Superior Court of County of	Washington Juvenile Court	_	
State of Washington v.		No:	
		Order on Adjudication and Disposition (ORD)	
D.O.B.:	Respondent.	[] Clerk's Action Required. Paragraphs 1.3, 4.1, 4.4, 4.6, 4.11, 4.14, 4.15, 4.16, 4.17, 4.18, 4.19, 4.22	

I. Hearing

1.1	Respondent appeared for a disposition	hearing on (date)	·
1.2	Persons appearing were:		
	Respondent	[] Parent	
	Pros. Atty.	[] Parent	
	Prob. Counsl.	[] Other	
	Resp. Atty.		

1.3 The court heard evidence and argument, reviewed the files, and now enters the following:

II. Findings of Fact

[] Respondent pled guilty to:

Count	Offense:	Committed on or about:
Count	Offense:	Committed on or about:
Count	Offense:	Committed on or about:

[] Respondent was found guilty at an adjudicatory hearing of:

Count	Offense:	Committed on or about:
Count	Offense:	Committed on or about:
Count	Offense:	Committed on or about:

[] The state failed to prove the following offense(s) and count(s)

GV [] In count(s) _____, **domestic violence – family or household member** was pled and proved.

GV [] In count(s) _____, **domestic violence – intimate partner** was pled and proved.

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- [] Respondent waived the right to [] counsel, [] arraignment on amended information, and/or [] speedy disposition.
- [] Respondent's offender score is _____, which is based upon his/her criminal history.
- [] The court considered the respondent's eligibility for the chemical dependency/mental health disposition alternative.
- [] Respondent has declined to enter a Diversion Agreement.
- [] Respondent may be ordered to pay restitution pertaining to matters not here adjudicated, and/or Count(s) ______, notwithstanding dismissal, because respondent, with counsel, so agreed and stipulated.
- [] A sentence within the standard range would constitute a manifest injustice (RCW 13.40.020).
- [] The following mitigating factors exist in this case:
 - [] The respondent's conduct neither caused nor threatened serious bodily injury, or the respondent did not contemplate that his/her conduct would cause or threaten serious bodily injury.
 - [] The respondent acted under strong and immediate provocation.
 - [] The respondent was suffering from a mental or physical condition that significantly reduced his/her culpability for the offense through failing to establish a defense.
 - [] Prior to his or her detention, the respondent compensated or made a good faith attempt to compensate the victim for the injury or loss sustained.
 - [] There has been at least one year between the respondent's current offense and any prior criminal offense.
 - [] Other:

The following aggravating factors exist in this case:

- [] In the commission of the offense, or in flight therefrom, the respondent inflicted or attempted to inflict serious bodily injury to another.
- [] The offense was committed in an especially heinous, cruel, or depraved manner.
- [] The victim was particularly vulnerable.
- [] The respondent has a recent criminal history or has failed to comply with conditions of a recent dispositional order or diversion agreement.
- [] The current offense included a finding of sexual motivation pursuant to RCW 13.40.135.
- [] The respondent was the leader of a criminal enterprise involving several persons.
- [] There are other complaints which have resulted in diversion or a finding or plea of guilty which are not included as criminal history.
- [] The standard range disposition is clearly too lenient considering the seriousness of the juvenile's prior adjudications.
- [] Other: _____
- [] The respondent committed a felony firearm offense as defined in RCW 9.41.010, and:
 - [] The respondent should register as a felony firearm offender. The court considered the following factors in making this determination:
 - [] The respondent's criminal history.
 - [] Whether the respondent has previously been found not guilty by reason of insanity of any offense in this state or elsewhere.
 - [] Evidence of the respondent's propensity for violence that would likely endanger persons.
 - [] Other:
 - [] The respondent must register as a felony firearm offender because the offense was committed in conjunction with an offense committed against a person under the age of

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18, or a serious violent offense or offense involving sexual motivation as defined in RCW 9.94A.030.

- [] This case was transferred from exclusive adult court jurisdiction by:
 - [] Agreement
 - [] Reduced charge
 - [] Jury verdict
 - [] Other:

III. Conclusions of Law

- [] Respondent is guilty of the offense(s) as stated in the findings.
- [] Respondent is not guilty of the offense(s) as stated in the findings.
- [] A sentence within the standard range would constitute a manifest injustice (RCW 13.40.020).
- [] Respondent is eligible for the chemical dependency/mental health disposition alternative on Count _______. A standard range disposition for that Count would constitute a manifest injustice.

