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SONYA KRASKI
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CL17162702

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MAR 10 2015

BY PROSECUTING ATTORNEY
FOR SNOHOMISH COUNTY

BY

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

STATE OF WASHINGTON,)
Plaintiff,) No. 13-1-01546-8
)
v.) NOTICE OF APPEAL
)
ALAN J. SMITH,)
Defendant.)

Defendant seeks review by the Court of Appeals of the State of Washington, Division One, of the judgment and sentence, and every part thereof, entered on the 5th day of March, 2015, in Snohomish County Superior Court. A copy of the judgment and sentence is attached.

DATED this 9th day of March, 2015.

Respectfully submitted,

CAROLINE MANN, WSBA# 17790
Attorney at Law

Attorney for Plaintiff:

Snohomish County Prosecuting Attorney
3000 Rockefeller Avenue, M/S #504
Everett, WA 98201

Notice of Appeal

Name and Address of Defendant:

Alan J. Smith
c/o DOC

Snohomish County Public Defender Association
2722 Colby Ave #200
Everett, WA 98201
(425) 339-6300

137

Filed in Open Court

March 5, 2015

SONYA KRASKI

COUNTY CLERK

By *Joseph Yellen*
Deputy Clerk

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

THE STATE OF WASHINGTON,

Plaintiff,

v.

SMITH, ALAN JUSTIN

Defendant.

SID: WA27059251
If no SID, use DOB:

No. 13-1-01546-8

JUDGMENT AND SENTENCE

- Prison
 Jail One Year or Less
 First Time Offender
 Special Drug Offender Sentencing Alternative
 Clerk's action required, firearm rights revoked, § 5.5
 Clerk's action required, §§ 2.1, 4.1, 4.3, 4.5, 5.2, 5.3
 Clerk's action required, § 5.6 (use of motor vehicle)
 Restitution Hearing set, § 4.3

I. HEARING

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

II. FINDINGS

- 2.1 CURRENT OFFENSE(S). The defendant was found guilty on February 4, 2015 by bench trial of:

COUNT	CRIME	RCW	CLASS	INCIDENT #	DATE OF CRIME
1	First Degree Murder With a Deadly Weapon (Domestic Violence)	9A.32.030(1)(a), 10.99.020, 9.94A.533(4) and 9.94A.825	A	BOT 1303354	02/10/13-02/11/13

as charged in the Information.

The jury returned a special verdict or the court made a special finding with regard to the following:

- See § 4.1 regarding findings in relation to Drug Offender or Parenting Sentencing Alternative.
 The defendant used a firearm in the commission of the offense(s) in Count(s) _____, RCW 9.94A.602, 9.41.010, 9.94A.533.
 The defendant used a deadly weapon other than a firearm in the commission of the offense(s) in Count(s) ___. RCW 9.94A.602, 9.94A.533.
 The defendant committed the offense in Count(s) _____ with sexual motivation. RCW 9.94A.835.
 Count(s) _____ Violation of the Uniform Controlled Substances Act (VUCSA), RCW 69.50.401 and RCW 69.50.435, took place in a school, school bus, within 1000 feet of the perimeter of a school grounds or within 1000 feet of a school bus route stop designated

by the school district; or in a public park, in a public transit vehicle, or in a public transit stop shelter; or in or within 1000 feet of the perimeter of a civic center designated as a drug-free zone by a local government authority, or in a public housing project designated by a local governing authority as a drug-free zone.

- The defendant committed a crime involving the manufacture of methamphetamine including its salts, isomers, and salts of isomers, when a juvenile was present in or upon the premises of manufacture in Count(s) _____ . RCW 9.94A.605, 69.50.401, 69.50.440.
- Count(s) _____ is (are) a criminal street gang-related felony offense in which the defendant compensated, threatened, or solicited a minor in order to involve that minor in the commission of the offense. RCW 9.94A.833.
- Count(s) _____ is (are) the crime of unlawful possession of a firearm and the defendant was a criminal street gang member or associate when the defendant committed the crime. RCW 9.94A.702, 9.94A.____.
- The defendant committed vehicular assault proximately caused by driving a vehicle while under the influence of intoxicating liquor or drug or by operating a vehicle in a reckless manner. The offense is, therefore, deemed a violent offense. RCW 9.94A.030.
- Count(s) _____ involve(s) attempting to elude a police vehicle and during the commission of the crime the defendant endangered one or more persons other than the defendant or the pursuing law enforcement officer. RCW 9.94A.834.
- Count(s) _____ is (are) a felony in the commission of which the defendant used a motor vehicle. RCW 46.20.285.
- The defendant has a chemical dependency that has contributed to the offense(s) in Count(s) _____. RCW 9.94A.607.
- For the crime charged in Count(s) 1, domestic violence was pled and proved. RCW 10.99.020.
- IGY For the crime(s) charged in Count(s) _____, passenger(s) under the age of 16 in the vehicle. RCW 9.94A.533.
- The offense in Count(s) _____ was (were) committed in a county jail or state correctional facility. RCW 9.94A.533(5).
- Count(s) _____ involve(s) 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 the offender is not the minor's parent. RCW 9A.44.130.
- Count(s) _____ and _____ merge. (See ¶ 3.2 for dismissal of specific count.)
- Counts _____ encompass the same criminal conduct and count as one crime in determining the offender score. RCW 9.94A.589.
- Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number):

