

FILED
KING COUNTY, WASHINGTON

APR 04 2019

SUPERIOR COURT CLERK
BY LaTanya Smith
DEPUTY

COPY TO COUNTY JAIL APR 04 2019

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

v.

MATTHEW JOHN GRABOUSKY,

Defendant.

No. 17-C-07782-4 KNT

JUDGMENT AND SENTENCE,

NON-FELONY -- Count(s) 1

☐ DEFERRING Imposition of

Sentence/Probation

☒ SUSPENDING Sentence

The Prosecuting Attorney, the above-named defendant and counsel Timothy Leary being present in Court, the defendant having been found guilty of the crime(s) charged in the Amended information on 4/4/19 by Plea and there being no reason why judgment should not be pronounced;

IT IS ADJUDGED that the defendant is guilty of the crime(s) of:

Count No.: 1 Crime: Attempted Animal Cruelty in the First Degree- Sexual Motivation

RCW: 9A.28.020 & 16.52.205(3)

Date of Crime: 05/01/2017

☐ For the crimes charged in Counts _____, **domestic violence – intimate partner** (RCW 9A.36.041(4) and RCW 10.99.020) was pled and proved.

☐ For the crimes charged in Counts _____, **domestic violence (other)** (as defined in RCW 10.99.020 and RCW 9.94A.030) was pled and proved.

IT IS ORDERED pursuant to RCW 9.95.200 and 9.95.210 that:

☐ the imposition of sentence against the defendant is hereby **DEFERRED** for a period of _____ months from this date upon the following terms and conditions:

OR

☒ the defendant is sentenced to imprisonment in the King County Jail, Department of Adult Detention, for 364 days on each count (maximum 364 days for gross misdemeanor), said term(s) to run ☐ concurrently ☐ consecutively with each other, and to run ☐ concurrently ☐ consecutively with ☐ count(s) _____ Cause No(s). _____ and the sentence (less any days of confinement imposed below) is hereby **SUSPENDED** upon the following terms and conditions:

(1) The defendant shall serve a term of confinement of 30 days ☐ in the King County Jail, Department of Adult Detention, ☐ in King County Work/Education Release subject to conditions of conduct ordered this date, ☒ in King County Electronic Home Detention subject to conditions of conduct ordered this date, with credit

ORIGINAL

for ☐ _____ days served ☒ days as determined by the King County Jail, solely on this cause, to commence no later than _____. This term shall run ☐ concurrently ☐ consecutively with _____. This term shall run consecutive to any other term not specifically referenced in this order.

☐ Jail term is satisfied; defendant shall be released under this cause.

(2) ☐ The defendant shall serve _____ months of probation supervised by the Washington State Department of Corrections (DOC) and comply with the standard rules and regulations of supervision. Probation shall commence immediately but is tolled during any period of confinement. The defendant shall report for supervision within 72 hours of this date or release date if in custody. If DOC declines to supervise, defendant shall be on unsupervised probation.

☒ The defendant shall be on unsupervised probation for 24 months, subject to the conditions of this sentence. ☐ A review hearing is set for _____ at _____ a.m./p.m. in this courtroom.

For the following crimes, if probation is ordered, DOC supervision is mandatory: (a) sexual misconduct with a minor in the second degree, custodial sexual misconduct in the second degree, communication with a minor for immoral purposes, or failure to register pursuant to RCW 9A.44.132(2); (b) a repetitive domestic violence offense where domestic violence was pled and proven after 8/1/2011, if the defendant has a prior conviction for either a felony domestic violence offense or a repetitive domestic violence offense, where domestic violence was pled and proven after 8/1/2011. RCW 9.94A.501.

DOC will not supervise any other nonfelony probation. RCW 9.94A.501(6).