IV. Order

It is ordered:

4.1 [] The state's motion [] respondent's motion to dismiss Count(s)

_____ is granted, and those Count(s) are hereby dismissed.

Range of Disposition:

- 4.2 [] Count ____: Disposition shall be within the standard range.
- 4.3 [] Count _____: Disposition within the standard range for this offense would effectuate a manifest injustice.
- 4.4 [] Count ____: Disposition shall be within the Special Sex Offender Dispositional Alternative (SSODA RCW 13.40.162).
 - [] Respondent is committed to the Department of Children, Youth, and Families Juvenile Rehabilitation (DCYFJR) for a total of ______ weeks. If standard range commitment is ordered under SSODA, the court shall impose a specific number of weeks within the range and not the range itself. See State v. *Linssen,* 131 Wn. App. 292 (2006) (applies to standard range, not a manifest injustice SSODA). Disposition is suspended under RCW 13.40.162. The offender shall be placed on supervision for a period of two years. If the offender violates any condition of the disposition or the court finds the respondent is failing to make satisfactory progress in treatment, the court may revoke the suspension and order execution of the disposition.
 - [] Respondent is subject to a standard range of local sanctions. Respondent shall serve a total of ______ months of community supervision, ______ hours of community service work, and ______ days of detention. Disposition is suspended under RCW 13.40.162. The offender shall be placed on supervision for a period of two years. If the offender violates any condition of the disposition or the court finds the respondent is failing to make satisfactory progress in treatment, the court may revoke the suspension and order execution of the disposition.
 - [] NOTICE OF REGISTRATION AND HEARING SET (also paragraph 4.22): Respondent is required to register as a sex offender pursuant to RCW 9A.44.130. At the end of the supervision ordered under this disposition alternative, there will be a presumption that respondent is sufficiently rehabilitated to warrant removal from the registry of sex offenders and the court shall relieve respondent of the duty to register unless the court finds that the offender is not sufficiently rehabilitated to warrant removal after considering the factors in RCW

13.40.162(7). A waiver hearing is set approximately two years from the date of this order as follows: ______, at _____, at _____am/pm. At that time the court will determine if the offender is sufficiently rehabilitated to warrant removal from the registry of sex offenders.

- 4.5. [] Count_____: Chemical Dependency/Mental Health Disposition Alternative (CMDA RCW 13.40.165):
 - [] Respondent is committed to DCYFJR for a total of ______ weeks. Disposition is suspended under RCW 13.40.165. If the offender violates any condition of the disposition or the court finds that the respondent is failing to make satisfactory progress in treatment, the court may revoke the suspension and order execution of the disposition.
 - [] Respondent is subject to a standard range of local sanctions. Respondent shall serve a total of _____ months of community supervision, _____ hours of community service work, and _____ days of detention. Disposition is suspended under RCW 13.40.165. If the offender violates any condition of the disposition or the court finds the respondent is failing to make satisfactory progress in treatment, the court may revoke the suspension and order execution of the disposition.
- 4.6 [] Option B Suspended Disposition Alternatives (OPTION B RCW 13.40.0357 For offenses committed on or after July 27, 2003.)

Respondent is committed to DCYFJR for a total ______ weeks.

Days of Confinement _____ Community Service Work _____

Disposition is suspended under RCW 13.40.0357 OPTION B. If the offender violates any condition of the disposition or the court finds that the respondent is failing to make satisfactory progress in treatment, the court may revoke the suspension and order execution of the disposition.

4.7 [] [] Community Supervision [] Minimum Parole Supervision (if required by statute):

Count:	Months	Supervision beginning:	Supervision ending:
Count:	Months	Supervision beginning:	Supervision ending:
Count:	Months	Supervision beginning:	Supervision ending:

4.8 [] Community Restitution (Service) Work:

Count:	Hours community restitution (service)	With hours credited for days served
Count:	Hours community restitution (service)	With hours credited for days served
Count:	Hours community restitution (service)	With hours credited for days served

^{4.9 []} **Crime Victim's Community Restitution (Service) Work**. The following offenses involved a "victim" as defined in RCW 7.68.020, and are not a most serious offense or a sex offense. Therefore, pursuant to RCW 7.68.035, the court shall order up to seven (7) hours of community restitution per offense unless the court finds such an order not practicable for the offender. This crime victim's community service work is consecutive to itself and to any other community service work imposed herein.

