I'm gonna lick your pussy. Stick my dick in your pussy, then I'm gonna stick a broom up your ass. How you gonna feel about that little girl?

Id.

On December 14, France left the following voicemail for Daugaard:

Lisa, this is your favorite fucking person in the whole world. I like how you, uh, expressed yourself in the courtroom on the 10th of last month. Yeah, I liked that.

It's been a fucking month, little lady. It's been a month. But see in 10 years, I want you to understand something real fuckin quick, I'm still gonna get ya. What you said in the courtroom wasn't called for. You come to the courtroom, coming to court, wasn't called for. You understand? Now I'm gonna do, I'm gonna do 96 fuckin months because of you. All because of you. But when I get out, I'm gonna get you in the fuckin elevator. I'm gonna fuck you in your ass, bitch. I'm gonna pull your fuckin pants down right in the elevator and I'm gonna let it have it. I'll pin it up and in ya, you little slut bitch.

Id.

On December 14, the State brought new charges against France based on these post-sentencing voicemails. Id. On December 27, France left a voicemail for Daugaard stating, "Don't come to court girl. Don't come to court." Id. Daugaard interpreted this message to mean, "don't cooperate with the new case, basically." Id.

The State charged William France with three counts of felony harassment against Paulsen (counts 1-3), two counts of felony harassment against Daugaard (counts 4-5), and one count of witness intimidation against Daugaard (count 6, based on the Dec. 27 message). App. A. A jury returned guilty verdicts on all counts. App. B. The court imposed an exceptional sentence by running counts 1-3 consecutive to counts 4-6, for a total of 120 months confinement. App. C.

On appeal, France argued (1) the evidence was insufficient to sustain the convictions; (2) the charging document was defective; and (3)

the court erred in failing to enter written findings and conclusions justifying an exceptional sentence. France, 175 Wn. App. 1024. The Court of Appeals reversed the intimidation conviction but otherwise affirmed. Id. The Supreme Court granted review and affirmed the Court of Appeals. State v. France, 180 Wn.2d 809, 820, 329 P.3d 864 (2014). The mandate issued on July 25, 2014. App. D. The court resentenced France to the same confinement term of 120 months on counts 1 through 5. App. E. France appealed again after resentencing, but subsequently withdrew the appeal. App. F, G. The mandate from the second appeal issued on June 5, 2015. App. H.

C. **ARGUMENT**

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

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

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

Both the Fifth Amendment of the United States Constitution and Article 1, section 9 of the Washington Constitution prohibit double jeopardy.³ State v. Tvedt, 153 Wn.2d 705, 710, 107 P.3d 728 (2005). The double jeopardy clause of the Washington Constitution "is given the same interpretation the [United States] Supreme Court gives to the Fifth Amendment." State v. Knight, 162 Wn. 2d 806, 810, 174 P.3d 1167 (2008) (quoting State v. Gocken, 127 Wn.2d 95, 107, 896 P.2d 1267 (1995)). The proper interpretation and application of the double jeopardy clause is a question of law reviewed de novo. Knight, 162 Wn.2d at 810.

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

³ "No person shall . . . be subject for the same offense to be twice put in jeopardy of life or limb." U.S. Const. amend. V. "No person shall . . . be twice put in jeopardy for the same offense." Wash. Const. art. I, § 9.

"The unit of prosecution is the essential conduct that makes up the core of the offense." In re Pers. Restraint of Francis, 170 Wn.2d 517, 528, 242 P.3d 866 (2010). "A unit of prosecution can be either an act or a course of conduct." State v. Hall, 168 Wn.2d 726, 731, 230 P.3d 1048 (2010). There is a multistep approach to determine the unit of prosecution: "we first look to the statute to glean the intent of the legislature. Then we look to the statute's history, and finally to the facts of the particular case. If there is still doubt, we apply the rule of lenity in favor of a single unit." Hall, 168 Wn.2d at 737.

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

The "to convict" instruction, drawn from RCW 9A.46.020(1), required to the State to prove that France "knowingly threatened . . . maliciously to do any act which was intended to substantially harm [the victims] with respect to [their] physical health or safety; and . . . That the words or conduct of the defendant placed [the victim] in reasonable fear that the threat would be carried out." App. I (Instructions 7, 12, 13, 14, 15). The person threatened refers to the target of coercion, intimidation or humiliation. State v. J.M., 144 Wn.2d 472, 485, 28 P.3d 720 (2001).

The Court of Appeals addressed the unit of prosecution for harassment in State v. Morales, 174 Wn. App. 370, 298 P.3d 791 (2013).

Morales supports France's argument that his multiple convictions for threats directed at the same victim violate double jeopardy under a unit of prosecution analysis.

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

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

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

legislature contemplated the crime of harassment to encompass multiple threats.

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

The venue provision of the harassment statute sheds further light on the unit of prosecution by discussing possible components of a harassment offense. Morales, 174 Wn. App. at 386. It provides: "Any harassment offense committed as set forth in RCW 9A.46.020 . . . may be deemed to have been committed where the conduct occurred or at the place from which the *threat or threats* were made or at the place where the threats were received." RCW 9A.46.030 (emphasis added). The Court of Appeals in Alvarez focused on the fact that the venue provision treats a "harassment offense" as including a single threat to support its holding that the legislature intended a single threat could support conviction. State

v. Alvarez, 74 Wn. App. 250, 259, 872 P.2d 1123 (1994), aff'd, 128 Wn.2d 1, 904 P.2d 754 (1995). But the provision, in treating a "harassment offense" as also including multiple threats, supports the conclusion that the unit of prosecution encompasses multiple threats. Morales, 174 Wn. App. at 386.

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

Morales did not need to "determine the unit of prosecution for all harassment scenarios to conclude that where, as here, (1) a perpetrator threatens to cause bodily harm to a single identified person at a particular time and place and (2) places a single victim of the harassment in reasonable fear that the threat will be carried out, the conduct constitutes a single offense." Id. at 387. But this is the key part of its analysis: "The harassment statute focuses on a perpetrator's coercing, intimidating, or harassing the victim by a threat or threats that place her in reasonable fear. The number of persons who might learn of the threat and communicate

with the victim about it and *the number of times it might be communicated are secondary.*" Id. (emphasis added). A unit of prosecution that results in additional charges based on variables that are secondary may result in convictions that are disproportionate to an offender's conduct. Id. at 387-88 (citing Tvedt, 153 Wn.2d at 716 n. 4).

Although Morales did not "determine the unit of prosecution for all harassment scenarios,"⁴ its analysis leads to the conclusion that there is a double jeopardy violation in France's case. Examination of statutory intent does not change from one factual scenario to the next. Intent is gleaned from the language of the statute and from what the legislature has said in related provisions. The legislature envisioned the crime of harassment to encompass a pattern of threatening conduct. RCW 9A.46.010; Morales, 174 Wn. App. at 385. The venue provision likewise treats the offense as encompassing multiple threats. RCW 9A.46.030; Morales, 174 Wn. App. at 386. The focus of the harassment statute is "on a perpetrator's coercing, intimidating, or harassing the victim by a threat or threats that place her in reasonable fear," while the number of times that threat is communicated is secondary. Morales, 174 Wn. App. at 387. That proposition applies to all harassment cases, including France's case.

⁴ Morales, 174 Wn. App. at 387.

France committed one unit of prosecution in relation to each of the two victims. One conviction should attach to each of the two victims. The three duplicative convictions must be vacated.

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

The next step in the analysis is to consider the facts of the particular case. Even where the legislature has expressed its view on the unit of prosecution, the facts in a particular case may reveal more than one "unit of prosecution" is present. Varnell, 162 Wn.2d at 168. There is no bright-line test. In France's case, the course of conduct was ongoing, aimed at the same two people, in an attempt put them in fear of being

attacked. The threats directed against Paulsen occurred on November 11, 17 and December 5. The threats directed against Daugaard occurred on November 10 and December 14. These threats were not made one day after another as in Morales, but they still form a single unit of prosecution in relation to each victim. France waged a campaign of fear over a course of time. The unit of prosecution is the course of conduct over that time period, not the number of times the same kind of threat was repeated.

Hall is instructive. In that case, the defendant was convicted of three counts of witness tampering after calling a witness over 1,200 times in an attempt to convince her not to testify against him. Hall, 168 Wn.2d at 729. The Supreme Court held the unit of prosecution for witness tampering is the "ongoing attempt to persuade a witness not to testify in a proceeding." Id. at 734. The facts of that case supported a single unit of prosecution because Hall's conduct was continuous, aimed at a single person, and meant to tamper with the witness's testimony in a single proceeding. Id. at 736. However, the Supreme Court noted circumstances in which multiple units of prosecution could be present: "Our determination might be different if Hall had changed his strategy by, for example, sending letters in addition to phone calls or sending intermediaries, or if he had been stopped by the State briefly and found a way to resume his witness tampering campaign." Id. at 737.

