

9-17-2007

State v Peterson Clerk's Record v. 2 Dckt. 35786

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LAW CLERK

Vol. 2 of 10

35786

IN THE
SUPREME COURT
OF THE
STATE OF IDAHO

STATE OF IDAHO,
PLAINTIFF-RESPONDENT,

vs.

WADE LAMONT PETERSON,
DEFENDANT-APPELLANT.

*Appealed from the District Court of the Fourth Judicial
District of the State of Idaho, in and for ADA County*

Hon RONALD J. WILPER, District Judge

MOLLY HUSKEY
State Appellate Public Defender

Attorney for Appellant

LAWRENCE G. WASDEN
Attorney General

Attorney for Respondent

SUPPLEMENTAL

COPY
FILED COPY
SEP 17 2007
Supreme Court _____ Court of Appeals _____
Entered on A/S by: _____

35786

23127

IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,

Plaintiff-Respondent,

vs.

WADE LAMONT PETERSON,

Defendant-Appellant.

Supreme Court Case No. 33137

SUPPLEMENTAL CLERK'S RECORD ON APPEAL

Appeal from the District Court of the Fourth Judicial District, in and for the County of Ada.

HONORABLE RONALD J. WILPER

STATE APPELLATE PUBLIC DEFENDER

ATTORNEY FOR APPELLANT

BOISE, IDAHO

LAWRENCE G. WASDEN

ATTORNEY FOR RESPONDENT

BOISE, IDAHO

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ADA COUNTY

Register of Actions

Case# H0500434



Court 1-District
Issuing Agency B-Boise City
Municipality BO-Boise City
Judge 191-Ronald J Wilper
Case Ref M0310529
Prosecutor A-063 George Gunn
3/31/2005 Case Created Bind Over M0310529

03/31/2005 Case Created Bind Over M0310529

MO

Defendant(s):

01 PETERSON WADE LEMONTE

LE# 000631609

Charge(s):

001 S 37-2732-C POSSESSION OF A CONTROLLED SUBSTANCE Felony Disposed 05/02/2006

Register of Actions:

03/31/2005	001	Committment and Papers	MO
03/31/2005	001	Defendant Transferred In M0310529 D.01	MO
03/31/2005	001	Count Bound From M0310529 D.01 C.001	MO
03/31/2005	001	Bond Transferred From M0310529 D.01 C.001	MO
03/31/2005		Event Scheduled 0900 04/19/2005	MO
04/06/2005		Information and Papers Filed	ST
04/07/2005		Motion for PH Transcript	KM
04/15/2005		Arraignment Arraignment 04/26/2005	SM
04/25/2005		Order for Prelim Trnscript	IJ
04/26/2005		Arraignment	IJ
04/26/2005	001	Not Guilty Plea	IJ
04/26/2005		Jury Trial Set 07/13/2005	IJ
04/26/2005		Event Scheduled Pre-Trial Conference 06/21/2005	IJ
04/28/2005		Notice of Jury Trial	IJ
05/02/2005		Notice of Preparation of ... Transcript	ST
05/13/2005		Transcript Filed	MS
05/27/2005		Motion to Dismiss	ST
05/27/2005		Motion for Transcripts	ST
05/27/2005		Notice of Hearing	ST
06/01/2005		Order for Transcripts	IJ
06/01/2005		Event Scheduled Hearing 07/14/2005	SG
06/07/2005		Notice of Preparation of ... Transcript	MS
06/21/2005		Pre-Trial Conference	IJ
06/21/2005		State/City Request for Discovery	ST
06/21/2005		State/City Response to Disc. Req.	ST
06/21/2005		State/City Request for Discovery	ST
06/21/2005		State/City Response to Disc. Req.	ST
06/23/2005		Transcript Filed	SG
07/14/2005		Hearing	IJ
09/07/2005		Order Denying Motion to ...Dismiss	SA
09/07/2005		Event Scheduled Hearing 09/27/2005	IJ
09/27/2005		Hearing	IJ
09/27/2005		Jury Trial Set 11/16/2005	IJ
09/27/2005		Event Scheduled Pre-Trial Conference 11/08/2005	IJ
09/30/2005		Notice of Jury Trial	IJ
11/08/2005		Bench Warrant Created H0500434.01-01	IJ
11/08/2005	001	Bond Forfeiture LG5 281245	
11/09/2005		Bench Warrant Issued H0500434.01-01 11/09/2005	
11/23/2005		Motion to Set Aside/Exon	JM
11/30/2005		Order to Exonerate	IJ

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ADA COUNTY

Register of Actions

Case# H0500434



11/30/2005	001	Exoneration of Bond LG5 281245	11/30/2005	
12/22/2005		Order to Transport		IJ
12/22/2005		Event Scheduled Hearing 01/04/2006		IJ
12/22/2005		Event Scheduled Hearing 01/03/2006		IJ
12/30/2005		Order to Transport		IJ
12/30/2005		Event Scheduled Pre-Trial Conference 01/10/2006		IJ
01/10/2006		Warrant Return Filed		CW
01/10/2006		Pre-Trial Conference		IJ
01/10/2006		Jury Trial Set 05/10/2006		IJ
01/10/2006		Event Scheduled Pre-Trial Conference 05/02/2006		IJ
01/12/2006		Notice of Jury Trial		IJ
02/15/2006		bnd rcvd/Twin Falls		CW
05/02/2006		Pre-Trial Conference		IJ
05/02/2006	001	Change Plea to Guilty Before Trial		IJ
05/02/2006		Event Scheduled Sentencing Hearing 06/06/2006		IJ
05/03/2006		Plea Form		IJ
05/03/2006		Stip for Plea Agree.		IJ
06/06/2006		Sentence Hearing		IJ
06/06/2006	001	Final Judgment, Order or Decree		IJ
06/06/2006	001	Sentenced to Fine & Costs \$1148.50		IJ
06/06/2006	001	Sentenced to Reimburse P D \$500.00		IJ
06/06/2006	001	Sentenced to Restitute \$100.00		IJ
06/06/2006	001	Sentenced to ISCI 7y 7y sp		IJ
06/06/2006	001	Placed on Probation 7y		IJ
		...Standard Terms		
06/07/2006		Judgment of		MN
		...Conviction and Order		
		...Suspending Sentence		
06/07/2006		Exoneration of Bond SS 30 00590	06/07/2006	
06/07/2006		Notice of Appeal		DF
06/08/2006		Order Appt. SAPD		IJ
07/12/2006	001	Partial Payment A1894629 \$40.00		SM
07/20/2006	001	Fine Agreement Set 07/20/2006		
08/09/2006	001	Partial Payment A1904106 \$40.00		JM
08/11/2006		Amended Notice Of		BT
		...Appeal		
09/19/2006	001	Partial Payment A1917584 \$40.00		HM
10/25/2006	001	Partial Payment A1929200 \$40.00		PM
11/06/2006		Notice of Hearing		CS
11/06/2006		Event Scheduled Hearing 11/21/2006		CS
11/06/2006		Motion for Release of		CS
		...Property		
11/17/2006	001	Partial Payment A1936719 \$40.00		TR
11/21/2006		Hearing		IJ
12/07/2006		Motion for Confiscation of		KS
		...Firearms/Contraband		
12/07/2006		Notice of Hearing		BT
12/08/2006		Event Scheduled Hearing 02/06/2007		BT
12/08/2006		Objection to Motion		KS
		...for CONfiscation &		
		...Claim to Property		
02/06/2007		Hearing		IJ
02/12/2007		Order to Confiscate		IJ
		...Weapons		
03/14/2007		Notice of Hearing		CS
03/14/2007		Event Scheduled Hearing 03/19/2007		CS
03/19/2007		Hearing		DO
04/09/2007		Order Denying Motion to		IJ