Count:	— Hours community restitution (service – 0 to 7 hours)
Count:	— Hours community restitution (service – 0 to 7 hours)
Count:	— Hours community restitution (service – 0to 7 hours)

4.10 [] **Confinement in a Private Residence**. (If required by RCW 13.40.308) The respondent shall remain at home, confined in a private residence. If the respondent is enrolled in school, the confinement shall be served on nonschool days:

Count:	Days confinement in a Private Residence
Count:	Days confinement in a Private Residence
Count:	Days confinement in a Private Residence

[] The respondent is subject to electronic monitoring.

4.11 [] **Confinement:**

Count:	Days	With credit for days served
Count:	Days	With credit for days served
Count:	Days	With credit for days served

[] Yes [] No temporary releases from confinement for school, work, medical appointments, etc., are authorized at the discretion of the probation counselor.

4.12 [[]	Commitment to the custody	y of DCYFJR for	placement in a rehabilitation facility:
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Count:	Weeks toweeks	With credit for days served
Count:	Weeks toweeks	With credit for days served
Count:	Weeks toweeks	With credit for days served

[] Respondent shall be held in the detention facility pending transportation.

4.13 Statutory Firearms Enhancements:

- [] **Unlawful Possession of a Firearm in the 2**nd **Degree Under 18:** The court finds that respondent possessed a firearm in violation of RCW 9.41.040(2)(a)(vi). The mandatory minimum disposition is 10 days confinement. If the total period of confinement ordered exceeds 30 days, respondent is committed to the custody of DCYFJR to serve the ordered confinement.
- [] **Unlawful Possession of a Firearm in the 1st or 2nd Degree:** Respondent has been adjudicated for Unlawful Possession of a Firearm in the First or Second Degree.
 - [] Under RCW 13.40.193(2), respondent must participate in a qualifying program of Aggression Replacement Training (ART), Functional Family Therapy (FFT), or another cost-beneficial, evidence or research-based program as directed by his or her supervising probation counselor.
 - [] Based upon the juvenile court risk assessment, the court determines that participation in a qualifying program would not be appropriate.
- [] **Armed During Commission of A Felony:** The court finds that respondent or an accomplice was armed with a firearm while committing a felony (other than possession of

ORDER ON ADJ/DISP (ORD) - Page 5 of 11 WPF JU 07.0800 (06/2020) JuCR 7.12; RCW 13.40.120, .150 - .190, .300 a machine gun, possession of a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first and second degree, or use of a machine gun in a felony), and thus hereby imposes the following confinement in addition to any other sentence imposed herein, and, respondent is committed to the custody of DCYFJR to serve said confinement:

[] 6 months (Class A felony) [] 4 months (Class B felony) [] 2 months (Class C felony)

- [] 12 months (Violent offense committed at age 16 or 17)
- [] **Armed During Violent Offense at Age 16 or 17 with Gang Involvement:** The court finds that: (a) respondent was 16 or 17 years old during the commission of a robbery in the first degree, drive-by shooting, burglary in the first degree, or any violent offense as defined in RCW 9.94A.030; (b) during commission of the offense respondent was armed with a firearm, and, (c) respondent's participation in the offense is related to membership in a criminal street gang, or advanced a benefit, aggrandizement, gain, profit, or other advantage for a criminal street gang. Therefore, an additional 3 months of confinement is imposed in addition to any other sentence imposed herein, and respondent is committed to the custody of DCYFJR to serve said confinement consecutively with any other sentencing enhancement herein.

4.14 Conditions of Supervision:

- A. The respondent is ordered to refrain from committing new offenses.
- B. Respondent is further ordered to comply with the *mandatory school attendance* provisions of RCW 28A.225, and to inform respondent's school of the existence of this requirement.
- C. Respondent shall report regularly, and on time, to the assigned probation counselor (or probation counselor's designee), as the probation counselor shall schedule or direct.
- D. Respondent shall keep probation counselor informed of respondent's current address and telephone number and shall notify probation counselor before moving to a different address.
- E. Respondent shall attend information classes and/or other educational programs, as directed by probation counselor.

