

FILED
2019 OCT 23 10:38 AM
KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE #: 19-1-07294-2 KNT

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON,)
)
 Plaintiff,)
)
 v.) No. 19-1-07294-2 KNT
)
 TIMOTHY RYAN TIMMONS,) INFORMATION
)
 Defendant.)
)
)
)

I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse TIMOTHY RYAN TIMMONS of the following crime[s]: **Assault In The Third Degree**, committed as follows:

Count 1 Assault In The Third Degree

That the defendant TIMOTHY RYAN TIMMONS in King County, Washington, on or about October 18, 2019, did intentionally assault Matthew M McNabb and Michael Mabis , law enforcement officers or other employees of a law enforcement agency who were performing official duties at the time of the assault;

Contrary to RCW 9A.36.031(1)(g), and against the peace and dignity of the State of Washington.

DANIEL T. SATTERBERG
Prosecuting Attorney

By:

Myllar

Mylla S. Dawson, WSBA #54243
Deputy Prosecuting Attorney

CAUSE NO. 19-1-07294-2 KNT

PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR
CONDITIONS OF RELEASE

The State incorporates by reference the Certification for Determination of Probable Cause prepared by Detective Buie D. Arneson of the Auburn Police Department for case number 19-12244.

The State requests bail set in the amount of \$2,500.00 pursuant to CrR 2.2(b)(2)(ii) and (iii) and (iv) because the defendant is likely to commit a violent offense and is likely to interfere with the administration of justice by committing new crimes if released. **And – the defendant is now in custody on another felony charge (19-1-007293-4 KNT – on \$2500).** At first appearance, the State requested bail to be set at \$10,000 due to the violent nature of this case, and the Court released the defendant on his personal recognizance.

The defendant is likely to commit a violent offense as evidenced by his behavior in this case. The defendant was contacted by officers for drinking alcohol in public, and when officers began to arrest him the defendant punched Officer Mabis with a closed fist on the right side of his face. This punch cause Officer Mabis pain in his face and swelling. The defendant continued to resist while the officers were detaining him. Eventually, the officers were able to handcuff the defendant, but while Officer McNabb was escorting the defendant to a patrol car, the defendant kicked Officer McNabb in his groin, causing Officer McNabb protracted pain. The defendant was extremely combative with officers, and the State believes that if he is released, he will commit another violent offense. The defendant also has history of violent behavior, as he has a 2017 conviction for Assault in the Second Degree with a Deadly Weapon.

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2 The defendant is likely to interfere with the administration of justice by committing new
3 crimes, if released, The defendant was released on his personal recognizance on this case on
4 October 18, 2019, and on October 20, 2019, only two days later, the defendant was arrested on a
5 new case for Theft of a Motor Vehicle (19-1-07293-4 KNT). The defendant will likely commit
6 additional crimes if he is released on this case, as evidenced by his unwillingness to have law
7 abiding behavior when released on this case.

8 Signed and dated by me this 22nd day of October, 2019.

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12 Mylla S. Dawson, WSBA #54243
13 Deputy Prosecuting Attorney
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King County

**eLODI
PROSECUTING ATTORNEY'S OFFICE
Certification for Determination of Probable Cause**

That Buie Arneson 8919 is a Detective with the Auburn Police Department and is familiar with the investigation conducted in Auburn Police Department 19-12244. There is probable cause to believe that Timmons, Timothy Ryan, 10/15/1997 committed the crime(s) of:

- Assault In The Third Degree (Law Enforcement Officer), in Auburn

County of King, in the State of Washington.

This belief is predicated on the following facts and circumstances:

On 10-18-19 at about 0823 hours, APD Officer Mabis was at the Fred Meyer located at 801 Auburn Way North in Auburn WA in order to conduct a follow up investigation. While walking in to the store in full APD uniform Officer Mabis was approached by employee [REDACTED] [REDACTED] made Officer Mabis aware of a shoplift of Modelo beer that had just occurred and the suspect was a younger white male wearing a black sweatshirt and backpack. It was decided that Ofc Mabis would first attend to his original reason for being there and then attend to looking into the shoplift.

Officer Mabis went to the loss prevention office where he was waiting for the L.P. Agent to join him. While in the office Ofc Mabis was able to view security cameras from the store and could see one that covered the front entry where he had entered. In looking at the camera he observed a male that closely resembled the shoplift suspect he was made aware of upon entry to the store. Ofc Mabis observed the male smoking and drinking from a can that appeared to be a Modelo beer can. Since the L.P. Agent had not arrived, Ofc Mabis contacted Ofc McNabb by phone and directed him to meet him at the front entry.