00004

ADA COUNTY

Register of Actions

Case# H0500434



...Reconsider		
04/13/2007	Notice of Appeal	RC
04/18/2007	001 Partial Payment A1990554 \$160.00	SW
04/18/2007	Order Appointing Appellate	DO
...PD on Appeal		
05/03/2007	Notice Of Appeal	BT

00005

MOLLY J. HUSKEY
State Appellate Public Defender
State of Idaho
I.S.B. # 4843

SARA B. THOMAS
Chief, Appellate Unit
I.S.B. # 5867
3647 Lake Harbor Lane
Boise, Idaho 83703
(208) 334-2712

NO. _____ FILED
A.M. _____ P.M. 4:00

AUG 11 2006

J. DAVID NAVARRO, CLERK
BY [Signature]
DEPUTY

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR ADA COUNTY

STATE OF IDAHO,
Plaintiff-Respondent,
v.
WADE LAMONTE PETERSON,
Defendant-Appellant.

CASE NO. H0500434
S.C. DOCKET NO. 33137

AMENDED
NOTICE OF APPEAL

ORIGINAL

TO: THE ABOVE-NAMED RESPONDENT, STATE OF IDAHO, AND
THE PARTY'S ATTORNEYS, JILL LONGHURST, ADA COUNTY
PROSECUTOR, 233 N. 6TH ST., BOISE, ID 83702, AND THE CLERK OF THE
ABOVE-ENTITLED COURT:

NOTICE IS HEREBY GIVEN THAT:

1. The above-named appellant appeals against the above-named respondent to the Idaho Supreme Court from the Judgment of Conviction and Order Suspending Sentence entered in the above-entitled action on the 7th day of June, 2006, the Honorable Ronald J. Wilper, presiding.
2. That the party has a right to appeal to the Idaho Supreme Court, and the judgments or orders described in paragraph 1 above are appealable orders under and pursuant to Idaho Appellate Rule (I.A.R.) 11(c)(1-10).

3. A preliminary statement of the issues on appeal, which the appellant then intends to assert in the appeal, provided any such list of issues on appeal shall not prevent the appellant from asserting other issues on appeal, is:

- (a) Did the district court err in denying appellant's Motion to Dismiss on September 7, 2005?

4. There is a portion of the record that is sealed. That portion of the record that is sealed is the Presentence Investigation Report (PSI).

5. The appellant requests the preparation of the entire reporter's standard transcript as defined in I.A.R. 25(a). The appellant also requests the preparation of the following portions of the reporter's transcript:

- (a) Entry of Plea Hearing held on May 2, 2006;
- (b) Sentencing Hearing held on June 6, 2006; and
- (c) Hearing held on July 14, 2005.

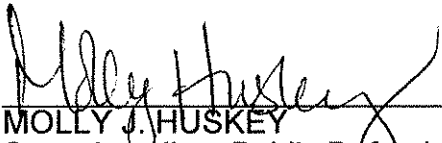
6. The appellant requests the standard clerk's record pursuant to I.A.R. 28(b)(2). The appellant requests the following documents to be included in the clerk's record, in addition to those automatically included under I.A.R. 28(b)(2):

- (a) Any exhibits, including but not limited to letters or victim impact statements, addendums to the PSI or other items offered at sentencing hearing or the Motion Hearing;
- (b) Plea Form, filed May 3, 2006;
- (c) Stipulation for Plea Agreement, filed on May 3, 2006;
- (d) Transcripts, filed June 23, 2005.

7. I certify:

- (a) That a copy of this Amended Notice of Appeal has been served on the reporter;
- (b) That the appellant is exempt from paying the estimated fee for the preparation of the record because the appellant is indigent. (Idaho Code §§ 31-3220, 31-3220A, I.A.R. 24(e));
- (c) That there is no appellate filing fee since this is an appeal in a criminal case (I.C. §§ 31-3220, 31-3220A, I.A.R. 23(a)(8));
- (d) That arrangements have been made with Ada County who will be responsible for paying for the reporter's transcript, as the client is indigent, Idaho Code §§ 31-3220, 31-3220A, I.A.R. 24(e);
- (e) That service has been made upon all parties required to be served pursuant to I.A.R. 20.

DATED this 11th day of August, 2006.