In France's case, the course of conduct was ongoing, aimed at the same person, in an attempt to place that person in fear. He did not change his strategy. France used the same method to convey the threats: telephone voicemail messages. The particular facts of France's case show one unit of prosecution per victim. Any doubt must be resolved in favor of France under the rule of lenity. Hall, 168 Wn.2d at 737.

"The appropriate remedy for a double jeopardy violation is vacating the offending conviction." Francis, 170 Wn.2d at 432. The appropriate remedy here is vacating three of the five harassment convictions, leaving one conviction for each of the two victims intact, and remanding for resentencing.

c. The personal restraint petition is timely.

RCW 10.73.090(1) provides "No petition or motion for collateral attack on a judgment and sentence in a criminal case may be filed more than one year after the judgment becomes final if the judgment and sentence is valid on its face and was rendered by a court of competent jurisdiction." A judgment becomes final on "The date that an appellate court issues its mandate disposing of a timely direct appeal from the conviction." RCW 10.73.090(3)(b).

France's petition is timely. Following resentencing from his first appeal, France appealed a second time from the new judgment and

sentence. The mandate for that second appeal issued on June 5, 2015. App. H. The finality of the judgment and sentence was delayed by the resentencing and subsequent appeal. State v. Contreras-Rebollar, 177 Wn.2d 563, 565, 303 P.3d 1062 (2013). For collateral attack purposes, the second appeal did not become final under the mandate issued on June 5, 2015. France's petition is therefore timely.

Even if that were not the case, the time limit specified in RCW 10.73.090 is inapplicable to a petition that is based solely on the ground that "[t]he conviction was barred by double jeopardy under Amendment V of the United States Constitution or Article I, section 9 of the state Constitution." RCW 10.73.100(3). France's petition seeks relief on the ground of double jeopardy. The petition is timely under RCW 10.73.100(3).

D. CONCLUSION

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

DATED this 8th day of December 2015

Respectfully Submitted,

NIELSEN, BROMAN & KOCH, PLLC.

CASEY GRANNIS

WSBA No. 37301

Office ID No. 91051

Attorneys for Petitioner

APPENDIX A

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COUNT II

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

That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or about November 17, 2011, having been previously convicted on November 10, 2011, of the crime of Felony Harassment against Anita Paulsen, a person specifically named in a no contact or no harassment order, without lawful authority, knowingly did threaten to maliciously do an act intended to substantially harm Anita Paulsen with respect to her physical health or safety; and the words or conduct did place Anita Paulsen in reasonable fear that the threat would be carried out;

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

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

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COUNT III

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

That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or about December 5, 2011, having been previously convicted on November 10, 2011, of the crime of Felony Harassment against Anita Paulsen, a person specifically named in a no contact or no harassment order, without lawful authority, knowingly did threaten to maliciously do an act intended to substantially harm Anita Paulsen with respect to her physical health or safety; and the words or conduct did place Anita Paulsen in reasonable fear that the threat would be carried out;

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

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

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

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COUNT IV

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

That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or
about November 10, 2011, having been previously convicted on November 10, 2011, of the
crime of Felony Harassment against Lisa Daugaard, a person specifically named in a no contact
or no harassment order, without lawful authority, knowingly did threaten to maliciously do an act
intended to substantially harm Lisa Daugaard with respect to her physical health or safety; and
the words or conduct did place Lisa Daugaard in reasonable fear that the threat would be carried
out;

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

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

COUNT V

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

That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or
about December 14, 2011, having been previously convicted on November 10, 2011, of the
crime of Felony Harassment against Lisa Daugaard and Anita Paulsen, persons specifically
named in a no contact or no harassment order, without lawful authority, knowingly did threaten
to maliciously do an act intended to substantially harm Lisa Daugaard and Anita Paulsen with

1 respect to their physical health or safety; and the words or conduct did place Lisa Daugaard and
2 Anita Paulsen in reasonable fear that the threat would be carried out;

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

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

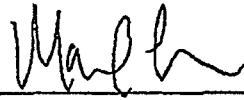
10
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COUNT VI

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

14 That the defendant WILLIAM NEAL FRANCE in King County, Washington, on or
15 about December 27, 2011, by use of a threat against Lisa Daugaard, a current or prospective
16 witness, did knowingly attempt to induce that person to absent herself from an official
17 proceeding;

18 Contrary to RCW 9A.72.110(1)(a), (b), (c), (3), and against the peace and dignity of the
19 State of Washington.

20
21
22
23
24
DANIEL T. SATTERBERG
Prosecuting Attorney

By: 
Mark R. Larson, WSBA #15328
Senior Deputy Prosecuting Attorney

APPENDIX B

FILED
KING COUNTY, WASHINGTON

MAR 05 2012

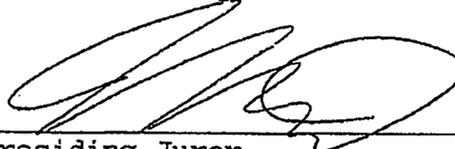
IN THE SUPERIOR COURT OF THE STATE OF
WASHINGTON FOR KING COUNTY

SUPERIOR COURT CLERK
TONJA HUTCHINSON
DEPUTY

STATE OF WASHINGTON,)	
	)	No. 11-1-08388-4 SEA
Plaintiff,)	
)	
vs.	)	VERDICT FORM F
)	
WILLIAM NEAL FRANCE)	
)	
Defendant.)	

We, the jury, find the defendant WILLIAM NEAL FRANCE
guilty (write in "not guilty" or "guilty") of the
crime of Intimidating a Witness as charged in Count VI.

3/5/2012
Date



Presiding Juror

ORIGINAL

30

FILED
KING COUNTY, WASHINGTON

MAR 05 2012

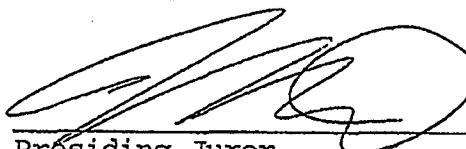
IN THE SUPERIOR COURT OF THE STATE OF
WASHINGTON FOR KING COUNTY

SUPERIOR
~~TONJA~~
Tonja Hutchinson
SEA

STATE OF WASHINGTON,)	
	)	No. 11-1-08388-4
Plaintiff,)	
)	
vs.	)	VERDICT FORM B
)	
WILLIAM NEAL FRANCE)	
)	
Defendant.)	

We, the jury, find the defendant WILLIAM NEAL FRANCE
guilty (write in "not guilty" or "guilty") of the
crime of Felony Harassment as charged in Count V.

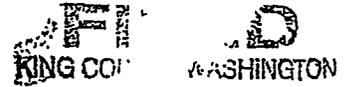
3/5/2012
Date



Presiding Juror

ORIGINAL

34



MAR 05 2012

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR KING COUNTY

SUPL. COURT CLERK
~~TONJA HUTCHINSON~~
Tonja Hutchinson DEPUTY

STATE OF WASHINGTON,)
)
 Plaintiff,)
)
 vs.)
)
 WILLIAM NEAL FRANCE)
)
 Defendant.)

No. 11-1-08388-4 SEA

VERDICT FORM D

We, the jury, find the defendant WILLIAM NEAL FRANCE
guilty (write in "not guilty" or "guilty") of the
crime of Felony Harassment as charged in Count IV.

3/5/2012
Date

Presiding Juror

ORIGINAL

38

FILED
KING COUNTY, WASHINGTON

MAR 05 2012

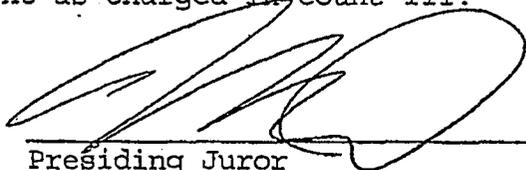
SUPERIOR COURT CLERK
TONJA HUTCHINSON
DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF
WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)	
	)	No. 11-1-08388-4 SEA
Plaintiff,)	
)	
vs.	)	VERDICT FORM C
)	
WILLIAM NEAL FRANCE)	
)	
Defendant.)	

We, the jury, find the defendant WILLIAM NEAL FRANCE
guilty (write in "not guilty" or "guilty") of the
crime of Felony Harassment as charged in Count III.

3/5/2012
Date



Presiding Juror

ORIGINAL

FILED
KING COUNTY, WASHINGTON

MAR 05 2012

SUPERIOR COURT CLERK
TONJA HUTCHINSON
DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF
WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)	
	)	No. 11-1-08388-4 SEA
Plaintiff,)	
)	
vs.	)	VERDICT FORM C
)	
WILLIAM NEAL FRANCE)	
)	
Defendant.)	