Officer Mabis went back to the front of the store and located the young white male with a black sweatshirt and backpack. The male, identified as Timothy Timmons, was seated on a bench and had an open can of Modelo beer at his feet. Having already witnessed Timmons drinking the beer he believed he had probable cause to arrest him for consuming liquor in a public place (66.44.100) and reasonable suspicion that Timmons was the person that had shoplifted from the Fred Meyer.

Officer Mabis was within arms reach of Timmons when he told Timmons he couldn't drink the beer in public. Timmons then picked up the beer and began raising it as though he was going to drink again. Ofc. Mabis took hold of Timmons right wrist and directed Timmons to put the beer down, instead Timmons tensed his muscles and his grip and crushed the can of beer and thus spilling the beer. Timmons then quickly "lunged" at Ofc Mabis, breaking free of his grasp and then delivered a punch with his closed left fist to Ofc Mabis' right side of his face. This caused him pain and later noted swelling.

Officer Mabis attempted to stop Timmons' assault and grabbed hold of his right arm while Ofc McNabb, just arriving as the assault occurred, attempted to place Timmons in an VNR (Vascular Neck Restraint). Timmons, while still standing, was still trying to punch Ofc Mabis with his left hand and was not providing active resistance in concert with his active assault. This continued to the point where Ofc Mabis felt Timmons reaching for something on his (Ofc Mabis) duty belt and felt as though Timmons may be trying to disarm him. A closed fist strike was delivered to Timmons abdominal area which caused him to double over and his resistance/aggressive level decreased. However, Timmons was still resisting their efforts to take him into custody and was still standing.

Timmons was still resisting efforts to arrest him when he turned towards Ofc Mabis, with Ofc McNabb still trying to place the VNR from the rear. Ofc Mabis delivered a closed fist strike to the right side of Timmons face which caused him to fall to the ground. Ofc McNabb maintained his position and Ofc Mabis again tried to secure Timmons right arm. Timmons was heard saying something to the affect that he was giving up and was then able to be placed in handcuffs. VRFA Aid crews were called to the scene to check on Timmons and found he was ok and had not been rendered unconscious. Timmons was verbally abusive and had no problems breathing or speaking.

Officers McNabb and Mabis helped Timmons to the standing position in order to walk him to a patrol vehicle for transport. While doing so Officer McNabb had to let go of his control and walk behind and to the left of Timmons due to


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Certification for Determination of Probable Cause

the size of the sidewalk and lack of room. Timmons used this point to kick back and up at Officer McNabb, delivering a kick to the Officers groin which caused him protracted pain. Officers took Timmons to the ground again as he continued to be assaultive to the officers. Timmons finally calmed down enough in order for him to be placed in a patrol vehicle for transport.

While still at the scene, Officers conducted a field show with [REDACTED] and he confirmed that Timmons was the same person that he had observed shoplifting beer from inside the store. Timmons, after stealing from the store, sat outside drinking the stolen beverage when contacted by Officers. Not only did Timmons resist arrest but he actively assaulted both officers by punching one in the face and kicking the other in the groin.

Timmons was transported to the SCORE Jail to await transport to the King County Jail.

At the time this was written on 10-21-19, Timmons had already gone before Judge Paglisotti, probable cause was found for assault 3rd degree and then Timmons was released on his personal recognizance. On 10-20-19 Auburn PD responded to another incident, 19-12318, where Timmons had stolen a vehicle and was arrested again after trying to run from police and causing a K9 track. Timmons is in custody for this latest case.

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 21 day of October, 2019, at Auburn, Washington.



This printout is from the King County Electronic Log of Detective Investigations (eLODI) system, where the above officer signed and transmitted this referral as permitted by GR 30 and LGR 30.