(Items F through Q apply only if the box is checked)

- F. [] **Curfew** to be set at the discretion of the probation counselor.
- G. [] **Respondent shall not use or possess firearms, ammunition or other dangerous** weapons during this period of community supervision. Probation counselor is authorized to search respondent and items carried or controlled by respondent at scheduled appointments and other reasonable times, and may specify in writing further details of this prohibition.
- H. [] Respondent shall participate in counseling, outpatient substance abuse treatment programs, outpatient mental health programs, sex offender, and/or anger management classes, as probation officer directs. Respondent shall cooperate fully.
- I. [] Respondent shall be **evaluated for alcohol or other drug dependency** at the direction of the probation counselor and shall comply with all treatment recommendations.
- J. [] Respondent shall refrain from using illegal drugs and alcohol and is subject to **Random Urinalysis** as directed by the probation counselor and shall fully cooperate.
- K. [] Respondent is ordered not to go upon the following premises or geographic areas:
- L. [] Respondent shall not contact, except through counsel or a probation counselor, the following person(s):

	M.	[]	Respondent shall reside in a placement approved by the supervising probation counselor or approved by court order.
	N.	[]	Respondent shall not knowingly associate with any person, adult or juvenile, who is under the supervision of any court of this or any other state for any juvenile offense or crime.
	Ο.	[]	Respondent shall obtain a mental health evaluation and shall comply with treatment recommendations unless otherwise ordered by the court.
	P.	[]	The respondent shall attend all mental health appointments and take medications as prescribed.
	Q.	Oth	er conditions:
			ay consent to necessary medical, surgical, dental or psychiatric care for respondent, imunization required for public school students.
4.15	Respor	den	t is ordered to pay:
FFJ/3706	[]	A F offic	<i>ine</i> of \$, which respondent shall pay as scheduled by probation cer.
PJC/3152	[]	mar the	DO CVC Fee for Most Serious and/or Sex Offense - Pursuant to RCW 7.68.035, a ndatory Crime Victim's Compensation Fee of \$100 is imposed because one or more of offenses involve a most serious offense as defined by RCW 9.94A.030, or a sex offense ler chapter 9A.44.
	[]	imp	suant to RCW 43.43.7541 and 43.43.754, a one-time mandatory DNA Fee of \$100 is osed. [] No DNA fee is imposed as DNA has already been collected as a result of a r conviction.
	[]	Res	stitution in the total sum of \$ for victim(s) (include name and address):
	[]	Ah	earing to confirm restitution discovery is set for
	[]	A re	estitution hearing is set for
	[]		YFJR is ordered to provide transportation of respondent to and from the above- ered restitution hearing.
	[]	The	e respondent waives his/her right to be present at the restitution hearing.
	[]	[]ł	stitution liability ordered: [] is joint and several with:
	[]	The of e of p	e respondent is ordered to reimburse (name electronic monitoring agency) at for the cost pre-adjudication electronic monitoring in the amount of \$
	[]	The The agre hou nate com	e court finds the respondent has insufficient funds to pay the full monetary restitution. e victim/s:
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approved venue [] a venue consistent with the nature of the community restitution recommended by the victim/s which is

Monetary amounts ordered shall be paid at the rate of at least \$ _____ per month. The probation officer may revise this schedule in writing.

All payments shall be paid as follows:

Respondent shall remain under the court's jurisdiction for a maximum term of ten (10) years after respondent's 18th birthday or disposition, whichever is earlier (unless extended for an additional 10 years) for the collection of ordered restitution and penalty assessment, unless these amounts have been converted to a civil judgment pursuant to RCW 13.40.192 and/or RCW 13.40.198. While under the court's jurisdiction, the court may modify the amount, terms, and conditions of restitution for good cause, including inability to pay. The court's jurisdiction over the collection of restitution will terminate if the court grants the respondent's petition to seal the records of this case. RCW 13.40.190.