We, the jury, find the defendant WILLIAM NEAL FRANCE
guilty (write in "not guilty" or "guilty") of the
crime of Felony Harassment as charged in Count III.

3/5/2012
Date


Presiding Juror

ORIGINAL



FILED
KING COUNTY, WASHINGTON

MAR 05 2012

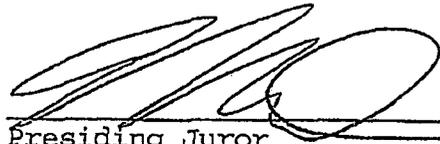
SUPERIOR COURT CLERK
TONJA HUTCHINSON
DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF
WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)	
	)	No. 11-1-08388-4 SEA
Plaintiff,)	
)	
vs.	)	VERDICT FORM B
)	
WILLIAM NEAL FRANCE)	
)	
Defendant.)	

We, the jury, find the defendant WILLIAM NEAL FRANCE
guilty (write in "not guilty" or "guilty") of the
crime of Felony Harassment as charged in Count II.

3/5/2012
Date


Presiding Juror

ORIGINAL

FILED
KING COUNTY, WASHINGTON

MAR 05 2012

SUPERIOR COURT CLERK
TONIA HUTCHINSON
DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF
WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)	
	)	No. 11-1-08388-4 SEA
Plaintiff,)	
)	
vs.	)	VERDICT FORM A
)	
WILLIAM NEAL FRANCE)	
)	
Defendant.)	

We, the jury, find the defendant WILLIAM NEAL FRANCE
guilty (write in "not guilty" or "guilty") of the
crime of Felony Harassment as charged in Count I.

3/5/2012
Date


Presiding Juror

ORIGINAL

APPENDIX C

FILED

2012 MAR 23 AM 10:40

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

COPY TO COUNTY JAIL MAR 23 2012

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

Vs.

WILLIAM NEAL FRANCE

Defendant,

No. 11-1-08388-4 SEA

JUDGMENT AND SENTENCE
FELONY (FJS)

I. HEARING

I.1 The defendant, the defendant's lawyer, BRIAN TODD, and the deputy prosecuting attorney were present at the sentencing hearing conducted today. Others present were:

Law Office of Brian J Todd
6523 California Ave SW #179
Seattle, WA 98136
206-778-0760

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 03/05/2012 by jury verdict of:

Count No.: I Crime: FELONY HARASSMENT

RCW 9A.46.020(1),(2)

Crime Code: 00498

Date of Crime: 11/11/2011

Incident No. _____

Count No.: II Crime: FELONY HARASSMENT

RCW 9A.46.020(1),(2)

Crime Code: 00498

Date of Crime: 11/17/2011

Incident No. _____

Count No.: III Crime: FELONY HARASSMENT

RCW 9A.46.020(1),(2)

Crime Code: 00498

Date of Crime: 12/05/2011

Incident No. _____

Count No.: IV Crime: FELONY HARASSMENT

RCW 9A.46.020(1),(2)

Crime Code: 00498

Date of Crime: 11/10/2011

Incident No. _____

Additional current offenses are attached in Appendix A

10

SPECIAL VERDICT or FINDING(S):

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

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

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

Criminal history is attached in Appendix B.

One point added for offense(s) committed while under community placement for count(s) _____

2.4 SENTENCING DATA:

Sentencing Data	Offender Score	Seriousness Level	Standard Range	Enhancement	Total Standard Range	Maximum Term
Count I, II, III, IV, V, VI	19 + 20 <i>19 + Community Placement</i>	III	51 TO 60		51 TO 60 MONTHS	5 YEARS AND/OR \$10,000
Count						
Count						
Count						

Additional current offense sentencing data is attached in Appendix C.

2.5 EXCEPTIONAL SENTENCE

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

Finding of Fact: The jury found or the defendant stipulated to aggravating circumstances as to Count(s) _____.

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

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

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

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

III. JUDGMENT

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

The Court DISMISSES Count(s) _____

IV. ORDER

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

4.1 RESTITUTION AND VICTIM ASSESSMENT:

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

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

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

4.3 PAYMENT SCHEDULE: Defendant's TOTAL FINANCIAL OBLIGATION is: \$ 600.00 ^{600.00} ~~500.00~~. The payments shall be made to the King County Superior Court Clerk according to the rules of the Clerk and the following terms: Not less than \$ _____ per month; On a schedule established by the defendant's Community Corrections Officer or Department of Judicial Administration (DJA) Collections Officer. Financial obligations shall bear interest pursuant to RCW 10.82.090. The Defendant shall remain under the Court's jurisdiction to assure payment of financial obligations: for crimes committed before 7/1/2000, for up to ten years from the date of sentence or release from total confinement, whichever is later; for crimes committed on or after 7/1/2000, until the obligation is completely satisfied. Pursuant to RCW 9.94A.7602, if the defendant is more than 30 days past due in payments, a notice of payroll deduction may be issued without further notice to the offender. Pursuant to RCW 9.94A.760(7)(b), the defendant shall report as directed by DJA and provide financial information as requested.

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

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

60 months/days on count I; 60 months/days on count II; 60 months/day on count III
60 months/days on count IV; 60 months/days on count V; 60 months/day on count VI

The above terms for counts I, II, III are consecutive/concurrent.
Counts IV, V, VI are concurrent. However, cts I, II + III shall run consecutive
The above terms shall run [] CONSECUTIVE [] CONCURRENT to cause No.(s) to counts IV, V + VI

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

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

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

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

The TOTAL of all terms imposed in this cause is 120 months.

Credit is given for time served in King County Jail or EHD solely for confinement under this cause number pursuant to RCW 9.94A.505(6): [] _____ day(s) or [] days determined by the King County Jail.
[] For nonviolent, nonsex offense, credit is given for days determined by the King County Jail to have been served in the King County Supervised Community Option (Enhanced CCAP) solely under this cause number.
[] For nonviolent, nonsex offense, the court authorizes earned early release credit consistent with the local correctional facility standards for days spent in the King County Supervised Community Option (Enhanced CCAP).

4.5 NO CONTACT: For the maximum term of 10 years, defendant shall have no contact with Anita
Randee + Lisa Douglas - including their work place and residence
directly, indirectly or by phone

4.6 DNA TESTING. The defendant shall have a biological sample collected for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing, as ordered in APPENDIX G.
[] HIV TESTING: The defendant shall submit to HIV testing as ordered in APPENDIX G.
RCW 70.24.340.

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

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

- (c) **COMMUNITY CUSTODY** - for qualifying crimes committed after 6-30-2000 is ordered for the following established range or term:
 - Sex Offense, RCW 9.94A.030 - 36 months—when not sentenced under RCW 9.94A.507
 - Serious Violent Offense, RCW 9.94A.030 - 36 months
 - If crime committed prior to 8-1-09, a range of 24 to 36 months.
 - Violent Offense, RCW 9.94A.030 - 18 months
 - Crime Against Person, RCW 9.94A.411 or Felony Violation of RCW 69.50/52 - 12 months
 - If crime committed prior to 8-1-09, a range of 9 to 12 months.

The term of community custody shall be reduced by the Department of Corrections if necessary so that the total amount of incarceration and community custody does not exceed the maximum term of sentence for any offense, as specified in this judgment.

Sanctions and punishments for non-compliance will be imposed by the Department of Corrections or the court.

APPENDIX H for Community Custody conditions is attached and incorporated herein.

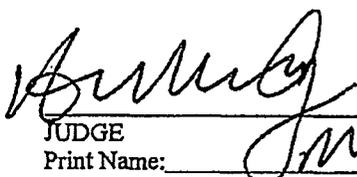
APPENDIX J for sex offender registration is attached and incorporated herein.