AGENCY: Auburn PD	WA0170100	CASE NUMBER 19-12244	FILE NUMBER	PCN NUMBER	SUPERFORM
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ARREST INFORMATION		
DATE & TIME OF VIOLATION 10/18/2019 8:00 AM	CRIMINAL TRAFFIC CITATION ATTACHED? <input type="checkbox"/> YES <input type="checkbox"/> NO	ACCOMPLICES
DATE OF ARREST/TIME 10/18/2019 9:30 AM	ARREST LOCATION 801 Auburn Way N Auburn, WA 98002 Fred Meyer	

SUSPECT INFORMATION		
NAME (LAST, FIRST, MIDDLE/JR, SR, 1st, 2nd) TIMMONS, TIMOTHY RYAN	DOB 10/15/1997	ALIAS, NICKNAMES
ARMED/DANGEROUS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IDENTITY IN DOUBT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	CITIZENSHIP N/A
PHYSICAL DETAILS		
SEX M	HEIGHT 508	WEIGHT 140
SKIN TONE FAR	RACE W	EYE BRO
HAIR BRO	SCARS, MARKS, TATTOOS, DEFORMITIES	
IDENTIFICATION DETAILS		
CCN 1966813	PRIOR BA # 219027207	AFIS # 02153333
FBI # WFE2XCJW5	STATE ID # [REDACTED]	DRIVER'S LICENSE #
RESIDENCE LAST KNOWN ADDRESS 00000 HOMELESS ST AUBURN, WA 98001		EMPLOYMENT / SCHOOL EMPLOYER, SCHOOL (ADDRESS, SHOP/UNION NUMBER)
RESIDENCE PHONE		BUSINESS PHONE
OCCUPATION		
EMERGENCY CONTACT		
PERSON TO BE CONTACTED IN CASE OF EMERGENCY	RELATIONSHIP	Address
		PHONE

CHARGE INFORMATION			
OFFENSE <input type="checkbox"/> DV <input type="checkbox"/> FUGITIVE F - 9A.36.031	RCW / ORD# Assault 3rd degree	COURT / CAUSE # SUPERIOR /	CITATION #
OFFENSE <input type="checkbox"/> DV <input type="checkbox"/> FUGITIVE	RCW / ORD#	COURT / CAUSE #	CITATION #

WARRANT / OTHER			
WARRANT DATE	WARRANT NUMBER	OFFENSE	AMOUNT OF BAIL
ORIGINATING POLICE AGENCY		ISSUING AGENCY	WARRANT RELEASED TO: (SERIAL # / UNIT / DATE / TIME)

PROPERTY INFORMATION	
LIST VALUABLE ITEMS OR PROPERTY LEFT FOR ARRESTEE AT JAIL	
LIST VALUABLE ITEMS OR PROPERTY ENTERED INTO EVIDENCE (SIMPLE DESCRIPTION, IDENTIFYING MARKS, SERIAL #)	
LIST ITEMS ENTERED INTO SAFEKEEPING	
TOTAL CASH OF ARRESTEE \$0.00	WAS CASH TAKEN INTO EVIDENCE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO AMOUNT: \$0.00
SIGNATURE OF JAIL STAFF RECEIVING ITEMS / SERIAL #	

OFFICER INFORMATION		
ARRESTING OFFICER / SERIAL # Ameson, Buie 8919	TRANSPORTING OFFICER / SERIAL #	SUPERVISOR SIGNATURE / SERIAL #
SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #) Ameson, Buie		CONTACT PERSON FOR ADDITIONAL INFORMATION (NAME/SERIAL#/PHONE)

COURT FILE		
SUPERIOR COURT FILING INFO <input type="checkbox"/> IN CUSTODY <input type="checkbox"/> AT LARGE <input type="checkbox"/> OUT ON BOND	COURT CAUSE (STAMP OR WRITE)	
COURT/DIST. CT.NO.	DIST. CT. BOND \$	SUP. CT. DATE

EXTRADITE			
PERSON APPROVING EXTRADITION	SEAKING-LOCAL ONLY WACIC-STATE WIDE <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM ID & OR ONLY <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM OR, ID, MT, WY, CA, NV, UT, CO, AZ, NM, HI, AK <input type="checkbox"/>
NCIC-WILL EXTRADITE FROM FROM ALL 50 STATES <input type="checkbox"/>			
E N T R Y	CCN _____ WAC _____ NCIC _____	DOE _____ TOE _____ OP _____	C L E A R A N C E DOC _____ TOC _____ OP _____

PROBABLE CAUSE INFORMATION
STATEMENT OF PROBABLE CAUSE: NON-VUCSA
CONCISELY SET FORTH FACTS SHOWING PROBABLE CAUSE FOR EACH ELEMENT OF THE OFFENSE AND THAT THE SUSPECT COMMITTED THE OFFENSE. IF NOT PROVIDED, THE SUSPECT WILL BE AUTOMATICALLY RELEASED. INDICATE ANY WEAPONS INVOLVED. (DRUG CRIME CERTIFICATE BELOW.)