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

	CRIME	DATE OF SENTENCE	SENTENCING COURT (County & State)	A or J (Adult or Juvenile)	TYPE OF CRIME
1	NONE				
	The defendant committed Count(s) _____ while on community custody (adds one point to score). RCW 9.94A.525.				

- The court finds the following prior convictions are one offense for purposes of determining the offender score (RCW 9.94A.525);
- The following prior convictions are not counted as points but as enhancements pursuant to RCW 46.61.520;

2.3 SENTENCING DATA.

COUNT NO.	OFFENDER SCORE	SRA LEVEL	STANDARD RANGE (not including enhancements)	PLUS ENHANCEMENTS	TOTAL STANDARD RANGE (including enhancements)	MAXIMUM TERM
1	0	XV	240-320 months	24 months	264-344 months	LIFE

^{*}(F) Firearm, (D) Other deadly weapons, (V) VUCSA in a protected zone, (VH) Vehicular Homicide, See RCW 46.61.520, (JP) Juvenile Present, (CSG) Criminal Street Gang Involving Minor, (AE) Endangerment While Attempting to Elude.

- 2.4** **EXCEPTIONAL SENTENCE.** Substantial and compelling reasons exist which justify an exceptional sentence above below the standard range for Count(s) _____ or within the standard range for Count(s) _____ but served consecutively to Count(s) _____.
- The defendant and State stipulate that justice is best served by imposition of an exceptional sentence above the standard range and the court finds that exceptional sentence furthers and is consistent with the interests of justice and the purpose of the Sentencing Reform Act.
- Aggravating factors were stipulated by the defendant, found by the court after the defendant waived jury trial, found by jury by special interrogatory. Findings of fact and conclusions of law are attached in Appendix 2.4. The jury's Interrogatory is attached. The prosecuting attorney did did not recommend a similar sentence.
- 2.5 ABILITY TO PAY LEGAL FINANCIAL OBLIGATIONS.** The court has considered the total amount owing, the defendant's past, present and future ability to pay legal financial obligations, including the defendant's financial resources and the likelihood that the defendant's status will change. The court finds that the defendant is an adult and is not disabled and therefore the defendant has the ability or likely future ability to pay the legal financial obligations imposed herein. RCW 9.94A.753.
- The following extraordinary circumstances exist that make restitution inappropriate (RCW 9.94A.753(5)):
-
- The defendant has the present means to pay costs of incarceration. RCW 9.94A.760.

2.6 PROSECUTOR'S RECOMMENDATION. The prosecutor's recommendation was as follows:

344 months on Count I _____ months on Count IV
 months on Count II _____ months on Count V
 months on Count III _____ months on Count VI

Terms on each count to run:

concurrently with or consecutively to each other

concurrently with or consecutively to the terms imposed in Cause No(s). _____

III. JUDGMENT

- 3.1 The defendant is GUILTY of the counts and charges listed in Paragraph 2.1.**

- 3.2** The court **DISMISSES** Count(s) _____.

- 3.3** The defendant was found NOT GUILTY of Count(s) _____

IV. SENTENCE AND ORDER

IT IS ORDERED:

- 4.1 CONFINEMENT OVER ONE YEAR.** The court sentences the defendant to total confinement as follows:

CONFINEMENT. RCW 9.94A.589. A term of total confinement in the custody of the Department of Corrections (DOC):

months on Count II _____ **months on Count V** _____

months on Count III _____ **months on Count VI**

The confinement time on Count(s) 1 includes 24 months as enhancement for [] Firearm [] Deadly Weapon [] VUCSA in a Protected Zone [] Manufacture of Methamphetamine with Juvenile Present [] other _____.