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

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

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

Date: 3-23-12


JUDGE
Print Name: Harry J. McCarthy

HARRY J. MCCARTHY

Presented by:

Deputy Prosecuting Attorney, WSBA# 15328
Print Name: MARK LARSON

Approved as to form:

Attorney for Defendant, WSBA # 24436
Print Name: Law Office of Brian J Todd
6523 California Ave SW #179
Seattle, WA 98136
206-778-0750

303

BEST AVAILABLE IMAGE POSSIBLE
FINGERPRINTS



RIGHT HAND
FINGERPRINTS OF:

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

WILLIAM NEAL FRANCE

DATED: 3/23/13
[Signature]

ATTESTED BY: BARBARA MINER,
SUPERIOR COURT CLERK
BY: [Signature]
DEPUTY CLERK

JUDGE, KING COUNTY SUPERIOR COURT
HARRY J. MCCARTHY

CERTIFICATE

OFFENDER IDENTIFICATION

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

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

CLERK

BY: _____
DEPUTY CLERK

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

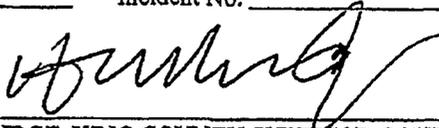
STATE OF WASHINGTON,)	
)	
	)	Plaintiff,
)	
vs.	)	No. 11-1-08388-4 SEA
)	
	)	JUDGMENT AND SENTENCE
WILLIAM NEAL FRANCE	)	(FELONY) - APPENDIX A
	)	ADDITIONAL CURRENT OFFENSES
)	
	)	Defendant,
)	

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

Count No.: <u>V</u>	Crime: <u>FELONY HARASSMENT</u>
RCW <u>9A.46.020(1),(2)</u>	Crime Code <u>00498</u>
Date Of Crime <u>12/14/2011</u>	Incident No. _____

Count No.: <u>VI</u>	Crime: <u>INTIMIDATING A WITNESS</u>
RCW <u>9A.72.110(1)(a),(b),(c),(3)</u>	Crime Code <u>04734</u>
Date Of Crime <u>12/27/2011</u>	Incident No. _____

Date: 3/23/12



 JUDGE, KING COUNTY SUPERIOR COURT

HARRY J. MCCARTHY

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

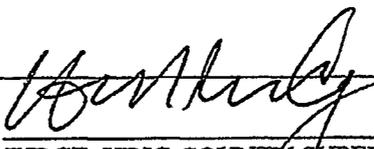
STATE OF WASHINGTON,)
)
 Plaintiff,) No. 11-1-08388-4 SEA
)
 vs.) JUDGMENT AND SENTENCE,
) (FELONY) - APPENDIX B,
 WILLIAM NEAL FRANCE) CRIMINAL HISTORY
)
 Defendant,)

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

Crime	Sentencing Date	Adult or Juv. Crime	Cause Number	Location
ROBBERY-2	03/28/1978	ADULT	70233	KING CO
FELONY HARASSMENT	02/21/2003	ADULT	021063906	KING CO
FELONY TELEPHONE HARASSMENT DV	06/17/2005	ADULT	051049851	KING CO
HARASSMENT KNOWINGLY THREATEN	11/10/2011	ADULT	111017156	KING CO
HARASSMENT KNOWINGLY THREATEN	11/10/2011	ADULT	111017156	KING CO
HARASSMENT KNOWINGLY THREATEN	11/10/2011	ADULT	111017156	KING CO
HARASSMENT KNOWINGLY THREATEN	11/10/2011	ADULT	111017156	KING CO
HARASSMENT KNOWINGLY THREATEN	11/10/2011	ADULT	111017156	KING CO
HARASSMENT KNOWINGLY THREATEN	11/10/2011	ADULT	111017156	KING CO
HARASSMENT KNOWINGLY THREATEN	11/10/2011	ADULT	111017156	KING CO
HARASSMENT KNOWINGLY THREATEN	11/10/2011	ADULT	111017156	KING CO
HARASSMENT KNOWINGLY THREATEN	11/10/2011	ADULT	111017156	KING CO
HARASSMENT KNOWINGLY THREATEN	11/10/2011	ADULT	111017156	KING CO
PROTECTION ORDER VIOL-PREV CO	10/16/2009	ADULT	091051859	KING CO
MALICIOUS MISCHIEF-2	09/23/2005	ADULT	051087443	KING CO
TAKING VEHICLE W/O PERMISSION	01/28/2000	ADULT	991009376	LEWIS CO
POSSESS STOLEN PROPERTY-2	01/28/2000	ADULT	991009376	LEWIS CO

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

Date: 3/23/12


 JUDGE, KING COUNTY SUPERIOR COURT
 HARRY J. MCCARTHY

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

WILLIAM NEAL FRANCE

Defendant,

No. 11-1-08388-4 SEA

APPENDIX G
ORDER FOR BIOLOGICAL TESTING
AND COUNSELING

(1) DNA IDENTIFICATION (RCW 43.43.754):

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

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

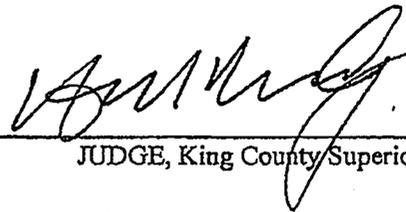
(Required for defendant convicted of sexual offense, drug offense associated with the use of hypodermic needles, or prostitution related offense.)

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

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

Date:

3/23/12



JUDGE, King County Superior Court

HARRY J. MCCARTHY

APPENDIX D

APPENDIX E

FILED
KING COUNTY, WASHINGTON

OCT 02 2014

SUPERIOR COURT CLERK
BY JULIE WARFIELD
DEPUTY

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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)	
)	
)	Plaintiff,
)	
vs.	)	No. 11-1-08388-4 SEA,
)	
	)	JUDGMENT AND SENTENCE
WILLIAM NEAL FRANCE,	)	FELONY (FJS)
)	
	)	ON RESENTENCING
Defendant.)	

I. HEARING

I.1 The defendant, the defendant's lawyer, Brian J Todd, and the deputy prosecuting attorney were present at the sentencing hearing conducted today. Others present were:

~~Law Office of Brian J Todd
6522 California Ave SW #179
Seattle, WA 98136
206-778-0750~~

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 03/05/2012 by Jury Verdict of:

- | | |
|---|-------------------|
| Count No.: I Crime: Felony Harassment
RCW: 9A.46.020(1), (2)(b)
Date of Crime: 11/11/2011 | Crime Code: 00498 |
| Count No.: II Crime: Felony Harassment
RCW: 9A.46.020(1), (2)(b)
Date of Crime: 11/17/2011 | Crime Code: 00498 |
| Count No.: III Crime: Felony Harassment
RCW: 9A.46.020(1), (2)(b)
Date of Crime: 11/11/2011 | Crime Code: 00498 |
| Count No.: IV Crime: Felony Harassment
RCW: 9A.46.020(1), (2)(b)
Date of Crime: 11/13/2011 | Crime Code: 00498 |
| Count No.: V Crime: Felony Harassment
RCW: 9A.46.020(1), (2)(b)
Date of Crime: 12/05/2011 | Crime Code: 00498 |

Additional current offenses are attached in Appendix A

71B-

SPECIAL VERDICT or FINDING(S):

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

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

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

- Criminal history is attached in Appendix B.
- One point added for offense(s) committed while under community placement for count(s) 1 thru 5

2.4 SENTENCING DATA:

Sentencing Data	Offender Score	Seriousness Level	Standard Range	Enhancement	Total Standard Range	Maximum Term
Counts I thru V	19	III	51 to 60 months		51 to 60 months	5yrs and/or \$10,000

Additional current offense sentencing data is attached in Appendix C.

2.5 EXCEPTIONAL SENTENCE

Findings of Fact and Conclusions of Law as to sentence above the standard range:
Finding of Fact: The jury found or the defendant stipulated to aggravating circumstances as to Count(s) _____
Conclusion of Law: These aggravating circumstances constitute substantial and compelling reasons that justify a sentence above the standard range for Count(s) _____. The court would impose the same sentence on the basis of any one of the aggravating circumstances.

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

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

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

III. JUDGMENT

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

The Court DISMISSES Count(s) VI

IV. ORDER

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

[] This offense is a felony firearm offense (defined in RCW 9.41.010). Having considered relevant factors, including criminal history, propensity for violence endangering persons, and any prior NGI findings, the Court requires that the defendant register as a firearm offender, in compliance with 2013 Laws, Chapter 183, section 4. The details of the registration requirements are included in the attached Appendix L.

4.1 RESTITUTION, VICTIM ASSESSMENT, AND DNA FEE:

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

Defendant shall pay Victim Penalty Assessment in the amount of \$500 (RCW 7.68.035 - mandatory).
 Defendant shall pay DNA collection fee in the amount of \$100 (RCW 43.43.7541 - mandatory).

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

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

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

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

60 months/days on count I; 60 months/days on count II; 60 months/days on count III;
60 months/days on count IV; 60 months/days on count V; _____ months/days on count _____;

The above terms for counts I, II, III concurrent, IV + V are consecutive concurrent. however cts I, II + III shall run consecutive to counts IV + V
The above terms shall run consecutive concurrent to cause No.(s) All other cause numbers

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

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

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

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

[] On the conviction for aggravated murder in the first degree, the defendant was under 18 at the time of that offense. Having considered the factors listed in RCW 10.95.030, a minimum term of _____ years of total confinement and a maximum term of life imprisonment is imposed. (If under 16 at the time of the offense, minimum term must be 25 years; if 16 or 17, minimum term must be 25 years to life without parole.)

