

KING COUNTY DISTRICT COURT, STATE OF WASHINGTON, WEST DIVISION
SEATTLE COURTHOUSE

STATE OF WASHINGTON; COUNTY OF KING

No. 519MH0049

Plaintiff,

ORDER OF JUDGMENT & SENTENCE FOR THE
CRIME(S) OF:

vs.

1) Assault 4th Degree

Defendant.

TIMOTHY ANDREW CLEMANS

Date of Violation 1/19/2019

The defendant pled guilty or was found guilty after trial or submission on the record.
The Court has reviewed the defendant's criminal history and driving record.

Now, therefore, the defendant is ADJUDGED guilty and SENTENCED as follows:

- ☒ Sentence is suspended for a period of 24 months for Count 1 on the following conditions:
Count 1) 364 day(s) of jail and suspend 355 day(s); and \$ 0 fine and suspend \$ 0 ;
Counts 1 and 2 are ☐ Consecutive ☐ Concurrent

JAIL AND ALTERNATIVE COMMITMENTS

- ☒ Serve a total of 9 day(s) in jail with credit for 8 day(s) served.
The commitment is ☐ Concurrent ☒ Consecutive with all other commitments.
☐ day(s) of jail may be served through; ☐ day(s) of work crew; ☐ hours of community service;
☐ Report for jail/work release commitment no later than
☐ Report for Electronic Home Monitoring commitment no later than
☐ Report for Community Work Crew Program Orientation by
☐ File Proof of Mandatory Community Service in lieu of jail no later than
(See: Rights, Conditions and Warnings page)
☐ For juvenile offenders jail time may be served by alternatives to secure detention.
☐ Defendant may be released directly into a residential/outpatient substance abuse treatment facility if he/she meets both financial and clinical eligibility requirements for Medicaid Eligible Services within 45 days of application.

ACTIVE PROBATION OR COMPLIANCE

- ☒ Supervised Probation for 24 months with Probation Officer (P.O.) at Seattle Probation – (206) 477-1788
Contact the Probation Desk Clerk at the above number no sooner than 10 days after sentencing, but within 20 days, for your P.O. assignment. Probation may recommend fee reduction based upon income.
☐ Sentence Compliance for months

FINES, COSTS AND ASSESSMENTS

Defendant shall pay to the Clerk of this Court:

- ☒ Fine of..\$ 0.00 ☒ Assessments..\$ 0.00 ☐ Warrant fee.. \$
☒ Probation fee \$65/month (12 months/\$780, 24 months/\$1560)..\$ 0.00
☒ Criminal Conviction/Filing fee..\$ 0.00
☐ Prostitution and Indecent Exposure Fee \$ (Mandatory minimum of \$16.50. RCW 9A.88.120.)
☐ Defendant may complete hours of community service within months, in lieu of \$ of the fines, costs and assessments. Proof of the service must be filed with the Court and be on the non-profit agency's letterhead, signed by an authorized person. Community service is credited at the rate of \$15 per hour. (See Rights, Conditions and Warnings page.) Enter into a time pay agreement for any balance.
☐ Defendant may complete day(s) of Community Work Program (CWP) in lieu of \$ of the fines, cost and assessments . Report for Orientation by

Total 0.00

Within 30 days pay the total to: KCDC 516 3rd Ave, Rm 340, Seattle, Wa 98104, or contact Transworld Systems Inc. to set up a payment agreement. Failure to keep the payment agreement may result in the Court imposing an additional penalty. If your account becomes delinquent, it will be referred to a collection agency for collection enforcement.

CONDITIONS OF SENTENCE

- ☒ Have No criminal violations of law. ☐ Have No alcohol-related infractions.

ADDITIONAL CONDITIONS OF SENTENCE

- ☒ Use no alcohol or non-prescribed medications or controlled substances. ☐ Including Marijuana/Marijuana products. (See Rights, Conditions and Warnings page.)
- ☒ Begin within the time period specified and timely complete the following program(s) and file proof with the Court or probation (If placed on supervised probation).
- ☐ Sexual Deviancy Counseling/Treatment (Complete and file proof with Court within day(s)).
- ☐ Consumer Awareness Class (Complete and file proof with Court within day(s)).
- ☒ Other:

Treatment agencies shall file reports with the Court or probation every month and file the final treatment report within 30 days of treatment completion.

