

FILED  
Apr 15, 2015  
Court of Appeals  
Division I  
State of Washington

COURT OF APPEALS OF THE STATE OF WASHINGTON  
DIVISION I

IN RE PERSONAL RESTRAINT	)	
OF	)	
	)	No. 73178-5- I
	)	
	)	
	)	STATE'S RESPONSE TO
	)	PERSONAL RESTRAINT
ARMONDO THEODOR	)	PETITION
LAFORGE,	)	
	)	
	)	
Petitioner.	)	
_____	)	

A. AUTHORITY FOR RESTRAINT OF PETITIONER.

Armondo Theodor LaForge is restrained pursuant to Judgment and Sentence in King County Superior Court No. 03-C-03742-3 SEA.  
Appendix A.

B. ISSUE PRESENTED.

1. Whether a decline hearing was required when the State amended the charges against then 17-year-old LaForge from first-degree rape and first-degree robbery to second-degree rape and second-degree

robbery, both of which required a mandatory decline hearing in juvenile court?

2. If the court was required to hold a decline hearing, whether the proper remedy is to remand for a hearing on whether decline of juvenile court jurisdiction would have been appropriate?

C. STATEMENT OF THE CASE

Petitioner LaForge was originally charged with first-degree robbery and first-degree rape on January 7, 2003. Appendix B. LaForge, whose date of birth is August 20, 1986, was 16 years old at the time, but was charged in the adult division of King County Superior Court because the charges required sole adult court jurisdiction. Appendix C; RCW 13.04.030(1)(v)(A)&(C).

The State filed these serious charges based on LaForge's and his codefendant's conduct on December 22, 2002. Appendix B. At approximately 6:30 a.m. on that day, LaForge approached C.D., a male, on Aurora Avenue North and requested a cigarette.<sup>1</sup> C.D., who was walking to work, gave LaForge a cigarette and continued on his way. LaForge and his codefendant, Julian Molzhon, kept walking behind C.D. After several vehicles passed-by, LaForge shoved C.D. against a fence and demanded his money. C.D. told LaForge that he had no money. LaForge pulled a

---

<sup>1</sup> These facts are taken from the Certification for Determination of Probable Cause. Appendix C.

knife from his pocket and said, "You're lying." He then demanded that C.D. show his wallet. C.D. complied with LaForge's demand and showed his wallet with nothing in it. LaForge then took C.D.'s pack of cigarettes, lighter, and wallet. LaForge handed the wallet to Molzhon, who looked through it and pulled out an ATM card. LaForge demanded C.D.'s PIN number and to know how much money C.D. had in the account. C.D. said he had \$200.00 in the account. LaForge ordered C.D. to walk with them to a nearby Albertson's store.

Outside the Albertson's, Molzohn went inside with C.D.'s ATM card. LaForge ordered C.D. to walk with him to the area between the Albertson's and a Staples store. He put the knife away, and said he would teach C.D. "not to be a punk." LaForge pretended that he would hit C.D. and asked, "What would you do if I did that?" He then asked C.D. how old he was and said that he was 16 years old, Molzhon was 17 years old, and that C.D. should not let a 16-year-old and a 17-year-old "play" him like that. LaForge then asked, "What if I were to tell you to strip naked?" C.D. said he would refuse. LaForge then said, "What if I had a knife?" and pulled the knife out. C.D. said he would not have a choice. They then went to the area near the dumpsters between Albertson's and the Staples store. C.D. undressed.

LaForge asked C.D. how many times he had had sex and if he had ever had sex with a man. LaForge then said, "Would you suck my dick?" C.D. refused, but LaForge said, "In this situation, with a knife?" C.D. complied with LaForge's demands and during the act LaForge touched C.D.'s genital area. LaForge then made C.D. switch places with him and said he "wanted to get [C.D.] hard," but C.D. did not have an erection. C.D. said he was cold and LaForge allowed him to get dressed again. LaForge then told C.D. to "turn around and bend over." He proceeded to anally rape C.D. C.D. believed that LaForge would hurt or kill him if he did not comply. After a time, LaForge said that was "enough" and walked C.D. back to the Albertson's.

LaForge could not find Molzhon at the Albertson's, but found him at the nearby bus stop. LaForge and Molzhon spoke, then LaForge returned to C.D. and claimed that Molzhon had only been able to get \$20. LaForge forced C.D. to accompany him back to the Albertson's to get more money out of his account. LaForge was not able to obtain any more money from C.D.'s account as the machine said that there were insufficient funds. He then threatened C.D. that he should kill him.

When they again left the store, LaForge threatened to stab C.D. Eventually, LaForge returned with C.D. to the bus stop. He returned the ATM card to C.D., but kept C.D.'s social security and identification cards.

He threatened C.D. that if C.D. called the cops, he knew where C.D. lived and worked. Throughout the incident, LaForge made repeated threats to beat, stab, and slit C.D.'s throat. LaForge then made C.D. board the bus with him and Molzhon. They took the bus about twenty blocks north. LaForge gave C.D. fifty cents and told him to take the bus back to Seattle. C.D. called his parents, who met him and took him to the hospital.

Seattle police detectives obtained surveillance video showing LaForge and Molzhon at the ATM machine. C.D. positively identified LaForge from a photomontage. Detectives interviewed LaForge, who admitted that he had robbed C.D., but claimed that he was drunk and could not remember the entire incident and that he did not think that he had had oral sex.

Seattle Police Detective Anthony Stevenson signed the Certification for Determination of Probable Cause for LaForge on January 2, 2003. Appendix C. The King County Prosecutor's Office filed first-degree rape and first-degree robbery charges on January 7, 2003. Appendix B. On December 4, 2003, the State amended the charges against LaForge to include deadly weapon enhancements for each charge. Appendix D. On December 15, 2003, pursuant to plea negotiations, the State amended the charges against LaForge to second-degree robbery and second-degree rape without deadly weapon enhancements. Appendix E.

LaForge pled guilty to the amended charges. Appendix F. On March 23, 20014, the court sentenced LaForge to an indeterminate sentence of 95 months to life for the second-degree rape and 14 months concurrent for the second-degree robbery. Appendix A. LaForge did not file a direct appeal.

D. ARGUMENT.

In this personal restraint petition, LaForge claims that the trial court was required to hold a decline hearing once the State amended the charges to offenses which did not require automatic adult court jurisdiction, and that the remedy is dismissal of his case or remand for sentencing in juvenile court. The State agrees that the court was required to hold a decline hearing once the charges were amended. However, the appropriate remedy is to remand LaForge's case so that the court may hold a hearing to determine whether decline would have been appropriate.

1. THE TRIAL COURT WAS REQUIRED TO HOLD A DECLINE HEARING ONCE THE CHARGES WERE AMENDED.

In In re Personal Restraint of Dalluge, the Washington Supreme Court considered the same claim that LaForge now raises, and that decision controls the result in this case. 152 Wn.2d 772, 775, 100 P.3d 279 (2004).

At 17 years old, Dalluge was charged in adult court with first-degree rape. In re Dalluge, 152 Wn.2d at 776. The adult criminal court had exclusive jurisdiction, pursuant to RCW 13.04.030(1)(e)(v)(A), because Dalluge was over 16 years old and the charged crime was a serious violent offense.<sup>2</sup> Id. The State later amended the charges to one count of third-degree rape as an accomplice and added a second charge of second-degree rape or, in the alternative, third-degree rape. Id. These charges no longer required exclusive adult criminal court jurisdiction, but the parties did not request remand to the juvenile court for a decline hearing. Id. Dalluge was convicted of two counts of third-degree rape and sentenced. Id. After his direct appeals were final, Dalluge filed a personal restraint petition, alleging that he had been denied his right to a decline hearing in juvenile court once the charges were amended. Id. at 777.

---

<sup>2</sup> RCW 13.04.030 provides:

- (1) Except as provided in this section, the juvenile courts in this state shall have exclusive original jurisdiction over all proceedings:
  - (v) The juvenile is sixteen or seventeen years old and the alleged offense is:
    - (A) A serious violent offense as defined in RCW 9.94A.030;
    - ...
    - (B) Robbery in the first degree. . .
- (I) In such a case the adult criminal court shall have exclusive original jurisdiction.

The Supreme Court held, first, that once the charges had been amended to charges which did not require automatic adult court jurisdiction under RCW 13.04.030(1)(e)(v), the adult court did not have jurisdiction over Dalluge's case. Id. Thus, even though Dalluge's petition was filed more than one year after his judgment became final, it was not time barred by RCW 10.73.090 because his judgment and sentence were not rendered by a court of competent jurisdiction.<sup>3</sup>

Second, once Dalluge's charges had been amended, RCW 13.40.110(1)(a) required the juvenile court to hold a decline hearing because Dalluge was 17 years old and charged with the class A felony of second-degree rape.<sup>4</sup> Id. at 780. These statutes allow only for automatic

---

<sup>3</sup> 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."

<sup>4</sup> At the time of Dalluge's case and at the time that LaForge's charges were amended in 2003, Former RCW 13.40.110 provided:

- (1) The prosecutor, respondent, or the court on its own motion may, before a hearing on the information on its merits, file a motion requesting the court to transfer the respondent for adult criminal prosecution and the matter shall be set for a hearing on the question of declining jurisdiction. Unless waived by the court, the parties, and their counsel, a decline hearing shall be held when:
  - (a) The respondent is fifteen, sixteen or seventeen years of age and the information alleges a class A felony. . .
  - (b) The respondent is seventeen years of age and the information alleges. . . robbery in the second degree . . .

decline based on the nature of the charges or require an actual decline hearing by the juvenile court. Id. at 781.