The TOTAL of all terms imposed in this cause is 120 months.

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

4.5 NO CONTACT: For the maximum term of 5 years, defendant shall have no contact with ANITA PAULSEN, LISA DRUGAARD AND THE DEFENDER ASSOCIATION

4.6 DNA TESTING. The defendant shall have a biological sample collected for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing, as ordered in APPENDIX G.

HIV TESTING: The defendant shall submit to HIV testing as ordered in APPENDIX G. RCW 70.24.340.

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

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

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

- Sex Offense, RCW 9.94A.030 - 36 months—when not sentenced under RCW 9.94A.507
 - Serious Violent Offense, RCW 9.94A.030 - 36 months
 - If crime committed prior to 8-1-09, a range of 24 to 36 months.
 - Violent Offense, RCW 9.94A.030 - 18 months
 - Crime Against Person, RCW 9.94A.411 or Felony Violation of RCW 69.50/52 - 12 months
 - If crime committed prior to 8-1-09, a range of 9 to 12 months.
- _____ months (applicable mandatory term reduced so that the total amount of incarceration and community custody does not exceed the maximum term of sentence).

Sanctions and punishments for non-compliance will be imposed by the Department of Corrections or the court.

- APPENDIX H for Community Custody conditions is attached and incorporated herein.
- APPENDIX J for sex offender registration is attached and incorporated herein.

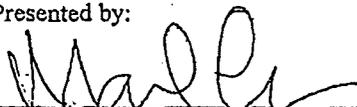
4.8 **ARMED CRIME COMPLIANCE**, RCW 9.94A.475,.480. The State's plea/sentencing agreement is attached as follows:

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

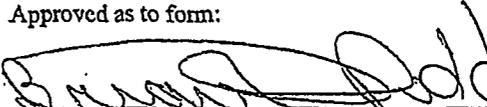
Date: 10-2-14



JUDGE
Print Name: BILL A. BOWMAN

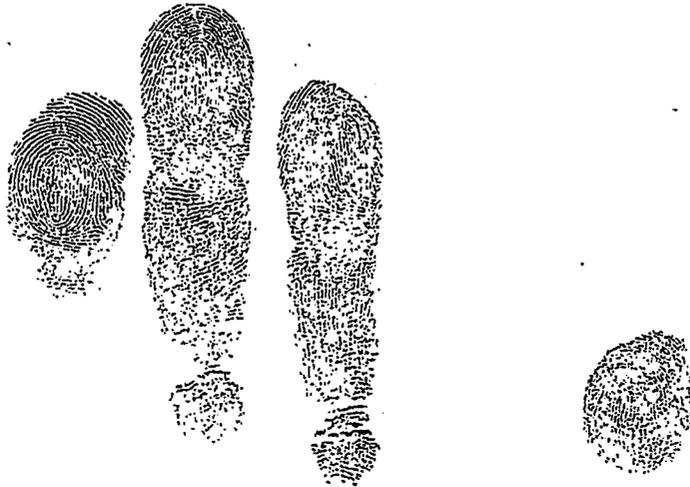
Presented by:


Deputy Prosecuting Attorney, WSBA#
Print Name: _____

Approved as to form:
 29436

Attorney for Defendant, WSBA#
Print Name: Brian J. Todd
Law Office of Brian J. Todd
8523 California Ave SW #179
Seattle, WA 98136
208-778-0750

FINGER PRINTS



RIGHT HAND
FINGERPRINTS OF:
WILLIAM NEAL FRANCE

DEFENDANT'S SIGNATURE:
DEFENDANT'S ADDRESS:

William France
K.C.J. - DOC

Dated: 10-2-2014

ATTESTED BY: BARBARA MINER,
SUPERIOR COURT CLERK

[Signature]
JUDGE **BILLA. BOWMAN**

By: *[Signature]*
DEPUTY CLERK

CERTIFICATE

OFFENDER IDENTIFICATION

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

S.I.D. NO. WA10356245

DOB: 03/11/1954

SEX: Male

RACE: White/Caucasian

CLERK
By: _____
DEPUTY CLERK

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

WILLIAM NEAL FRANCE,

Defendant.

No. 11-1-08388-4 SEA

APPENDIX G
ORDER FOR BIOLOGICAL TESTING
AND COUNSELING

(1) DNA IDENTIFICATION (RCW 43.43.754):

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

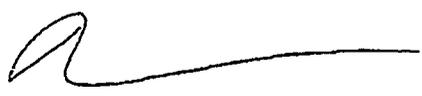
(2) HIV TESTING AND COUNSELING (RCW 70.24.340):

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

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

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

Date: 10/2/14



JUDGE, King County Superior Court

BILLA. BOWMAN

APPENDIX F

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KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

NOV - 3 2014

~~COPY TO COURT OF APPEALS~~

IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)	
	)	No. 11-1-08388-4 SEA
Plaintiff,)	
	)	NOTICE OF APPEAL TO
vs.	)	COURT OF APPEALS
)	
WILLIAM FRANCE,)	
)	
Defendant.)	

The Defendant seeks review by the Court of Appeals for the State of Washington,
Division I, of the Judgment and Sentence entered on Oct 2 , 2014.

DATED this 27th day of October, 2014.

William France
 29436
 WILLIAM FRANCE, Pro Se
 Defendant/Appellant

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)	
)	
	)	No. 11-1-08588-4 SEA
Plaintiff,)	
	)	JUDGMENT AND SENTENCE
vs.	)	FELONY (FJS)
)	
WILLIAM NEAL FRANCE,	)	ON RESENTENCING
)	
Defendant.)	

I. HEARING

I.1 The defendant, the defendant's lawyer, Brian J Todd, and the deputy prosecuting attorney were present at the sentencing hearing conducted today. Others present were:

~~Law Office of Brian J Todd
3522 California Ave SW #170
Seattle, WA 98136
206-776-0750~~

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 03/05/2012
by Jury Verdict of:

- Count No.: I Crime: Felony Harassment
RCW: 9A.46.020(1), (2)(b) Crime Code: 00498
Date of Crime: 11/11/2011
- Count No.: II Crime: Felony Harassment
RCW: 9A.46.020(1), (2)(b) Crime Code: 00498
Date of Crime: 11/17/2011
- Count No.: III Crime: Felony Harassment
RCW: 9A.46.020(1), (2)(b) Crime Code: 00498
Date of Crime: 11/11/2011
- Count No.: IV Crime: Felony Harassment
RCW: 9A.46.020(1), (2)(b) Crime Code: 00498
Date of Crime: 11/13/2011
- Count No.: V Crime: Felony Harassment
RCW: 9A.46.020(1), (2)(b) Crime Code: 00498
Date of Crime: 12/05/2011

Additional current offenses are attached in Appendix A

SPECIAL VERDICT or FINDING(S):

- (a) While armed with a firearm in count(s) _____ RCW 9.94A.533(3).
- (b) While armed with a deadly weapon other than a firearm in count(s) _____ RCW 9.94A.533(4).
- (c) With a sexual motivation in count(s) _____ RCW 9.94A.855.
- (d) A V.U.C.S.A. offense committed in a protected zone in count(s) _____ RCW 69.50.435.
- (e) Vehicular homicide Violent traffic offense DUI Reckless Disregard.
- (f) Vehicular homicide by DUI with _____ prior conviction(s) for offense(s) defined in RCW 46.61.5055, RCW 9.94A.533(7).
- (g) Non-parental kidnapping or unlawful imprisonment with a minor victim, RCW 9A.44.128, .130.
- (h) Domestic violence as defined in RCW 10.99.020 was pled and proved for count(s) _____.
- (i) Current offenses encompassing the same criminal conduct in this cause are count(s) _____ RCW 9.94A.589(1)(a).
- (j) Aggravating circumstances as to count(s) _____: _____

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

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

- Criminal history is attached in Appendix B.
- One point added for offense(s) committed while under community placement for count(s) __ 1 thru 5 _____

2.4 SENTENCING DATA:

Sentencing Data	Offender Score	Seriousness Level	Standard Range	Enhancement	Total Standard Range	Maximum Term
Counts I thru V	19	III	51 to 60 months		51 to 60 months	5yrs and/or \$10,000

Additional current offense sentencing data is attached in Appendix C.

2.5 EXCEPTIONAL SENTENCE

Findings of Fact and Conclusions of Law as to sentence above the standard range:
Finding of Fact: The jury found or the defendant stipulated to aggravating circumstances as to Count(s) _____
Conclusion of Law: These aggravating circumstances constitute substantial and compelling reasons that justify a sentence above the standard range for Count(s) _____. The court would impose the same sentence on the basis of any one of the aggravating circumstances.

