

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY
FILED

STATE OF WASHINGTON,

KING COUNTY, WASHINGTON

Plaintiff,

MAR 14 2001

DEPARTMENT OF
JUDICIAL ADMINISTRATION

Accelerate

Non Accelerated

DPA 2: Defense

NO. 00-1-1154-8 SEA

v.

Denise Yun

Defendant.

STATEMENT OF DEFENDANT
ON PLEA OF GUILTY
(Misdemeanor)

1. My true name is Denise Yun
2. My date of birth is 3-13-65
3. I went through the 10th grade in school.

4. I HAVE BEEN INFORMED AND FULLY UNDERSTAND that I have a right to representation by a lawyer and that if I cannot afford to pay for a lawyer, one will be provided at no expense to me. My lawyer's name is Kathryn Beckman

5. I HAVE BEEN INFORMED AND FULLY UNDERSTAND that I am charged with the crime(s) of:
Attempted theft 2^o

that the elements of this crime(s) are: attempting to deprive another of their property in an amount > 250, but less than \$1500.

and that the maximum sentence (s) for which is (are): 365 days in jail
and \$ 5,000 fine(s).

I have been given a copy of the information.

6. I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT:

- (a) I have the right to a speedy and public trial by an impartial jury in the county where the crime is alleged to have been committed.

ORIGINAL



7. IN CONSIDERING THE CONSEQUENCES OF MY GUILTY PLEA, I UNDERSTAND THAT:

- Page 2 of 4

- (f) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

8. I plead guilty to the crime(s) of attempted theft 2nd
_____ as charged.

9. I MAKE THIS PLEA FREELY AND VOLUNTARILY.

10. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

11. No person has made promises of any kind to cause me to offer this plea, except as set forth in this statement.

12. I have been informed and fully understand that the Prosecuting Attorney will make the following recommendations (s) to the court. at

24 months ~~with the maximum sentence of 24 months~~ Deferred sentence
- Perform 240 hours of community service
- \$500 UPA costs costs, attorney fees
- Supervised probation 2 years
- NCLV
- Obtain a mental health evaluation and follow recommended treatment

13. I have been informed and fully understand that the court can impose any sentence up to 365 days in jail and a fine of \$ 5,000 and that the court does not have to follow the Prosecuting Attorney's recommendation as to sentence. The court is completely free to give me my sentence up to the maximum set out above.

14. The court has asked me to state briefly in my own words what I did that resulted in my being charged with the crimes(s) with which I have been charged. This is my statement:

On September 18, 2000, in King County, Washington, I
attempted to steal more than \$250 in clothing from
the Nordstroms in Bellevue Square.

15. My lawyer has explained to me, and we have fully discussed all of the above paragraphs. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

David Yun
DEFENDANT

I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement.

Ch. K. Y. 2386
PROSECUTING
AUTHORITY

Kathryn Beckerman
DEFENDANT'S LAWYER 18438
Kathryn Beckerman

The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that [check appropriate box]:

- ☒ (a) The defendant had previously read; or
☒ (b) The defendant's lawyer had previously read to him or her; or
☐ (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full.

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated this 13th day of March, 1992.

Bennett Comstock
JUDGE

*I am fluent in the _____ language and I have translated this entire document for the defendant from English into that language. The defendant has acknowledged his or her understanding of both the translation and the subject matter of this document. I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this _____ day of _____, 199 _____.

LOCATION

INTERPRETER

PHOTOCOPY

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

v.

Denise Kim Yun

Defendant.

NO. 00-1-11154-8 SEA

AMENDED INFORMATION

I, Norm Maleng, Prosecuting Attorney for King County in the name and by the authority of the state of Washington, by this Amended Information do accuse the defendant(s) of the crime of Attempted Theft in the Second Degree

committed as follows:

That the defendant(s), Denise Kim Yun, in King County, Washington, (on or about) (during a time intervening) the 18th day of September, 192000 with intent to deprive another of property, to-wit: merchandise, did attempt to wrongfully obtain such property belonging to Nordstroms that the value of such property did exceed \$250

Contrary to RCW 9A.56.040(1)(a), 9A.56.020(1)(a) & 9A.28.020 and against the peace and dignity of the state of Washington.

NORM MALENG
Prosecuting Attorney

By
Deputy Prosecuting Attorney

AMENDED INFORMATION

CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE

That **MATT VOLPE** is a(n) **POLICE OFFICER** with the **BELLEVUE POLICE DEPARTMENT** and has reviewed the investigation conducted in **BELLEVUE POLICE DEPARTMENT** Case Number: **00B-10646**.

There is probable cause to believe that, **YUN, DENISE KIM (DOB: 03-13-65)** committed the crime(s) of theft in the second degree.

This belief is predicated on the following facts and circumstances:

On 09-18-00 at 1352 hours I was dispatched to a shoplifter in custody at Nordsrom, 100 Bellevue Square. Upon arrival, W-Brook Cude, Nordstrom loss prevention, told me the following:

She was watching the video surveillance cameras and watched a woman, later identified as S-Denise Yun, shopping in the store, carrying a Nordstrom shopping bag. Yun selected various pieces of merchandise from different departments. Yun entered fitting rooms with merchandise and when she exited some items were missing. The rooms were checked after Yun exited them and the missing item's were not located. Yun then exited the store without paying for anything but one dress. Yun was detained and admitted to the theft. A consent search of Yun's shopping bag yielded the missing merchandise. In total Yun stole \$1451.00 worth of merchandise.