Actual term of total confinement ordered is 344 **months.**

All counts shall be served concurrently, except for the portion of those counts for which there is an enhancement as set forth above at ¶ 2.3, and the following counts which shall be served consecutively:

The sentence herein shall run consecutively to the sentence in cause number(s) _____.

and consecutive to any sentence which was imposed before the date of violation for the offenses in this cause number. The sentence shall run concurrently to the sentence in cause numbers

RCW 9.94A.589.

Confinement shall commence immediately unless otherwise set forth here:

CREDIT FOR TIME SERVED. The defendant shall receive credit for time served prior to sentencing if that confinement was solely under this cause number. RCW 9.94A.505(6). The time served shall be computed by the jail unless the credit for time served prior to sentencing is specifically set forth by the court.

WORK ETHIC PROGRAM. RCW 9.94A.690, RCW 72.09.410. The court finds that the defendant is eligible and is likely to qualify for work ethic program. The court recommends that the defendant serve the sentence at a work ethic program. Upon completion of work ethic program, the defendant shall be released on community custody for any remaining time of total confinement, subject to the conditions in ¶ 4.2. Violation of the conditions of community custody may result in a return to total confinement for the balance of the defendant's remaining time of total confinement.

- 4.2 **COMMUNITY CUSTODY.** RCW 9.94A.701. The defendant shall serve the following term of community custody (12 months for crimes against a person, drug offenses, or offenses involving the unlawful possession of a firearm by a street gang member or associate; 18 months for violent offenses; and 36 months for serious violent offenses):

Count I for a period of	<u>36</u> months	Count IV for a period of	_____ months
Count II for a period of	_____ months	Count V for a period of	_____ months
Count III for a period of	_____ months	Count VI for a period of	_____ months

and the conditions ordered are set forth below. The combined term of community custody and confinement shall not exceed the statutory maximum.

The defendant shall report to a DOC office located in the county where the defendant is released not later than 72 hours after release from custody.

While on community custody, the defendant shall (1) report to and be available for contact with the assigned community corrections officer as directed; (2) work at DOC-approved education, employment and/or community restitution; (3) notify DOC of any change in the defendant's address or employment; (4) not consume or possess controlled substances except pursuant to lawfully issued prescriptions; (5) not own, use, or possess firearms or ammunition; (6) pay supervision fees as determined by DOC; (7) perform affirmative acts necessary to monitor compliance with orders of the court as required by DOC; and (8) abide by any additional conditions imposed by DOC under RCW 9.94A.704 and .708. The residence location and living arrangements are subject to the prior approval of DOC while on community custody.

- The defendant shall not consume any alcohol.
- The defendant shall have no contact with _____. See ¶ 4.5.
- The defendant shall remain within outside of a specific geographical boundary, to wit:

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

- The defendant shall participate in the following: State certified domestic violence treatment program chemical dependency evaluation mental health evaluation anger management program, and fully comply with all recommended treatment.
- The defendant shall comply with the following crime-related prohibitions: _____

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

4.3 **LEGAL FINANCIAL OBLIGATIONS.** Defendant shall pay to the clerk of the court:

PVC	<input checked="" type="checkbox"/> \$500	Victim assessment	RCW 7.68.035
CRC	<input type="checkbox"/> \$ <input checked="" type="checkbox"/> waived	Court costs, including	RCW 9.94A.030, .505; 10.01.160
		Criminal filing fee \$ <input type="checkbox"/>	FRC
		Witness costs \$ <input type="checkbox"/>	WFR
		Sheriff service fees \$ <input type="checkbox"/>	SFR/SFS/SFW/SRF
		Jury demand fee \$ <input type="checkbox"/>	JFR
		Other \$ <input type="checkbox"/>	RCW 10.46.190
PUB	<input type="checkbox"/> \$962 <input checked="" type="checkbox"/> waived	Fees for court appointed attorney	RCW 9.94A.760
WFR	<input type="checkbox"/> \$ <input checked="" type="checkbox"/> waived	Court appointed defense expert and other costs	RCW 9.94A.760
FCM	<input type="checkbox"/> \$1,000 <input type="checkbox"/> \$2,000	Fine RCW 9A.20.021; <input type="checkbox"/> VUCSA additional fine deferred due to indigency	RCW 69.50.430
CO/ADW FCO/INTF/SAD/SDN	<input type="checkbox"/> S <input checked="" type="checkbox"/> \$100	Drug enforcement fund of \$ <input type="checkbox"/>	RCW 9.94A.760
CLF	<input type="checkbox"/> \$100	Crime lab fee <input type="checkbox"/> suspended due to indigency	RCW 43.43.690
EXT	<input type="checkbox"/> S <input type="checkbox"/> \$	Extradition costs	RCW 9.94A.505
RTNW/RUN	<input type="checkbox"/> S <input checked="" type="checkbox"/> \$100	Emergency response costs (Vehicular Assault, Vehicular Homicide, DUI only, \$2,500 maximum)	RCW 38.52.430
		Biological Sample Fee	RCW 43.43.7541
		(for offenses committed after 07-01-2002)	
POV	<input type="checkbox"/> \$100	Domestic Violence Penalty (for offenses committed after 08-04-2004 – maximum \$100)	RCW 10.99.080
	<input type="checkbox"/> S <input checked="" type="checkbox"/> \$600	Other costs for: _____	
		TOTAL	RCW 9.94A.760

