

No. 94591-8

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COURT OF APPEALS  
DIVISION II

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STATE OF WASHINGTON

BY \_\_\_\_\_  
DEPUTY

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

In re the Personal	)	
Petition of,	)	
William Craig Schorr,	)	No.
Petitioner,	)	PERSONAL RESTRAINT
_____	)	PETITION
_____	)	

A. STATUS OF PETITIONER

I, William Craig Schorr apply for relief from confinement. I am now in custody serving a sentence upon a conviction of a crime.

1. The Court in which I was sentenced is Pierce County Superior Court Cause No. 04-1-01018-9.

2. I was convicted of the crimes of first degree murder (count I), first degree robbery (count III), second degree arson (count IV), and first degree theft (count V).

3. I was sentenced after plea of guilty on 8/21/06. The judge who imposed sentence was Bryan Chushcoff.

4. My lawyer at trial was Mary K. High

5. I did not appeal from the decision of the trial COURT.

6. Since my conviction I have not asked a court for any relief.

**B.   GROUND FOR RELIEF**

I claim to have only one reason for this court to grant me relief from the conviction and sentence described in Part A.

The ground is attached on separate pieces of paper numbered as Ground One.

**C.   TIMELINESS**

Although the petitioner's instant petition is filed more than one year after his judgment and sentence became final, he contends that it is properly before this court because the one year time bar set forth in RCW 10.73.090 does not apply where a conviction was obtained in violation of the double jeopardy clause under the United State Constitution Amendment V and Washington States Constitution Article I section 9. RCW 10.73.100

Petitioner claims the trial court entered multiple convictions and sentences for the same offense. As a result his PRP is not time barred.

**D.   THE CHALLENGE IS NOT WAIVED**

Petitioner contends, despite the fact that he plead guilty, he did not waive the double jeopardy challenge. To the contrary, a guilty plea by its nature admits only factual guilt and thus waives any challenge on that ground.

see In re Pers Restraint of Francis, 170 Wn.2d 517, 242 P.3d 869 (citing State v. Knight, 162 Wn.2d 806, 174 P.3d 1167 (2008)).

Indeed, a guilty plea does not waive a challenge to the "very power of the State to bring the defendant into the court to answer the charge brought against him." Id. (quoting Blackledge v. Perry, 417 U.S. 21, 90 S.Ct. 2098 (1974)). Nor does it waive a challenge when the court enters multiple convictions or sentences for the same offense. In re Pers. Restraint of Francis, 170 Wn.2d 523, 242 P.3d 869 (citing State v. Hughes, 166 Wn.2d 675, 212 P.3d 558 (2009)).

Here, like Francis, Schorr challenges the latter, "the court ability to enter convictions and sentence him for duplicative charges. He therefore, did not waive that challenge by pleading guilty. Francis, 170 Wn.2d at 523.

**E. STATEMENT OF FINANCES**

A statement of finances is attached in the Appendix.

**F. REQUEST FOR RELIEF**

I want this court to vacate counts III and V. Vacate the 60 month enhanced sentence on count III and remand to the trial court for re-sentencing under an offender score of 1.



GROUND ONE

1. In this Personal Restraint Petition (PRP), Schorr contends, a felony murder premised on first degree robbery and first degree theft merges with the murder offense and because the trial court treated each count as a separate unit of prosecution for sentencing purposes Schorr's rights under Article I section 9 and the Fifth Amendment to the United States Constitution, which forbids multiple convictions and sentences for the same offense, has been violated.

2. The following facts are important when considering Mr. Schorr's case.

Trial counsel advised Schorr that he should agree to the States offered plea agreement. In exchange for his agreement to plea guilty the State would recommend standard range sentencing based on an offender score of 5, 60 month enhanced sentences on counts I and III, and other sentencing conditions.

On November 16, 2005, under the advisement of counsel, Schorr appeared before the court and plead guilty consistent with the State's plea offer. see Appendix (A).

As to count I the elements are as follows.

"Acting as an accomplice, in the State of Washington, between 2/24/04 - 2/26/04, did unlawfully and feloniously, while attempting to committ robbery I, theft I, and arson II and in the course of or immediate flight therefrom sufficated R. Shapel, thereby causing his death, and in the commission thereof defendant or an accomplice was armed with firearm"

As to count III the elements are as follows.

"Acting as an accomplice, in the State of Washington, between 2/24/04 - 2/26/04, did unlawfully and feloniously take personal property belonging to Robert Shapel, owner and person with dominion and control over it, took said property by use of violence, and while in commission thereof defendant or an accomplice was armed with a firearm."

Appendix (A) at 1

Schorr also plead guilty to the additional counts. Second Degree Arson, (count IV) and First Degree Theft, (count V). Appendix (A) attachment B.

As to count IV the elements are as follows.

"Acting as a principle or an accomplice did unlawfully, feloniously, knowingly, and maliciously cause a fire or explosion which damaged a snap on tool truck in Pierce County Wa. on or about 2/25/04"

As to count V the elements are as follows.

"Acting as an accomplice during the period of time between 2/24/04 - 2/25/04 did unlawfully, feloniously, and wrongfully obtain or exert unauthorized control over property belonging to"

The trial court asked the petitioner to explain what he did that made him guilty of these crimes.

Schorr made the following statement.

"On the 24 day of February 2004, acting as an accomplice to Jeremy Hosford while committing or attempting to commit a robbery in the first or second degree, and in the course of or furtherance of the robbery, or immediate flight thereof, was an accomplice to the suffocation death of R. Shapel. I was also armed with a firearm."

Appendix (A) at 7.

On August 21, 2006 the trial court held a sentencing hearing. At the time of sentencing Schorr had no criminal history. The sentencing court counted the first degree robbery and second degree arson as 2 full points each because they were violent offenses. It proceeded to count the first degree theft as 1 full point that brought the total for Schorr's other current convictions to "5". The court sentenced Schorr to a standard range sentence on each count. The court found special findings for use of a firearm on counts I and III and imposed an additional 60 months sentence to be served consecutive to the base crimes and consecutive to each other for an actual number of 411 months of total confinement. Appendix (B) at 4.12.

3. IS PETITIONER ENTITLED TO RELIEF

To obtain collateral relief by means of (PRP) a petitioner must demonstrate unlawful restraint.

