

08-26-97

KING COUNTY SUPERIOR COURT

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CASE#: 92-1-07489-0 SEA      CRIM      JUDGMENT# YES      JUDGE ID: 030  
 TITLE: STATE VS MARTIN  
 FILED: 11-17-92      APPEAL FROM LOWER COURT? NO  
 RESOLUTION: GP      DATE: 03-19-93      GUILTY PLEA  
 COMPLETION: JODF      DATE: 05-17-93      JUDGMENT/ORDER/DECREE FILED  
 CASE STATUS: RWAR      DATE: 11-25-92      RETURN FROM WARRANT  
 CONSOLIDATED:  
 NOTE1: LFO \*\$STA 7-28-93/RESTITUTION PAID  
 NOTE2:

-----APPEARANCE DOCKET-----

SUB#	DATE	CD/CONN	DESCRIPTION	SECONDARY
-	12-24-1992	ADM01	CASE SETTING INFO	
-	12-24-1992	NOTE	8/12/13/23/24	03-19-1993TO
		ACTION	CCN 1630874 / BA 920052773	
		ACTION	EXP 03-18-93	
		ACTION	LOCATION	
		ACTION	INTERPRETER	
		ACTION	TRIAL LENGTH: 4 DAYS	
		ACTION	EXTENSION	
		ACTION	RAPE OF CHLD 1/STAT RAPE 1	
-	11-17-1992	\$FFA	FILING FEE ASSESSED	110.00
1	11-17-1992	INFO	INFORMATION	
2	11-17-1992	ORW	ORDER FOR WARRANT 25,000	
-	11-25-1992	ARRAIGN	INITIAL ARRAIGNMENT	
3	11-25-1992	NTOHS	NOTICE OF OMNIBUS HEARING SETTING	12-10-92
4	11-25-1992	OR	ORDER PROHIBITING CONTACT	
5	11-25-1992	ORECRP	ORDER ESTABLISHING COND. OF RELEASE - PR & TR TO INTERVIEW COURT SERV	
-	12-02-1992	MTHRG	MOTION HEARING	
6	12-03-1992	ORECRP	ORDER ESTABLISHING COND. OF RELEASE - NO BOND	
7	12-03-1992	\$SHRTWA	SHERIFF'S RETRN ON WARRNT OF ARREST	15.50
-	12-10-1992	HCNTSTP	HEARING CONTINUED: STIPULATED	01-07-93
8	12-11-1992	RQ	REQUEST CONT OMNI HRG	01-07-93
9	01-07-1993	OMAPA	OMNIBUS APPLICATION OF PROS ATTY	
10	01-07-1993	OMAD	OMNIBUS APPLICATION BY DEFENDANT	
11	01-07-1993	STAHRG	STATUS CONFERENCE / HEARING	02-12-93
12	01-07-1993	ORSTD	ORDER SETTING TRIAL DATE	03-08-93
13	01-07-1993	*ORSCS	SET CASE SCHEDULE	03-08-1993ST
14	02-12-1993	OMNHRG	OMNIBUS HEARING	
15	02-12-1993	WV	WAIVER OF OMNI HRG/STIPULATED	
16	02-18-1993	MTHRG	MOTION HEARING CR NOT REPORTED	
		JDG15	JUDGE CARMEN OTERO, DEPT 15	
17	03-03-1993	\$RTS	RETURN OF SERVICE(LAW ENFORCE DEPT) SUBPOENA	19.70
18	03-05-1993	TCNTU	TRIAL CONTINUED: UNSPECIFIED	03-17-93
19	03-05-1993	WVSPDT	WAIVER OF SPEEDY TRIAL 03-17-93	
20	03-05-1993	ORCTD	ORD FOR CONTINUANCE OF TRIAL DATE	03-17-93
21	03-05-1993	TCNTU	TRIAL CONTINUED: UNSPECIFIED CR PAT STRESKY	
		JDG15	JUDGE CARMEN OTERO, DEPT 15	
22	03-16-1993	RTS	RETURN OF SERVICE	
23	03-16-1993	HOLD	HOLD TRIAL UNTIL:	03-18-93
24	03-17-1993	HOLD	HOLD TRIAL UNTIL:	03-19-93

