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KING COUNTY
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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)	
)	
)	Plaintiff,
	)	No. 02-1-01490-5 KNT
)	
Vs.	)	JUDGMENT AND SENTENCE
	)	FELONY
VLADIMIR KIRICHENKO)	
)	
	)	Defendant,

I. HEARING

I.1 The defendant, the defendant's lawyer, SARA DANNEN, and the deputy prosecuting attorney were present at the sentencing hearing conducted today. Others present were: _____

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 12/20/2002 by plea of:

Count No.:	<u>I</u>	Crime:	<u>ATTEMPTED RESIDENTIAL BURGLARY</u>
RCW	<u>9A.52.025</u>	Crime Code:	<u>12310</u>
Date of Crime:	<u>05/30/2001</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.:	_____
Count No.:	_____	Crime:	_____
RCW	_____	Crime Code:	_____
Date of Crime:	_____	Incident No.:	_____

[] Additional current offenses are attached in Appendix A

FEB 03 2003
COMMITMENT ISSUED

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	0	IV			2.25 TO 6.75 MONTHS	5 YRS AND/OR \$10,000
Count						
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. 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. Financial obligations shall bear interest pursuant to RCW 10.82.090. **The Defendant shall remain under the Court's jurisdiction and the supervision of the Department of Corrections for up to ten years from the date of sentence or release from confinement to assure payment of financial obligations.**

- Court Clerk's trust fees are waived.
- Interest is waived except with respect to restitution.

4.4 **CONFINEMENT ONE YEAR OR LESS:** Defendant shall serve a term of total confinement in the King County Jail or if applicable under RCW 9.94A.190(3) in the Department of Corrections as follows, commencing: immediately; (Date): 2-13-03 by 4 a.m./p.m.

3 months/days on count I; _____ months/days on count _____; _____ months/day on count _____

_____ months/days on count _____; _____ months/days on count _____ months/day on count _____
Work release is authorized if eligible. XD may serve time in Spokane County if self eligible
 Home detention pursuant to RCW 9.94A.734 is ordered if defendant is eligible for _____ day(s), the last one-third of the term of confinement, _____

The terms in Count(s) No. _____ are concurrent/ consecutive.
The sentence(s) herein shall run CONSECUTIVE to any other term previously imposed and not referenced in this order. This sentence shall run CONCURRENT/ CONSECUTIVE with the sentence(s) in cause

Credit is given for 3 day(s) served days determined by the King County Jail solely for confinement under this cause number pursuant to RCW 9.94A.505(6). Jail term is satisfied; defendant shall be released under this cause.

ALTERNATIVE CONVERSION PURSUANT TO RCW 9.94A.680: _____ days of total confinement are hereby converted to:

- _____ days of partial confinement to be served subject to the rules and regulations of the King County Jail.
- _____ days/ hours community service under the supervision of the Department of Corrections to be completed as follows: on a schedule established by the defendant's Community Corrections Officer; _____
- Alternative conversion was not used because: Defendant's criminal history, Defendant's failure to appear, Other: _____

4.5 **COMMUNITY** SUPERVISION, for crimes committed before 7-1-2000, CUSTODY, for crimes committed on or after 7-1-2000, is ordered pursuant to RCW 9.94A.545 for a period of 12 months. The defendant shall report to the Department of Corrections within 72 hours of this date or of his/her release if now in custody; shall comply with all the rules, regulations and conditions of the Department for supervision of offenders (RCW 9.94A.720); shall comply with all affirmative acts required to monitor compliance; shall not possess any firearms or ammunition; and shall otherwise comply with terms set forth in this sentence.
 The court finds that chemical dependency contributed to this offense justifying treatment conditions imposed herein (RCW 9.94A.607).
 Appendix F, Additional Conditions is attached and incorporated.

4.6 **NO CONTACT:** For the maximum term of 5 years, defendant shall have no contact with Angel Jim and 1227 Marine View Dr. SW, Burien

4.7 **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.