- 4.16 [] **DNA Testing.** Under RCW 43.43.754, the respondent shall have a biological sample collected for purposes of DNA identification analysis. The respondent shall fully cooperate in the collection and testing. Failure to provide a sample as ordered is a gross misdemeanor offense.
 - [] **Confinement at DCYFJR:** The juvenile has been ordered to serve a term of confinement at a facility operated by DCYFJR. The facility shall collect a biological sample to comply with this order either during the intake process or as soon as practical thereafter.
 - [] No DCYFJR Confinement: The juvenile has not been ordered to serve a term of confinement at a facility operated by DCYFJR. The collection will be taken as follows:
 - [] The test shall be done immediately prior to respondent leaving the courtroom.
 - [] No in court protocol exists. Respondent is ordered to report to the following local police department/sheriff's office (law enforcement agency)

within _____ days from today for collection of a biological sample to comply with this order. If no agency is indcated above, the respondent shall immediately contact the juvenile department for direction on how to provide a sample to comply with this order and provide a sample as directed.

[] **Sample Already Taken:** Respondent has already provided a biological sample as verified by the prosecuting attorney and court.

Paragraph 4.16 does not apply if it is established that the Washington State Patrol crime laboratory already has a sample from the respondent for a qualifying offense. RCW 43.43.754.

4.17 [] Jurisdiction is transferred to ______ County for supervision and enforcement of this order. [] This court retains venue over restitution. When a restitution order is entered, venue will be transferred to the above named county. *It is Further Ordered* that the clerk of this court shall transfer the case file in this matter to the clerk of ______ County Superior Court and the juvenile probation department of this court shall transfer only those legal and social documents pertaining to this matter to the juvenile probation department of ______ County Superior Court.

- 4.18 [] **Suspension/Revocation of Driving Privilege**: Department of Licensing notification is required because:
 - Over 13 and Alcohol, Drugs, UPFA <18, or Armed with F/A (not first offense) (1) Respondent was 13 years or older at the time he/she committed the following offense: Alcohol under RCW 66.44; VUCSA under RCW 69.50; Legend drug under RCW 69.41; Imitation drugs under RCW 69.52; UPFA < 18 RCW 9.41.040(2)(a)(vi); and/or, an offense while Armed with a Firearm RCW 13.40.196; AND, (2) Respondent has a prior offense for the same offense. See, RCW 13.40.265.
 - [] UPFA or Armed During Offense In Which Vehicle was Used (with priors) – (1) Respondent committed the following offense: UPFA 1 or 2 under RCW 9.41.040; and/or, an offense while Armed with a Firearm RCW 13.40.196 during which the court found a motor vehicle served an integral function during the offense; AND (2) Respondent previously committed one or more of the following offenses: Alcohol under RCW 66.44; VUCSA under RCW 69.50; Legend drug under RCW 69.41; Imitation drugs under RCW 69.52; UPFA under RCW 9.41.040; and/or, an offense while Armed with a Firearm RCW 13.40.196. See, RCW 9.41.040(5).
 - [] <u>Certain Motor Vehicle Offenses</u> Respondent committed the following offense: DUI; Physical Control; DWLS 1& 2; Vehicular Assault/Homicide; Hit & Run Attended; Reckless Driving; any felony which a vehicle used in commission (except TMVWOP2 where the court finds the respondent is a passenger only in committing the offense); False Statements under RCW 46; Felony Elude; Unattended Child in Running Vehicle (2nd or subsequent conviction); Reckless Endangerment of Road Workers; and/or Theft of Motor Vehicle Fuel. See, RCW 46.20.285, 46.61.5055(9), 46.20.342(2), 46.61.524, 46.52.020(6), 46.61.500(2), 46.61.024(3), 46.61.685(2), 46.61.527(5), 46.61.740(2), and, 46.20.270.

Court Clerk: The court clerk is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must suspend/revoke the defendant's driver's license.