At 1402 hrs. I advised Yun that she was under arrest for theft. I advised her of her rights. I asked her what happened and she replied, "I tried to steal this merchandise" as she was looking at the desk with clothing stacked on it. I pointed to the merchandise on the desk and asked her if this was the stuff that she stole and she said yes.

Cude gave me a statement, a statement of fair market value, and told me that the video tape and clothing would be retained by the store as evidence.

I transported Yun to BPD for booking. During my interaction with Yun she repeatedly told me that she shouldn't have confessed because she could have gotten out of the charges. She continually said that she was "stupid" for stealing and for saying anything. She was released at BPD.

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 20th day of September, 2000 at **THE CITY OF BELLEVUE**, King County, Washington State.

M. Volpe P330
September 20, 2000

CAUSE NO. 00-1-11154-8 SEA

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

The facts are outlined in the Certification for Determination
of Probable Cause prepared by Bellevue Police Officer Matt Volpe.

Nicole A. Gaines, WSBA #26127

Prosecuting Attorney Case
Summary and Request for Bail
and/or Conditions of Release - 1

Norm Maleng
Prosecuting Attorney
W 554 King County Courthouse
Seattle, Washington 98104-2312
(206) 296-9000

NON-FELONY PLEA AGREEMENT AND SENTENCE RECOMMENDATION (PROBATION)

Defendant: Denise Yoon Date: 2/22/01
Cause No: 00-1-11154-B SEA/KNT Attorney: Beckman
On Plea to Count(s) I of the ☐ original ☒ amended information.

State will move to dismiss Counts _____ Cause No. _____

STATE RECOMMENDS:

☒ Imposition of the sentence(s) on Count(s) I of the defendant be **DEFERRED** pursuant to RCW 9.95.200/210 for a period of 24 months (probation period may not exceed the statutory maximum term or 24 months, whichever is longer) on the following conditions:

☒ Sentence of 12 months in the King County Jail on count(s) I (concurrent) (consecutive), but execution **SUSPENDED** pursuant to RCW 9.92.060 with a probation termination date of 24 months (may not exceed the statutory maximum term per 9.92.064), on the following conditions:

Conditions of Probation:

☒ Serve 20 days/months in the King County Jail with credit for all days served solely on this cause with work release, if eligible. Terms to be served concurrent/consecutive with each other. Terms to be served concurrently/consecutively with _____. Terms to be consecutive with any other term not referenced on this page.

☒ Monetary conditions including court costs, victim penalty assessment, recoupment for appointed counsel, WSP lab fee of \$100, incarceration costs of \$50 per day for all days in King County Jail, and other _____.

☒ Restitution is ☐ not agreed ☒ agreed in the amount of \$ _____ or as set forth in _____.

☒ Supervised probation under the jurisdiction of and subject to standard rules of supervision of the Washington Department of Corrections or King County Probation Department.

☒ Have no law violations and no contact with crime victim as a condition of sentence ☐ and RCW 10.99 or RCW 26.50.

☒ Other: 30 days of Community Service

☒ Obtain The Defendant Agrees to obtain mental health eval & follow rec. treatment.

Maximum term(s) 12 months and/or \$ 500 fine for Count(s) I

Recommendation offered above may be withdrawn without notice at any time prior to the entry of guilty plea and may be accepted only by actual entry of a guilty plea. In addition the recommendation assumes prior convictions have been fully disclosed and are set forth in Appendix B. Additional prior convictions discovered, the commission of new charged or uncharged crimes, the defendant's willful failure to appear for sentencing or violation of other conditions of release will result in a recommended sentence more severe than above.

Copy received and understood.

Approved by:

Defendant

Date

Deputy Prosecuting Attorney

Date

1/7/01

**APPENDIX B TO PLEA AGREEMENT
PROSECUTOR'S UNDERSTANDING OF DEFENDANT'S CRIMINAL HISTORY
(SENTENCING REFORM ACT)**

Page 1 of 1

***PRELIMINARY CRIMINAL HISTORY ONLY**

Defendant: Denise Kim Yun

FBI Num: 89628JA2

State ID Num: WA13922817

- ☒ **None known. Recommendation and standard range assumes no prior felony convictions**
- ☐ **Criminal history not known and not received at this time**

☐ **DOSA POSSIBLE**

☐ **MIOSO POSSIBLE**

Adult Felonies – None known

Cause

Agency

Juvenile Felonies – None known

Cause

Agency

Misdemeanors

Cause

Agency

Offense Sentence

One conviction in 1996 for No Valid Driver's License.