Similar to Dalluge, LaForge was originally charged with two offenses, first-degree rape and first-degree robbery, which required exclusive adult court jurisdiction. RCW 13.04.030; Appendix B. When the State amended the charges to second-degree rape and second-degree robbery, RCW 13.40.110 required that the juvenile court hold a decline hearing because LaForge was 17 years old at the time. Appendix E. Second-degree rape is a class A felony and second-degree robbery was one of the specifically-named offenses that required a decline hearing when the defendant was 17 years old. RCW 9A.44.050; RCW 13.40.110(2)(b).<sup>5</sup>

Nothing in the court record shows that a decline hearing was held or that LaForge waived his right to a decline hearing. Instead, LaForge's

---

<sup>5</sup> At the time that LaForge's charges were amended in 2003, Former RCW 13.40.110 provided:

- (2) The prosecutor, respondent, or the court on its own motion may, before a hearing on the information on its merits, file a motion requesting the court to transfer the respondent for adult criminal prosecution and the matter shall be set for a hearing on the question of declining jurisdiction. Unless waived by the court, the parties, and their counsel, a decline hearing shall be held when:
  - (c) The respondent is fifteen, sixteen or seventeen years of age and the information alleges a class A felony. . .
  - (d) The respondent is seventeen years of age and the information alleges. . . robbery in the second degree . . .

case remained in adult court where he pled guilty to the amended charges and was sentenced. Appendix A, E, F.

As in In re Dalluge, the adult court did not have jurisdiction over LaForge once the charges were amended and his judgment was not “rendered by a court of competent jurisdiction.” RCW 10.73.090. Thus, the time bar of RCW 10.73.090 does not apply and LaForge may bring this petition even though it is more than one year since his judgment became final.<sup>6</sup>

2. THE PROPER REMEDY IS REMAND TO ADULT COURT FOR A DILLENBURG<sup>7</sup> HEARING ON WHETHER DECLINE OF JUVENILE COURT JURISDICTION WOULD HAVE BEEN APPROPRIATE.

In re Dalluge held that the proper remedy for this error was remand to adult court for a hearing to determine if decline of juvenile court jurisdiction would have been appropriate. 152 Wn.2d at 785. If declination would have been appropriate, then the conviction stands. Id. at 785-86. If not, then the conviction is reversed and a new trial must occur in adult court if the defendant is 18 years old or older. Id. The court relied on its decision in Dillenburg v. Maxwell, which first held that this was the appropriate remedy for a juvenile improperly tried in adult court.

---

<sup>6</sup> A judgment becomes final on the date that it is filed with the clerk of the trial court, if no appeal is taken. RCW 10.73.090(3)(a). Thus, LaForge’s judgment became final on March 23, 2004, when his judgment and sentenced was filed with the court. Appendix A.  
<sup>7</sup> Dillenburg v. Maxwell, 70 Wn.2d 331, 354-54, 422 P.2d 783 (1967).

In re Dalluge, 152 Wn.2d at 785-86, citing Dillenburg, 70 Wn.2d at 354-55. LaForge appears to agree that this is the procedure required by In re Dalluge, but he argues for alternative remedies.

a. There Was No Preaccusatorial Delay In LaForge's Case And Dismissal Is Not An Available Remedy.

First, LaForge contends that the proper remedy is dismissal of the charges due to preaccusatorial delay, relying on State v. Dixon, 114 Wn.2d 857, 860, 792 P.2d 137 (1990). He is incorrect. There was no preaccusatorial delay in LaForge's case and the Washington Supreme Court rejected this same argument in In re Dalluge.

Where the State's delay in filing charges results in the loss of juvenile court jurisdiction, courts use a three-part test to determine whether the defendant's right to due process was violated. Dixon, 114 Wn.2d at 860, citing United States v. Lovasco, 431 U.S. 783, 788-96, 97 S.Ct. 2044, 52 L.Ed.2d 752 (1977). "This test provides: (1) that the defendant show prejudice resulting from the delay; (2) that there are reasons for the delay which the court must consider; and (3) where the State can justify the delay, that the court engage in balancing the State's interest against the prejudice to the accused." Id.

In In re Dalluge, Dalluge also relied on Dixon to contend that his case should be dismissed because the failure to remand for a decline

hearing deprived him of juvenile court jurisdiction. 152 Wn.2d at 786. The Washington Supreme Court rejected this argument because there had not been any preaccusatorial delay in Daluge's case, so Dixon simply did not apply. Id. Moreover, Dillenburg had not been overruled, and it required that Dalluge's case be remanded for a hearing on whether decline would have been appropriate. Id.

Again, In re Dalluge controls the result in this case; it requires remand of LaForge's case for a hearing on whether decline of juvenile court jurisdiction would have been appropriate. There was no preaccusatorial delay in LaForge's case. The detective signed the Certification for Determination of Probable Cause on January 2, 2003, a Thursday. Appendix C. The King County Prosecutor then properly charged LaForge in adult court on January 7, 2003, a Tuesday. Dixon and the preaccusatorial delay test are simply inapplicable. LaForge provides no authority for dismissal as a remedy nor can he, given that In re Dalluge and Dillenburg have not been overruled.

b. There Is No Authority That Allows Remand to Juvenile Court For Resentencing As A Remedy.

Lastly, LaForge alleges that his case should be remanded for resentencing in juvenile court, relying on State v. Posey, 174 Wn. 2d 131, 135-42, 272 P.3d 840 (2012) (Posey II). LaForge is incorrect. Posey II

does not apply. Nor was the defendant in Posey II granted the remedy of sentencing in juvenile court.

In Posey's first appeal, the Washington Supreme Court held that the adult criminal court had lost jurisdiction to sentence Posey when he was acquitted of the offense which carried automatic adult jurisdiction, but convicted of two other offenses. State v. Posey, 161 Wn.2d 638, 647, 167 P.3d 560 (2007) (Posey I). Posey's case was remanded to juvenile court for sentencing. Id. at 649.

On remand, Posey objected to the juvenile court's jurisdiction to sentence him under RCW 13.40.300, because he had recently turned age 21.<sup>8</sup> Posey, 174 Wn.2d at 140) (Posey II). The sentencing court agreed, but determined that it would temporarily assume its role as the adult division of superior court and sentence Posey. Id. at 133. While Posey was sentenced in adult court, the court imposed a sentence which would have been consistent with the standard juvenile sentence. Id. Posey appealed again, arguing that neither the juvenile court nor the adult court had jurisdiction over him. Id. at 140. The Washington Supreme Court disagreed, holding that the adult division of the superior court retained jurisdiction over Posey in order to sentence him. Id. at 141-42.

---

<sup>8</sup> RCW 13.40.300(3) provides that "[i]n no event may the juvenile court have authority to extend jurisdiction over any juvenile offender beyond the juvenile offender's twenty-first birthday except for the purpose of enforcing an order of restitution or penalty assessment."

Neither Posey I nor Posey II apply to LaForge's case. Posey was not sentenced as a juvenile on remand nor could the juvenile court have sentenced Posey because he was over the age of 21. Posey II, 174 Wn.2d at 140.

Moreover, in State v. Meridieth, the Court of Appeals determined that the Posey I remedy of remand to the juvenile court does not apply when the issue is whether the adult court ever properly had jurisdiction. 144 Wn. App. 47, 56-57, 180 P.3d 867 (2008). Instead, In re Dalluge applies, and the case must be remanded to the adult division of the Superior Court to determine if declination of juvenile court jurisdiction would have been appropriate. Id. at 57. In Meridieth, because the declination process was faulty, the adult court never properly had jurisdiction over his case, thus the proper remedy was remand for a Dillenburg hearing. Id. at 58.

LaForge's case is indistinguishable from In re Dalluge and the proper remedy is remand for a Dillenburg hearing. As in Meridieth, Posey I does not apply to LaForge's case. Further, the juvenile division of King County Superior Court could not sentence LaForge as a juvenile on remand because LaForge is now over the age of 21.

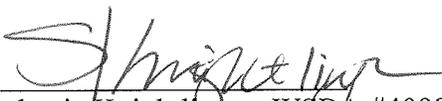
E. CONCLUSION.

For the foregoing reasons, LaForge's petition should be granted and the case remanded for a hearing in the adult division of Superior Court on whether declination would have been appropriate. If so, then his convictions stand. If not, then LaForge's case must be reversed and he is entitled to a new trial as an adult.

DATED this 15<sup>th</sup> day of APRIL, 2014

Respectfully Submitted,

DAN SATTERBERG  
King County Prosecuting Attorney

by   
Stephanie Knightlinger, WSBA #40986  
Senior Deputy Prosecuting Attorney  
Attorneys for Respondent  
Office ID #91002

APPENDIX A

FILED

2004 MAR 23 PM 3: 11

KING COUNTY  
SUPERIOR COURT CLERK  
SEATTLE, WA

HIV

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

DOC  
COMMITMENT ISSUED  
MAR 23 2004

STATE OF WASHINGTON,	)	
	)	
	)	Plaintiff,
	)	No. 03-C-03742-3 SEA
	)	
Vs.	)	<b>JUDGMENT AND SENTENCE</b>
	)	<b>FELONY</b>
ARMONDO T. LAFORGE	)	
	)	
	)	Defendant,

I. HEARING

I.1 The defendant, the defendant's lawyer, MATTHEW HALE, and the deputy prosecuting attorney were present at the sentencing hearing conducted today. Others present were: CHRIS DUARTE, Pat & CRAIG DUARTE

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 12/15/2003 by plea of:

Count No.: <u>I</u>	Crime: <u>ROBBERY IN THE SECOND DEGREE</u>
RCW <u>9A.56.210;9A.56.190</u>	Crime Code: <u>02924</u>
Date of Crime: <u>12/22/2002</u>	Incident No. _____

Count No.: <u>II</u>	Crime: <u>RAPE IN THE SECOND DEGREE</u>
RCW <u>9A.44.050 (1) (A)</u>	Crime Code: <u>00744</u>
Date of Crime: <u>12/22/2002</u>	Incident No. _____

Count No.: _____	Crime: _____
RCW _____	Crime Code: _____
Date of Crime: _____	Incident No. _____

Count No.: _____	Crime: _____
RCW _____	Crime Code: _____
Date of Crime: _____	Incident No. _____

[ ] Additional current offenses are attached in Appendix A

PRESENTING STATEMENT & INFORMATION ATTACHED

**SPECIAL VERDICT or FINDING(S):**

- (a)  While armed with a **firearm** in count(s) \_\_\_\_\_ RCW 9.94A.510(3).
- (b)  While armed with a **deadly weapon** other than a firearm in count(s) \_\_\_\_\_ RCW 9.94A.510(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 41.61.5055, RCW 9.94A.510(7).
- (g)  **Non-parental kidnapping** or unlawful imprisonment with a minor victim. RCW 9A.44.130.
- (h)  **Domestic violence** offense as defined in RCW 10.99.020 for count(s) \_\_\_\_\_.
- (i)  Current offenses **encompassing the same criminal conduct** in this cause are count(s) \_\_\_\_\_ RCW 9.94A.589(1)(a).