(3) Defendant shall pay to the clerk of this Court:

- (a) ☐ Restitution is not ordered;
☐ Order of Restitution is attached;
☒ Restitution to be determined at a restitution hearing on (Date) _____ at _____ m.;

☐ Date to be set;

☐ The defendant waives presence at future restitution hearing(s);

23,793.00

(b) \$ _____, Court costs, defendant is not indigent;

(c) \$ 500, Victim assessment, \$500 for gross misdemeanors and \$250 for misdemeanors (mandatory);

(d) ☐ \$100 DNA collection fee (RCW 43.43.7541) (If a crime requires a DNA sample (see paragraph 12), the fee is mandatory unless the State has previously collected DNA as a result of a prior conviction.);

(e) \$ _____, Recoupment for attorney's fees to King County Public Defense Programs;

(f) \$ _____, Fine; \$ _____ of this fine is suspended upon the terms and conditions herein;

(g) **TOTAL financial obligation set in this order is \$ 23,793.00**; restitution may be added in the future.

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 DOC if it has active supervision of the defendant, or by the county clerk. Pursuant to RCW 9.94A.7602, if the defendant is more than 30 days past due in payments, a notice of payroll deduction may be issued without further notice to the offender. Pursuant to RCW 9.94A.760(7)(b), the defendant shall report as directed by DJA and provide financial information as requested.

(4) ☐ The defendant shall complete _____ community service hours ☐ at a rate of not less than _____ hours per month ☐ to be completed by (Date) _____. If DOC supervision is not ordered, this will be monitored by ☐ the Helping Hands Program ☐ this court.

☐ A review hearing is set on _____, 20____, at _____ a.m./ p.m. in this courtroom.

(5) ☐ The defendant shall complete _____ days of Community Work Program (CWP) subject to conditions of conduct ordered this date. (Communication with a minor for immoral purposes is not eligible.)

(6) ☐ The defendant shall attend the King County Supervised Community Option (**Enhanced CCAP**) subject to conditions of conduct ordered this date for a period of _____ days.

- (7) ☐ The defendant shall not purchase, possess, or use any ☐ alcohol ☐ controlled substance (without lawful prescription). The defendant shall submit to urinalysis and breath testing as required by DOC and submit to search of person, vehicle or home by a Community Corrections Officer upon reasonable suspicion of violation;
- (8) ☒ The defendant shall obtain a ^{sexual assault} ~~substance abuse~~ evaluation and follow all treatment recommendations; within 30 days of release
- (9) ☐ The defendant shall enter into, make reasonable progress and successfully complete a state certified domestic violence treatment program; _____
- (10) ☒ The defendant shall have no contact with: dogs
- (11) ☐ The defendant shall have no unsupervised contact with minors.
- (12) ☐ The defendant shall have a biological sample collected for DNA identification analysis and shall fully cooperate in the testing, as ordered in Appendix G (for assault in the fourth degree with domestic violence pled and proved or with sexual motivation, harassment, stalking, communicating with a minor for immoral purposes, failure to register, custodial sexual misconduct in the second degree, patronizing a prostitute, sexual misconduct with a minor in the second degree, violation of a sexual assault protection order, or any other offense requiring registration under RCW 9A.44.130).
- (13) ☐ The defendant shall register as a sex offender.
- (14) The defendant shall commit no criminal offenses. ✓
- (15) ☐ Additional conditions of probation are: _____
- (16) ☐ Additional conditions are attached to and incorporated as Appendix ____.
- (17) ☐ The court dismisses Count(s) ____.
- (18) ☐ **Department of Licensing Notice – Violation of RCW 9.41.270.** Count ____ is a violation of RCW 9.41.270 (unlawful display of weapons), a gross misdemeanor for which the penalty includes loss of the defendant's concealed pistol license, if any. **Clerk's action: The clerk shall notify DOL.**

Date: 4/04/19

Judge, King County Superior Court

Print Name: **JUDGE LEROY McCULLOUGH**

Presented by: _____

Deputy Prosecuting Attorney, WSBA # 46541
Print Name: A. B. J. S.

Form Approved for Entry: _____

Attorney for Defendant, WSBA # 30353
Print Name: TIMOTHY LENTZ

Defendant's current address:

12324 12327 SE 204th St
Kent, WA 98031