RAP 16.4(a).  
PERSONAL RESTRAINT PETITION OF  
SCHORR GROUND ONE - 3

SUBMITTED BY  
REGINALD BELL/LEGAL ADVISOR

In addition, where an alleged error is constitutional in nature, a petitioner must establish not only constitutional error but also, actual and substantial prejudice. Haverty, 101 Wn.2d at 504. "A petitioner is under restraint if he or she has limited freedom because of a court decision in a civil or criminal proceeding, the petitioner is confined, the petitioner is subject to imminent confinement, or the petitioner is under some disability resulting from a judgment or sentence in a criminal case. RAP 16.4(b). Here, Schorr meets the restraint requirement due to he has limited freedom because of the courts decision in a criminal conviction.

Schorr contends that his restraint is unlawful because his convictions violates the prohibition against multiple convictions and punishments for the same offense. RAP 16.4(c)(2) In re Pers. Restraint of Davis, 142 Wn.2d 165, 12 P.3d 603 (2000) ("The double jeopardy protections under U.S. Const. amend V and Wash. Const. art I sec. 9 provides the same protections"). State v. Freeman, 153 Wn.2d 765, 108 P.3d 753 (2005) ("a court entering multiple convictions for the same offense violates double jeopardy"). RAP 16.4(c)(2).

PERSONAL RESTRAINT PETITION OF  
SCHORR GROUND ONE - 4

SUBMITTED BY  
REGINALD BELL/LEGAL ADVISOR

The standard for determining whether a court has entered multiple convictions for the same offense, under the facts of this case, the merger doctrine is the most compelling consideration to determine legislative intent. In re Pers. Restraint of Francis, 170 Wn.2d 542, 242 P.3d 870; Ill v. Vitale, 447 U.S. 410, 65 L.Ed.2d 228.

The state charged the robbery and theft as elements of the felony murder. Appendix (A) at 1(4)(b). The state expressly used the robbery and theft conduct to elevate Schorr's murder to the first degree. The facts of this case is Schorr took personal property, e.g., "tools", with the intent o deprive Shapel of ~~of~~ his property and took said property by use of violence. The state charged that conduct as both first degree ~~and~~ robbery, Appendix (A) at 1((4)(b) count III, and first degree theft. Appendix (A) at attachment B(4)(b) count V. The state also used that conduct to elevate Schorr's felony murder to the first degree. Appendix (A) at (4)(b) Count I.

Under the merger doctrine when the degree of one offense is raised by conduct separately criminalized by the legislature, Washington Courts presume the legislature intended to punish both offenses through a greater sentence for the greater crime. Francis, at 525

(citing State v. Freeman, 153 Wn.2d at 772-73). This conclusion is further supported by the final Freeman consideration of whether the offenses Schorr committed had an independent purpose or effect. Id. ("offenses may in fact be separate when there is a separate injury to the person or property of the victim or others, which is separate and distinct from and not merely incidental to the crime of which it forms an element"). Id at 778-79 (quoting State v. Frohs, 83 Wn.App 803, 924 P.3d 384 (1996)).

Here, the sole purpose of the theft and robbery was to take Shapel's property. The theft was not separate and distinct from the robbery. Likewise, "the killing had no purpose or intent outside of accomplishing the robbery." Washington Courts has already held double jeopardy precluded convictions on the robbery charged because the robbery merges into the felony murder. see State v. Williams, 131 Wn.App 488. 128 P.3d 98 (2006) State v. Vladic, 99 Wn.2d 413, 662 P.2d 853. In re Francis, 170 Wn.2d 528, 242 P.3d 872. Ill v. Vitale, 447 U.S. 410, 65 L.ED.2d 228 ("thus a felony murder premised on the felony of rape merges with the rape offense despite the fact that the felony murder statute authorizes conviction based on felonies other than rape").

Because Schorr's first degree theft and robbery convictions merges and because his first robbery conviction merges with his felony murder convictions the trial courts imposition of multiple convictions and sentences violates the prohibition against entering multiple convictions for the same offense. Thus, Schorr is unlawfully restrained. State v. Freeman, 153 Wn.2d 765, 108 P.3d 752 (2005).

Schorr suffers actual and substantial prejudice as a result of the trial courts constitutional error because, as previously noted, Schorr offender score at the time of sentencing was "0". The trial court not only used the predicate offenses to enhance Schorr conduct into a greater offense it also used them to compute his offender score and enhance his sentencing standard range. Minus the robbery and theft convictions Schorr offender score would have computed to only 2. this is so because the arson was separate and distinct from the felony murder and by it being a violent offense it would count as 2 points. An offender score of 2 based upon a seriousness level XIV offense affords a standard sentencing range of <sup>261-347</sup>~~144-244~~. Moreover, the court also imposed a 60 month firearm enhanced sentence on the

PERSONAL RESTRAINT PETITION OF  
SCHORR GROUND ONE - 7

SUBMITTED BY  
REGINALD BELL/LEGAL ADVISOR

robbery conviction.

Therefore, Schorr received a double firearm enhanced penalty and his sentencing range doubled.

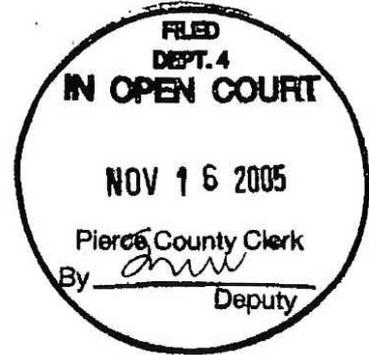
4. The following statutes and constitutional provision are important when considering Schorr's case. RCW 9A.32.030(1)(a), RCW 9A.56.190, RCW 9.94A.525, RCW 10.73.100(3), RAP 16.4(c)(2), RAP 16.4(a), art. I sec. 9, U.S. CONST. AMEND V, XIV

APPENDIX (A)

STATEMENT OF DEFENDANT  
ON PLEA OF GUILTY



04-1-01018-9 26030528 STTDFG 08-24-08



IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF PIERCE

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 04-1-01018-9

vs.

William CRAIG Schorr

Defendant.