MOLLY J. HUSKEY
State Appellate Public Defender

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I have this 11th day of August, 2006, caused a true and correct copy of the attached AMENDED NOTICE OF APPEAL to be placed in the United States mail, postage prepaid, addressed to:

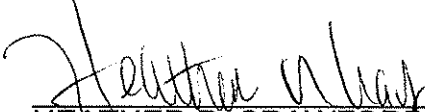
JONATHAN LOSCHI
ADA COUNTY PUBLIC DEFENDER
200 W FRONT ST DEPT 17
BOISE ID 83702

DIANNE CROMWELL
COURT REPORTER
200 WEST FRONT STREET
BOISE ID 83702

JILL LONGHURST
ADA COUNTY PROSECUTOR
233 N 6TH ST
BOISE ID 83702

CLERK OF THE COURT
IDAHO STATE SUPREME COURT
PO BOX 83720
BOISE ID 83720 0101
HAND DELIVER

KENNETH K JORGENSEN
DEPUTY ATTORNEY GENERAL
CRIMINAL DIVISION
PO BOX 83720
BOISE ID 83720 0010
Hand delivered to Attorney General's mailbox at Supreme Court


HEATHER R. CRAWFORD
Administrative Assistant

MJH/TMF/hrc

NO _____ FILED _____
 AM _____ P.M. 3
NOV 06 2006
 J. DAVID NAVARRO, Clerk
 By C. STEWART
 DEPUTY

ADA COUNTY PUBLIC DEFENDER
 Attorneys for Defendant
 200 West Front Street, Suite 1107
 Boise, Idaho 83702
 Telephone: (208) 287-7400
 Facsimile: (208) 287-7409

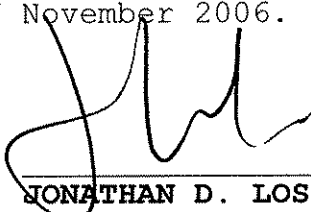
IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
 THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO,)	
	)	Criminal No. H0500434
Plaintiff,)	
	)	MOTION FOR RELEASE OF PROPERTY
vs.)	
)	
WADE L. PETERSON,)	
)	
Defendant.)	
)	

COMES NOW, WADE L. PETERSON, the defendant above-named, by and through counsel JONATHAN D. LOSCHI, Ada County Public Defender's Office, and moves this Court pursuant to ICR 41.1 for an ORDER releasing the defendant's property seized at the time of his arrest to him, or a representative of his choice. The defendant requests a release of the highlighted items on the attached property invoices under DR #326659.

[Handwritten mark]

DATED, this 6 day of November 2006.



JONATHAN D. LOSCHI
Attorney for Defendant

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on this 6 day of November 2006,

I mailed a true and correct copy of the foregoing to:

JILL LONGHURST
DEPUTY PROSECUTOR
ATTORNEY FOR PLAINTIFF
ADA COUNTY PROSECUTOR'S OFFICE

U.S. MAIL
 HAND DELIVERED
 FACSIMILE
 INTERDEPARTMENTAL MAIL



Jacob R. Precht

ADA COUNTY SHERIFF BOISE POLICE PROPERTY INVOICE

RD No. *135 336653*

PAGE OF *1*

DATE *8/20/03*

TIME *1209*

Property Codes

- 1 = Stolen
- 2 = Embezzled
- 3 = Seized
- 4 = Evidence
- 5 = Found
- 6 = Safekeeping
- 7 = Destruct only
- 8 = Other

INVOICE ONLY REPORT TO FOLLOW CITED/NO REPORT

BOOKING OFFICER *GALLAS* ADA NO. *597* APPROVED BY *MUNAZA* OFFENSE *CCW* FELONY/MISD. *M*

				PROPERTY USE ONLY	
ITEM NO.	DESCRIPTION	SERIAL NO.	DISP.	BAR CODE	
<i>1</i>	<i>ASP w/ Nylon-Plastic Strap</i>				
<i>4</i>	<i>WADE PETERSON</i>	<i>DRIVER SIDE DOOR</i>			
<i>2</i>	<i>SILVER DABBER w/ Black Leather</i>				
<i>4</i>	<i>" "</i>	<i>SEE SUPPLEMENT</i>			
<i>3</i>	<i>BLACK KILICA FOLDING KNIFE</i>	<i>FLYING ALIEN</i>			
<i>4</i>	<i>" "</i>	<i>SEE SUPPLEMENT</i>			
<i>4</i>	<i>BLACK/STEEL BUR-VOL KNIFE w/ PAIR OF STAP</i>				
<i>4</i>	<i>" "</i>	<i>SEE SUPPLEMENT</i>			
ITEM NO.	DESCRIPTION	SERIAL NO.			
*CODE	OWNER'S NAME	LOCATION SEIZED			
ITEM NO.	DESCRIPTION	SERIAL NO.			
*CODE	OWNER'S NAME	LOCATION SEIZED			
ITEM NO.	DESCRIPTION	SERIAL NO.			
*CODE	OWNER'S NAME	LOCATION SEIZED			
ITEM NO.	DESCRIPTION	SERIAL NO.			
*CODE	OWNER'S NAME	LOCATION SEIZED			
ITEM NO.	DESCRIPTION	SERIAL NO.			
*CODE	OWNER'S NAME	LOCATION SEIZED			
ITEM NO.	DESCRIPTION	SERIAL NO.			
*CODE	OWNER'S NAME	LOCATION SEIZED			

HOW PROPERTY OBTAINED/DETAILS OF INCIDENT
See Supplement

WAIVER: The property is not my own and I do not allege any claim upon the property as against the true owner nor do I allege any claim upon the property as against the City of Boise nor County of Ada, Idaho. SIGNATURE: _____

PERSON PROPERTY OBTAINED FROM _____ ADDRESS _____ PHONE NO. _____

Stored at: Property Room Other

If Pawn Shop, attach pawn ticket copy to this form.