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SUB#	DATE	CD/CONN	DESCRIPTION	SECONDARY
25	03-17-1993	ORET	ORDER EXTENDING TIME 03-18-93	
26	03-18-1993	AST	ASSIGNED TO ALUMBAUGH	
27	03-19-1993	STDFG	STATEMENT OF DEFENDANT, PLEA GUILTY	
28	03-19-1993	GPOH	GUILTY PLEA ONLY HEARING CR DAVE UMMEL	
		JDG09	JUDGE JO ANNE B. ALUMBAUGH, DEPT. 9	
29	03-22-1993	PRSIO	PRESENTENCE INVESTIGATION ORDER	05-07-93
		ACTION	1:00/NOE	
-	04-28-1993	\$NOTE	CALCULATION - COURT COSTS S/D: 5/7/93 - NOE	
		MFILM	145.20	
30	05-14-1993	SNTHRG	SENTENCING HEARING CR MICHELLE VITRANO	
		JDG10	JUDGE JAMES A NOE, DEPT 10	
31	05-14-1993	CRTC	CERTIFICATE OF COMPLIANCE	
32	05-17-1993	JS	JUDGMENT AND SENTENCE COMMT ISSD 05-17-93	
-	05-17-1993	\$PACV	PENALTY ASSESSED - CRIME VICTIMS	100.00
33	05-17-1993	ORSR	ORDER SETTING RESTITUTION \$263.93	
34	06-04-1993	MT	MTN FOR ORD EXTEND JAIL RPT DATE	
35	06-04-1993	OREXT	ORDER EXTENDING JAIL REPORTING TIME TO 06-28-93	
36	06-14-1993	NT	NOTICE OF REGISTRATION	
37	06-28-1993	OREXT	ORDER EXTENDING JAIL REPORTING DATE TO 07-12-93	
38	06-28-1993	MTHRG	MOTION HEARING CR MICHELLE VITRANO	
		JDG10	JUDGE JAMES A NOE, DEPT 10	
39	07-02-1993	MT	MOTION RELIEF FROM JDGMT/SENTENCE	
40	07-13-1993	WC	WARRANT OF COMMITMENT	
41	07-20-1993	MTHRG	MOTION HEARING CR MICHELLE VITRANO	
		JDG10	JUDGE JAMES A NOE, DEPT 10	
42	07-20-1993	OREXT	ORDER EXTENDING JAIL REPORTING DATE TO 10-01-93	
43	08-12-1993	NT	NOTICE OF HIV TESTING	
44	08-20-1993	FNRHRG	FINANCIAL REVIEW HEARING CR NOT REPORTED	
		JDG10	JUDGE JAMES A NOE, DEPT 10	
45	08-31-1993	ORSR	ORDER SETTING RESTITUTION \$263.93	
-	09-09-1993	\$FFR	FILING FEE RECEIVED	+ 110.00
-	09-09-1993	\$SFR	SHERIFF'S FEES RECEIVED	+ 9.07
46	10-01-1993	OREXT	ORDER EXTENDING JAIL REPORT DATE	
-	10-11-1993	\$SFR	SHERIFF'S FEES RECEIVED	+ 20.00
-	11-12-1993	\$SFR	SHERIFF'S FEES RECEIVED	+ 20.00
-	11-17-1993	\$SFR	TRSF SHERIFF FEE TO CVP	- 13.87
			SHERIFF FEE OVERPAYMENT	
-	11-17-1993	\$PRCV	PENALTY RECEIVED - CRIME VICTIMS	+ 13.87
-	12-13-1993	\$PRCV	PENALTY RECEIVED - CRIME VICTIMS	+ 20.00
-	01-14-1994	\$PRCV	PENALTY RECEIVED - CRIME VICTIMS	+ 20.00
-	02-14-1994	\$PRCV	PENALTY RECEIVED - CRIME VICTIMS	+ 20.00

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-	03-10-1994	\$PRCV	PENALTY RECEIVED - CRIME VICTIMS +	20.00
-	04-11-1994	\$PRCV	PENALTY RECEIVED - CRIME VICTIMS +	6.13
-	04-11-1994	\$NOTE	ALL LFO PAID	
47	04-27-1994	STFJG	SATISFACTION OF JUDGMENT \$509.13	
48	05-17-1994	OR	ORDER FOR REFUND OF LFO OVERPAYMENT	
49	03-06-1997	ORMS	ORDER MODIFYING SENTENCE	

-----END COPY CASE-----

1 CAUSE NO. 92-1-07489-0

2 CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE3 That Rebecca J. Roe is a Senior Deputy Prosecuting Attorney for  
4 King County and is familiar with the police report and investigation  
5 conducted in King County Department of Public Safety case No.  
6 92-347416;7 That this case contains the following upon which this motion  
8 for the determination of probable cause is made;9 Rosemary Hebert is now twelve years old, with a birth date of  
10 3 January 1980. From 1985 until August of 1989, Rosemary lived with  
11 her parents and siblings at 211 Southwest 139th, Burien, in King  
12 County, Washington. The defendant, Mark Martin, was a friend of the  
13 family. They met through their church, the Burien Community Chapel.  
14 The defendant was allowed to reside with the family for several  
15 years. He had a room in the basement of the Burien house.16 Starting when Rosemary was about six years old, and  
17 concentrating on the years 1988 - 1989, when Rosemary was home-  
18 schooled, the defendant was sexually abusing Rosemary on a frequent  
19 basis. He had her come to his basement room where he removed her  
20 pants and fondled her, pressed his penis against her vagina, and  
21 licked her vagina. She occasionally recalled feeling something wet,  
22 but not seeing anything. This happened over twenty times.23 On one occasion, in November of 1988, Rosemary's mother caught  
24 Rosemary in the defendant's room and confronted him. He lied and  
25 said it only happened once. He was allowed to stay. The family  
insisted he get into counseling, but he never followed through. The  
family moved to Pierce County and the defendant started sexually  
abusing another child in the family.The defendant's whereabouts are unknown. He has no economic  
ties to the community. He is dangerous to children in the  
community. Bail in the amount of \$25,000 is requested, as well as  
a no contact order for the protection of the victim and witnesses in  
this case. The defendant should also be ordered to have no contact  
with minors without the presence of a responsible adult.Under penalty of perjury under the laws of the State of Washington,  
I certify that the foregoing is true and correct. Signed and dated  
by me this 17 day of November, 1992, at Seattle, Washington.  
Rebecca J. Roe, WSBA #91002Certification for Determination  
of Probable Cause - 1Norm Maleng  
Prosecuting Attorney  
W 554 King County Courthouse  
Seattle, Washington 98104-2312  
(206) 296-9000