STATEMENT OF DEFENDANT ON PLEA OF GUILTY

AUG 24 2006

- 1. My true name is: William Craig Schorr
- 2. My age is: 30 (DOB 12-30-74)
- 3. I went through the 9th grade.
- 4. I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT:

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

Steno O. STANSET and Mary Kay High

(b) I am charged with the crime(s) of:

Count I: Murder 1<sup>st</sup> - 9A.32.030 (1)(c)

The elements are: Acting as an accomplice, in the State of WA, between 2/24: 2/26/04, did unlawfully & feloniously, while attempting to commit Robbery 1<sup>st</sup>, Theft 1<sup>st</sup> and

Arson 2<sup>nd</sup> and in the course of or immediate flight therefrom suffocated R. Shapel, thereby causing his death, and in the commission thereof defendant.  
This crime carries a maximum sentence of life years imprisonment and a \$ 50,000 fine. The standard range is from 291 months to 388 months based upon the attached stipulation as to my criminal history.

Offense Designations: Most Serious Offense  Serious Violent  Violent [ ] Non-Violent [ ] Sex [ ] Drug [ ] Traffic [ ] Check all that apply.

Count II: Robbery 1<sup>st</sup>

Elements: During periods 2/24: 2/26/04 did unlawfully take personal property belonging to Robert Shapel, owner and person w/ dominion and control over it, took said property by use of violence, and while in commission thereof defendant or an accomplice was armed with a fire arm, which firearm enhances the sentence under the deadly weapon enhancement provisions.

Mr. Shapel was not a participant in the crime.

and from the person or in the presence of Mr. Shapel and that defendant intended to commit theft of the property taken

Case Name: State v. Schorr Cause No: 04-1-01018-9

ATTACHMENT "B"

4. (b) (continued) Defendant is pleading guilty to these additional counts:

Count ~~4~~ <sup>4</sup>: Arson in the second degree (RCW 9A.48.030)  
 Elements: Acting as a principal or an accomplice to, Hosford, did unlawfully, feloniously, knowingly and maliciously cause a fire or explosion which damaged a Snap-On tool truck located in Pierce County on or about 2/25/04.  
 This crime carries a maximum sentence of 10 years imprisonment and a \$ 20,000 fine. The standard range is from 22 months to 29 months based upon the attached stipulation as to my criminal history.  
 Offense Designations: Most Serious Offense[ ] Serious Violent[ ] Violent  Non-Violent[ ] Sex[ ] Drug[ ] Traffic[ ] (check all that apply)

Count ~~4~~ <sup>5</sup>: Theft in the first degree (RCW 9A.56.020(1)(a)) <sup>RCW 9A.56.030(1)(a)</sup>  
 Elements: acting as an accomplice, in the State of Washington, during the period of time between 2/24/04 + 2/25/04 did unlawfully, feloniously and wrongfully obtain or exert unauthorized control over property and/or services other than a firearm, to wit tools belonging to ~~another~~ <sup>another</sup> ~~in a value exceeding \$1,500.00.~~ <sup>in a value exceeding \$1,500.00.</sup> with intent to deprive another of the property,  
 This crime carries a maximum sentence of 10 years imprisonment and a \$ 20,000 fine. The standard range is from 4 months to 12 months based upon the attached stipulation as to my criminal history.  
 Offense Designations: Most Serious Offense[ ] Serious Violent[ ] Violent[ ] Non-Violent  Sex[ ] Drug[ ] Traffic[ ] (check all that apply)

6. (b) (continued) Defendant is pleading guilty to these additional counts:

COUNT NO.	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancement for (F) Firearm, (D) Other Deadly Weapon, (V) VUCSA in protected zone, (VH) Vehicular Homicide, See RCW 46.61.520, or (JP) Juvenile Present	TOTAL ACTUAL CONFINEMENT (standard range including enhancements)	STANDARD RANGE COMMUNITY CUSTODY (Only applicable for crimes committed on or after July 1, 2000. For crimes committed prior to July 1, 2000, see paragraph 6(f))	MAXIMUM PENALTY
Arson <del>4</del> <sup>4</sup>	22-29		22-29	18-36 mo.	10 yrs / \$20,000 fine
Theft <del>4</del> <sup>5</sup>	4-12		4-12	up to 1yr.	10 yrs / \$20,000

ATTACHMENT "B"

This crime carries a maximum sentence of life years imprisonment and a \$ 50,000 fine. The standard range is from 57 months to 75 months based upon the attached stipulation as to my criminal history. + DWE  
 Offense Designations: Most Serious Offense  Serious Violent  Violent  Non-Violent  Sex  Drug  Traffic  (check all that apply)

(c)  Additional counts are addressed in Attachment "B".

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

- (a) The right to a speedy and public trial by an impartial jury in the county where the crime is alleged to have been committed;
- (b) The right to remain silent before and during trial, and the right to refuse to testify against myself;
- (c) The right at trial to hear and question the witnesses who testify against me;
- (d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;
- (e) I am presumed innocent unless the charge is proven beyond a reasonable doubt or I enter a plea of guilty;
- (f) The right to appeal a finding of guilt after a trial as well as other pretrial motions such as speedy trial challenges and suppression issues.

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

(a) Each crime with which I am charged carries a maximum sentence, a fine, and a STANDARD SENTENCE RANGE as follows:

COUNT NO.	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancement for (F) Firearm, (D) Other Deadly Weapon, (V) VUCSA in protected zone, (VH) Vehicular Homicide, See RCW 46.61.520, or (JP) Juvenile Present	TOTAL ACTUAL CONFINEMENT (standard range including enhancements)	STANDARD RANGE COMMUNITY CUSTODY (Only applicable for crimes committed on or after July 1, 2000. For crimes committed prior to July 1, 2000, see paragraph 6(f))	MAXIMUM PENALTY
M10 1	291-388	60 (F)	<del>351-448</del> 351-448	24-48	life / \$50,000 fine
R10 3	57-75	60 (F)	117-135	18-36	life / \$50,000 fine

\_\_\_\_\_ Additional counts are addressed in Attachment "B".