00012

22

ADA COUNTY SHERIFF
BOISE POLICE
PROPERTY INVOICE

RD	FOR No.	PAGE
75	326659	OF 1
DATE	8/20/03	TIME 1209
Property Codes:	1 = Stolen	5 = Found
	2 = Embezzled	6 = Safekeeping
	3 = Seized	7 = Destruct only
	4 = Evidence	8 = Other

INVOICE ONLY REPORT TO FOLLOW CITED/NO REPORT

BOOKING OFFICER GALLAGHER	ADA NO. 597	APPROVED BY CUNAWAZA	OFFENSE CCW	FELONY/MISD. M
------------------------------	----------------	-------------------------	----------------	-------------------

ITEM NO.	DESCRIPTION	SERIAL NO.	PROPERTY USE ONLY	
			DISPOS.	REMARKS
*CODE 4	OWNER'S NAME WADE PETERSON	LOCATION SEIZED SEE STATEMENT		
ITEM NO. 2	DESCRIPTION AXE HANDLE - Ivory Color Black Handle	SERIAL NO.		
*CODE 4	OWNER'S NAME " "	LOCATION SEIZED " "		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		

HOW PROPERTY OBTAINED/DETAILS OF INCIDENT

See Supplement Behind Driver Seat

WAIVER: The property is not my own and I do not allege any claim upon the property as against the true owner nor do I allege any claim upon the property as against the City of Boise nor County of Ada, Idaho.	SIGNATURE:
---	------------

PERSON PROPERTY OBTAINED FROM	ADDRESS	PHONE NO.
-------------------------------	---------	-----------

Stored at: Property Room Other

If Pawn Shop, attach pawn ticket copy to this form.

00013

24

Session: wilper112106
Session Date: 2006/11/21
Judge: Wilper, Ronald J.
Reporter: Patchell, Roxanne

Division: DC
Session Time: 08:11

Courtroom: CR507

Clerk(s):
Johnson, Inga

State Attorneys:
Alidjani, Fafa
Armstrong, Shelley
Duggan, Barbara
Longhurst, Jill
Medema, Jonathan
Owen, Pat

Public Defender(s):
Loschi, Jonathon
Myshin, Amil
Simonaitis, David

Prob. Officer(s):

Court interpreter(s):

Case ID: 0020

Case Number: H0500434
Plaintiff:
Plaintiff Attorney:
Defendant: Peterson, Wade
Co-Defendant(s):
Pers. Attorney:
State Attorney: Longhurst, Jill
Public Defender: Loschi, Jonathon

2006/11/21

10:27:49 - Operator
Recording:

10:27:49 - New case
Peterson, Wade

10:28:03 - General:

Def. present on Prob. for Motion to Release Property

10:28:15 - Judge: Wilper, Ronald J.
Q. on specifics

10:28:19 - Public Defender: Loschi, Jonathon
Argues motion

10:29:08 - State Attorney: Longhurst, Jill
Argues against.

10:30:15 - Judge: Wilper, Ronald J.
Q. for further clarification

10:31:47 - State Attorney: Longhurst, Jill
Argues further, will be filing motion for forfeiture

10:31:54 - Judge: Wilper, Ronald J.
Denies motion.

10:32:27 - Defendant: Peterson, Wade
Comments own behalf

10:32:35 - Judge: Wilper, Ronald J.
State to not dispose of items w/o order of court. Can notice up motion for

10:33:00 - Judge: Wilper, Ronald J.
forfeiture

10:33:05 - State Attorney: Longhurst, Jill
Responds. Will expedite.

10:33:43 - Judge: Wilper, Ronald J.
Admonishes def. re: not owning weapons

10:34:13 - Defendant: Peterson, Wade
Responds

10:35:13 - Judge: Wilper, Ronald J.
Clarifies order, motion denied

10:35:47 - Operator
Stop recording:

NO. _____ FILED _____
AM. _____ PM. *236*

DEC 07 2006

J. DAVID NAVARRO, Clerk
By **KATIE SMITH**
DEPUTY

GREG H. BOWER
Ada County Prosecuting Attorney

Jill Longhurst
Deputy Prosecuting Attorney
200 West Front Street, Room 3191
Boise, Idaho 83702
Telephone: (208) 287-7700

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

THE STATE OF IDAHO,)	
)	
Plaintiff,	)	Case No. H0500434
)	
vs.	)	MOTION FOR
	)	CONFISCATION OF
WADE LAMONT PETERSON,	)	FIREARMS/CONTRABAND
)	
Defendant.)	
_____)	

COMES NOW, Jill Longhurst, Ada County Deputy Prosecuting Attorney and moves the Court for an order confiscating the below listed property pursuant to I.C. §19-3807. The State maintains that all of the property listed below was in the possession or under the control of the defendant at the time he was arrested for the felony crime involved in this case.

Specifically, the State seeks an order of confiscation for the following items, which are particularly described in the attached police reports/property invoices and listed below:

[Handwritten mark]

A. Firearms, Ammunition, Deadly Weapons or Explosives of any Nature including fireworks:

- ASP/baton with nylon strap
- Silver dagger with black leather sheath
- Black folding knife (Falcon)
- Black steel survival knife with plastic sheath
- 25" Louisville slugger (baseball bat)
- Axe handle – Ivory/Black
- 22 cal Smith's
- Czechoslovak Mauser (8mm)
- M100 Firecracker in purple cloth

B. Contraband:

- White powdery substance (controlled substance)
- Green M&M container with glass pipe
- Silver mirror with residue
- Red M&M tube with plastic baggie and white powder (M&M container with 2 glass pipes with white residue)
- Green metallic pipe with residue
- White film canister with plastic baggies
- Orange bottle with no label and the labeled pills within

Notice of the State's Motion to Confiscate is sent with this notice to all parties which the State believes may have an interest in these firearms and contraband pursuant to I.C. §19-3807(2). These persons are:

1. Defendant: WADE LAMONT PETERSON (by and through his attorney of record – Jon Loschi)

Further, pursuant to I.C. §19-3807(5) the State requests that the court direct the delivery of these firearms to the Boise City Police Department for any disposition they see fit after any/all appeals and motions for post-conviction relieve have been exhausted.

DATED This 28th day of November, 2006.