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

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

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

III. JUDGMENT

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

The Court DISMISSES Count(s) VI

IV. ORDER

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

[] This offense is a felony firearm offense (defined in RCW 9A.010). Having considered relevant factors, including criminal history, propensity for violence endangering persons, and any prior NGLI findings, the Court requires that the defendant register as a firearm offender, in compliance with 2013 Laws, Chapter 183, section 4. The details of the registration requirements are included in the attached Appendix L.

4.1 RESTITUTION, VICTIM ASSESSMENT, AND DNA FEE:

- Defendant shall pay restitution to the Clerk of this Court as set forth in attached Appendix E.
- Defendant shall not pay restitution because the Court finds that extraordinary circumstances exist, and the court, pursuant to RCW 9A.47.03(5), sets forth those circumstances in attached Appendix E.
- Restitution to be determined at future restitution hearing on (Date) _____ at _____ m.
- Date to be set.
- Defendant waives right to be present at future restitution hearing(s).
- Restitution is not ordered.

Defendant shall pay Victim Penalty Assessment in the amount of \$500 (RCW 7.68.035 - mandatory).
 Defendant shall pay DNA collection fee in the amount of \$100 (RCW 43.43.7541 - mandatory).

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

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

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

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

60 months/days on count I; 60 months/days on count II; 60 months/days on count III;
60 months/days on count IV; 60 months/days on count V; _____ months/days on count _____;

The above terms for counts I, II, III ~~concurrent~~ are consecutive concurrent. however cts I, II + III shall run consecutive to counts IV + V
The above terms shall run consecutive concurrent to cause No.(s) all other case numbers

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

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

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

The enhancement term(s) for any special WEAPON findings in section 2.1 is/are included within the term(s) imposed above. (Use this section when appropriate, but for crimes before 6-1-98 only, per In Re Charles.)

[] On the conviction for aggravated murder in the first degree, the defendant was under 18 at the time of that offense. Having considered the factors listed in RCW 10.95.030, a minimum term of _____ years of total confinement and a maximum term of life imprisonment is imposed. (If under 16 at the time of the offense, minimum term must be 25 years; if 16 or 17, minimum term must be 25 years to life without parole.)

The TOTAL of all terms imposed in this cause is 120 months.

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

4.5 NO CONTACT: For the maximum term of 5 years, defendant shall have no contact with ANITA PAULSEN, LISA DAGGARD AND THE DEFENDANT ASSOCIATION

4.6 DNA TESTING. The defendant shall have a biological sample collected for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing, as ordered in APPENDIX G.

HIV TESTING: The defendant shall submit to HIV testing as ordered in APPENDIX G. RCW 70.24.340.

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

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

- (c) **COMMUNITY CUSTODY** - for qualifying crimes committed after 6-30-2000 is ordered for the following established range or term:
- Sex Offense, RCW 9.94A.030 - 36 months—when not sentenced under RCW 9.94A.507
 - Serious Violent Offense, RCW 9.94A.030 - 36 months
 - If crime committed prior to 8-1-09, a range of 24 to 36 months.
 - Violent Offense, RCW 9.94A.030 - 18 months
 - Crime Against Person, RCW 9.94A.411, or Felony Violation of RCW 69.50/52 - 12 months
 - If crime committed prior to 8-1-09, a range of 9 to 12 months.
- _____ months (applicable mandatory term reduced so that the total amount of incarceration and community custody does not exceed the maximum term of sentence).

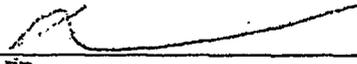
Sanctions and punishments for non-compliance will be imposed by the Department of Corrections or the court.

- APPENDIX H for Community Custody conditions is attached and incorporated herein.
- APPENDIX J for sex offender-registration is attached and incorporated herein.

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

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

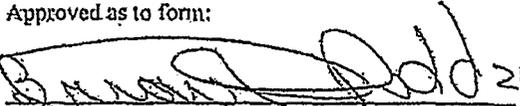
Date: 10-2-14



 JUDGE
 Print Name: BILL A. BOWMAN

Presented by:


 Deputy Prosecuting Attorney, WSBA#
 Print Name: _____

Approved as to form:
 2R136

 Attorney for Defendant, WSBA#
 Print Name: Mark J. Todd
 Law Office
 6529 California Ave SW #179
 Seattle, WA 98136
 206-778-0750

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,
 Plaintiff,
 vs.
 WILLIAM NEAL FRANCE,
 Defendant.

No. 11-1-08388-4 SEA
 JUDGMENT AND SENTENCE,
 (FELONY) - APPENDIX B,
 CRIMINAL HISTORY

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

Crime	Sentencing Date	Adult or Juv.	Cause or Crime Number	Location
Robbery 2	3/28/1978	AF	70233	King Superior Court WA
Attempt To Elude Pursuing Police,	4/24/1989	AF	89-1-01068-9	King Superior Court WA
Felony Harassment	2/21/2003	AF	02-1-06390-6	King Superior Court WA
Felony Telephone Harassment DV	6/17/2005	AF	05-1-04985-1	King Superior Court WA
Harassment knowingly threaten	11/10/2011	AF	11-1-01715-6	King Superior Court WA
Harassment knowingly threaten	11/10/2011	AF	11-1-01715-6	King Superior Court WA
Harassment knowingly threaten	11/10/2011	AF	11-1-01715-6	King Superior Court WA
Harassment knowingly threaten	11/10/2011	AF	11-1-01715-6	King Superior Court WA
Harassment knowingly threaten	11/10/2011	AF	11-1-01715-6	King Superior Court WA
Harassment knowingly threaten	11/10/2011	AF	11-1-01715-6	King Superior Court WA
Harassment knowingly threaten	11/10/2011	AF	11-1-01715-6	King Superior Court WA
Harassment knowingly threaten	11/10/2011	AF	11-1-01715-6	King Superior Court WA
Harassment knowingly threaten	11/10/2011	AF	11-1-01715-6	King Superior Court WA
Protection order viol-prev co	10/16/2009	AF	09-1-05185-9	King Superior court WA
Malicious mischief 2	09/23/2005	AF	05-1-08744-3	King Superior court WA
Taking vehicle w/o permission	01/28/2000	AF	99-1-00937-6	Lewis Superior Court WA
Possess stolen property 2 nd degree	01/28/2000	AF	99-1-00937-6	Lewis Superior Court WA

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

Date: 10/21/14
 JUDGE, KING COUNTY SUPERIOR COURT PHILA BOWMAN

FINGER PRINTS



RIGHT HAND
FINGERPRINTS OF:
WILLIAM NEAL FRANCE

DEFENDANT'S SIGNATURE: William France
DEFENDANT'S ADDRESS: K.C.J. - DOC

Dated: 10-2-2014
[Signature]
JUDGE BILLA. BOWMAN

ATTESTED BY: BARBARA MINER,
SUPERIOR COURT CLERK
By: [Signature]
DEPUTY CLERK

CERTIFICATE

OFFENDER IDENTIFICATION

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

S.I.D. NO. WA10356245

DOB: 03/11/1954

SEX: Male

RACE: White/Caucasian

By: _____
CLERK
DEPUTY CLERK

APPENDIX G

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

STATE OF WASHINGTON,)	
)	
Respondent,	)	No. 72652-8-1
)	
v.	)	COURT ADMINISTRATOR/CLERK
	)	RULING DISMISSING APPEAL
WILLIAM FRANCE,)	
)	
Appellant.)	

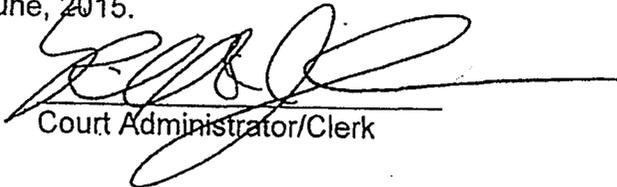
On May 21, 2015, this court received a "motion to permit voluntary withdrawal of appeal" which states in part:

"Pursuant to RAP 18.2, Mr. France requests that this Court grant permission to voluntarily withdraw the appeal."

The Court Administrator/Clerk has considered the motion and has reviewed the records and files in this court, and it appears that the motion should be granted. Now, therefore, it is hereby

ORDERED that the above appeal is dismissed.

Done this 5th day of June, 2015.


Court Administrator/Clerk

APPENDIX H

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

STATE OF WASHINGTON,)	
	)	No. 72652-8-1
Respondent,)	
	)	MANDATE
v.)	
	)	King County
WILLIAM FRANCE,)	
	)	Superior Court No. 11-1-08388-4.SEA
Appellant.)	

RECEIVED
JUN 10 2015
Nielsen, Broman & Koch, P.L.L.C.