- ☒ Other:

Comply with Regional Mental Health Court Conditions of Treatment and RMHC Treatment Plan.
Financial obligations waived--Blazina and statutes.

FUTURE HEARINGS AND MISCELLANEOUS PROVISIONS

- ☐ Return for a restitution hearing: _____ [date]
- ☐ Return for a review hearing: _____ [date]
- ☒ Bail/Bond exonerated.
- ☐ Report Conviction to Department of Licensing.

I have received and understand my sentence includes the attached "Rights, Conditions and Warnings."
DONE IN OPEN COURT Tuesday, August 20 2019

Defendant Signature
7/19/90
Date of Birth

Michael J. Finkle
Judge Michael Finkle

Prosecuting Attorney Bar # 43033

Defendant Address and Telephone Number
Effective 12/28/2018

CC
Defense Attorney Bar # 46374

RIGHTS, CONDITIONS AND WARNINGS

1. **TIMELY APPEARANCE.** You must appear in Court at any time ordered by the Court throughout your deferred sentence or suspended sentence. You must pay all fines, costs, assessments when due. You must report for any commitment as ordered by the Court and ready to serve your commitment.
2. **ADDRESS.** You must keep the Court advised of your current address. Provide any address changes within two business days.
3. **ACTIVE PROBATION.**
 - A. If you are placed on active probation, you must timely contact the probation office as directed, and no later than 20 days after you are sentenced.
 - B. You must keep that probation office advised of all address changes.
 - C. You may not consume any alcohol prior to any meeting with a probation officer. If alcohol use is suspected, you must provide a breath analysis as directed by probation.
 - D. You must keep the probation office informed of your employment status.
 - E. You must keep the probation office informed of any new violations of law.
 - F. Medical Marijuana is only permitted if you are in compliance with the Medical Marijuana Policy adopted by the Court under Policy No. OPR-2012-02.
4. **BREATH OR URINE ANALYSIS.** You must submit to a breath or urine analysis for alcohol or drugs upon the Court's order.
5. **PROOF OF COMPLIANCE.** In each instance where you are requested to file proof of a condition of sentence compliance, the proof must be in writing, signed by the person supervising the required program and written on the agency's letterhead. The proof of completion must be filed with the Court.
6. **COMMUNITY SERVICE.** See Court Community Service Handout for instructions. On-line service is not permitted. You may not be paid for the hours performed nor employed by, or on the board of, the agency.
7. **RESTITUTION.** Restitution must be paid as indicated on the Judgment and Sentence, or Restitution Order. A cashier's check or money order must include your case number. A restitution obligation may be enforced in the same way as a civil judgment. A restitution obligation may be enforced up to 10 years following your release from confinement or from the date of Judgment and Sentence, whichever is longer, and may be extended an additional 10 years if the Court finds that you did not make a good faith attempt to pay.
8. **TRAVEL RESTRICTIONS.** If your sentence includes at least one year of active probation with conditions, or monitored probation and your offense involved direct or threatened physical or psychological harm of a victim, use or possession of a firearm, a second or subsequent DUI, or a sexual offense that requires registration, you cannot reside or relocate outside of the state of Washington without approval of the Court and approval of the Interstate Compact for Adult Offender Supervision Commission (ICAOS). This restriction will apply whether you are on active probation or monitored probation. **You must contact the probation office for more details before returning or relocating to another state.** There is an \$100.00 application fee. **If you are a resident of another state at the time of sentencing, with a qualifying offense, you must remain in Washington until completing the ICAOS transfer request. You must contact the King County Probation ICAOS Coordinator within 3 business days of sentencing at 206-477-0489 or 206-477-0481 to arrange to complete the transfer request. For City of Bellevue cases contact the Bellevue Probation Department at 425-452-6956 to complete the transfer request.**
9. **FAILURE TO MEET CONDITIONS.** Failure to meet any of the conditions of the Judgment and Sentence, any condition listed above, or failure to appear as scheduled, may result in the issuance of a bench warrant for your immediate arrest, and/or the revocation of your deferred or suspended sentence. It may also result in the imposition of warrant costs, the suspension of your driver's license and the referral of your fines, costs and assessments to a collection agency. If a deferred or suspended sentence is revoked because of failure to meet conditions, you are subject to the imposition of the maximum sentence and fine as permitted by law, or such portion thereof as the Court deems appropriate. These conditions remain in effect throughout the entire period of the deferred or suspended sentence unless changed by Court order.
10. **APPEAL RIGHTS.** You have the right to appeal the conviction pursuant to the Rules for Appeal (RALJ). Unless a Notice of Appeal is filed in this Court within 30 days after entry of the Judgment and Sentence or order appealed from, the right to appeal is waived. The Notice of Appeal must be served on all parties. The Court clerk will, if requested, supply a Notice of Appeal form. You have the right to a lawyer on appeal. If you are unable to pay the costs, you have the right to have a lawyer appointed and portions of the trial record necessary for review prepared at public expense for an appeal.
11. **COLLATERAL ATTACK.** You may not file motions for collateral attack on a Judgment and Sentence more than one year after the judgment becomes final. "Collateral attack" means any form of post-conviction relief other than direct appeal, including but not limited to, petitions for personal restraint or habeas corpus, or motions to vacate judgment, withdraw a guilty plea, arrest judgment or for a new trial.

