

Dec. 18. 2018 12:12PM

No. 4189 P. 3/6

ANACORTES MUNICIPAL COURT
 1218 24th Street
 Anacortes, WA 98221
 (360) 293-1913

CITY OF ANACORTES,

vs
Shibley, Eric
 Defendant

Address

No.

AC17582

19-033/mm

OFFENSE(S)

VNCO

☐ DUI☐ PHYSICAL CONTROL

DATE OF OFFENSE

2-9-18

BAC

☒ SENTENCE AND ORDER PLACING DEFENDANT ON PROBATION

FOR

24 MONTHS

Supervision by:

☐ Clerk ☐ Probation Department ☐ Other

Defendants Date of Birth:

12/10/78

THIS MATTER having come on for hearing this date before the above entitled Court, and the Court and Defendant being fully advised, now therefore, IT IS HEREBY ADJUDGED that the Defendant above named is GUILTY of the crime(s) above designated. ☒ DV pled and proved.

☐ Passenger under 16 pled and proved. Now therefore;

☐ Sentencing of the Defendant is **DEFERRED** for the probation period of _____ months. Upon written application to the Court the finding of Guilty may be set aside and the case dismissed if the terms and conditions set forth below are met:

☒ The Defendant is hereby SENTENCED as follows:

☒ Fine of \$ 5,000 plus assessments with sufficient portions thereof suspended to yield the amount payable, including surcharges, below set forth. ☐ Penalty of \$ _____ for passengers under 16 included in amount set forth below.
☒ Jail term of 364 days with 334 suspended.

The suspended portions of the sentence are suspended on the conditions set forth below:

☒ **GENERAL CONDITIONS:** The Defendant is ORDERED to: (a) not be convicted of, or found on probable cause to have committed an offense like the one(s) herein, or a serious traffic violation, or an offense involving assault, liquor, controlled substances, domestic violence, theft or any other serious criminal violation; and (b) keep the court clerk at all times advised **IN WRITING** of any change in address from that set forth above. (Notice of any proposed revocation of probation will be sent to such last address, and failure of the Defendant to respond to any notice sent to such address will result in the issuance of a warrant for the Defendants arrest.)

☒ **ADDITIONAL CONDITIONS OF PROBATION FOR DUI AND PHYSICAL CONTROL CASES:** (a) The defendant shall not drive a motor vehicle without a valid license and proof of insurance. (b) The defendant shall not drive or be in physical control of a motor vehicle with an alcohol concentration of .08 or more or a THC concentration of 5.00 nanograms or higher within two hours after driving. (c) The defendant shall submit to a breath or blood alcohol test upon the reasonable request of a law enforcement officer. If you violate (a), (b) or (c), you will be sentenced to a minimum 30 days jail.

☒ DEFENDANT SHALL comply with Ignition Interlock rules and requirements imposed by the Department of Licensing.

☒ The vehicle driven by defendant ☐ shall ☐ shall not be seized and forfeited pursuant to RCW 46.61.5058.

☒ Read carefully both sides of this court order.

☒ **SPECIAL CONDITIONS:** The Defendant is ORDERED to:

☒ Pay fine of \$ 1000 including surcharges, costs, BAC fee and ☒ all warrant fees in full by

☒ make minimum payments toward fine/fee of \$ 50 per month, beginning Jan 10, 2019

☐ community service work may be substituted for ☐ all ☐ \$ _____ of the fine.

☒ Serve 30 days in jail. ☐ Serve _____ days on Electronic Home Monitoring.

☐ Perform _____ hours of Community Service work by _____.

☐ Contact a state approved alcohol/drug evaluation agency within the time set forth on the reverse side of this order, **AND** ☐ complete alcohol/drug evaluation and participate in an approved alcohol/drug treatment program if recommended by the evaluating agency, and if not so recommended, ☐ attend alcohol information school. ☐ Defendant is directed to obtain an expanded alcohol assessment.

☒ Contact the Probation Department within the time and at the place set forth on the reverse side of this order, **AND** comply with the general rules and requirements of the Probation Department for ☐ compliance ☐ full supervision.

☐ Make restitution ☐ as determined by the Court ☐ in the amount of \$ _____ by _____. ☐ Defendant shall appear in court for a restitution hearing on _____, at _____ am/pm.