- 4.19 [] **Firearm Prohibition:** As a result of the adjudication of guilt as to: (1) a felony; or, (2) one or more of the following crimes committed by one family or household member against another or by one intimate partner against another: Fourth Degree Assault, Coercion, Stalking, Reckless Endangerment, Criminal Trespass in the First Degree, Violation of the provisions of a Protection Order or No-Contact Order restraining the person or excluding the person from a residence; or, (3) Harassment committed by one family or household member against another or by one intimate partner against another, committed on or after June 7, 2018; respondent shall not use or possess a firearm, and under federal law any firearm or ammunition, until his or her right to do so is restored by the court in which the respondent was adjudicated or the superior court in Washington state where the respondent lives, and by a federal court if required. The court clerk is directed to immediately forward a copy of the respondent's driver's license or identicard, or comparable information, along with the date of conviction, to the Department of Licensing. RCW 9.41.047.
- 4.20 [] **Felony Firearm Offender Registration:** The respondent must register as a felony firearm offender. The specific registration requirements are in the "Felony Firearm Offender Registration" Attachment.

4.21 [] Offender Registration for Sex Offense or Kidnapping Offense: Because this crime involves a sex offense, or a kidnapping offense involving a minor as defined in RCW ORDER ON ADJ/DISP (ORD) - Page 9 of 11 WPF JU 07.0800 (06/2020) JuCR 7.12; RCW 13.40.120, .150 - .190, .300 9A.44.128, or an unlawful transmission of HIV to a child or vulnerable adult under chapter 70.24 RCW, the respondent must register. The specific registration requirements are set forth in the "Offender Registration" Attachment. Respondent may only be relieved of the duty to register as provided in RCW 9A.44.142, 9A.44.143, and 13.40.162.

4.22 Notice Concerning Ability to Administratively Seal This Case Later

Warning: A sealing hearing does not guarantee the case will be sealed at the hearing. Please read the qualifications below.

An administrative sealing hearing shall be set for the latest of either the respondent's 18th birthday, the anticipated end of community supervision, or, if commitment to a juvenile rehabilitation facility is imposed, the anticipated end of the commitment and any parole.

The administrative sealing hearing in this case is set for: _

The respondent is not required to appear at the administrative sealing hearing.

Notice for Sealing Hearings Held On or Before 12/31/2020: In the event the administrative sealing is held on or before December 31, 2020, the juvenile court will seal the case unless the court finds:

- (1) Respondent failed to comply with the terms of the disposition; or
- (2) There is an objection to the sealing or a compelling reason not to seal.

If there is an objection or compelling reason, the court will set a contested hearing for a date no sooner than 18 days after notice of the hearing and opportunity to object is sent to the respondent, the victim, and the respondent's attorney. At the contested hearing, the court will decide whether or not to seal the court record.

Notice for Sealing Hearings Held On or After 1/1/2021: In the event the administrative sealing is held on or after January 1, 2021, the juvenile court will seal the case unless the court finds at the time of the sealing hearing:

- One or more of the offenses in Section II involve (a) a serious violent offense as defined in RCW 9.94A.030; (b) a sex offense as defined in RCW chapter 9A.44; or, (c) a felony drug offense (other than possession under RCW 69.50.4013 and forged prescription under RCW 69.50.403);
- (2) Respondent owes an amount of restitution to an individual victim, excluding any public or private entity providing insurance coverage or health care coverage; or,
- (3) Respondent remains on supervision or DCYFJR commitment/parole in this case. However, in the event the court finds the respondent remains on supervision/parole, the administrative sealing hearing will be continued to a date within 30 days of the anticipated end of supervision/parole. At the next hearing the court will determine eligibility for administrative sealing.

Nothing prevents respondent from asking the court to seal this case pursuant to RCW Title 13.50 or GR15.

- 4.23 [] Bail: Bail in the amount of \$______ is [] exonerated [] forfeited.
- 4.24 [] Other Orders: _____

Dated:

Judge/Commissioner

Print Name:

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Presented by:	Administrative Memorandum
	Does conviction require license or permit markup?
Deputy Prosecuting Attorney	[] Yes [] No License or permit marked in manner authorized by Department of Licensing?
Print Name WSBA No.	[]Yes []No
Copy Received; Approved for Entry; Notice of Presentation Waived:	RCW 46.20.270
Attorney for Respondent	Respondent
Print Name WSBA No.	Print Name
be filed within one year of the final judgment in this RCW 10.73.090.	quired by RCW 10.64.110)
Fingerprints (in let	

I hereby attest that the fingerprint(s) appearing on this Order are the fingerprints of

_____, and were affixed in open court on the date below.

Dated: _____

Clerk	
Ву:	Deputy Clerk