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	2	IV	12+ TO 14 MONTHS		12+ TO 14 MONTHS	10 YRS AND/OR \$20,000
Count II	2	XI	95 TO 125 MONTHS		95 TO 125 MONTHS	LIFE AND/OR \$50,000
Count						
Count						

Additional current offense sentencing data is attached in **Appendix C**.

2.5 **EXCEPTIONAL SENTENCE (RCW 9.94A.535):**

Substantial and compelling reasons exist which justify a sentence above/below the standard range for Count(s) \_\_\_\_\_. Findings of Fact and Conclusions of Law are attached in **Appendix D**. The State  did  did not recommend a similar sentence.

**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(2), 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;  Court costs are waived; (RCW 9.94A.030, 10.01.160)
- (b)  \$100 DNA collection fee;  DNA fee waived (RCW 43.43.754)(crimes committed after 7/1/02);
- (c)  \$ \_\_\_\_\_, Recoupment for attorney's fees to King County Public Defense Programs;  
 Recoupment is waived (RCW 9.94A.030);
- (d)  \$ \_\_\_\_\_, Fine;  \$1,000, Fine for VUCSA;  \$2,000, Fine for subsequent VUCSA;  
 VUCSA fine waived (RCW 69.50.430);
- (e)  \$ \_\_\_\_\_, King County Interlocal Drug Fund;  Drug Fund payment is waived;  
(RCW 9.94A.030)
- (f)  \$ \_\_\_\_\_, State Crime Laboratory Fee;  Laboratory fee waived (RCW 43.43.690);
- (g)  \$ \_\_\_\_\_, Incarceration costs;  Incarceration costs waived (RCW 9.94A.760(2));
- (h)  \$ \_\_\_\_\_, Other costs for: \_\_\_\_\_

4.3 PAYMENT SCHEDULE: Defendant's TOTAL FINANCIAL OBLIGATION is: \$ 500.00 + Restitution. 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.

14 ~~14~~ ~~months~~ days on count I; \_\_\_\_\_ months/days on count \_\_\_\_\_; \_\_\_\_\_ months/day on count \_\_\_\_\_  
95 months days on count II with a maximum term of LIFE months/day on count \_\_\_\_\_

The above terms for counts I & II are consecutive  concurrent.

The above terms shall run [ ] CONSECUTIVE [ ] CONCURRENT to cause No.(s) \_\_\_\_\_

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 95 months.

Credit is given for [ ] \_\_\_\_\_ days served  days as determined by the King County Jail, solely for confinement under this cause number pursuant to RCW 9.94A.505(6).

4.5 NO CONTACT: For the maximum term of LIFE years, defendant shall have no contact with CHRIS DWARTE, CRAIG & PAT DWARTE; Julian Molzhan

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: For sex offense, prostitution offense, drug offense associated with the use of hypodermic needles, the defendant shall submit to HIV testing as ordered in APPENDIX G.

4.7 (a) [ ] COMMUNITY PLACEMENT pursuant to RCW 9.94A.700, for qualifying crimes committed before 7-1-2000, is ordered for \_\_\_\_\_ months or for the period of earned early release awarded pursuant to RCW 9.94A.728, whichever is longer. [24 months for any serious violent offense, vehicular homicide, vehicular assault, or sex offense prior to 6-6-96; 12 months for any assault 2°, assault of a child 2°, felony violation of RCW 69.50/52, any crime against person defined in RCW 9.94A.411 not otherwise described above.] APPENDIX H for Community Placement conditions is attached and incorporated herein.

(b) [ ] COMMUNITY CUSTODY pursuant to RCW 9.94.710 for any SEX OFFENSE committed after 6-5-96 but before 7-1-2000, is ordered for a period of 36 months or for the period of earned early release awarded under RCW 9.94A.728, whichever is longer. APPENDIX H for Community Custody Conditions and APPENDIX J for sex offender registration is attached and incorporated herein.

(c)  **COMMUNITY CUSTODY** - pursuant to RCW 9.94A.715 for qualifying crimes committed after 6-30-2000 is ordered for the following established range:

- Sex Offense, RCW 9.94A.030(38) - ~~36 to 48 months~~ - when not sentenced under RCW 9.94A.712
- Serious Violent Offense, RCW 9.94A.030(37) - 24 to 48 months
- Violent Offense, RCW 9.94A.030(45) - 18 to 36 months
- Crime Against Person, RCW 9.94A.411 - 9 to 18 months
- Felony Violation of RCW 69.50/52 - 9 to 12 months

lifetime term of community custody

or for the entire period of earned early release awarded under RCW 9.94A.728, whichever is longer. Sanctions and punishments for non-compliance will be imposed by the Department of Corrections pursuant to RCW 9.94A.737.

**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. The defendant shall comply with all mandatory statutory requirements of community custody set forth in RCW 9.94A.700. **Appendix H** for Community Custody Conditions is attached and incorporated herein.

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: 3/19/04

Michael Hay  
JUDGE  
Print Name: \_\_\_\_\_

Presented by:  
[Signature] 30385  
Deputy Prosecuting Attorney, WSBA#  
Print Name: Julie A. Kays

Approved as to form:  
[Signature]  
Attorney for Defendant, WSBA # 22040  
Print Name: Matthew T. Hale

FINGERPRINTS

BEST AVAILABLE IMAGE POSSIBLE



RIGHT HAND  
FINGERPRINTS OF:

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

ARMONDO T LAFORGE

DATED: MAR 19 2004

Michael C. Hayden  
JUDGE, KING COUNTY SUPERIOR COURT

**MICHAEL C. HAYDEN**

ATTESTED BY: BARBARA MINER,  
SUPERIOR COURT CLERK

BY: Shanna Knight  
DEPUTY CLERK

**SHANNA KNIGHT**

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.

DOB: AUGUST 20, 1986

SEX: M

RACE: I

\_\_\_\_\_  
CLERK

BY: \_\_\_\_\_  
DEPUTY CLERK

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,	)	
	)	
	)	Plaintiff,
	)	
vs.	)	
	)	
ARMONDO T. LAFORGE	)	
	)	
	)	Defendant,
	)	

No. 03-C-03742-3 SEA  
 APPENDIX G  
 ORDER FOR BIOLOGICAL TESTING  
 AND COUNSELING

MAR 23 2004  
 FAX COPY TO JAIL

**(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.

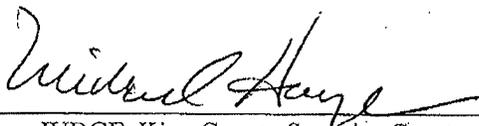
**(2)  HIV TESTING AND COUNSELING (RCW 70.24.340):**

(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: 3/19/04

  
 JUDGE, King County Superior Court

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,	)	
	)	
	)	Plaintiff,
	)	No. 03-C-03742-3 SEA
vs.	)	
	)	JUDGMENT AND SENTENCE
	)	APPENDIX H
ARMONDO T. LAFORGE	)	COMMUNITY PLACEMENT OR
	)	COMMUNITY CUSTODY
_____	)	
Defendant,	)	

The Defendant shall comply with the following conditions of community placement or community custody pursuant to RCW 9.94A.700(4), (5):

- 1) Report to and be available for contact with the assigned community corrections officer as directed;
- 2) Work at Department of Corrections-approved education, employment, and/or community service;
- 3) Not possess or consume controlled substances except pursuant to lawfully issued prescriptions;
- 4) Pay supervision fees as determined by the Department of Corrections;
- 5) Receive prior approval for living arrangements and residence location;
- 6) Not own, use, or possess a firearm or ammunition. (RCW 9.94A.720(2));
- 7) Notify community corrections officer of any change in address or employment; and
- 8) Remain within geographic boundary, as set forth in writing by the Department of Corrections Officer or as set forth with SODA order.

OTHER SPECIAL CONDITIONS:

- The defendant shall not consume any alcohol.
- Defendant shall have no contact with: Craig Duarte, Pat Duarte, Christina, Julian Molzhan
- 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: SEXUAL OFFENSE EVAL & follow all trtmt recs -  
SUBSTANCE ABUSE EVAL & follow all trtmt recs.
- The defendant shall comply with the following crime-related prohibitions: \_\_\_\_\_
- \_\_\_\_\_

Other conditions may be imposed by the court or Department during community custody.

Community Placement or Community Custody shall begin upon completion of the term(s) of confinement imposed herein or when the defendant is transferred to Community Custody in lieu of earned early release. The defendant shall remain under the supervision of the Department of Corrections and follow explicitly the instructions and conditions established by that agency. The Department may require the defendant to perform affirmative acts deemed appropriate to monitor compliance with the conditions [RCW 9.94A.720] and may issue warrants and/or detain defendants who violate a condition [RCW 9.94A.740].

Date: 8/19/04

[Signature]  
JUDGE

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON, )  
Plaintiff, )  
vs. )  
Armando LaFarge )  
Defendant, )

No. 03.C.03742.3SEA

APPENDIX J  
JUDGMENT AND SENTENCE  
SEX OFFENDER NOTICE OF  
REGISTRATION REQUIREMENTS

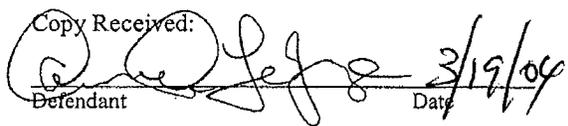
**SEX AND KIDNAPPING OFFENDER REGISTRATION.** RCW 9A.44.130, 10.01.200. Because this crime involves a sex offense or kidnapping offense (e.g., kidnapping in the first degree, kidnapping in the second degree, or unlawful imprisonment as defined in chapter 9A.40 RCW where the victim is a minor and you are not the minor's parent), you are required to register with the sheriff of the county of the state of Washington where you reside. If you are not a resident of Washington, you must register with the sheriff of the county of your school, place of employment, or vocation. You must register immediately upon being sentenced unless you are in custody, in which case you must register within 24 hours of your release.