☒ Pay \$ 1200 toward cost of probation supervision at \$ 50 per month beginning Jan 10, 2019

☐ Not drive without a driver's license valid in Washington. ☐ Not operate a vehicle unless equipped with an ignition interlock for a period of _____ months/years beginning immediately, or if suspended, following reinstatement of driving privilege.

☐ Attend ☐ DUI ☒ DV victim's panel ☒ comply with addendum terms. ☐ Defendant shall immediately provide a DNA sample by way of a "mouth swab."

☐ Not consume ☐ alcohol ☐ non-prescribed drugs ☐ prescribed drugs improperly ☐ while in treatment. ☐ at any time.

☐ Comply with the following additional terms and conditions: ☐ \$125 ANACORTES POLICE DEPARTMENT Restitution

☒

DEFENDANT IS PLACED ON PROBATION IF AND AS ABOVE STATED.

Dated this 13 day of Dec, 2018.

Attorney of Record

☐ Attorney Waived

JUDGE/COMMISSIONER

I HAVE RECEIVED A COPY OF THIS ORDER AND UNDERSTAND THAT EACH ITEM MARKED WITH AN ☒ APPLIES TO ME, AND I CONSENT TO RELEASE OF INFORMATION AS SPECIFIED IN #11 ON THE REVERSE SIDE OF THIS ORDER.

DEFENDANT

RECEIVED

DEC 18 2018

Sentence Order 11-2016

READ BOTH SIDES OF THIS ORDER

SK.CO.DIST.COURT.PROB

DOJ-05-0000022390

Dec. 18. 2018 12:12PM

No. 4189 P. 4/6

SKAGIT COUNTY DISTRICT AND MUNICIPAL COURTS

CITY OF ANACORTES,]
 Plaintiff,]
 vs.]
Eric Shirley]
 Defendant]

NO AC 17582
 ADDENDUM TO SENTENCE
 ORDER
 DATED 12.13.18
☐ REFERRAL TO PROBATION
☐ DVPA

This addendum is in addition to and part of the sentence order entered this date in the above case:
 The Defendant is ordered to comply with all of the terms of this Addendum which are selected by marking the box. The terms are part of the sentence order requirements, as if they appeared on the face of said sentence order. Any cost for compliance with these requirements shall be paid by Defendant.

☐ COMPLIANCE WILL BE SUPERVISED BY PROBATION. YOU MUST CONTACT PROBATION WITHIN FIVE DAYS AND PAY ANY PROBATION FEE AS DIRECTED UNLESS WAIVED.

1. ☐ Defendant is ordered to stay away from and have no intentional contact with:

2. ☐ Defendant is ordered to stay away from:

☐ except when, and only if, accompanied by a police officer.

3. ☒ Defendant shall be evaluated by an accredited violence/aggression treatment agency to determine whether treatment is indicated, and shall complete any recommended treatment.

~~PROVIDED~~, Defendant shall first, within five days, report to the Skagit County District Court Probation Department and complete a Domestic Violence Inventory. ~~If qualified, Defendant shall complete the 2-day Domestic Violence Education Program in lieu of evaluation and treatment.~~

OR

☐ Defendant shall enroll in and complete an anger control course or school by _____.

OR

☒ Defendant shall enroll in and complete a certified 12 month domestic violence perpetrators treatment program.

4. ☐ Defendant shall be evaluated by a mental health agency and comply with any recommended treatment. It shall be Defendant's responsibility to make sure that the treatment provider files reports of compliance at least ☐ monthly ☐ quarterly ☐ _____.

5. ☐ THE DEFENDANT SHALL REGISTER AS A SEX OFFENDER WITH THE COUNTY SHERIFF FOR THE COUNTY OF THE DEFENDANT'S RESIDENCE, PURSUANT TO THE DEADLINES SET FORTH IN R.C.W. 9A.44.130.

6. ☐ OTHER: _____

DATED 12.13.18

[Signature]
 JUDGE/COMMISSIONER

I HAVE RECEIVED A COPY OF THIS ORDER AND UNDERSTAND I AM REQUIRED TO COMPLY WITH ALL OF THE TERMS WHERE THE BOX IS MARKED.

DATED 12.13.18

[Signature]
 Defendant's Signature

Addendum to Sentence Order 8-2010

cc nola