**King County District Court
Regional Mental Health Agreement / Conditions of Treatment**

Defendant's Name: Timothy Andrew Clemans

Date of Birth: 07/19/90

Cause Number(s):

Charge(s):

Cause Number(s):

Charge(s):

Cause Number(s):

Charge(s):

Current Mental Health Treatment Provider: CPC-Belltown

Current Case Manager:

Phone Number:

DEFENDANT SHALL (please initial the conditions imposed by the Court):

TC

Comply with ☒ mental health treatment and ☒ chemical dependency treatment as approved by the judge or probation and attend all recommended individual and group appointments.

TC

Take all medications as recommended by a prescriber approved by the judge or probation.

TC

Obtain a chemical dependency assessment with a provider approved by the judge or probation within ☐ _____ days ☐ if directed to do so by the judge or probation. Follow all treatment recommendations.

TC

Complete a certified Domestic Violence Treatment program with a provider approved by the judge or probation ☐ if directed to do so by the judge or probation.

TC

Do not change mental health, chemical dependency, or domestic violence treatment providers without advance approval from the judge or probation.

TC

Sign all releases of information as requested by probation to monitor compliance with these Conditions of Treatment and other conditions as ordered by Mental Health Court.

Comply with all rules and regulations of your residence. Do not change your residence or phone number without advance approval from the judge or probation.

TC

Current Phone: 206 865 9236

Current Address:

TC

Do not use alcohol or any non-prescribed controlled drugs, or synthetic drugs such as spice or any supplements that have not been approved by your provider. Do not use marijuana, even if you have a medical marijuana prescription. Submit to random drug and alcohol testing when directed to do so.

TC

Do not harm or threaten to harm others or another's property

TC

Do not possess, own, or have under your control any firearm or weapon.

TC

Do not commit any new law violations.

TC

Meet with probation 2 times per month. This may be increased or decreased based upon need and compliance with the treatment plan.

TC

Attend regular review hearings with the court as scheduled.

TC

Obtain permission from the judge or probation prior to travel if travel occurs out of state or if travel interferes with the conditions of treatment, probation, or the court.

TC

Comply with: ☒ Daily medication monitoring as scheduled by your mental health provider and/or probation; ☒ DBT as scheduled by your provider; ☐ MRT as scheduled by your provider or by CCAP.

TC

Other: Comply with court ordered UA's as directed by the RMHC Judge.
Comply with the approved CPC Safety plan.

Signature of Defendant: [Signature]

Date: 8/20/19

Judge _____