GREG H. BOWER
Ada County Prosecuting Attorney


By: **Jill Longhurst**
Deputy Prosecuting Attorney

- DUI
- Domestic Violence
- Property Invoice
- Missing/Runaway
- Case Status

- Signature Form
- Witness Statement
- Vehicle Disposition
- Probable Cause/Suppl
- CSI

GENERAL REPORT

Boise Police Department

RECEIVED

General Report Type
 Initial Report Supplemental

RD: 75 DR# 2003 - 326659

Charges
 Date & Time Occurred: 8-20-03 0412 Date & Time Reported: 8-20-03 0412 Location of Occurrence: Edna/Shamrock Location Code: 13

Offense/Charge	Law Section	Count	Warrant / Hold	Felony	Misdemeanor / Infraction
Possession of Drug Paraphernalia	ISC 37-2734 (A)	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Possession of controlled substance	ISC 37-2732c1	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Unlawful Possession of a firearm	ISC 18-3316	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Recorder(s) Involved: Audio Tape Video Tape Audio Tape Video Tape

People Involved

Suspect: Peterson, Wade Lemonte
 Address: 4917 Evergreen Way #288, Everett, WA 9820
 Race: W Sex: M DOB: [REDACTED] Age: 47
 Height: 5' 9" Weight: 150 lbs Hair Color: BRO Eye Color: BLU
 Occupation: Res Phone: SSN: [REDACTED]
 Bus or School: Cell Phone: OLN/St: PETERWL444MK /
 Bus Phone: How Ident: DL

Vehicle Info: 1992 DODGE CARAVAN VAN MAR 651GDT ID

Charges Info: #1 #2 #3 #4 #5 #6 #7 #8 #9 #10
 Arrest Cited Unmons; Compute Drugs Alcohol

Victim: State of Idaho, Race: Sex: DOB: Age:
 Address: lbs Hair Color: Eye Color:
 Occupation: Res Phone: SSN: Relationship:
 Bus or School: Cell Phone: OLN/St: / Injury Type:
 Bus Phone: How Ident: Victim Type:

SUSPECT VEHICLE:

Probable Cause:
 PETERSON WAS THE OCCUPANT OF A SUSPICIOUS VEHICLE CONTACTED AT THE ABOVE LOCATION. DURING QUESTIONING PETERSON OFFICERS OBSERVED WEAPONS IN PETERSONS VEHICLE, WHILE BEING QUESTIONED PETERSON QUICKLY REACHED FOR A CYLINDRICAL OBJECT IN FRONT OF THE STEERING WHEEL, PULLED OFF A LID AND CONCEALED THE BOTTOM IN HIS LAP. OFFICER GALLAS GRABBED HIS LEFT HAND AFTER GIVING VERBAL COMMANDS AND OBSERVED A GLASS PIPE WITH RESIDUE CONSISTENT WITH METHAMPHETAMINE INGESTION. PETERSON WAS ARRESTED AND DURING A SEARCH INCIDENT TO ARREST OFFICERS LOCATED CONCEALED WEAPONS, ILLEGAL FIREWORKS, AND A WHITE CRYSTAL SUBSTANCE WHICH PRESUMPTIVE TEST POSITIVE FOR AMPHETAMINE. PETERSON IS A CONVICTED FELON AND WAS IN POSSESSION OF FIREARMS. SEE SUPPLEMENT FOR SUBSTANCE WEIGHT AND FOR ADDITIONAL INFORMATION.

Stolen Property:
 108 Description: Property Value:

Admin:
 Officer(s) Reporting: Schneider/Gallas Ada No: 664/597 Reporting Person's Signature: [REDACTED] Related DR #s:
 Supervisor Review: Phone Rpt Audio Recording Cuffs Check
 Counter Rpt Video Recording Seat Belted Routed to: Det. Heathley

Copies for: City Prosecutors County Prosecutors Domestic Violence

Original - Records Yellow - Follow-up Pink - NIBRS Gold - Crime Analysis - Ada County / Gang Unit - BPD

GENERAL REPORT Continuation
For Charges and Persons Involved

Boise Police Department

RD: 75 DR# 2003 - 326659

6 Date & Time Occurred: 8-20-03 0412
7 Date & Time Reported: 8-20-03 0412
8 Location of Occurrence: Edna/Shamrock
Location Code: 13

Charges - Continued from Face Page		LawSection	# Counts	Type/Activity	Hate/Bias
4	Carrying Concealed Weapon	18-3302	1	<input type="checkbox"/> Warrant / Hold <input type="checkbox"/> Felony <input checked="" type="checkbox"/> Misdemeanor <input type="checkbox"/> Infraction	
5	Illegal Fireworks	7-31-2	1	<input type="checkbox"/> Warrant / Hold <input type="checkbox"/> Felony <input checked="" type="checkbox"/> Misdemeanor <input type="checkbox"/> Infraction	
6	Illegal Possession of Prescription Drugs	54-1732	1	<input checked="" type="checkbox"/> Warrant / Hold <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Infraction	

Admin
Officer(s) Reporting: Schnitzler, Kelly
Ada No: 604/547

**Narrative Report
Supplement**

Boise Police Department

DR# 2003 - 326659

Chg#	Offense/Charge	7 Date of This Report
1	Possession of Drug Paraphe	8-20-03 0412
2	Possession of controlled su	6 Date & Time Occurred
3	Unlawful Possession of a fir	8-20-03 0412
4	Carrying Concealed Weapo	
5	Illegal Fireworks	
6	Illegal Possession of Prescri	
4 Location of Occurrence		
Edna/Shamrock		

NARRATIVE

ENTRY:

ON 8-20-03 AT 0412 I WAS DISPATCHED TO A SUSPICIOUS VEHICLE AT EDNA AND SHAMROCK. UPON ARRIVAL I LOCATED THE DESCRIBED SUSPICIOUS VEHICLE. THE VEHILCE WAS A 1992 DODGE CARAVAN WITH WASHINGTON PLATES #651GDT LOCATED ON THE WEST SIDE OF SHAMROCK FACING SOUTH PARKED. I THEN MADE CONTACT WITH THE SOLE OCCUPANT OF THE VEHICLE, PETERSON WADE(S). WADE WAS FOUND ASLEEP AND AFTER WAKING UP I ASKED HIM FOR HIS DRIVERS LICENSE. HE INITIALLY PROVIDED ME WITH A MILITARY ID. I THEN HAD TO ASK HIM TWICE MORE FOR ADDITIONAL ID AND WADE STATED HE DID NOTHAVE A DRIVERS LICENSE. WADE THEN ADMITTED THAT HIS WASHINGTON DRIVERS LICENSE WAS SUSPENDED. WADE FINALLY SURRENDERED HIS DRIVERS LICENSE. A ROUTINE RECORDS CHECKED REVEALED THAT WADE WAS SUSPENDED OUT OF WASHINGTON.