STATEMENT OF DEFENDANT  
 ON PLEA OF GUILTY - 2

- (b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions and juvenile adjudications or convictions, whether in this state, in federal court, or elsewhere.
- (c) The prosecuting attorney's statement of my criminal history is attached to this agreement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.
- (d) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding upon me. I cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase or a mandatory sentence of life imprisonment without the possibility of parole is required by law.
- (e) In addition to sentencing me to confinement, the judge will order me to pay \$500.00 as a victim's compensation fund assessment. If this crime resulted in injury to any person or damage to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The amount of restitution may be up to double my gain or double the victim's loss. The judge may also order that I pay a fine, court costs, attorney fees and the costs of incarceration.
- (f) **For Crimes Committed Prior to July 1, 2000:**  
 In addition to sentencing me to confinement, the judge may order me to serve up to one year of community supervision if the total period of confinement ordered is less than 12 months. If this crime is a drug offense, assault in the second degree, assault of a child in the second degree, or any crime against a person in which a specific finding was made that I or an accomplice was armed with a deadly weapon, the judge will order me to serve at least one year of community placement. If this crime is a vehicular homicide, vehicular assault, or a serious violent offense, the judge will order me to serve at least two years of community placement. If this crime is a sex offense, the court will order me to serve at least three years of community custody. The actual period of community placement, community custody, or community supervision may be as long as my earned early release period. During the period of community placement, community custody, or community supervision, I will be under the supervision of the Department of Corrections, and I will have restrictions placed on my activities. My failure to comply with these conditions will render me ineligible for general assistance. RCW 74.04.005(6)(h).

**For Crimes Committed On or After July 1, 2000:**

For crimes committed on or after July 1, 2000: In addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is less than 12 months. If the crime I have been convicted of falls into one of the offense types listed in the following chart, the court will sentence me to community custody for the community custody range established for that offense type unless the judge finds substantial and compelling reasons not to do so. If the period of earned release awarded per RCW 9.94A.150 is longer, that will be the term of my community custody. If the crime I have been convicted of falls into more than one category of offense types listed in the following chart, then the community custody range will be based on the offense type that dictates the

longest term of community custody. If I have been convicted of a crime that is not listed in the chart and my sentence is more than 12 months, I will be placed on community custody for the period of earned release.

OFFENSE TYPE	COMMUNITY CUSTODY RANGE
Sex Offenses (Not sentenced under RCW 9.94A.120(8))	36 to 48 months or up to the period of earned release, whichever is longer
Serious Violent Offenses	24 to 48 months or up to the period of earned release, whichever is longer
Violent Offenses	18 to 36 months or up to the period of earned release, whichever is longer
Crimes Against Persons as defined by RCW 9.94A.440(2)	9 to 18 months or up to the period of earned release, whichever is longer
Offenses under Chapter 69.50 or 69.52 RCW (Not sentenced under RCW 9.94A.120(6))	9 to 12 months or up to the period of earned release, whichever is longer

During the period of community custody I will be under the supervision of the Department of Corrections, and I will have restrictions placed on my activities. My failure to comply with these conditions will render me ineligible for general assistance, RCW 74.04.005(6)(h), and may result in the Department of Corrections transferring me to a more restrictive confinement status or other sanctions.

- (g) The prosecuting attorney will make the following recommendation to the judge: \_\_\_\_\_  
*As in plea Agreement - The prosecutor will recommended as provided for in the plea agreement which is incorporated by reference. State will also recommend to DOC for a separation order between co-defendants so as not to house in the same facility.*
- (h) The judge does not have to follow anyone's recommendation as to sentence. The judge must impose a sentence within the standard range of actual confinement and community custody unless the judge finds substantial and compelling reasons not to do so. If the judge goes outside the standard range of actual confinement and community custody, either the State or I can appeal that sentence. If the sentence is within the standard range, no one can appeal the sentence.
- (i) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.
- (j) I understand that I may not possess, own, or have under my control any firearm unless my right to do so is restored by a court of record and that I must immediately surrender any concealed pistol license. RCW 9.41.040.

NOTIFICATION RELATING TO SPECIFIC CRIMES: IF ANY OF THE FOLLOWING PARAGRAPHS DO NOT APPLY, THEY SHOULD BE STRICKEN AND INITIALED BY THE DEFENDANT AND THE JUDGE.

- (k) This offense is a most serious offense, or strike, as defined by RCW 9.94A.030, and if I have at least two prior convictions for most serious offenses, whether in this state, in federal court, or elsewhere, the crime for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole.  
In addition, if this offense is (1) rape in the first degree, rape of a child in the first degree, rape in the second degree, rape of a child in the second degree, indecent liberties by forcible compulsion, or child molestation in the first degree, or (2) murder in the first degree, murder in the second degree, homicide by abuse, kidnapping in the first degree, kidnapping in the second degree, assault in the first degree, assault in the second degree, assault of a child in the first degree, or burglary in the first degree, with a finding of sexual motivation, or (3) any attempt to commit any of the crimes listed in this sentence, and I have at least one prior conviction for one of these listed crimes in this state, in federal court, or elsewhere, the crime for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole.
- (l) The judge may sentence me as a first-time offender instead of giving me a sentence within the standard range if I qualify under RCW 9.94A.030. This sentence could include as much as 90 days confinement, and up to two years community supervision if the crime was committed prior to July 1, 2000, or two years of community custody if the crime was committed on or after July 1, 2000, plus all of the conditions described in paragraph (e). Additionally, the judge could require me to undergo treatment, to devote time to a specific occupation, and to pursue a prescribed course of study or occupational training.
- (m) The judge may suspend execution of the standard range term of confinement under the special sex offender sentencing alternative (SSOSA) if I qualify under RCW 9.94A.120(8). If the judge suspends execution of the standard range term of confinement, I will be placed on community custody for the length of the suspended sentence or three years, whichever is greater; I will be ordered to serve up to 180 days of total confinement; I will be ordered to participate in sex offender treatment; and I will be subject to all of the conditions described in paragraph (e). Additionally, the judge could require me to devote time to a specific occupation and to pursue a prescribed course of study or occupational training. If a violation of the sentence occurs during community custody, the judge may revoke the suspended sentence.
- (n) Because this crime involves a sex offense or a kidnaping offense involving a minor, I will be required to register where I reside, study, or work. The specific current registration requirements are set forth in Attachment "A". These requirements may change at a later date. I will be responsible for learning about any changes in the registration requirements and for complying with the registration requirements.
- (o) If this crime involves a sex offense or a violent offense, I will be required to provide a sample of my blood for purpose of DNA identification analysis.
- (p) If this is a crime of domestic violence and if I, or the victim of the offense has a minor child, the court may order me to participate in a domestic violence perpetrator program approved under RCW 26.50.150.

