1 2 3 IN THE BLACK DIAMOND MUNICIPAL COURT OF THE STATE OF WASHINGTON 4 IN AND FOR THE COUNTY OF KING 5 CITY OF BLACK DIAMOND, Case No.: 6 COUNTY OF KING. **ORDER FOR RCW CHAPTER 10.05** 7 **DEFERRED PROSECUTION** Plaintiff, 8 Charges: VS. 9 10 Defendant 11 THIS MATTER having come on regularly before the above-entitled Court on the above-named 12 defendant's Petition for an RCW Chapter 10.05 Deferred Prosecution, the Court having considered the Petition for RCW Chapter 10.05 Deferred Prosecution submitted by the Defendant and being otherwise 13 fully advised hereby makes the following I. FINDINGS OF FACT 14 1.1 The petitioner has stipulated to the admissibility and sufficiency of the facts as contained 15 in the written police report: The petitioner has acknowledged the admissibility of the stipulated facts in any criminal hearing on the underlying offense or offenses held subsequent to revocation of the order granting 16 deferred prosecution: 17 The petitioner has acknowledged and waived the right to testify, the right to a speedy trial, the right to call witnesses to testify, the right to present evidence in his or her defense, the 18 right to challenge the sufficiency of the charging documents and the right to a jury trial 1.4 The petitioner's statements were made knowingly and voluntarily. 19 1.5 The treatment plan attached to the Petition complies with RCW Chapter 10.05 20 II. ORDER DEFERRING PROSECUTION PURSUANT TO RCW CHAPTER 10.05 21 2.1 Defendant's RCW 10.05 Petition for Deferred Prosecution is granted. Upon satisfaction of the conditions set forth below and three additional years of probation, the Court shall dismiss 22 the charges pending against the Petitioner. The following conditions are applicable to Defendant's Petition for Deferred Prosecution: 2.2 Petitioner shall complete the two-year alcohol treatment plan approved by the 23 Court. Any change in treatment providers must be approved by the Court prior to such 24 The treatment provider shall provide monthly reports to the Court regarding

Petitioner's compliance with the treatment plan.

proof of liability insurance pursuant to RCW 46.29.490.

Petitioner shall not operate a motor vehicle without a valid operator's license and

Black Diamond Municipal Court Order for Deferred Prosecution RCW 10.05

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| | (c) Petitioner | shall make rest | itution in the | amount of \$ | to |
|-------------------------|---------------------------------------|--------------------|------------------|---|---------------|
| | | | | . Restitution shal | l be paid to |
| | the | | | in full within 60/90 sts, \$ a | days. |
| | (d) Petitioner | shall pay \$ | , in co | sts, \$ & | as probation |
| | fees in this matter | and a breath test | assessment in | the amount of \$200.00 n | ot later thar |
| | | | | ast 5 years, with two yeard by court monitored comp | |
| | (e) Petitioner s | shall attend the D | | nel within 60 days and pr | |
| | of completion to the (f) Petitioner s | | ninal law or cr | iminal traffic violations o | r alcohol o |
| | drug related infracti | | mai law of Ci | immai traffic violations o | 1 diconor of |
| | | | submit to a bre | eath or blood test to determ | nine alcoho |
| | concentration when | | | | |
| | | | | inence from alcohol an | d all non- |
| | • • | | * | escribed medication as or | |
| | court. | <u>.</u> | | | • |
| | | | | unless such vehicle is eq | |
| | | | | by DOL and RCW 46.2 | 0.720. The |
| | court if inapplicable | | | | _ |
| | • , | | • | g requirements for ignition | |
| | | | | Petitioner shall not oper | |
| | | | | functioning ignition inter | lock device |
| | pursuant to RCW 46 | 6.20./20 for | years. | A A / | |
| | (K) Petitioner s | anali attend no le | ess than | AA/ sober support m | ieetings pei |
| | week/month and file (1) Other | | | | |
| | (i) Oulei | | | | |
| | | | | | |
| 2.2 | 7731 · O 1 | 1 1 1 | C*1 11 * | | |
| 2.3 | - | ies any other ord | er filed in this | matter to the extent that t | ney may be |
| incon | sistent. | | | | |
| ATED this | day of | . 20 | | | |
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| | | | JUDGE DA | ANE/ PRO TEM JUDGI | £ |
| | | | D (11) | | |
| osecuting A | | | Petitioner / | Detendant | |
| SBA NU | | _ | | | |
| | | | Attorney for | r Petitioner | |
| | | | | · | |
| | | Certification | of Counsel | | |
| I am t | he attorney of record f | | | d this Order and attached | Petition |
| | | | | nt and voluntary decision | |
| | | | | e explained to my client the | |
| | of a violation of the te | | | | |
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| SBA No ttorney for P | | | | | |
| ttorney for P | 'etitioner | | | | |
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| Lack Diamo | ond Municipal Cou | irt | | | |
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| | Deferred Prosecut | ion | | | |
| RCW 10.05 | Deferred Prosecut | ion | | | |