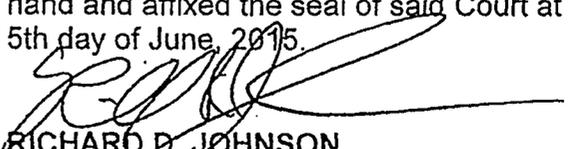
THE STATE OF WASHINGTON TO: The Superior Court of the State of Washington in and for King County.

This is to certify that the ruling entered on June 5, 2015 became the decision terminating review on June 5, 2015.

c: Casey Grannis - NBK
Jennifer P. Joseph - KCPA



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Seattle, this 5th day of June, 2015.


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

APPENDIX I

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FILED
KING COUNTY, WASHINGTON

MAR 05 2012

SUPERIOR COURT CLERK
TONJA HUTCHINSON
DEPUTY

SUPERIOR COURT OF THE STATE OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

v.

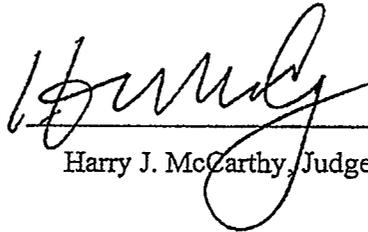
WILLIAM NEAL FRANCE,

Defendant.

No. 11-1-08388-4 SEA

COURT'S INSTRUCTIONS TO THE JURY

DATED this 5 day of March, 2012


Harry J. McCarthy, Judge

ORDER

1
ORIGINAL

Judge Harry J. McCarthy
King County Superior Court
516 Third Avenue
Seattle, WA 98104
206-296-9205

2
3

No. 1

It is your duty to decide the facts in this case based upon the evidence presented to you during this trial. It also is your duty to accept the law from my instructions, regardless of what you personally believe the law is or what you personally think it should be. You must apply the law from my instructions to the facts that you decide have been proved, and in this way decide the case.

Keep in mind that a charge is only an accusation. The filing of a charge is not evidence that the charge is true. Your decisions as jurors must be made solely upon the evidence presented during these proceedings.

The evidence that you are to consider during your deliberations consists of the testimony that you have heard from witnesses, stipulations and the exhibits that I have admitted during the trial. If evidence was not admitted or was stricken from the record, then you are not to consider it in reaching your verdict.

Exhibits may have been marked by the court clerk and given a number, but they do not go with you to the jury room during your deliberations unless they have been admitted into evidence. The exhibits that have been admitted will be available to you in the jury room.

One of my duties has been to rule on the admissibility of evidence. Do not be concerned during your deliberations about the reasons for my rulings on the evidence. If I have ruled that any evidence is inadmissible, or if I have asked you to disregard any evidence, then you must not discuss that evidence during your deliberations or consider it in reaching your verdict. Do not speculate whether the evidence would have favored one party or the other.

In order to decide whether any proposition has been proved, you must consider all of the evidence that I have admitted that relates to the proposition. Each party is entitled to the benefit of all of the evidence, whether or not that party introduced it.

You are the sole judges of the credibility of each witness. You are also the sole judges of the value or weight to be given to the testimony of each witness. In considering a witness's testimony, you may consider these things: the opportunity of the witness to observe or know the things he or she testifies about; the ability of the witness to observe accurately; the quality of a witness's memory while testifying; the manner of the witness while testifying; any personal interest that the witness might have in the outcome or the issues; any bias or prejudice that the witness may have shown; the reasonableness of the witness's statements in the context of all of the other evidence; and any other factors

that affect your evaluation or belief of a witness or your evaluation of his or her testimony.

The lawyers' remarks, statements, and arguments are intended to help you understand the evidence and apply the law. It is important, however, for you to remember that the lawyers' statements are not evidence. The evidence is the testimony and the exhibits. The law is contained in my instructions to you. You must disregard any remark, statement, or argument that is not supported by the evidence or the law in my instructions.

You may have heard objections made by the lawyers during trial. Each party has the right to object to questions asked by another lawyer, and may have a duty to do so. These objections should not influence you. Do not make any assumptions or draw any conclusions based on a lawyer's objections.

Our state constitution prohibits a trial judge from making a comment on the evidence. It would be improper for me to express, by words or conduct, my personal opinion about the value of testimony or other evidence. I have not intentionally done this. If it appeared to you that I have indicated my personal opinion in any way, either during trial or in giving these instructions, you must disregard this entirely.

You have nothing whatever to do with any punishment that may be imposed in case of a violation of the law. You may not

consider the fact that punishment may follow conviction except insofar as it may tend to make you careful.

The order of these instructions has no significance as to their relative importance. They are all important. In closing arguments, the lawyers may properly discuss specific instructions. During your deliberations, you must consider the instructions as a whole.

As jurors, you are officers of this court. You must not let your emotions overcome your rational thought process. You must reach your decision based on the facts proved to you and on the law given to you, not on sympathy, prejudice, or personal preference. To assure that all parties receive a fair trial, you must act impartially with an earnest desire to reach a proper verdict.

No. 2

The defendant has entered a plea of not guilty. That plea puts in issue every element of each crime charged. The State is the plaintiff and has the burden of proving each element of each crime beyond a reasonable doubt. The defendant has no burden of proving that a reasonable doubt exists as to these elements.

A defendant is presumed innocent. This presumption continues throughout the entire trial unless during your deliberations you find it has been overcome by the evidence beyond a reasonable doubt.

A reasonable doubt is one for which a reason exists and may arise from the evidence or lack of evidence. It is such a doubt as would exist in the mind of a reasonable person after fully, fairly, and carefully considering all of the evidence or lack of evidence. If, from such consideration, you have an abiding belief in the truth of the charge, you are satisfied beyond a reasonable doubt.

No. 3

The evidence that has been presented to you may be either direct or circumstantial. The term "direct evidence" refers to evidence that is given by a witness who has directly perceived something at issue in this case. The term "circumstantial evidence" refers to evidence from which, based on your common sense and experience, you may reasonably infer something that is at issue in this case.

The law does not distinguish between direct and circumstantial evidence in terms of their weight or value in finding the facts in this case. One is not necessarily more or less valuable than the other.

No. 4

The defendant is not required to testify. You may not use the fact that the defendant has not testified to infer guilt or to prejudice him in any way.

No. 5

A separate crime is charged in each count. You must decide each count separately. Your verdict on one count should not control your verdict on any other count.

No. 6

A person commits the crime of harassment when he, without lawful authority, knowingly threatens maliciously to do any act which is intended to substantially harm another person with respect to his or her physical health or safety and when he or she by words or conduct places the person threatened in reasonable fear that the threat will be carried out.

No. 7

To convict the defendant of the crime of felony harassment as charged in Count I, each of the following five elements of the crime must be proved beyond a reasonable doubt:

(1) That on or about November 11, 2011, the defendant knowingly threatened:

(a) maliciously to do any act which was intended to substantially harm Anita Paulsen with respect to her physical health or safety; and

(2) That the words or conduct of the defendant placed Anita Paulsen in reasonable fear that the threat would be carried out;

(3) That the defendant acted without lawful authority;

(4) That the defendant was previously convicted of the crimes of Felony Harassment against Anita Paulsen; and

(5) That the threat was made or received in the State of Washington.

If you find from the evidence that each of these elements has been proved beyond a reasonable doubt, then it will be your duty to return a verdict of guilty as to Count I.

On the other hand, if, after weighing all of the evidence, you have a reasonable doubt as to any one of the five elements, then it will be your duty to return a verdict of not guilty as to Count I.

No. 8

A person knows or acts knowingly or with knowledge with respect to a fact, circumstance or result when he or she is aware of that fact, circumstance or result. It is not necessary that the person know that the fact, circumstance or result is defined by law as being unlawful or an element of a crime.

If a person has information that would lead a reasonable person in the same situation to believe that a fact exists, the jury is permitted but not required to find that he or she acted with knowledge of that fact.

When acting knowingly as to a particular fact is required to establish an element of a crime, the element is also established if a person acts intentionally as to that fact.

No. 9

As used in these instructions, threat also means to communicate, directly or indirectly, the intent immediately to use force against any person who is present at the time.

To be a threat, a statement or act must occur in a context or under such circumstances where a reasonable person would foresee that the statement or act would be interpreted as a serious expression of intention to carry out the threat.

No. 10

Malice and maliciously mean an evil intent, wish, or design to vex, annoy, or injure another person.

Malice may be, but is not required to be, inferred from an act done in willful disregard of the rights of another.

No. 11

A person acts with intent or intentionally when acting with the objective or purpose to accomplish a result that constitutes a crime.