RESTITUTION. The above total does not include all restitution or other legal financial obligations, which may be set by later order of the court. An agreed restitution order may be entered. RCW 9.94A.753.

A restitution hearing shall be set for TBD physically, would agree to
 Defendant waives any right to be present at any restitution hearing (sign initials): AS via telephone
 Defendant waives any right to a restitution hearing within 6 months. RCW 9.94A.750. *f/c/l*

A separate Restitution Order is being entered contemporaneously with this Judgment and Sentence.

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

All payments shall be made in accordance with the policies of the clerk and on a schedule established by the Department of Corrections, commencing immediately, unless the court specifically sets forth the rate hereof not less than:

\$ 2500 per month commencing 60 days after release RCW 9.94A.760.

All payments shall be made within 60 months of release of confinement:
 entry of judgment; other _____.

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

In addition to the other costs imposed herein the Court finds that the defendant has the means to pay for the cost of incarceration and is ordered to pay such costs at \$100.00 per day (not to exceed \$100 per day) unless another rate is specified here. RCW 9.94A.760(2).

The defendant shall pay the costs of services to collect unpaid legal financial obligations. RCW 36.18.190.

The financial obligations imposed in this judgment shall bear interest from the date of the judgment until payment in full, at the rate applicable to civil judgments. RCW 10.82.090. An award of costs on appeal against the defendant may be added to the total legal financial obligations. RCW 10.73.

- 4.4 **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. The appropriate agency shall be responsible for obtaining the sample prior to the defendant's release from confinement. RCW 43.43.754.
- DNA TESTING NOT REQUIRED.** The defendant has previously provided a DNA sample.
- HIV TESTING.** The Health Department or designee shall test and counsel the defendant for HIV as soon as possible and the defendant shall fully cooperate in the testing. The defendant, if out of custody, shall report to the HIV/AIDS Program Office at 3020 Rucker, Suite 108, Everett, Washington 98201 within one (1) business day of entry of this order to arrange for the test. RCW 70.24.340.
- * 4.5 **NO CONTACT.**
- The defendant shall not have contact with Any State witness who testified - for Kristin Henschel see below (name, DOB) including, but not limited to, personal, verbal, telephonic, written or contact through a third party until life (date) (not to exceed the maximum statutory sentence). EVEN IF THE PERSON WHO THIS ORDER PROTECTS INVITES OR Allows CONTACT, YOU CAN BE ARRESTED AND PROSECUTED. ONLY THE COURT CAN CHANGE THIS ORDER. YOU HAVE THE SOLE RESPONSIBILITY TO AVOID OR REFRAIN FROM VIOLATING THIS ORDER.
- A separate post conviction Domestic Violence No Contact Order, Anti-Harassment Order, or Sexual Assault Protection Order () was filed at the time of entry of the plea of guilty/guilty verdict () is filed contemporaneously with this Judgment and Sentence. (Entry of a separate order makes a violation of this no contact sentencing provision also punishable as a criminal offense, and the order will be entered into the law enforcement database.)
- The pre-trial Domestic Violence No Contact Order, Anti-Harassment Order, or Sexual Assault Protection Order entered on _____ is hereby terminated.
- 4.6 **OTHER.** No contact with Felix or Naelni Smith or Kristin Henschel except to the degree consistent with any dependency/guardianship order. These are Cause # 13-7-00329-1, 13-7-00330-5
- 4.7 **OFF-LIMITS ORDER.** (Known drug trafficker). RCW 10.66.020. The following areas are off limits to the defendant while under the supervision of the county jail or Department of Corrections:
- _____
- 4.8 Unless otherwise ordered, all conditions of this sentence shall remain in effect notwithstanding any appeal.