If you leave the state following your sentencing or release from custody but later move back to Washington, you must register within 30 days after moving to this state or within 24 hours after doing so if you are under the jurisdiction of this state's Department of Corrections. If you leave this state following your sentencing or release from custody but later while not a resident of Washington you become employed in Washington, carry out a vocation in Washington, or attend school in Washington, you must register within 30 days after starting school in this state or becoming employed or carrying out a vocation in this state, or within 24 hours after doing so if you are under the jurisdiction of this state's Department of Corrections.

If you change your residence within a county, you must send written notice of your change of residence to the sheriff within 72 hours of moving. If you change your residence to a new county within this state, you must send written notice of your change of residence to the sheriff of your new county of residence at least 14 days before moving, register with the sheriff within 24 hours of moving and you must give written notice of your change of address to the sheriff of the county where last registered within 10 days of moving. If you move, work, carry on a vocation, or attend school out of Washington State, you must send written notice within 10 days of establishing residence, or after beginning to work, carry on a vocation, or attend school in the new state, to the county sheriff with whom you last registered in Washington State.

If you are a resident of Washington and you are admitted to a public or private institution of higher education, you are required to notify the sheriff of the county of your residence of your intent to attend the institution within 10 days of enrolling or by the first business day after arriving at the institution, whichever is earlier.

Even if you lack a fixed residence, you are required to register. Registration must occur within 24 hours of release in the county where you are being supervised if you do not have a residence at the time of your release from custody or within 48 hours, excluding weekends and holidays, after ceasing to have a fixed residence. If you enter a different county and stay there for more than 24 hours, you will be required to register in the new county. You must also report in person to the sheriff of the county where you registered on a weekly basis. The weekly report shall be on a day specified by the county sheriff's office, and shall occur during normal business hours. The county sheriff may require the person to list the locations where the person has stayed during the last seven days. The lack of a fixed residence is a factor that may be considered in determining an offender's risk level and shall make the offender subject to disclosure of information to the public at large pursuant to RCW 4.24.550.

Copy Received:   
Defendant Date 3/19/04

  
JUDGE

APPENDIX J  
Rev. 11/03 Distribution:  
Original/White - Clerk  
Yellow - Defendant  
Pink - King County Jail

BEST AVAILABLE IMAGE POSSIBLE

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON, )  
Plaintiff, )  
vs. )  
*Devin L. ...* )  
Defendant, )

No. *C. ...*  
APPENDIX J  
JUDGMENT AND SENTENCE  
SEX OFFENDER NOTICE OF  
REGISTRATION REQUIREMENTS

**SEX AND KIDNAPPING OFFENDER REGISTRATION.** RCW 9A.44.130, 10.01.200. Because this crime involves a sex offense or kidnapping offense (e.g., kidnapping in the first degree, kidnapping in the second degree, or unlawful imprisonment as defined in chapter 9A.40 RCW where the victim is a minor and you are not the minor's parent), you are required to register with the sheriff of the county of the state of Washington where you reside. If you are not a resident of Washington, you must register with the sheriff of the county of your school, place of employment, or vocation. You must register immediately upon being sentenced unless you are in custody, in which case you must register within 24 hours of your release.

If you leave the state following your sentencing or release from custody but later move back to Washington, you must register within 30 days after moving to this state or within 24 hours after doing so if you are under the jurisdiction of this state's Department of Corrections. If you leave this state following your sentencing or release from custody but later while not a resident of Washington you become employed in Washington, carry out a vocation in Washington, or attend school in Washington, you must register within 30 days after starting school in this state or becoming employed or carrying out a vocation in this state, or within 24 hours after doing so if you are under the jurisdiction of this state's Department of Corrections.

If you change your residence within a county, you must send written notice of your change of residence to the sheriff within 72 hours of moving. If you change your residence to a new county within this state, you must send written notice of your change of residence to the sheriff of your new county of residence at least 14 days before moving, register with the sheriff within 24 hours of moving and you must give written notice of your change of address to the sheriff of the county where last registered within 10 days of moving. If you move, work, carry on a vocation, or attend school out of Washington State, you must send written notice within 10 days of establishing residence, or after beginning to work, carry on a vocation, or attend school in the new state, to the county sheriff with whom you last registered in Washington State.

If you are a resident of Washington and you are admitted to a public or private institution of higher education, you are required to notify the sheriff of the county of your residence of your intent to attend the institution within 10 days of enrolling or by the first business day after arriving at the institution, whichever is earlier.

Even if you lack a fixed residence, you are required to register. Registration must occur within 24 hours of release in the county where you are being supervised if you do not have a residence at the time of your release from custody or within 48 hours, excluding weekends and holidays, after ceasing to have a fixed residence. If you enter a different county and stay there for more than 24 hours, you will be required to register in the new county. You must also report in person to the sheriff of the county where you registered on a weekly basis. The weekly report shall be on a day specified by the county sheriff's office, and shall occur during normal business hours. The county sheriff may require the person to list the locations where the person has stayed during the last seven days. The lack of a fixed residence is a factor that may be considered in determining an offender's risk level and shall make the offender subject to disclosure of information to the public at large pursuant to RCW 4.24.550.

Copy Received:

Defendant

Date

*3/19/09*

JUDGE

*[Signature]*

APPENDIX J

Rev. 11/03 Distribution:

- Original/White - Clerk
- Yellow - Defendant
- Pink - King County Jail

APPENDIX B

FILED

2003 JAN -7 PM 3:13

KING COUNTY  
SUPERIOR COURT CLERK  
SEATTLE, WA

WARRANT ISSUED  
CHARGE COUNTY \$110.00

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 JULIAN D. MOLZHON, and )  
 ARMONDO T. LAFORGE )  
 and each of them, )  
 )  
 Defendants. )

No. 03-C-03741-5 SEA ✓  
03-C-03742-3 SEA ✓

INFORMATION

COUNT I

I, Norm Maleng, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse JULIAN D. MOLZHON and ARMONDO T. LAFORGE, and each of them, of the crime of Robbery in the First Degree, committed as follows:

That the defendants JULIAN D. MOLZHON and ARMONDO T. LAFORGE, and each of them, in King County, Washington on or about December 22, 2002, did unlawfully and with intent to commit theft take personal property of another, to-wit: U.S. currency and an ATM card from the person and in the presence of Christopher Duarte, against his will, by the use or threatened use of immediate force, violence and fear of injury to such person or his property, and in the commission of and in immediate flight therefrom the defendant was armed with a deadly weapon, to-wit: a knife;

Contrary to RCW 9A.56.200(1)(a)(i) and 9A.56.190, and against the peace and dignity of the State of Washington.

COUNT II

And I, Norm Maleng, Prosecuting Attorney aforesaid further do accuse ARMONDO T. LAFORGE of the crime of Rape in the First Degree, a crime of the same or similar character and based on the same

Norm Maleng  
Prosecuting Attorney  
W 554 King County Courthouse  
Seattle, Washington 98104-2312  
(206) 296-9000

1 conduct as another crime charged herein, which crimes were part of  
2 a common scheme or plan and which crimes were so closely connected  
3 in respect to time, place and occasion that it would be difficult  
4 to separate proof of one charge from proof of the other, committed  
5 as follows:

6 That the defendant ARMONDO T. LAFORGE in King County,  
7 Washington on or about December 22, 2002, by forcible compulsion  
8 did engage in sexual intercourse with another person named  
9 Christopher Duarte, under circumstances where the defendant or an  
10 accessory used or threatened to use a deadly weapon or what  
11 appeared to be a deadly weapon, to-wit: a knife;

12 Contrary to RCW 9A.44.040(1)(a), and against the peace and  
13 dignity of the State of Washington.

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
NORM MALENG  
Prosecuting Attorney

By: J. Ritchie  
Jennifer G. Ritchie, WSBA #24046  
Senior Deputy Prosecuting Attorney

Norm Maleng  
Prosecuting Attorney  
W 554 King County Courthouse  
Seattle, Washington 98104-2312  
(206) 296-9000

APPENDIX C

CAUSE NO. **03 C 03741 5SEA**Seattle  
Police  
Department**CERTIFICATE FOR DETERMINATION  
OF PROBABLE CAUSE**

INCIDENT NUMBER 02-571681
UNIT FILE NUMBER

TRIG

That Anthony Stevenson is a Detective with the Seattle Police Department and has reviewed the investigation conducted in Seattle Police Department Case Number 02-571681;

There is probable cause to believe that Julian Dean MOLZHON, DOB: 09-24-1985 committed the crime (s) of Kidnapping and Robbery.

This belief is predicated on the following facts and circumstances:

That on December 22<sup>nd</sup>, 2002, between the hours of approximately 0630 and 0900, within the City of Seattle, County of King and State of Washington, the suspects LAFORGE and MOLZHON robbed the victim Christopher Duarte of money and cigarettes in the 11100 block of Aurora Avenue North. LAFORGE then led the victim to behind a building at 13200 Aurora Avenue North where he raped the victim at knifepoint.