No. 12

To convict the defendant of the crime of felony harassment as charged in Count II, each of the following five elements of the crime must be proved beyond a reasonable doubt:

(1) That on or about November 17, 2011, the defendant knowingly threatened:

(a) maliciously to do any act which was intended to substantially harm Anita Paulsen with respect to her physical health or safety; and

(2) That the words or conduct of the defendant placed Anita Paulsen in reasonable fear that the threat would be carried out;

(3) That the defendant acted without lawful authority;

(4) That the defendant was previously convicted of the crimes of Felony Harassment against Anita Paulsen; and

(5) That the threat was made or received in the State of Washington.

If you find from the evidence that each of these elements has been proved beyond a reasonable doubt, then it will be your duty to return a verdict of guilty as to Count II.

On the other hand, if, after weighing all of the evidence, you have a reasonable doubt as to any one of the five elements, then it will be your duty to return a verdict of not guilty as to Count II.

No. 13

To convict the defendant of the crime of felony harassment as charged in Count III, each of the following five elements of the crime must be proved beyond a reasonable doubt:

(1) That on or about December 5, 2011, the defendant knowingly threatened:

(a) maliciously to do any act which was intended to substantially harm Anita Paulsen with respect to her physical health or safety; and

(2) That the words or conduct of the defendant placed Anita Paulsen in reasonable fear that the threat would be carried out;

(3) That the defendant acted without lawful authority;

(4) That the defendant was previously convicted of the crimes of Felony Harassment against Anita Paulsen; and

(5) That the threat was made or received in the State of Washington.

If you find from the evidence that each of these elements has been proved beyond a reasonable doubt, then it will be your duty to return a verdict of guilty as to Count III.

On the other hand, if, after weighing all of the evidence, you have a reasonable doubt as to any one of the five elements, then it will be your duty to return a verdict of not guilty as to Count III.

No. 14

To convict the defendant of the crime of felony harassment as charged in Count IV, each of the following five elements of the crime must be proved beyond a reasonable doubt:

(1) That on or about November 10, 2011, the defendant knowingly threatened:

(a) maliciously to do any act which was intended to substantially harm Lisa Daugaard with respect to her physical health or safety; and

(2) That the words or conduct of the defendant placed Lisa Daugaard in reasonable fear that the threat would be carried out;

(3) That the defendant acted without lawful authority;

(4) That the defendant was previously convicted of the crimes of Felony Harassment against Lisa Daugaard; and

(5) That the threat was made or received in the State of Washington.

If you find from the evidence that each of these elements has been proved beyond a reasonable doubt, then it will be your duty to return a verdict of guilty as to Count IV.

On the other hand, if, after weighing all of the evidence, you have a reasonable doubt as to any one of the five elements, then it will be your duty to return a verdict of not guilty as to Count IV.

No. 15

To convict the defendant of the crime of felony harassment as charged in Count V, each of the following five elements of the crime must be proved beyond a reasonable doubt:

(1) That on or about December 14, 2011, the defendant knowingly threatened:

(a) maliciously to do any act which was intended to substantially harm Lisa Daugaard with respect to her physical health or safety; and

(2) That the words or conduct of the defendant placed Lisa Daugaard in reasonable fear that the threat would be carried out;

(3) That the defendant acted without lawful authority;

(4) That the defendant was previously convicted of the crimes of Felony Harassment against Lisa Daugaard; and

(5) That the threat was made or received in the State of Washington.

If you find from the evidence that each of these elements has been proved beyond a reasonable doubt, then it will be your duty to return a verdict of guilty as to Count V.

On the other hand, if, after weighing all of the evidence, you have a reasonable doubt as to any one of the five elements, then it will be your duty to return a verdict of not guilty as to Count V.

No. 16

A person commits the crime of intimidating a witness when he by use of a threat against a current or prospective witness attempts to induce that person to absent herself from an official proceeding.

No. 17

To convict the defendant of the crime of intimidating a witness as charged in Count VI, each of the following elements of the crime must be proved beyond a reasonable doubt:

(1) That on or about December 27, 2011, the defendant by use of a threat against a current or prospective witness attempted to induce that person to absent herself from an official proceeding and

(2) That the acts occurred in the State of Washington.

If you find from the evidence that each of these elements has been proved beyond a reasonable doubt, then it will be your duty to return a verdict of guilty.

On the other hand, if, after weighing all of the evidence, you have a reasonable doubt as to any one of these elements, then it will be your duty to return a verdict of not guilty.

No. 18

"Current or prospective witness" means a person endorsed as a witness in an official proceeding, or a person whom the defendant believed might be called as a witness in any official proceeding.

No. 19

As jurors, you have a duty to discuss the case with one another and to deliberate in an effort to reach a unanimous verdict. Each of you must decide the case for yourself, but only after you consider the evidence impartially with your fellow jurors. During your deliberations, you should not hesitate to reexamine your own views and to change your opinion based upon further review of the evidence and these instructions. You should not, however, surrender your honest belief about the value or significance of evidence solely because of the opinions of your fellow jurors. Nor should you change your mind just for the purpose of reaching a verdict.

No. 20

When you begin deliberating, you should first select a presiding juror. The presiding juror's duty is to see that you discuss the issues in this case in an orderly and reasonable manner, that you discuss each issue submitted for your decision fully and fairly, and that each one of you has a chance to be heard on every question before you.

During your deliberations, you may discuss any notes that you have taken during the trial, if you wish. You have been allowed to take notes to assist you in remembering clearly, not to substitute for your memory or the memories or notes of other jurors. Do not assume, however, that your notes are more or less accurate than your memory.

You will need to rely on your notes and memory as to the testimony presented in this case. Testimony will rarely, if ever, be repeated for you during your deliberations.

If, after carefully reviewing the evidence and instructions, you feel a need to ask the court a legal or procedural question that you have been unable to answer, write the question out simply and clearly. In your question, do not state how the jury has voted. The presiding juror should sign and date the question and give it to the bailiff. I will confer with the lawyers to determine what response, if any, can be given.

You will be given the exhibits admitted in evidence, these instructions and six verdict forms for recording your verdict. Some exhibits and visual aids may have been used in court but will not go with you to the jury room. The exhibits that have been admitted into evidence will be available to you in the jury room.

You must fill in the blank provided in each verdict form the words "not guilty" or the word "guilty"; according to the decision you reach.

Because this is a criminal case, each of you must agree for you to return a verdict. When all of you have so agreed, fill in the verdict form(s) to express your decision. The presiding juror must sign the verdict form(s) and notify the bailiff. The bailiff will bring you into court to declare your verdict.

FILED
Jan 27 2016
Court of Appeals
Division I
State of Washington

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

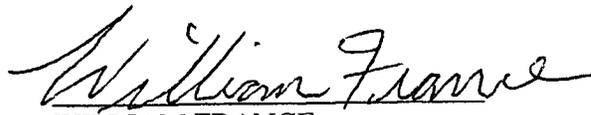
In the Matter of the Application for Relief)
From Personal Restraint of:)
)
)
WILLIAM FRANCE,)
)
Petitioner.)
)
_____)

No. ^{second #} 74508-5-1

**PERSONAL
RESTRAINT
PETITION**

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

DATED this 4 day of JAN, 2016.


WILLIAM FRANCE

DECLARATION

STATEMENT OF FINANCES: Case no. 74508-5 PRP of William France

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

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

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

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

4. I am am not _____ employed. My salary or wages amount to \$ 55.00 a month. My employer is

WA St. Penitentiary 1313 N 13th Ave, Walla Walla, WA
Name and address of employer

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

And the total income I received was \$ _____.

6. During the past 12 months I:

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

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

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

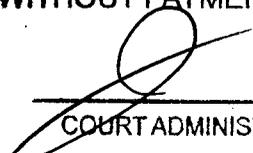
Did _____ Did Not Receive any other money. If so the total I received was \$ _____

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

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

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

PETITIONER MAY FILE PETITION
WITHOUT PAYMENT OF FILING FEE


COURT ADMINISTRATOR/CLERK

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

Items	Value
N/A	

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

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

Name & Address	Relationship	Age
----------------	--------------	-----

N/A		
-----	--	--

10. All the bills I owe are listed here:

Name & Address of Creditor	Amount
----------------------------	--------

I HAVE PAID COST BUT I DO NOT KNOW THE AMOUNT	
---	--

01/27/2016

Department of Corrections

PAGE: 01 OF 01

MLPERKINS

WASHINGTON STATE PENITENTIARY

OIRPLRAR

10.2.1.18

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

DOC#: 0000626275

NAME: FRANCE WILLIAM

ADMIT DATE: 10/20/2009

DOB: 03/11/1955

ADMIT TIME: 11:40

AVERAGE
MONTHLY RECEIPTS

43.84

20% OF
RECEIPTS

8.77

AVERAGE
SPENDABLE BALANCE

7.23

20% OF
SPENDABLE

1.45