STATEMENT OF DEFENDANT  
ON PLEA OF GUILTY - 5

- (q) If this crime involves a sexual offense, prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (AIDS) virus.
- (r) The judge may sentence me under the special drug offender sentencing alternative (DOSA) if I qualify under RCW 9.94A.120(6). This sentence could include a period of total confinement in a state facility for one-half of the midpoint of the standard range plus all of the conditions described in paragraph (e). During confinement, I will be required to undergo a comprehensive substance abuse assessment and to participate in treatment. The judge will also impose community custody of at least one-half of the midpoint of the standard range that must include appropriate substance abuse treatment, a condition not to use illegal controlled substances, and a requirement to submit to urinalysis or other testing to monitor that status. Additionally, the judge could prohibit me from using alcohol or controlled substances, require me to devote time to a specific employment or training, stay out of certain areas, pay thirty dollars per month to offset the cost of monitoring and require other conditions, including affirmative conditions.
- (s) If the judge finds that I have a chemical dependency that has contributed to the offense, the judge may order me to participate in rehabilitative programs or otherwise to perform affirmative conduct reasonably related to the circumstances of the crime for which I am pleading guilty.
- (t) If this crime involves the manufacture, delivery, or possession with the intent to deliver methamphetamine or amphetamine, a mandatory methamphetamine clean-up fine of \$3,000.00 will be assessed. RCW 69.50.401(a)(1)(ii).
- (u) If this crime involves a motor vehicle, my driver's license or privilege to drive will be suspended or revoked. If I have a driver's license, I must now surrender it to the judge.
- (v) If this crime involves the offense of vehicular homicide while under the influence of intoxicating liquor or any drug, as defined by RCW 46.61.502, committed on or after January 1, 1999, an additional two years shall be added to the presumptive sentence for vehicular homicide for each prior offense as defined in RCW 46.61.5055(8).
- (w) The crime of Murder in The 1<sup>st</sup> degree has a mandatory minimum sentence of at least 20 years of total confinement. The law does not allow any reduction of this sentence. This mandatory minimum sentence is not the same as the mandatory sentence of life imprisonment without the possibility of parole described in paragraph 6(k).
- (x) I am being sentenced for two or more serious violent offenses arising from separate and distinct criminal conduct and the sentences imposed on counts \_\_\_\_\_ and \_\_\_\_\_ will run consecutively unless the judge finds substantial and compelling reasons to do otherwise.
- (y) I understand that the offense(s) I am pleading guilty to include a deadly weapon or firearm enhancement. Deadly weapon or firearm enhancements are mandatory, they must be served in total confinement, and they must run consecutively to any other sentence and to any other deadly weapon or firearm enhancements.
- (z) I understand that the offenses I am pleading guilty to include both a conviction under RCW 9.41.040 for unlawful possession of a firearm in the first or second degree and one or more convictions for the felony crimes of theft of a firearm or possession of a stolen firearm. The

STATEMENT OF DEFENDANT  
ON PLEA OF GUILTY - 6

sentences imposed for these crimes shall be served consecutively to each other. A consecutive sentence will also be imposed for each firearm unlawfully possessed.

*See additional Provisions in Appendix A incorporated by reference*

~~(aa) This plea of guilty will result in the suspension of public assistance. RCW 74.08.290.~~

7. I plead guilty to count ~~I, II, III, IV & V~~ <sup>Amended</sup> in the \_\_\_\_\_ Information. I have received a copy of that information. *(alternative charge of M1° in ct 1)*

8. I make this plea freely and voluntarily.

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

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement. *and the plea agreement*

11. The judge has asked me to state what I did in my own words that makes me guilty of this crime. This is my statement: *on the 24<sup>th</sup> day of Feb. 2004, acting as an*

*accomplice to Jeremy Hosford while committing, or attempting to commit a robbery in the first or second degree, and in the course of or furtherance of the robbery, or immediate flight there of, I was an accomplice to the suffocation death of*

*R. Shapel. I was <sup>also</sup> armed with a firearm. On or about Feb 24-25, 2005, I also participated in a robbery of property from Mr. Shapel.*

[ ] Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

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

*On Feb. 24, 2004, MA. Hosford and I took property from Mr. Shapel and after his death stole the tools from his van. They are valued in excess of \$1500.00.*

*was an accomplice to arson fire that destroyed a Snap-on Tool truck. These events took place in Pierce County WA.*

*[Signature]*  
Defendant

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

*Maury J. [Signature]*  
Defendant's Lawyer  
WSBA # 20123      WSBA # 8996

Approved for entry:

*[Signature]*  
Prosecuting Attorney  
WSBA # 15738

STATEMENT OF DEFENDANT  
ON PLEA OF GUILTY - 7

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

- (a)  The defendant had previously read the entire statement above and the defendant understood it in full; or
- (b)  the defendant's lawyer had previously read to him or her the entire statement above and that the defendant understood it in full; or
- \* (c)  An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full.

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

Dated this 16 day of NOVEMBER, 2005

Byron Chubbett  
Judge

**\*INTERPRETER'S DECLARATION**

I am a certified interpreter or have been found otherwise qualified by the court to interpret in the \_\_\_\_\_ language, which the defendant understands, and I have translated \_\_\_\_\_ for the defendant from English into that language. The defendant has acknowledged his or her understanding of both the translation and the subject matter of this document. I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Interpreter



## Appendix A to Statement of Defendant on plea of guilty

Addendum to paragraph 6(h):

I understand the following regarding exceptional sentences:

(i) The judge may impose an exceptional sentence below the standard range if the judge finds mitigating circumstances supporting an exceptional sentence.

(ii) The judge may impose an exceptional sentence above the standard range if I am being sentenced for more than one crime and I have an offender score of more than nine.

(iii) The judge may also impose an exceptional sentence above the standard range if the State and I stipulate that justice is best served by imposition of an exceptional sentence and the judge agrees that an exceptional sentence is consistent with and in furtherance of the interests of justice and the purposes of the Sentencing Reform Act.