The victim Duarte, a resident of North Seattle, was walking to work at approximately 0630 hrs, December 22<sup>nd</sup>, 2002. Duarte was approached by the suspects LAFORGE and MOLZHON in the 11000 block of Aurora Avenue North. LAFORGE asked Duarte for a cigarette, which Duarte gave him. Duarte continued to walk northbound with LAFORGE and MOLZHON walking behind him. Duarte heard jogging behind him and turned to see LAFORGE looking up and down Aurora Avenue. After the vehicles passed by, LAFORGE shoved Duarte against a fence and said, "What's up punk? Give me your money." When Duarte told LAFORGE he had no money, LAFORGE said, "You're lying." LAFORGE pulled a knife from his pants pocket and said, "Tell me you don't have any money." LAFORGE shoved Duarte against the fence again and possibly cut Duarte's left hand with the knife. LAFORGE then told Duarte, "Show me your wallet." Duarte pulled out his wallet and said, "See, I don't have anything." LAFORGE took Duarte's pack of Marlboro cigarettes and his small black Bic lighter. LAFORGE took Duarte's wallet and handed it to MOLZHON. LAFORGE told MOLZHON to look through the wallet. MOLZHON did so and pulled out Duarte's ATM card. LAFORGE asked Duarte for the PIN number and how much money was in the account. Duarte gave LAFORGE the PIN number and told him there was \$200.00 in the account. LAFORGE ordered Duarte saying, "Walk with us." Both suspects and Duarte walked toward the Albertson's store at 13000 Aurora Avenue North. LAFORGE threw Duarte's pack of cigarettes on the ground as they walked. When they arrived at the Albertson's store, MOLZHON went inside with Duarte's ATM card. LAFORGE told Duarte to walk with him between the K-Mart store and the Staples Store at 13200 Aurora Avenue North. LAFORGE put the knife away and started acting as if he were Duarte's "friend." LAFORGE said he was going to try to teach Duarte, "not to be a punk." LAFORGE pretended like he was going to hit Duarte and said, "What would you do if I did that?" LAFORGE asked Duarte how old he was, then said something to the effect of he was 16, his friend was 17, and Duarte shouldn't let a 16 and 17-year-old "play" him like that. LAFORGE then asked, "What if I were to tell you to strip naked?" Duarte told him he wouldn't do it. Then LAFORGE said, "What if I had a knife?" and pulled the knife out again. Duarte said, "Well, I don't have a choice." They went into the "Dumpster area" between K-Mart and Staples, and Duarte took all of his clothes off. LAFORGE asked Duarte how many times he had had sex, and whether he had ever had sex "with a guy." LAFORGE then said, "Would you suck my dick?" Duarte again said no. LAFORGE said, "In this situation, with a knife?" Duarte gave LAFORGE oral sex (LAFORGE had unzipped his pants, and his erect penis was sticking out through the fly) while sitting on a barbecue; then LAFORGE touched Duarte's genital area. LAFORGE made Duarte switch places and said he "wanted to get [Duarte] hard," but Duarte didn't have an erection. Duarte told LAFORGE he was cold, and he was allowed to put his clothes back on (his pants were pulled down, however). LAFORGE told Duarte to "turn around and bend over," and asked, "Have you ever been fucked?" LAFORGE penetrated Duarte's anus. Duarte said, "I tried to ignore it and just let it happen. I hoped it would be over soon and he would leave me alone." Duarte believed LAFORGE would hurt or kill him if he didn't do what he said. LAFORGE said, "OK, that's enough; come on, let's take a walk." On the way back to Albertson's, LAFORGE told Duarte to tell his friend that they had gone to Duarte's friend's house to try to get more money, but that he wasn't home. When they got to Albertson's, they didn't see MOLZHON. They went to the bus stop at 130<sup>th</sup> and Aurora, and they saw MOLZHON walking towards them. MOLZHON wanted to know where they had been. LAFORGE told Duarte, "Stand right here. If you run, I'll chase you and I'll stab you. If you run into a store, I'll chase you and stab you. I don't care if people see me." LAFORGE and MOLZHON then walked about ten feet away from Duarte and talked so Duarte couldn't hear what they were saying. They walked back to where Duarte was





**CERTIFICATION FOR DETERMINATION  
OF PROBABLE CAUSE**

INCIDENT NUMBER <b>02-571681</b>
UNIT FILE NUMBER

standing, LAFORGE said, "My friend was only able to get \$20." MOLZHON was holding a piece of paper, and LAFORGE ripped it from his hands and threw it on the ground. LAFORGE made Duarte accompany him into the Albertson's to try to get more money out of his account. However, the machine said there were "insufficient funds." LAFORGE got mad and said, "I should kill you." LAFORGE repeated that if Duarte "tried anything funny," he would "chase him down and stab him." LAFORGE kept pretending like he was going to punch Duarte. As soon as they left the store, LAFORGE again threatened to stab Duarte. Duarte said that throughout this entire incident, LAFORGE repeatedly called him names like punk, bitch, pussy, and stupid, and threatened to stab him, beat him, and slit his throat. They returned to the bus stop at 130<sup>th</sup> and Aurora, where they rejoined MOLZHON. LAFORGE kept acting like he was going to hit Duarte. MOLZHON got angry with LAFORGE, and told him to stop bothering Duarte, that he had done enough. MOLZHON was also angry that LAFORGE kept referring to him as "Julian," because he said he had a warrant for his arrest and didn't want to be picked up. MOLZHON took a small electronic item from his pocket and threw it on the ground, shattering it. He picked it up a second time and threw it down on the steps behind the bus stop. Duarte described the device as a clock or radio, made of gray or silver plastic with some black on it. At one point, MOLZHON mentioned that he lives in Shoreline. LAFORGE gave Duarte his ATM card back, but took his Washington ID card and social security card. LAFORGE said, "If you call the cops, I know where you live and where you work." MOLZHON asked, "Why do you need his social security card?" and LAFORGE replied, "Because I want him to know I have his personal information." The #358 bus arrived, and LAFORGE made Duarte get on with him and MOLZHON. Duarte believes it was around 8:30 or 9 am. He said there were about ten people on the bus, and described the driver. They rode the bus to approximately 155<sup>th</sup> and Aurora, where all three got off. LAFORGE gave Duarte fifty cents and told him to cross the street and take the bus back to Seattle. Duarte used the payphone to call his dad. Duarte's parents met him at that location and called the fire department who treated him at the scene and suggested the parents take him to the hospital. Duarte's parents drove him to Northwest Hospital where he was treated and directed to go to Harborview Medical Center for a rape examination. Duarte's parents drove him there.

Detectives Stevenson and Stampfl responded to the various crime scenes. They located an empty pack of "Marlboro red" cigarettes in the 11100 block Aurora Avenue North. They located a broken silver and black travel clock in the stairwell leading to the Albertson's store near North 130<sup>th</sup> Street and Aurora Avenue North. They located an enclosed area with cinder block walls and a gate that would normally house garbage dumpsters with items victim Duarte described along with the barbecue inside. Officer Clark gave Detective Stampfl (3) videotapes, which he recovered, from the Albertson's store and US Bank employees.

Detective Stampfl obtained a printout of transactions on the ATM machine at 13000 Aurora Avenue North, which showed several transactions between 0658 hrs and 0702 hrs. Detective Stevenson reviewed the videotapes, which showed an individual matching MOLZHON's description making transactions at the ATM machine at 0659 hrs until shortly after 0700 hrs. The videotapes also showed an individual matching the description of LAFORGE at the ATM machine with victim Duarte at 0654 hrs. Detective Stevenson had still pictures made of this video from several images.

Detective Stevenson ran a check of the name "Julian" in the Seattle Police Department JEMS system and was able to find a picture of MOLZHON, which looked similar to the ATM picture. Detective Stevenson ran a check of MOLZHON's name through the Seattle Police Department RMS system and found MOLZHON was involved as a suspect in SPD case #02-504329 along with LAFORGE. Detective Stevenson noted that LAFORGE's height and weight was similar to that which Duarte described of the suspect. Detective Stevenson ordered a Washington State Department of Licensing photograph of LAFORGE. Detectives Stevenson and Stampfl created photomontages of LAFORGE and MOLZHON. The victim Duarte positively identified LAFORGE as the person who robbed, kidnapped and raped him from the photomontage. MOLZHON made this identification immediately and said he was 100 % sure about the suspect. The victim Duarte looked at the photomontage of MOLZHON for several seconds and pointed at MOLZHON's picture. Duarte said that out of all of the pictures, MOLZHON's looked the closest to the white male suspect, but he couldn't be 100 % sure.

On December 30<sup>th</sup>, 2002, at approximately 1030 hrs, Detectives Stevenson and Grossman responded to MOLZHON's residence at 15527 Midvale Avenue North, Shoreline, Washington in an attempt to contact MOLZHON. Detectives spoke with a person who answered the door and gave the name of "Darnell." Darnell told Detectives that MOLZHON was not home and that he didn't know where he was. Darnell offered a telephone number for MOLZHON's mother, Julieanne Courtney. Detective Stevenson telephoned Courtney and explained that he was wanted by Police and that he wanted to interview MOLZHON. Courtney agreed to bring MOLZHON to the Seattle Police Department at 610 5<sup>th</sup> Avenue, Seattle, Washington, the following day.

On December 31<sup>st</sup>, 2002, at approximately 1130 hrs, Courtney and MOLZHON at the Seattle Police Department. MOLZHON was advised of his rights via a Seattle Police Explanation of Rights form and said he



**CERTIFICATION FOR DETERMINATION  
OF PROBABLE CAUSE**

INCIDENT NUMBER <b>02-571681</b>
UNIT FILE NUMBER

understood. MOLZHON signed the form and agreed to give a taped statement. MOLZHON said that he and LAFORGE were out at a friend's house until early in the morning on December 22<sup>nd</sup>, 2002, and were going to catch the bus home. MOLZHON said they wanted something to do so they decided to "jack" someone. MOLZHON said that they approached the victim and LAFORGE punched him. LAFORGE then pointed a knife at the victim and ordered him to give up his money. The victim held up his wallet and showed LAFORGE he had no money. LAFORGE took a "credit card" from the victim and gave it to MOLZHON. LAFORGE ordered the victim to give up his PIN number and also took some "Marlboro red pack" cigarettes from the victim. MOLZHON, LAFORGE and the victim then walked to the Albertson's store where MOLZHON made four or five withdrawals totaling over \$300.00 while LAFORGE and the victim waited outside. MOLZHON said he put approximately half of the money in a deposit envelope to give to LAFORGE. When MOLZHON came back outside, LAFORGE and the victim were gone. MOLZHON said he walked around the area looking for them and couldn't find them. MOLZHON said at one point he heard sirens and thought that LAFORGE had killed or seriously harmed the victim. MOLZHON said that he waited at the bus stop in front of the Albertson's for 1 to 1-1/2 hours before LAFORGE and the victim returned. MOLZHON said that he gave LAFORGE the envelope with the money and LAFORGE wanted to get more money out. MOLZHON said he told LAFORGE that he couldn't get any more money out of the account and said they argued over that. LAFORGE then forced the victim to accompany him to the cash machine to get out more money. MOLZHON said he went in the store with them but only bought some items and did not go to the cash machine that time. MOLZHON said they caught the #358 bus to the stop near MOLZHON's home and LAFORGE ordered the victim to get on the southbound bus back to Seattle. Detective Stevenson asked MOLZHON why the victim would follow them around and not try to escape. MOLZHON said that the victim was "smart" by doing what LAFORGE told him to do because his threats were very convincing. MOLZHON also said that he had never seen LAFORGE act so violently towards anyone before, in the manner in which he was talking to the victim.