4.8 **OFF-LIMITS ORDER:** (known drug trafficker) Appendix I is an off limits order that is part of and incorporated by reference into this Judgment and Sentence.

4.9 **SEX OFFENDER REGISTRATION:** (sex offense conviction) Appendix J covering sex offender registration, is attached and incorporated by reference into this Judgment and Sentence.

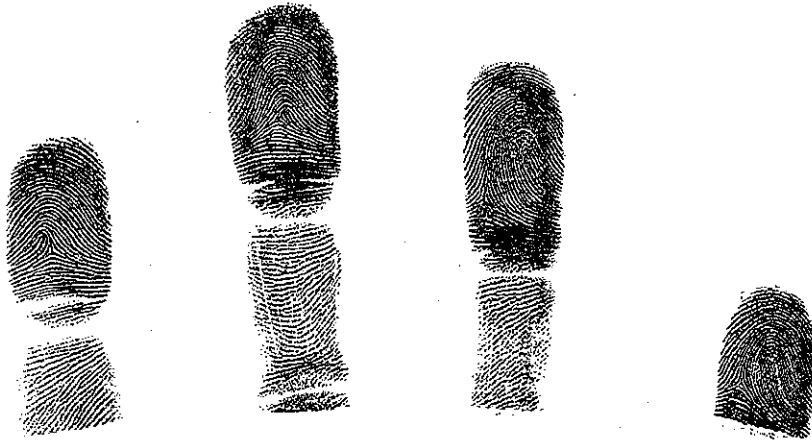
Date: 1-31-03

Michael Heavey
JUDGE
Print Name: MICHAEL HEAVEY

Presented by: [Signature]
Deputy Prosecuting Attorney, WSBA# 29364
Print Name: C. Sergis

Approved as to form: [Signature]
Attorney for Defendant, WSBA# 31024
Print Name: Cannon

FINGERPRINTS



RIGHT HAND
FINGERPRINTS OF:

DEFENDANT'S SIGNATURE: X V.K. [Signature]
DEFENDANT'S ADDRESS: 2124 So. Mt. Vernon #85
Spokane, WA 99223

VLADIMIR KIRICHENKO

DATED: 1/31/03
[Signature]
JUDGE, KING COUNTY SUPERIOR COURT

ATTESTED BY: BARBARA MINER,
SUPERIOR COURT CLERK
BY: [Signature]
DEPUTY CLERK

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 22, 1980
SEX: M
RACE: W

CLERK

BY: _____
DEPUTY CLERK

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)	
)	
Plaintiff,	)	No. 02-1-01490-5 KNT
)	
vs.	)	APPENDIX G
	)	ORDER FOR BIOLOGICAL TESTING
VLADIMIR KIRICHENKO	)	AND COUNSELING
)	
Defendant,)	
)	

(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 296-4848 to make arrangements for the test to be conducted within 30 days.

If (2) is checked, two independent biological samples shall be taken.

Date: 1-31-03



JUDGE, King County Superior Court
MICHAEL HEAVEY

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)	
)	
Plaintiff,	)	No. 02-1-01490-5 KNT
)	
vs.	)	JUDGMENT AND SENTENCE
	)	APPENDIX H
VLADIMIR KIRICHENK ○	)	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: _____
- 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: _____
- 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: 1-23-03


JUDGE MICHAEL HEAVEY

STATE OF WASHINGTON } ss.
County of King

I, BARBARA MINER, Clerk of the Superior Court
of the State of Washington, for the County of King, do hereby certify
that I have compared the foregoing copy with the original instrument as
the same appears on file and of record in my office, and that the same
is a true and perfect transcript of said original and of the whole thereof.
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the
Seal of said Superior Court at my office at Seattle this _____
day of OCT 28 2008 20 _____

BARBARA MINER, Superior Court Clerk
By _____
Deputy Clerk