(iv) The judge may also impose an exceptional sentence above the standard range if the State has given notice that it will seek an exceptional sentence, the notice states aggravating circumstances upon which the requested sentence will be based, and facts supporting an exceptional sentence are proven beyond a reasonable doubt to a unanimous jury, to a judge if I waive a jury, or by stipulated facts.

Addendum to Section 6:

(bb) I understand that I will be ineligible to vote until that right is restored in a manner described in RCW 10.64 \_\_\_\_ [2005 Wash. Laws 246 § 1]. If I am registered to vote, my voter registration will be cancelled. Wash. Const. art. VI, § 3, RCW 29A.04.079, 29A.08.520.

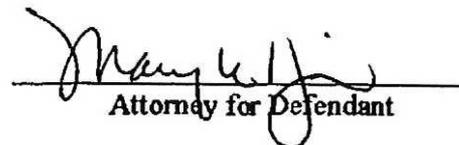
(cc) Public assistance will be suspended during any period of imprisonment.

(dd) I understand that I will be required to have a biological sample collected for purposes of DNA identification analysis. For offenses committed on or after July 1, 2002, I will be required to pay a \$100.00 DNA collection fee.

My lawyer has explained to me, and we have fully discussed, all of the above paragraphs and I understand them all. This document should be incorporated by reference into my "Statement of Defendant on Plea of Guilty."



Defendant



Attorney for Defendant

APPENDIX (B)

JUDGMENT AND SENTENCE

04-1-01018-9



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff, CAUSE NO. 04-1-01018-9

vs.

JUDGMENT AND SENTENCE (JS)

WILLIAM CRAIG SCHORR

Defendant.

- Prison
- Jail One Year or Less
- First-Time Offender
- SSOSA
- DOSA
- Breaking The Cycle (BTC)

SID: WA15283769  
DOB: 12/30/1974

AUG 24 2006

I. HEARING

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

II. FINDINGS

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

2.1 CURRENT OFFENSE(S): The defendant was found guilty on 11/16/2005 by  plea  jury-verdict  bench trial of:

COUNT	CRIME	RCW	ENHANCEMENT TYPE*	DATE OF CRIME	INCIDENT NO.
I	MURDER 1° (D1)	9A.32.030(1)(a)	FIREARM	02/24/2004 02/25/2004	04-056-0182
III	ROBBERY 1° (AAA1)	9A.56.190 9A.56.200(1)(a)(i)	FIREARM	02/24/2004 02/25/2004	04-056-0182
IV	ARSON 2° (H4)	9A.48.030(1)	NONE	02/24/2004 02/25/2004	04-056-0182
V	THEFT 1° (JJ1)	9A.56.020(1)(a) 9A.56.030(1)(a)	NONE	02/24/2004 02/25/2004	04-056-0182

\* (F) Firearm, (D) Other deadly weapons, (V) VUCSA in a protected zone, (VH) V eh. Hom, See RCW 46.61.520, (JP) Juvenile present.

as charged in the Amended Information

- A special verdict/finding for use of firearm was returned on Count(s) I & III RCW 9.94A.602, .510.
- Current offenses encompassing the same criminal conduct and counting as one crime in determining the offender score are (RCW 9.94A.589):

06-9-09877-4

04-1-01018-9

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

2.2 CRIMINAL HISTORY (RCW 9.94A.525): NONE KNOWN OR CLAIMED

2.3 SENTENCING DATA:

COUNT NO.	OFFENDER SCORE	SERIOUSNESS LEVEL	STANDARD RANGE (not including enhancements)	PLUS ENHANCEMENTS	TOTAL STANDARD RANGE (including enhancements)	MAXIMUM TERM
I	5	XIV	291-388 MONTHS	60 MONTHS	351-448 MONTHS	LIFE/ \$50,000
III	5	IX	57-75 MONTHS	60 MONTHS	117-135 MONTHS	LIFE/ \$50,000
IV	5	IV	22-29 MONTHS	NONE	22-29 MONTHS	10 YRS/ \$20,000
V	3	II	4-12 MONTHS	NONE	4-12 MONTHS	10 YRS/ \$20,000

2.4  EXCEPTIONAL SENTENCE. Substantial and compelling reasons exist which justify an exceptional sentence  above  below the standard range for Count(s) \_\_\_\_\_. Findings of fact and conclusions of law are attached in Appendix 2.4. The Prosecuting Attorney  did  did not recommend a similar sentence.

2.5 LEGAL FINANCIAL OBLIGATIONS. The judgment shall upon entry be collectable by civil means, subject to applicable exemptions set forth in Title 6, RCW. Chapter 379, Section 22, Laws of 2003.

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

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

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

### III. JUDGMENT

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

3.2  The court DISMISSES Counts \_\_\_\_\_  The defendant is found NOT GUILTY of Counts \_\_\_\_\_

### IV. SENTENCE AND ORDER

IT IS ORDERED:

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

JASS CODE

RTN/RJN

\$ 38,853<sup>75</sup>

Restitution to: SEE SEPARATE RESTITUTION ORDER

\$

Restitution to: \_\_\_\_\_

(Name and Address--address may be withheld and provided confidentially to Clerk's Office).

JUDGMENT AND SENTENCE (JS)  
(Felony) (6/19/2003) Page 2 of 9

Office of Prosecuting Attorney  
946 County-City Building  
Tacoma, Washington 98402-2171  
Telephone: (253) 798-7400

04-1-01018-9

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PCV \$ 500.00 Crime Victim assessment  
DNA \$ 100.00 DNA Database Fee  
PUB \$ \_\_\_\_\_ Court-Appointed Attorney Fees and Defense Costs  
FRC \$ ~~200.00~~<sup>110.00</sup> Criminal Filing Fee  
FCM \$ \_\_\_\_\_ Fine

## OTHER LEGAL FINANCIAL OBLIGATIONS (specify below)

\$ \_\_\_\_\_ Other Costs for: \_\_\_\_\_

\$ \_\_\_\_\_ Other Costs for: \_\_\_\_\_

\$ 39,543.75 TOTAL

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

## 4.2 RESTITUTION

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

[ ] shall be set by the prosecutor.

[ ] is scheduled for \_\_\_\_\_

[ ] defendant waives any right to be present at any restitution hearing (defendant's initials): \_\_\_\_\_

~~X~~ RESTITUTION. Order Attached

## 4.3 COSTS OF INCARCERATION

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

## 4.4 COLLECTION COSTS

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

## 4.5 INTEREST

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

## 4.6 COSTS ON APPEAL

An award of costs on appeal against the defendant may be added to the total legal financial obligations. RCW 10.73.