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct. Signed and dated by me this 2nd day of January, 2003, at Seattle, Washington.

 #5442

APPENDIX D

**FILED**  
KING COUNTY, WASHINGTON

DEC - 4 2003

SUPERIOR COURT CLERK  
CRIMINAL PRESIDING

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

8	THE STATE OF WASHINGTON,	)	
		)	
9	Plaintiff,	)	No. 03-C-03741-5 SEA
		)	03-C-03742-3 SEA
10	v.	)	
	JULIAN D. MOLZHON, and	)	
11	ARMONDO T. LAFORGE	)	AMENDED INFORMATION AS
12	and each of them,	)	TO DEFENDANT ARMONDO T. LAFORGE
		)	ONLY
13	Defendants.	)	
		)	

COUNT I

I, Norm Maleng, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse ARMONDO T. LAFORGE of the crime of **Robbery in the First Degree**, committed as follows:

That the defendant ARMONDO T. LAFORGE, in King County, Washington on or about December 22, 2002, did unlawfully and with intent to commit theft take personal property of another, to-wit: U.S. currency and an ATM card from the person and in the presence of Christopher Duarte, against his will, by the use or threatened use of immediate force, violence and fear of injury to such person or his property, and in the commission of and in immediate flight therefrom the defendant was armed with a deadly weapon, to-wit: a knife;

Contrary to RCW 9A.56.200(1)(a)(i) and 9A.56.190, and against the peace and dignity of the State of Washington.

And I, Norm Maleng, Prosecuting Attorney for King County in the name and by the authority of the State of Washington further do accuse the defendant ARMONDO T. LAFORGE at said time of being armed with a deadly weapon, to-wit: a knife, under the authority of RCW 9.94A.125 and 9.94A.310.

**Norm Maleng**  
Prosecuting Attorney  
W 554 King County Courthouse  
Seattle, Washington 98104-2312  
(206) 296-9000

COUNT II

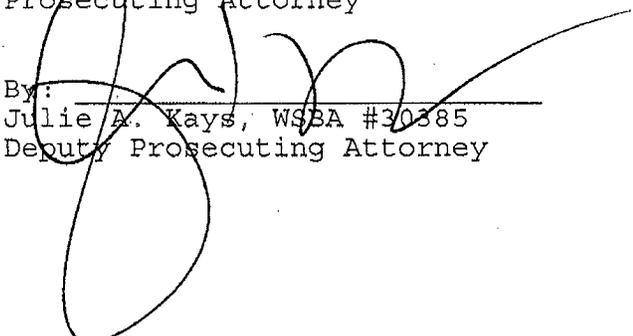
And I, Norm Maleng, Prosecuting Attorney aforesaid further do accuse ARMONDO T. LAFORGE of the crime of Rape in the First Degree, a crime of the same or similar character and based on the same conduct as another crime charged herein, which crimes were part of a common scheme or plan and which crimes 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 ARMONDO T. LAFORGE in King County, Washington on or about December 22, 2002, by forcible compulsion did engage in sexual intercourse with another person named Christopher Duarte, under circumstances where the defendant or an accessory used or threatened to use a deadly weapon or what appeared to be a deadly weapon, to-wit: a knife;

Contrary to RCW 9A.44.040(1)(a), and against the peace and dignity of the State of Washington.

And I, Norm Maleng, Prosecuting Attorney for King County in the name and by the authority of the State of Washington further do accuse the defendant ARMONDO T. LAFORGE at said time of being armed with a deadly weapon, to-wit: a knife, under the authority of RCW 9.94A.125 and 9.94A.310.

NORM MALENG  
Prosecuting Attorney

By:   
Julie A. Kays, WSPA #30385  
Deputy Prosecuting Attorney

**Norm Maleng**  
Prosecuting Attorney  
W 554 King County Courthouse  
Seattle, Washington 98104-2312  
(206) 296-9000

**FILED**  
KING COUNTY, WASHINGTON

DEC - 4 2003

SUPERIOR COURT CLERK  
CRIMINAL PRESIDING

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

8	THE STATE OF WASHINGTON,	)	
9	Plaintiff,	)	No. 03-C-03741-5 SEA
10	v.	)	03-C-03742-3 SEA
11	JULIAN D. MOLZHON, and	)	
12	ARMONDO T. LAFORGE	)	MOTION AND ORDER PERMITTING FILING
13	and each of them,	)	OF AN AMENDED INFORMATION AS TO
14	Defendants.	)	DEFENDANT ARMONDO T. LAFORGE ONLY

COMES NOW the State of Washington by Norm Maleng, King County Prosecuting Attorney, by and through his deputy, and moves the court for an order permitting the filing of an amended information in the above entitled cause.

That Julie A. Kays is a Deputy Prosecuting Attorney in and for King County, Washington, and is familiar with the records and files herein, and certifies that:

- Newly available information is set forth in the prosecutor's case summary and request for bail.
- The Amended Information more accurately reflects the Defendant's Conduct.
- 

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct. Signed and dated by me this 11 day of September, 2003, at Seattle, Washington.

By Julie A. Kays, WSBA #30385  
Deputy Prosecuting Attorney

**Norm Maleng**  
Prosecuting Attorney  
W 554 King County Courthouse  
Seattle, Washington 98104-2312  
(206) 296-9000

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

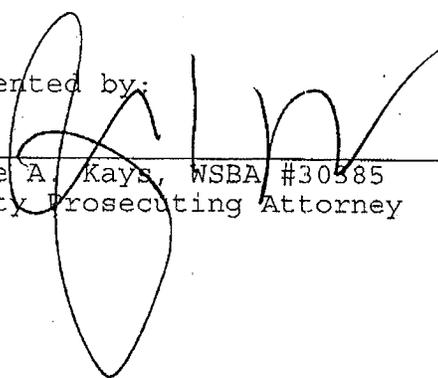
ORDER

THIS MATTER having come before this court upon the motion of the Prosecuting Attorney, good cause having been demonstrated, and the defendant not being prejudiced in any substantial right, the State of Washington is allowed to file an amended information herein.

DONE IN OPEN COURT this 4<sup>th</sup> day of December, 2003.

JUDGE

Presented by:

  
Julie A. Kays, WSBA #30585  
Deputy Prosecuting Attorney

**Norm Maleng**  
Prosecuting Attorney  
W 554 King County Courthouse  
Seattle, Washington 98104-2312  
(206) 296-9000

APPENDIX E

**FILED**  
KING COUNTY, WASHINGTON

**DEC 15 2003**

**SUPERIOR COURT CLERK  
BY: MOLLY MAGISTAD  
DEPUTY**

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

8	THE STATE OF WASHINGTON,	)	
9		)	
	Plaintiff,	)	No. 03-C-03741-5 SEA
10	v.	)	03-C-03742-3 SEA
	JULIAN D. MOLZHON, and	)	
11	ARMONDO T. LAFORGE	)	SECOND AMENDED INFORMATION AS TO
12	and each of them,	)	DEFENDANT ARMONDO T. LAFORGE ONLY
13		)	
	Defendants.	)	

COUNT I

I, Norm Maleng, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse ARMONDO T. LAFORGE of the crime of Robbery in the Second Degree, committed as follows:

That the defendant ARMONDO T. LAFORGE in King County, Washington on or about December 22, 2002, did unlawfully and with intent to commit theft take personal property of another, to-wit: U.S. currency and ATM card, from the person and in the presence of Chris Duarte, against his will, by the use or threatened use of immediate force, violence and fear of injury to such person or his property and the person or property of another;

Contrary to RCW 9A.56.210 and 9A.56.190, and against the peace and dignity of the State of Washington.

COUNT II

And I, Norm Maleng, Prosecuting Attorney aforesaid further do accuse ARMONDO T. LAFORGE of the crime of Rape in the Second Degree, 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

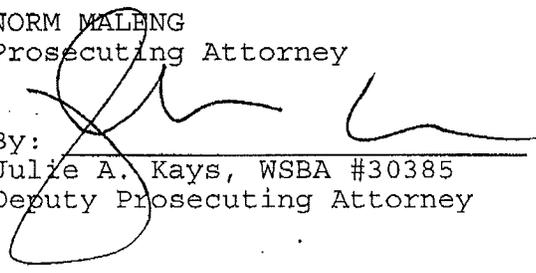
**Norm Maleng**  
Prosecuting Attorney  
W 554 King County Courthouse  
Seattle, Washington 98104-2312  
(206) 296-9000

1 connected in respect to time, place and occasion that it would be  
2 difficult to separate proof of one charge from proof of the other,  
committed as follows:

3 That the defendant ARMONDO T. LAFORGE in King County,  
4 Washington on or about December 22, 2002, by forcible compulsion  
did engage in sexual intercourse with another person, named Chris  
5 Duarte;

6 Contrary to RCW 9A.44.050(1)(a), and against the peace and  
dignity of the State of Washington.

7  
8 NORM MALENG  
Prosecuting Attorney

9  
10 By:   
Julie A. Kays, WSBA #30385  
11 Deputy Prosecuting Attorney  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**Norm Maleng**  
Prosecuting Attorney  
W 554 King County Courthouse  
Seattle, Washington 98104-2312  
(206) 296-9000

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**FILED**  
KING COUNTY, WASHINGTON

**DEC 15 2003**

**SUPERIOR COURT CLERK**  
**BY: MOLLY MACISTAD**  
**DEPUTY**

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON,	)	
	)	
Plaintiff,	)	No. 03-C-03741-5 SEA
	)	03-C-03742-3 SEA
v.	)	
JULIAN D. MOLZHON, and	)	
ARMONDO T. LAFORGE	)	MOTION AND ORDER PERMITTING FILING
and each of them,	)	OF A SECOND AMENDED INFORMATION AS
	)	TO DEFENDANT ARMONDO T. LAFORGE
	)	ONLY
Defendants.	)	

COMES NOW the State of Washington by Norm Maleng, King County Prosecuting Attorney, by and through his deputy, and moves the court for an order permitting the filing of a second amended information in the above entitled cause.