V. NOTICES AND SIGNATURES

- 5.1 **COLLATERAL ATTACK ON JUDGMENT.** Any petition or motion for collateral attack on this Judgment and Sentence, including but not limited to any personal restraint petition, state habeas corpus petition, motion to vacate judgment, motion to withdraw guilty plea, motion for new trial or motion to arrest judgment, must be filed within one year of the final judgment in this matter, except as provided for in RCW 10.73.100. RCW 10.73.090.
- 5.2 **LENGTH OF SUPERVISION.** For an offense committed prior to July 1, 2000, the defendant shall remain under the court's jurisdiction and the supervision of the Department of Corrections for a period up to 10 years from the date of sentence or release from confinement, whichever is longer, to assure payment of all legal financial obligations unless the court extends the criminal judgment an additional 10 years. For an offense committed on or after July 1, 2000, the court shall retain jurisdiction over the offender for the purposes of the offender's compliance with payment of the legal financial obligations, until the obligation is completely satisfied, regardless of the statutory maximum for the crime. RCW 9.94A.753(4); RCW 9.94A.760 and RCW 9.94A.505(5).
- 5.3 **NOTICE OF INCOME-WITHHOLDING ACTION.** If the court has not ordered an immediate notice of payroll deduction in paragraph 4.1, you are notified that the Department of Corrections may issue a notice of payroll deduction without notice to you if you are more than 30 days past due in monthly payments in an amount equal to or greater than the amount payable for one month. RCW 9.94A.7602. Other income-withholding action under RCW 9.94A may be taken without further notice. RCW 9.94A.7606.
- 5.4 **VIOLATION OF JUDGMENT AND SENTENCE/COMMUNITY CUSTODY VIOLATION.**
(a) Any violation of a condition or requirement of sentence is punishable by up to 60 days confinement for each violation. RCW 9.94A.833.

(b) If you have not completed your maximum term of total confinement and you are subject to a third violation hearing and DOC finds that you committed the violation, DOC may return you to a state correctional facility to serve up to the remaining portion of your sentence. RCW 9.94A.714.
- 5.5 **FIREARMS.** You may not own, use or possess any firearm unless your right to do so is restored by a superior court in Washington State, and by a federal court if required. You must immediately surrender any concealed pistol license. (The clerk of the court shall forward a copy of the defendant's driver's license, identicard, or comparable identification to the Department of Licensing along with the date of conviction or commitment.) RCW 9.41.040, 9.41.047.

(Pursuant to RCW 9.41.047(1), the Judge shall read this section to the defendant in open court.)

The defendant is ordered to forfeit any firearm he/she owns or possesses no later than _____ to _____ (name of law enforcement agency). RCW 9.41.098
- 5.6 **MOTOR VEHICLE.** If the court found that you used a motor vehicle in the commission of the offense, then the Department of Licensing will revoke your driver's license. The clerk of the court is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must revoke your driver's license. RCW 46.20.285.
- 5.7 **CERTIFICATE OF DISCHARGE.**
(a) If you are under the custody and supervision of the Department of Corrections, the court will not issue a Certificate of Discharge until it has received notice from Department of Corrections and clerk's office that you have completed all requirements of the sentence and satisfied all legal financial obligations. RCW 9.94A.637.

(b) If you are not under the custody and supervision of the Department of Corrections, the court will not issue a Certificate of Discharge until it has received verification from you that you have completed all sentence conditions other than payment of legal financial obligations and the clerk's office that you have satisfied all legal financial obligations.

5.8 RIGHT TO APPEAL. If you plead not guilty, you have a right to appeal this conviction. If the sentence imposed was outside of the standard sentencing range, you also have a right to appeal the sentence. You may also have the right to appeal in other circumstances.

This right must be exercised by filing a notice of appeal with the clerk of this court within 30 days from today. If a notice of appeal is not filed within this time, the right to appeal is IRREVOCABLY WAIVED.

If you are without counsel, the clerk will supply you with an appeal form on your request, and will file the form when you complete it.

If you are unable to pay the costs of the appeal, the court will appoint counsel to represent you, and the portions of the record necessary for the appeal will be prepared at public expense.

5.9 VOTING RIGHTS STATEMENT. I acknowledge that I have lost my right to vote because of this felony conviction. If I am registered to vote, my voter registration will be cancelled.