## 4.7 [ ] HIV TESTING

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

## 4.8 [X] DNA TESTING

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

04-1-01018-9

4.9 NO CONTACT

The defendant shall not have contact with the family of the victim, Robert Shapel including, but not limited to, personal, verbal, telephonic, written or contact through a third party for life (not to exceed the maximum statutory sentence).

[ ] Domestic Violence Protection Order or Antiharassment Order is filed with this Judgment and Sentence.

4.10 OTHER:

Empty table with 6 rows for additional information.

4.11 BOND IS HEREBY EXONERATED

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

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

291 months on Count I 29 months on Count IV
75 months on Count III 12 months on Count V

A special finding/verdict having been entered as indicated in Section 2.1, the defendant is sentenced to the following additional term of total confinement in the custody of the Department of Corrections:

60 months on Count No I 60 months on Count No III

Sentence enhancements in Counts I and III shall run [ ] concurrent [X] consecutive to each other.

Sentence enhancements in Counts shall be served [X] flat time [ ] subject to earned good time credit

Actual number of months of total confinement ordered is: 411 MONTHS

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

[X] The confinement time on Count(s) I contain(s) a mandatory minimum term of 240 months

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

The sentence herein shall run consecutively to all felony sentences in other cause numbers prior to the commission of the crime(s) being sentenced.

04-1-01018-9

Confinement shall commence immediately unless otherwise set forth here: \_\_\_\_\_

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

4.13  COMMUNITY PLACEMENT (pre 7/1/00 offenses) is ordered as follows:

Count \_\_\_\_\_ for \_\_\_\_\_ months,

Count \_\_\_\_\_ for \_\_\_\_\_ months,

Count \_\_\_\_\_ for \_\_\_\_\_ months,

COMMUNITY CUSTODY is ordered as follows:

Count I for a range from: 24 to 48 Months,

Count III for a range from: 18 to 36 Months,

Count IV for a range from: 18 to 36 Months,

Count V up to one (1) year

or for the period of earned release awarded pursuant to RCW 9.94A.728(1) and (2), whichever is longer, and standard mandatory conditions are ordered. [See RCW 9.94A for community placement offenses -- serious violent offense, second degree assault, any crime against a person with a deadly weapon finding, Chapter 69.50 or 69.52 RCW offense. Community custody follows a term for a sex offense -- RCW 9.94A. Use paragraph 4.7 to impose community custody following work ethic camp.]

While on community placement or community custody, the defendant shall: (1) report to and be available for contact with the assigned community corrections officer as directed; (2) work at DOC-approved education, employment and/or community service; (3) not consume controlled substances except pursuant to lawfully issued prescriptions; (4) not unlawfully possess controlled substances while in community custody; (5) pay supervision fees as determined by DOC; and (6) perform affirmative acts necessary to monitor compliance with the orders of the court as required by DOC. The residence location and living arrangements are subject to the prior approval of DOC while in community placement or community custody. Community custody for sex offenders may be extended for up to the statutory maximum term of the sentence. Violation of community custody imposed for a sex offense may result in additional confinement.

The defendant shall not consume any alcohol.

Defendant shall have no contact with: \_\_\_\_\_

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

The defendant shall participate in the following crime-related treatment or counseling services: \_\_\_\_\_

The defendant shall undergo an evaluation for treatment for  domestic violence  substance abuse

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

The defendant shall comply with the following crime-related prohibitions: \_\_\_\_\_

Other conditions may be imposed by the court or DOC during community custody, or are set forth here: \_\_\_\_\_

See App. F.

4.14 [ ] **WORK ETHIC CAMP.** RCW 9.94A.690, RCW 72.09.410. The court finds that the defendant is eligible and is likely to qualify for work ethic camp and the court recommends that the defendant serve the sentence at a work ethic camp. Upon completion of work ethic camp, the defendant shall be released on community custody for any remaining time of total confinement, subject to the conditions below. Violation of the conditions of community custody may result in a return to total confinement for the balance of the defendant's remaining time of total confinement. The conditions of community custody are stated above in Section 4.13.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**V. NOTICES AND SIGNATURES**

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

5.2 **LENGTH OF SUPERVISION.** For an offense committed prior to July 1, 2000, the defendant shall remain under the court's jurisdiction and the supervision of the Department of Corrections for a period up to 10 years from the date of sentence or release from confinement, whichever is longer, to assure payment of all legal financial obligations unless the court extends the criminal judgment an additional 10 years. For an offense committed on or after July 1, 2000, the court shall retain jurisdiction over the offender, for the purpose of the offender's compliance with payment of the legal financial obligations, until the obligation is completely satisfied, regardless of the statutory maximum for the crime. RCW 9.94A.760 and RCW 9.94A.505.

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

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

5.5 **FIREARMS.** You must immediately surrender any concealed pistol license and you may not own, use or possess any firearm unless your right to do so is restored by a court of record. (The court clerk shall forward a copy of the defendant's driver's license, identicaid, or comparable identification to the Department of Licensing along with the date of conviction or commitment.) RCW 9.41.040, 9.41.047.

5.6 **SEX AND KIDNAPPING OFFENDER REGISTRATION.** RCW 9A.44.130, 10.01.200. N/A

5.7 **RESTITUTION AMENDMENTS.** The portion of the sentence regarding restitution may be modified as to amount, terms, and conditions during any period of time the offender remains under the court's jurisdiction,

04-1-01018-9

regardless of the expiration of the offender's term of community supervision and regardless of the statutory maximum sentence for the crime.