That Julie A. Kays is a Deputy Prosecuting Attorney in and for King County, Washington, and is familiar with the records and files herein, and certifies that:

- ( ) Newly available information is set forth in the prosecutor's case summary and request for bail.
- ( ) The Amended Information more accurately reflects the Defendant's Conduct.

*X* Plea Negotians

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct. Signed and dated by me this 15 day of December, 2003, at Seattle, Washington.

By Julie A. Kays, WSBA #30385  
Deputy Prosecuting Attorney

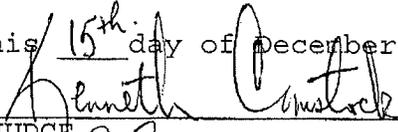
**Norm Maleng**  
Prosecuting Attorney  
W 554 King County Courthouse  
Seattle, Washington 98104-2312  
(206) 296-9000

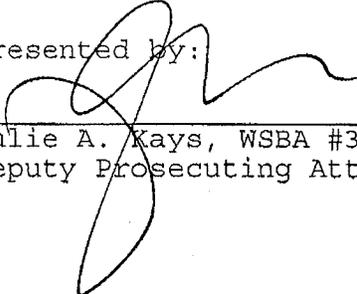
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

ORDER

THIS MATTER having come before this court upon the motion of the Prosecuting Attorney, good cause having been demonstrated, and the defendant not being prejudiced in any substantial right, the State of Washington is allowed to file a second amended information herein.

DONE IN OPEN COURT this 15<sup>th</sup> day of December, 2003.

  
\_\_\_\_\_  
JUDGE

Presented by:   
\_\_\_\_\_  
Julie A. Kays, WSBA #30385  
Deputy Prosecuting Attorney

  
Pro Tem

APPENDIX F

FILED

04 JAN -9 PM 3: 01

KING COUNTY  
SUPERIOR COURT CLERK  
SEATTLE, WA

SUPERIOR COURT OF WASHINGTON  
FOR

NO. 03-C-03742-3  
~~03-C-030415-5 EA~~

STATE OF WASHINGTON

Plaintiff

STATEMENT OF DEFENDANT ON  
PLEA OF GUILTY TO NON-SEX  
OFFENSE  
(STIDFG)

Court I:  
Robbery 2°

vs.  
Armando La Forge  
Defendant.

1. My true name is: Armando La Forge

2. My age is: 17

3. I went through the 11<sup>th</sup> 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.

(b) I am charged with: Robbery 2°  
The elements are: To unlawfully take personal property from the person of another against his will by the use of immediate force, violence, or fear of injury.

5. I UNDERSTAND 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.

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:

COUNTY NO.	OFFENDER SCORE	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancements*	TOTAL ACTUAL CONFINEMENT (standard range including enhancements)	COMMUNITY CUSTODY RANGE (Only applicable for crimes committed on or after July 1, 2000. For crimes committed prior to July 1, 2000, see paragraph 6(f))	MAXIMUM TERM AND FINE
1	2	12 <sup>+</sup> -14 m	N/A	12 <sup>+</sup> -14 m	18-36 months	10 yrs. \$20,000
2						
3						

\* (F) Firearm, (D) other deadly weapon, (V) VUCSA in protected zone, (VH) Veh. Hom, See RCW 46.61.520, (JP) Juvenile present

- (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 have attached my own statement, I assert that it 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 on 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 not more 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. 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 and requirements placed upon me.

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 not more 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.

OFFENSE TYPE	COMMUNITY CUSTODY RANGE
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 and requirements placed upon me. 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: <sup>13 months in</sup> custody; time to run concurrent w/ Page 2<sup>o</sup>; community custody; no contact for maximum term w/ ~~Julian~~ Julian Molzhan; drug/alcohol eval & follow all trmt recs; no contact for maximum term w/ Chris Beards & his family;
- The prosecutor will recommend as stated in the plea agreement, which is incorporated by reference.

Comply w/ all conditions deemed appropriate BY DOC; VPA; RESTITUTION.

- (h) The judge does not have to follow anyone's recommendation as to sentence. The judge must impose a sentence within the standard range unless the judge finds substantial and compelling reasons not to do so. If the judge goes outside the standard range, 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.
- (k) Public assistance will be suspended during any period of imprisonment.
- (l) 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 DNA collection fee.

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.

- [m] 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.
- ~~[n] The judge may sentence me as a first-time offender instead of giving 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 up to 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.~~ *RC AIL*
- ~~[o] If this crime involves a kidnapping offense involving a minor, I will be required to register where I reside, study or work. The specific registration requirements are set forth in the "Offender Registration" Attachment.~~ *RC AIL*
- ~~[p] If this is a crime of domestic violence and if I, or the victim of the offense, have a minor child, the court may order me to participate in a domestic violence perpetrator program approved under RCW 26.50.150.~~ *RC AIL*
- ~~[q] If this crime involves prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (AIDS) virus.~~ *RC AIL*

- [r] ~~The judge may sentence me under the special drug offender sentencing alternative (DOSA) if I qualify under former RCW 9.94A.120(6) (for offenses committed before July 1, 2001) or RCW 9.94A.660 (for offenses committed on or after July 1, 2001). 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 6(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.~~ Ke. Ad
- [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).~~ Ke. Ad
- [u] ~~If this crime involves a violation of the state drug laws, my eligibility for state and federal food stamps, welfare, and education benefits will be affected. 20 U.S.C. § 1091(r) and 21 U.S.C. § 862a.~~ Ke. Ad  
Ad
- [v] ~~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.~~ Ke
- [w] ~~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).~~ Ke. Ad
- [x] ~~The crime of \_\_\_\_\_ has a mandatory minimum sentence of at least \_\_\_\_\_ 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[m].~~ Ke. Ad
- [y] ~~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.~~ Ke. Ad
- [z] ~~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.~~ Ke. Ad

[aa] 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 sentences imposed for these crimes shall be served consecutively to each other. A consecutive sentence will also be imposed for each firearm unlawfully possessed. *KL. AM*

[bb] I understand that if I am pleading guilty to the crime of unlawful practices in obtaining assistance as defined in RCW 74.08.331, no assistance payment shall be made for at least 6 months if this is my first conviction and for at least 12 months if this is my second or subsequent conviction. This suspension of benefits will apply even if I am not incarcerated. RCW 74.08.290. *KL. AM*

7. I plead guilty to:

count I: Robbery 2<sup>o</sup>  
count \_\_\_\_\_  
count 2<sup>o</sup>  
in the Amended Information. I have received a copy of that Information.

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.

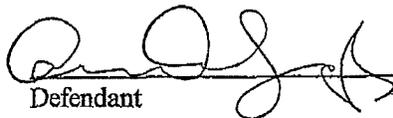
10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

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 or about December 22, 2002, I did *together w/ another*

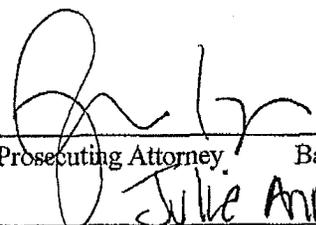
unlawfully take personal property from the  
person of another against his will by the use  
or threatened use of immediate force, violence, or  
fear of injury in King County, WA. To wit: I  
used force to take Christopher Puente's ATM card and

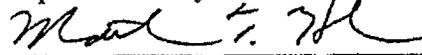
[ ] Instead of making a statement, I agree that the court may review the police reports and/or a U.S. statement of probable cause supplied by the prosecution to establish a factual basis for the plea. *Cullendy.*

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs and the "Offender Registration" Attachment, if applicable. 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.

  
Defendant

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

 30385  
Prosecuting Attorney Bar #  
Julie Anne KAYS  
Print Name

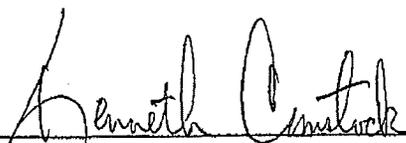
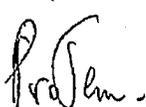
  
Defendant's Lawyer Bar # 29041  
Matthew T. Hale  
Print Name

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 appropriate box]:

- (a) The defendant had previously read the entire statement above and that the defendant understood it in full;
- (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. The Interpreter's Declaration is attached.

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: 12-15-03

  
Judge  


FILED

04 JAN -9 PM 3:00

KING COUNTY  
SUPERIOR COURT CLERK  
SEATTLE, WA

SUPERIOR COURT OF WASHINGTON  
FOR

NO. 03-C-03742-35EA

STATE OF WASHINGTON

Plaintiff

STATEMENT OF DEFENDANT ON  
PLEA OF GUILTY TO SEX OFFENSE  
(STDFG)

vs.  
Armando La Forge  
Defendant.

Court II:  
Rape 2°  
Plea)

1. My true name is: Armando La Forge
2. My age is: 17
3. I went through the 11<sup>th</sup> 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.
  - (b) I am charged with: Rape 2°  
The elements are: To engage in sexual intercourse with another person by forcible compulsion.
5. I UNDERSTAND 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.

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.	OFFENDER SCORE	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancements*	TOTAL ACTUAL CONFINEMENT (standard range including enhancements)	COMMUNITY CUSTODY RANGE (Only applicable for crimes committed on or after July 1, 2000. For crimes committed prior to July 1, 2000, see paragraph 6(f))	MAXIMUM TERM AND FINE
1						
2	2	95+125m	N/A	95+125m	Life	Life \$50,000
3						

\*(F) Firearm, (D) other deadly weapon

- (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 have attached my own statement, I assert that it 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 on 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 sex offenses 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 not more than 12 months. If the period of confinement is more than one year, the judge will order me to serve three years of community custody or up to the period of earned early 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 and requirements placed upon me.