OFC. GALLAS THEN BEGAN TO QUESTION WADE AND ASKED HIM IF THERE WERE ANY WEAPONS IN THE CAR AND WADE STATED NO. OFC. GALLAS THEN QUESTIONED WADE ABOUT THE CYLINDER ON HIS DASH BOARD AND ASKED HIM IF THERE WERE ANY WEAPONS IN THE CYLINDER. WADE THEN OPENED THE CYLINDER AND ATTEMPTED TO HIDE ONE END OF IT THE CYLINDER IN HIS LEFT HAND. OFC. GALLAS THEN TOLD WADE TO BRING HIS HAND BACK INTO VIEW AND WHEN WADE DID NOT COMPLY OFC. GALLAS TOLD HIM ONCE MORE AND GRABBED WADE'S LEFT HAND. WADE THEN BROUGHT HIS HAND BACK INTO VIEW AND OFC. GALLAS BASED UPON HIS TRAINING AND EXPERIENCE OBSERVED A METHAMPHETAMINE PIPE. OFC. GALLAS THEN PLACED WADE UNDER ARREST. SEE OFC. GALLAS'S SUPPLEMENT.

SEARCH INCIDENT TO ARREST OF WADE'S PERSON REVEALED:

- FRONT LEFT POCKET: RED M&M CONTAINER CONTAINING A 2 GLASS PIPES WITH WHITE RESIDUE AND A LOADING SPOON AND STRAW 1 ZIP LOCK BAGGY WITH RESIDUE. A WHITE CRYSTAL SUBSTANCE THAT FIELD TESTED PRESUMPTIVE POSITIVE FOR METHAMPHETAMINE. THIS SUBSTANCE WAS IN A SMALL GREEN PLASTIC BAGGY (TPW = .3) POCKET ALSO CONTAINED A SILVER ROUNDED MIRROR BOX WITH WHITE POWDERY RESIDUE. POCKET ALSO CONTAINED A WHITE PLASTIC FILM CANISTER WITH SMALL PLASTIC BAGGIES WITH WHITE POWDERY RESIDUE.
- RIGHT FRONT POCKET: FLYING FALCON FOLDING KNIFE

SEARCH INCIDENT TO ARREST OF WADE'S VEHICLE:

- ASP BATON LOCATED INSIDE DRIVERS DOOR POCKET
- SILVER DAGGER KNIFE IN BLACK SHEATH LOCATED BETWEEN CONSOLE AND PASSNEGER SEAT
- STAINLESS STEEL BLACK HANDLED SURVIVAL KNIFE IN BLACK PLASTIC SHEATH LOCATED BEHIND DRIVERS SEAT ON THE RIGHT SIDE
- ORANGE MEDICATION BOTTLE CONTAINING 16 WELLBUTRIN (BOTTLE HAD NO PRESCRIPTION INFORMATION ON IT) LOCATED IN CENTER CONSOLE
- GREEN METALLIC PIPE WITH RESIDUE LOCATED IN CENTER CONSOLE
- GREEN M&M CONTAINER WITH GLASS PIPE WITH RESIDUE LOCATED IN CENTER CONSOLE
- RIFLE ZBROJOVKA BRNO, A.S.VZ. 24, 8MM BOLT ACTION, CZZ80, #HR23203 LOCATED ION THE BACK AREA OF THE VAN ON THE RIGHT SIDE BETWEEN REAR SEAT AND SIDE OF VEHICLE.
- BASEBALL BAT LOCATED ON THE LEFT HAND SIDE OF DRIVERS SEAT BETWEEN SEAT AND SIDE OF VEHICLE
- AX HANDLE LOCATED ON THE LEFT HAND SIDE OF DRIVERS SEAT BETWEEN SEAT AND VEHICLE
- HP OMINBOOK XE3 LAPTOP LOCATED DIRECTLY BEHIND CENTER CONSOLE, FOLDED UP.
- ORANGE MEDICINE PRESCRIPTION BOTTLE CONTAINING 600MG IBUPROFEN QUANTITY 51 LOCATED BY OFC. GALLAS IN A BOX IN THE CARGO AREA OF VEHICLE.
- M100 FIRECRACKER IN PURPLE CLOTH BAG LOCATED IN THE CENTER CONSOLE. M100 WAS PLACED IN THE MIDDLE OF THE ROAD AND BOISE PD BOMB SQUAD TECH. SGT. HAMILTON CAME AND TOOK POSSESSION OF THE DEVICE.

Admin

Schneider/Gallas

664

REPORTING OFFICER

ADA #

APPROVED BY

ADA #

**Narrative Report
Supplement**

Boise Police Department

DR# **2003 - 326659**

Chg#	Offense/Charge	7 Date of This Report
1	Possession of Drug Paraphe	8-20-03 0412
2	Possession of controlled su	6 Date & Time Occurred
3	Unlawful Possession of a fir	8-20-03 0412
4	Carrying Concealed Weapo	
5	Illegal Fireworks	
6	Illegal Possession of Prescri	
4 Location of Occurrence		
Edna/Shamrock		

I THEN CONTACTED ACTING FIELD COMMANDER TUCKER WHO THEN CONTACTED DETECTIVE HEATHERLEY WHO RESPONDED TO THE SCENE. DET. HEATHERLEY THEN REQUESTED WE MOVE THE WADE AND HIS VEHICLE TO CID.