5.8 OTHER: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DONE in Open Court and in the presence of the defendant this date: 8.21.06

JUDGE *Bryan Chushcoff*  
Print name BRYAN CHUSHCOFF

*Gerald Costello*  
Deputy Prosecuting Attorney  
Print name: GERALD COSTELLO  
WSB # 15738

*Mary K. High*  
Attorney for Defendant  
Print name: Mary K. High  
WSB # 20123

*William Schorr*  
Defendant  
Print name: William Schorr

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

Defendant's signature: *William Schorr*



04-1-01018-9

**CERTIFICATE OF CLERK**

CAUSE NUMBER of this case: 04-1-01018-9

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

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

Clerk of said County and State, by: \_\_\_\_\_, Deputy Clerk

**IDENTIFICATION OF COURT REPORTER**

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Court Reporter

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04-1-01018-9

IDENTIFICATION OF DEFENDANT

SID No. WA15283769 Date of Birth 12/30/1974  
(If no SID take fingerprint card for State Patrol)

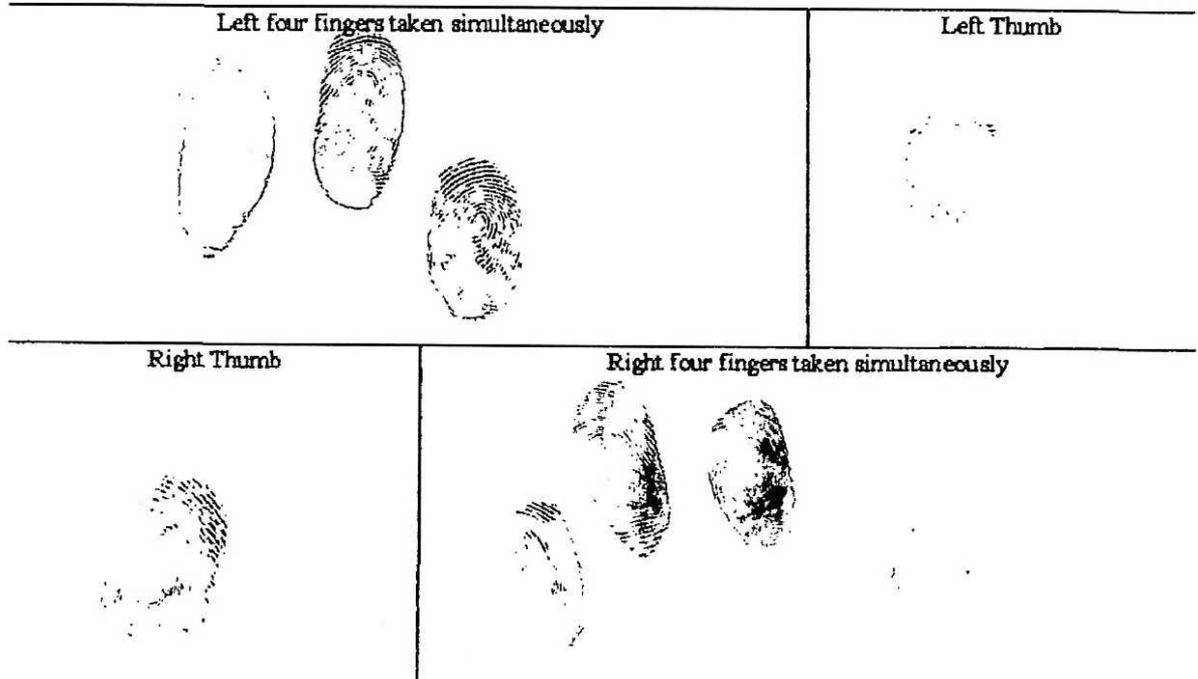
FBI No. 789501HB8 Local ID No. NONE

PCN No. 538058084 Other

Alias name, SSN, DOB: \_\_\_\_\_

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

FINGERPRINTS



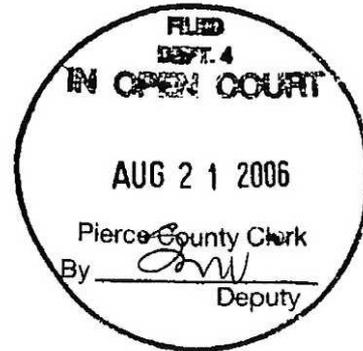
I attest that I saw the same defendant who appeared in court on this document affix his or her fingerprints and signature thereto. Clerk of the Court, Deputy Clerk Erin Wunn Dated: 8-21-06

DEFENDANT'S SIGNATURE: [Signature]

DEFENDANT'S ADDRESS: \_\_\_\_\_



04-1-01018-9 28030744 JDSWCD 08-24-06



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO: 04-1-01018-9

AUG 24 2006

vs.

WILLIAM CRAIG SCHORR,

Defendant.

WARRANT OF COMMITMENT

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

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

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

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

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

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

04-1-01018-9

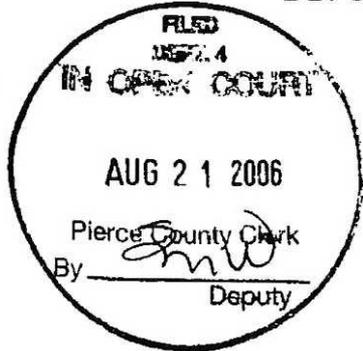
[ ] 3. YOU, THE DIRECTOR, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence. (Sentence of confinement or placement not covered by Sections 1 and 2 above).

Dated: August 21, 2006.

By direction of the Honorable  
[Signature]  
JUDGE  
KEVIN STOCK

By: [Signature]  
CLERK.  
DEPUTY CLERK

CERTIFIED COPY DELIVERED TO SHERIFF  
AUG 24 2006  
Date \_\_\_\_\_ By [Signature]



STATE OF WASHINGTON  
County of Pierce ss:

I, Kevin Stock, Clerk of the above entitled Court, do hereby certify that this foregoing instrument is a true and correct copy of the original now on file in my office.  
IN WITNESS WHEREOF, I hereunto set my hand and the Seal of Said Court this \_\_\_\_\_ day of \_\_\_\_\_.

KEVIN STOCK, Clerk  
By: \_\_\_\_\_ Deputy

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APPENDIX "F"

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

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

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

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

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

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

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

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

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

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

(I) The offender shall remain within, or outside of, a specified geographical boundary: \_\_\_\_\_

(II) The offender shall not have direct or indirect contact with the victim of the crime or a specified class of individuals: Shapel family members ; co-defendant  
Jeremy Hasford

(III) The offender shall participate in crime-related treatment or counseling services;

(IV) The offender shall not consume alcohol; \_\_\_\_\_

(V) The residence location and living arrangements of a sex offender shall be subject to the prior approval of the department of corrections, or

(VI) The offender shall comply with any crime-related prohibitions

(VII) Other: \_\_\_\_\_