For sex offenses committed on or after July 1, 2000 but prior to September 1, 2001: 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 not more than 12 months. If the period of confinement is over one year, the judge will sentence me to community custody for a period of 36 to 48 months or up to the period of earned release, whichever is longer. During the period of community custody to which I am sentenced, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.

For sex offenses committed on or after September 1, 2001:

*applies \**

(i) Sentencing under RCW 9.94A.712: If this offense is for any of the offenses listed in subsections (aa) or (bb), below, the judge will impose a maximum term of confinement consisting of the statutory maximum sentence of the offense and a minimum term of confinement either within the standard range for the offense or outside the standard range if an exceptional sentence is appropriate. The minimum term of confinement that is imposed may be increased by the Indeterminate Sentence Review Board if the Board determines by a preponderance of the evidence that it is more likely than not that I will commit sex offenses if released from custody. In addition to the period of confinement, I will be sentenced to community custody for any period of time I am released from total confinement before the expiration of the maximum sentence. During the period of community custody I will be under the supervision of the Department of Corrections and I will have restrictions and requirements placed upon me and I may be required to participate in rehabilitative programs.

(aa) If the current offense is any of these offenses or attempt to commit any of these offenses:

Rape in the first degree	Rape in the second degree
Rape of a child in the first degree committed when I was at least 18 years old.	Rape of a child in the second degree committed when I was at least 18 years old.
Child molestation in the first degree committed when I was at least 18 years old.	Indecent liberties by forcible compulsion
Any of the following offenses with a finding of sexual motivation:	
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
Burglary in the first degree	

(bb) If the current offense is any sex offense and I have a prior conviction for any of these offenses or attempt to commit any of these offenses:

Rape in the first degree	Rape in the second degree
Rape of a child in the first degree	Rape of a child in the second degree
Child molestation in the first degree	Indecent liberties by forcible compulsion
Any of the following offenses with a finding of sexual motivation:	
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
Burglary in the first degree	

(ii) If this offense is for a sex offense that is not listed in paragraph 6(f)(i), then in addition to sentencing me to a term of confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the period of confinement is over one year, the judge will sentence me to community custody for a period of 36 to 48 months or up to the period of earned release, whichever is longer. During the period of community custody to which I am sentenced, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.

(g) The prosecuting attorney will make the following recommendation to the judge: 110 months in custody; lifetime community custody; sexual deviancy eval & follow all trmt recs; drug/alcohol eval & follow all trmt recs; NO contact for life w/ CHRI'S DUARTE or his family;  
~~The prosecutor will recommend as stated in the plea agreement, which is incorporated by reference. NO contact w/ Molizhan; lifetime sex offender regist.~~  
All conditions as deemed appropriate by BDC; VFA; RESTITUTION

- (h) The judge does not have to follow anyone's recommendation as to sentence. The judge must impose a sentence within the standard range unless the judge finds substantial and compelling reasons not to do so. If the judge goes outside the standard range, 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.
- (k) Public assistance will be suspended during any period of imprisonment.
- (l) I will be required to register where I reside, study or work. The specific registration requirements are described in the "Offender Registration" Attachment.

- (m) 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 DNA collection fee.
- (n) I will be required to undergo testing for the human immunodeficiency (AIDS) virus.

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.

[o]

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 offense 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 offenses listed in this sentence and I have at least one prior conviction for one of these listed offenses in this state, in federal court, or elsewhere, the offense for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole.

applies →

- [p] Special sex offender sentencing alternative:

For offenses committed before September 1, 2001: The judge may suspend execution of the standard range term of confinement under the special sex offender sentencing alternative (SSOSA) if I qualify under former RCW 9.94A.120(8) (for offenses committed before July 1, 2001) or RCW 9.94A.670 (for offenses committed on or after July 1, 2001). 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; I will have restrictions and requirements placed upon me; and I will be subject to all of the conditions described in paragraph 6(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.

For offenses committed on or after September 1, 2001: The judge may suspend execution of the standard range term of confinement or the minimum term of confinement under the special sex offender sentencing alternative (SSOSA) if I qualify under RCW 9.94A.670. If the judge suspends execution of the standard range term of confinement for a sex offense that is not listed in paragraph 6(f)(i), I will be placed on community custody for the length of the suspended sentence or three years, whichever is greater. If the judge suspends execution of minimum term of confinement for a sex offense listed in paragraph 6(f)(i), I will be placed on community custody for the length of the statutory maximum sentence of the offense. In addition to the term of community custody, I will be ordered to serve up to

180 days of total confinement; I will be ordered to participate in sex offender treatment; I will have restrictions and requirements placed upon me; and I will be subject to all of the conditions described in paragraph 6(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.

~~[q] If this is a crime of domestic violence and if I, or the victim of the offense, have a minor child, the court may order me to participate in a domestic violence perpetrator program approved under RCW 26.50.150.~~

RC. All

[r] 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.

~~[s] If this offense 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.~~

RC. All

~~[t] The crime of \_\_\_\_\_ has a mandatory minimum sentence of at least \_\_\_\_\_ 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[o].~~

RC. All

~~[u] 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.~~

RC. All

~~[v] 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.~~

RC. All

7. I plead guilty to:

count II : Rape 2°

count \_\_\_\_\_

count \_\_\_\_\_

in the Amended Information. I have received a copy of that Information.

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.

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: At least I do not believe that I committed this crime. I have reviewed the police reports <sup>with my lawyer</sup> and I understand that if this case went to trial, there is a substantial likelihood that I would be convicted. So, I have decided to plead guilty to take advantage of

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. the prosecutor's offer.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs and the "Offender Registration" Attachment. 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.

[Signature]  
Defendant

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

[Signature]  
Defendant's Lawyer Bar # 28041  
Matthew T. Hale  
Print Name

[Signature]  
Prosecuting Attorney Bar #  
Julie A. KAYS  
Print Name

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 appropriate box]:

- (a) The defendant had previously read the entire statement above and that the defendant understood it in full;
- (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. The Interpreter's Declaration is attached.

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: 12-15-03

[Signature]  
Judge  
Pro Tem.

Case Name: State v. LaForsc Cause No.: 03-C-03742-3 SEA

"OFFENDER REGISTRATION" ATTACHMENT: sex offense, or kidnapping offense involving a minor as defined in RCW 9A.44.130. (If required, attach to Statement of Defendant on Plea of Guilty.)

Because this crime involves a sex offense, or a kidnapping offense involving a minor as defined in RCW 9A.44.130, I will be required to register with the sheriff of the county of the state of Washington where I reside. If I am not a resident of Washington but I am a student in Washington or I am employed in Washington or I carry on a vocation in Washington, I must register with the sheriff of the county of my school, place of employment, or vocation. I must register immediately upon being sentenced unless I am in custody, in which case I must register at the time of my release with the person designated by the agency that has me in custody and I must also register within 24 hours of my release with the sheriff of the county of the state of Washington where I will be residing, or if not residing in the state of Washington, where I am a student, where I am employed, or where I carry on a vocation.

If I leave this state following my sentencing or release from custody but later move back to Washington, I must register within 30 days after moving to this state or within 24 hours after doing so if I am under the jurisdiction of this state's Department of Corrections. If I leave this state following my sentencing or release from custody, but later while not a resident of Washington I become employed in Washington, carry on a vocation in Washington, or attend school in Washington, I must register within 30 days after attending school in this state or becoming employed or carrying out a vocation in this state, or within 24 hours after doing so if I am under the jurisdiction of this state's Department of Corrections.

If I change my residence within a county, I must send written notice of my change of residence to the sheriff within 72 hours of moving. If I change my residence to a new county within this state, I must send written notice of the change of address at least 14 days before moving to the county sheriff in the new county of residence, I must register with the sheriff of the new county within 24 hours of moving, and I must also give written notice of my change of address to the sheriff of the county where last registered within 10 days of moving. If I move out of Washington State, I must send written notice within 10 days of moving to the new state or foreign country to the county sheriff with whom I last registered in Washington State.

If I move to another state, or if I work, carry on a vocation, or attend school in another state I must register a new address, fingerprints, and photograph with the new state within 10 days after establishing residence, or after beginning to work, carry on a vocation, or attend school in the new state. I must also send written notice within 10 days of moving to the new state or to a foreign country to the county sheriff with whom I last registered in Washington State.

If I am a resident of Washington and I am admitted to a public or private institution of higher education, I shall, within 10 days of enrolling or by the first business day after arriving at the institution, whichever is earlier, notify the sheriff of the county of my residence of my intent to attend the institution.

If I lack a fixed residence, I am required to register. Registration must occur within 24 hours of release in the county where I am being supervised if I do not have a residence at the time of my release from custody or within 48 hours, excluding weekends and holidays, after ceasing to have a fixed residence. If I enter a different county and stay there for more than 24 hours, I will be required to register in the new county. I must also report in person to the sheriff of the county where I am registered on a weekly basis. The weekly report will be on a day specified by the county sheriff's office, and shall occur during normal business hours. I am required to provide a list of the locations where I have stayed during the last seven days. The lack of a fixed residence is a factor that may be considered in determining a sex offender's risk level and shall make me subject to disclosure to the public at large pursuant to RCW 4.24.550.

If I apply for a name change, I must submit a copy of the application to the county sheriff of the county of my residence and to the state patrol not fewer than five days before the entry of an order granting the name change. If I receive an order changing my name, I must submit a copy of the order to the county sheriff of the county of my residence and to the state patrol within five days of the entry of the order.  
RCW 9A.44.130(7).

Date: 12-15-03

  
Defendant's signature

Certificate of Service by Mail

Today I deposited in the mail of the United States of America, postage prepaid, a properly stamped and addressed envelope directed to Armondo Theodor Laforge at 3421 S. 263<sup>rd</sup> ST, Kent, WA 98032, containing a copy of the State's response in Re Personal Restraint of Armondo Theodor Laforge, Cause No. 73178-5, in the Court of Appeals, Division I, for the State of Washington.

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

Dated this 15 day of April, 2015.

A handwritten signature in black ink, appearing to be "Armondo Theodor Laforge", written over a horizontal line.

Name  
Done in Seattle, Washington