INFORMATION:

SEE ATTACHED PORPERTY INVOICE
DRUG AND WEAPON PROPERTY BOOKED INTO PROPERTY BY OFC'S GALLAS AND SCHNEIDER
LAPTOP COLLECTED BY DETECTIVE GILBERT AT CID

CONCLUSION:

ROUTE TO DET. HEATHERLEY

Admin

Schneider/Gallas

664

REPORTING OFFICER

ADA #

APPROVED BY

ADA #

00022

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CONTINUATIC)GE
 MISCELLANEOUS REPORT

ADA COUNTY SHERIFF'S

BOISE POLICE DEPARTMENT

1. Incident/Topic POSSESSION OF CONTROLLED SUBSTANCE		2. Subject/Victim's Name PETERSON, WADE		3. RD	4. DR No 326659
5. Location/Address SHAMROCK/EDNA			6. Phone		7. Page 1
8. Date Occurred 8/20/03	9. Time Occurred 0412	10. Route To		12. Division PATROL	

ON THE ABOVE DATE AND TIME OFFICER SCHNEIDER AND I WERE OPERATING AS A TRAINING CAR DRIVING PATROL UNIT # 84. WE WERE DEPLOYED IN FULL BPD UNIFORM AND DISPATCHED TO A SUSPICIOUS VEHICLE CALL AT THE ABOVE LOCATION. UPON OUR ARRIVAL SCHNEIDER AND I OBSERVED THE SUSPECT VEHICLE, AS DESCRIBED BY THE CALLING PARTY. THIS VEHICLE WAS A MAROON MINI VAN WITH WASHINGTON LICENSE PLATES. CALLING PARTY INDICATED THAT HE OBSERVED A SUBJECT IN THE VEHICLE WITH THE SEAT LAID BACK. CALLING PARTY INDICATED THAT THE SUBJECT WAS SLEEPING IN THE VEHICLE IN FRONT OF RESIDENCES AT THE LOCATION.

AS WE ARRIVED ON SCENE WE OBSERVED A MALE SUBJECT ASLEEP IN THE DRIVERS SEAT OF THE VEHICLE. THE VEHICLE WAS NOT TURNED ON AND WAS PARKED FACING SOUTHBOUND ON THE WEST SIDE OF THE STREET.

THE DRIVER OF THE VEHICLE BEGAN TO WAKE UP AS WE MADE CONTACT WITH THE SUBJECT. OFFICER SCHNEIDER MADE CONTACT WITH THE DRIVER OF THE VEHICLE, LATER IDENTIFIED AS WADE PETERSON. AS SCHNEIDER QUESTIONED PETERSON I MADE ATTEMPTS TO HEAR WHAT WAS SAID. I OBSERVED A WEAPON, AN ASP STYLE BATON IN THE DOOR POCKET OF THE DRIVER SIDE DOOR. I WATCHED PETERSONS MOVEMENTS TO BE SURE HE DID NOT REACH FOR THE WEAPON. WHILE DOING SO I HEARD SCHNIEDER ASK PETERSON FOR IDENTIFICATION AND I WATCHED AS HE FUMBLLED THROUGH HIS WALLET FOR A MILITARY TYPE ID CARD. SCHNEIDER ASKED PETERSON FOR HIS DRIVER'S LICENSE TO WHICH PETERSON STATED THAT HE DID NOT HAVE ONE.

Vehicle Disposition:		Removed By:		
Transported To:	Handcuffed?	Checked?	Seat Belted?	Door Locked?
Suspect Identified By:				
Reporting Officer / Serial / Date/Time GALLAS 597		Supervisor Approving / Serial / Date/Time		

CONTINUATIC AGE
MISCELLANEOUS REPORT

ADA COUNTY SHERIFF'S

BOISE POLICE DEPARTMENT

1. Incident/Topic POSSESSION OF CONTROLLED SUBSTANCE		2. Subject/Victim's Name PETERSON, WADE		3. RD	4. DR No 326657
5. Location/Address SHAMROCK/ EDNA			6. Phone		7. Page 2
8. Date Occurred 8/20/03	9. Time Occurred 0412	10. Route To		12. Division PATROL	

I HAD SEEN THE DRIVER'S LICENSE IN PETERSON'S WALLET AS HE FLIPPED THROUGH IT AND WHEN SCHNEIDER WAS DONE WITH HIS QUESTIONS I WALKED OVER TO THE DRIVER SIDE OF THE VEHICLE TO SPEAK WITH PETERSON. I BEGAN TO SPEAK TO HIM ABOUT WHY HE DID NOT PROVIDE SCHNIEDER WITH A DRIVER'S LICENSE AS REQUESTED, TO WHICH HE STATED THAT HIS DRIVER'S LICENSE WAS SUSPENDED. I THEN ASKED HIM ABOUT THE ASP BATON IN HIS DOOR POCKET, HE STATED THAT IT WAS FOR HIS PROTECTION FROM PERSONS HE WAS IN FEAR OF IN WASHINGTON.

PETERSON HAD HIS RIGHT HAND TUCKED BETWEEN THE DRIVER'S SEAT AND PASSENGER SEAT SO THAT I COULD NOT SEE IT. I TOLD HIM TO KEEP HIS HANDS ON THE STEERING WHEEL FOR OFFICER SAFETY REASONS AND I THEN ASKED HIM ABOUT OTHER WEAPONS IN THE VEHICLE. I ADVISED HIM TO CLOSE HIS OPENED DRIVER SIDE DOOR AND TO ROLL DOWN HIS WINDOW TO CONTINUE THE CONVERSATION. AS I QUESTIONED HIM I OBSERVED A CYLINDRICAL OBJECT ON THE DASH IN FRONT OF HIS STEERING WHEEL AND ASKED HIM WHAT IT WAS. HE STATED THAT IT WAS A CONTAINER FOR HIS GLASSES. I ASKED HIM IF I COULD LOOK AT IT TO BE SURE IT WAS NOT A WEAPON AND HE QUESTIONED WHY I NEEDED TO DO SO. DURING THIS QUESTIONING HE STARED FORWARD OVER THE STEERING WHEEL, HE THEN MADE A QUICK MOVEMENT TOWARD THE CYLINDRICAL OBJECT AND REMOVED THE LID FROM ONE SIDE WHILE CONCEALING THE CONTENTS OF THE OTHER SIDE. NOT KNOWING WHAT THE OTHER HALF OF THE OBJECT CONTAINED I TOLD HIM TO SHOW ME HIS HANDS, HE DID NOT DO SO. HE HAD THE OBJECT TUCKED INTO HIS CROTCH, KEEPING IT HIDDEN FROM MY VIEW. HE REFUSED TO COMPLY WITH MY COMMANDS TO SHOW ME THE OBJECT.