***NOTE: As the above-noted information reflects preliminary criminal history, it may be subject to revision later in the sentencing process.**

Prepared by:

SGIB/CCA
Community Corrections Officer/CCA
Department of Corrections

GENERAL SCORING FORM

Nonviolent Offenses

Use this form only for the following offenses: Abandonment of Dependant Persons 1; Abandonment of Dependant Persons 2; Advancing Money or Property for Extortionate Extension of Credit; Assault 3; Assault by Watercraft; Assault of a Child 3; Bail Jumping with Class A Felony; Bail Jumping with Class B or C Felony; Bribe Received by Witness; Bribery; Bribing a Witness; Commercial Bribery; Computer Trespass 1; Counterfeiting - 3rd Conviction and Value Greater Than \$10,000; Counterfeiting - Endangering Public Health and Safety; Criminal Gang Intimidation; Criminal Mistreatment 1; Criminal Mistreatment 2; Custodial Assault; Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct; Delivery of Imitation Controlled Substance by Person 18 or Over to Person Under 18; Extortion 2; Extortionate Extension of Credit; Extortionate Means to Collect Extensions of Credit; False Verification for Welfare; Forged Prescription (Legend Drug); Forged Prescription for a Controlled Substance; Forgery; Harassment; Health Care False Claims; Hit and Run with Vessel - Injury Accident; Inciting Criminal Profiteering; Indecent Exposure to Person Under Age 14; Influencing Outcome of a Sporting Event; Intimidating a Judge; Intimidating a Juror; Intimidating a Public Servant; Intimidating a Witness; Introducing Contraband 1; Introducing Contraband 2; Malicious Explosion 3; Malicious Harassment; Malicious Injury to Railroad Property; Malicious Mischief 1; Malicious Mischief 2; Malicious Placement of Explosives 2; Malicious Placement of Explosives 3; Malicious Placement of Imitation Device 1; Malicious Placement of Imitation Device 2; Manufacture, Distribute, or Possess with Intent to Distribute an Imitation Controlled Substance; Patronizing a Juvenile Prostitute; Perjury 1; Perjury 2; Persistent Prison Misbehavior; Possession of a Stolen Firearm; Possession of a Controlled Substance that is Heroin or a Narcotic from Schedule I or II or Flunitrazepam from Schedule IV; Possession of a Controlled Substance that is a Narcotic from Schedule III-V or a Nonnarcotic from Schedule I-V (Except PCP or Flunitrazepam); Possession of Incendiary Device; Possession of Machine Gun or Short-Barreled Shotgun or Rifle; Possession of Phencyclidine (PCP); Possession of Stolen Property 1; Possession of Stolen Property 2; Promoting Prostitution 1; Promoting Prostitution 2; Reckless Burning 1; Rendering Criminal Assistance 1; Securities Act Violation; Sending, Bringing in to the State Depictions of Minor Engaged in Sexually Explicit Conduct; Sexual Exploitation; Taking Motor Vehicle Without Permission; Tampering with a Witness; Telephone Harassment; Theft 1; Theft 2; Theft of a Firearm; Theft of Livestock 1; Theft of Livestock 2; Theft of Rental, Leased, or Lease-purchase Property, Class B and C; Threats to Bomb; Trafficking in Insurance Claims; Trafficking in Stolen Property 1; Trafficking in Stolen Property 2; Unlawful Imprisonment; Unlawful Issuance of Checks or Drafts; Unlawful Possession of a Firearm 1; Unlawful Possession of a Firearm 2; Unlawful Practice of Law; Unlawful Use of Food Stamps; Unlicensed Practice of a Profession or Business; Use of Proceeds of Criminal Profiteering; Vehicle Prowl 1.

OFFENDER'S NAME Yun, Denise Kim	OFFENDER'S DOB 03/13/1965	STATE ID# WA13922817
JUDGE	CAUSE # 001111548SEA	FBI ID# 89628JA2

In the case of multiple prior convictions for offenses committed before July 1, 1986, for purposes of computing the offender score, count all adult convictions served concurrently as one offense and all juvenile convictions entered on the same date as one offense (RCW 9.94A.360).

ADULT HISTORY:

Enter number of felony convictions $\text{_____} \times 1 = \text{_____}$

JUVENILE HISTORY:

Enter number of serious violent and violent felony dispositions $\text{_____} \times 1 = \text{_____}$

Enter number of other nonviolent felony dispositions $\text{_____} \times 1/2 = \text{_____}$

OTHER CURRENT OFFENSES:

Enter number of other felony convictions $\text{_____} \times 1 = \text{_____}$

STATUS AT TIME OF CURRENT OFFENSES:

If on community placement at time of current offense, add 1 point $\text{_____} \times 1 = \text{_____}$

Total the last column to get the Offender Score
(Round down to the nearest whole number)

STANDARD RANGE CALCULATION*

Theft 2	1		TO	
CURRENT OFFENSE BEING SCORED	SERIOUSNESS LEVEL	OFFENDER SCORE		LOW STANDARD SENTENCE RANGE

- Multiply the range by 75% if the current offense is an attempt, conspiracy, or solicitation under RCW 9A.28. For Possession of a Controlled Substance or Forged Prescription of a Controlled Substance, see RCW 69.50.407.
- If the court orders a deadly weapon enhancement, use the applicable enhancement sheets on pages III-18 or III-19 to calculate the enhance sentence.