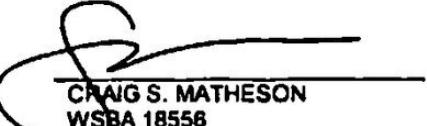
My right to vote is provisionally restored as long as I am not under the authority of DOC (not serving a sentence of confinement in the custody of DOC and not subject to community custody as defined in RCW 9.94A.030). I must re-register before voting. The provisional right to vote may be revoked if I fail to comply with all the terms of my legal financial obligations or an agreement for the payment of legal financial obligations.

My right to vote may be permanently restored by one of the following for each felony conviction: a) a certificate of discharge issued by the sentencing court, RCW 9.94A.637; b) a court order issued by the sentencing court restoring the right, RCW 9.92.066; c) a final order of discharge issued by the indeterminate sentence review board, RCW 9.96.050; or d) a certificate of restoration issued by the governor, RCW 9.96.020. Voting before the right is restored is a class C felony, RCW 29A.84.660. Registering to vote before the right is restored is a class C felony, RCW 29A.84.140.

5.10 OTHER. _____

DONE in Open Court and in the presence of the defendant this date: 3/5/15


JUDGE LINDA C. KRESE
Print name:


CRAIG S. MATHESON
WSBA 18558
Deputy Prosecuting Attorney


CAROLINE MANN
WSBA 17780
Attorney for Defendant


ALAN JUSTIN SMITH
Defendant

Interpreter signature/Print name: _____

I am a certified interpreter of, or the court has found me otherwise qualified to interpret, the _____ language, which the defendant understands. I translated this Judgment and Sentence for the defendant into that language. Cause No. of this case: 13-1-01546-8.

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

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

Clerk of said County and State, _____, Deputy Clerk

ORDER OF COMMITMENT

THE STATE OF WASHINGTON to the Sheriff of the County of Snohomish; State of Washington, and to the Secretary of the Department of Corrections, and the Superintendent of the Washington Corrections Center of the State of Washington:

WHEREAS, ALAN JUSTIN SMITH has been duly convicted of the crime of Count 1: First Degree Murder with a Deadly Weapon (Domestic Violence) as charged in the Information filed in the Superior Court of the State of Washington, in and for the County of Snohomish, and judgment has been pronounced against him/her that he/she be punished therefore by imprisonment in such correctional institution under the supervision of the Department of Corrections, Division of Prisons, as shall be designated by the Secretary of the Department of Corrections pursuant to RCW 72.02.210, for the term(s) as provided in the judgment which is incorporated by reference, all of which appears of record in this court; a certified copy of said judgment being endorsed hereon and made a part thereof;

Now, Therefore,

THIS IS TO COMMAND YOU, the said Sheriff, to detain the said defendant until called for by the officer authorized to transfer to the custody of the Superintendent for the Washington State Department of Corrections or his designee for transport to either the Washington Corrections Center at Shelton, Washington or Washington Corrections Center for Women at Purdy, Washington and this is to command you, the said Superintendent and Officers in charge of said Washington Corrections Center to receive from the said officers the said defendant for confinement, classification, and placement in such corrections facilities under the supervision of the Department of Corrections, Division of Prisons, as shall be designated by the Secretary of the Department of Corrections.

And these presence shall be authority for the same. HEREIN FAIL NOT.

WITNESS the Honorable LINDA C. KRESE, Judge of the said Superior Court and the seal thereof, this

5th day of March, 2015.

Sonya Kraski
CLERK OF THE SUPERIOR COURT

By:

M. Schlessert
Deputy Clerk

IDENTIFICATION OF DEFENDANT

SID Number: WA27059251
(If no SID, take fingerprint card for State Patrol)

Date of Birth: 07/19/1975

FBI Number: 902689TD7

Local ID Number:

PCN Number:

DOC Number:

Alias name and DOB:

Race: White

Ethnicity:

[] Hispanic

[] Non-Hispanic

Sex: M

Height: 507

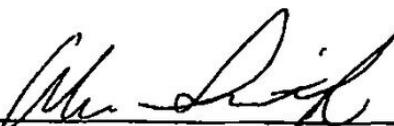
Weight: 155

Hair: Brown

Eyes: Green

FINGERPRINTS: I attest that I saw the same defendant who appeared in court on this document affix his or her fingerprints and signature thereto. Clerk of the Court: MS Stewart, Deputy Clerk.

Dated: 3/8/15

DEFENDANT'S SIGNATURE: X 

ADDRESS: DOC