Vehicle Disposition:		Removed By:		
Transported To:	Handcuffed?	Checked?	Seat Belted?	Door Locked?
Suspect Identified By:				
Reporting Officer / Serial / Date/Time GALLAS 597		Supervisor Approving / Serial / Date/Time		

CONTINUATIC AGE
MISCELLANEOUS REPORT

ADA COUNTY SHERIFF'S

BOISE POLICE DEPARTMENT

1. Incident/Topic POSSESSION OF CONTROLLED SUBSTANCE		2. Subject/Victim's Name PETERSON, WADE		3. RD	4. DR No 326659
5. Location/Address SHAMROCK/ EDNA			6. Phone		7. Page 3
8. Date Occurred 8/20/03	9. Time Occurred 0412	10. Route To		12. Division PATROL	

WITH THE PRESENCE OF WEAPONS ALREADY CONFIRMED IN THE VEHICLE COUPLED WITH HIS NON COMPLIANCE I FELT THE SITUATION AN OFFICER SAFETY CONCERN AND I REACHED TOWARD HIS HIDDEN HAND AND PULLED IT FROM HIDING. AS I DID SO I OBSERVED A GLASS PIPE WITH A WHITE RESIDUE, SET UP IN A FASHION COMMONLY USED TO INGEST (SMOKE) METHAMPHETAMINE. I RETAINED A GRIP ON HIS LEFT HAND WHILE SCHNEIDER ASSISTED ME IN PLACING PETERSON UNDER ARREST FOR POSSESSION OF DRUG PARAPHERNALIA.

AFTER PLACING PETERSON IN HANDCUFFS I CONDUCTED A SEARCH OF HIS PERSON INCIDENT TO ARREST. DURING THIS SEARCH OFFICER SCHNEIDER AND I LOCATED ADDITIONAL ITEMS OF DRUG PARAPHERNALIA, PLASTIC ZIP-SEAL BAGGIES AND A SMALL BAGGIE CONTAINING A CRYSTAL SUBSTANCE.

SEE OFFICER SCHNEIDER'S SUPPLEMENT FOR ADDITIONAL INFORMATION AND ACTIONS TAKEN FOLLOWING ARREST OF PETERSON.

GALLAS AUDIO NO, VIDEO NO

ROUTE TO DETECTIVE HEATHERLEY

Vehicle Disposition:		Removed By:		
Transported To:	Handcuffed?	Checked?	Seat Belted?	Door Locked?
Suspect Identified By:				
Reporting Officer / Serial / Date/Time GALLAS 597		Supervisor Approving / Serial / Date/Time		

X. AHN
Ada Co
Pros

CONTINUAT. PAGE
MISCELLANEOUS REPORT

ADA COUNTY SHERIFF'S

BOISE POLICE DEPARTMENT

1. Incident/Topic POSSESSION OF CONTROLLED SUBSTANCE		2. Subject/Victim's Name PETERSON, WADE		3. RD 75	4. DR No 326659
5. Location/Address EDNA SHAMROCK			6. Phone		7. Page 1
8. Date Occurred 8/20/03	9. Time Occurred 0412	10. Route To COUNTY PROSECUTORS		12. Division	

AT APPROXIMATELY 1830 HRS I REALIZED THAT I DID NOT REMEMBER BOOKING THE GLASSES CASE OR THE GLASS PIPE I OBSERVED WHEN I CONTACTED PETERSON. I RECALLED IT LYING ON THE FLOOR OF THE DRIVER SIDE OF THE VEHICLE AFTER PLACING PETERSON IN HANDCUFFS BUT DID NOT RECALL SEEING IT AFTER THE VEHICLE WAS TRANSPORTED TO CID.

I RETURNED TO THE ADA COUNTY JAIL TO SPEAK WITH PETERSON REGARDING OTHER MATTERS INVOLVED IN THE CASE. PRIOR TO SPEAKING WITH HIM I AGAIN ADVISED HIM OF HIS MIRANDA RIGHTS AND HE SIGNED A NOTIFICATION OF RIGHTS FORM AFTER HE STATED THAT HE UNDERSTOOD HIS RIGHTS. I BEGAN TO QUESTIONS HIM ABOUT DRUG HOUSES IN THE AREA AND WHETHER OR NOT HE WAS INVOLVED IN THEIR OPERATION, WE SPOKE OF HIS REASON FOR BEING IN THE AREA, AND I HELPED TO CLARIFY WITH HIM WHAT CHARGES HAD BEEN PLACED ON HIM. DURING THIS CONVERSATION I ALSO ASKED HIM ABOUT THE GLASSES CASE WITH THE GLASS PIPE IN IT. DURING THIS CONVERSATION HE INDICATED TO ME THAT HE KNEW THE PIPE WAS IN THE CASE BUT THAT HE WAS NOT TRYING TO HIDE ANYTHING. HE STATED THAT HE WAS SIMPLY FOLLOWING MY COMMANDS FOR HIM TO SHOW ME WHAT WAS INSIDE THE CYLINDRICAL CASE.

Vehicle Disposition: LEFT AT 7200 BARRISTER FRONT LOT		Removed By:			
Transported To:	Handcuffed? Y	Checked? Y	Seat Belted? Y	Door Locked? Y	
Suspect Identified By: DRIVER'S LICENSE WASHINGTON STATE.					
Reporting Officer / Serial / Date/Time GALLAS 597			Supervisor Approving / Serial / Date/Time <i>[Signature]</i> 00026		

[Handwritten initials]



CONTINUATION PAGE
MISCELLANEOUS REPORT



ADA COUNTY SHERIFF'S



BOISE POLICE DEPARTMENT

1. Incident/Topic POSSESSION OF CONTROLLED SUBSTANCE		2. Subject/Victim's Name PETERSON, WADE		3. RD 75	4. DR No 326659
5. Location/Address EDNA SHAMROCK			6. Phone		7. Page 2
8. Date Occurred 8/20/03	9. Time Occurred 0412	10. Route To COUNTY PROSECUTORS		12. Division	

AFTER MY INTERVIEW WITH PETERSON AT THE JAIL I SPOKE WITH LT. COMPTON REGARDING MY INABILITY TO LOCATE THE PIPE MENTIONED ABOVE. COMPTON CONTACTED COUNTY PROSECUTORS AND IT WAS ADVISED THAT WE SEARCH THE VEHICLE AGAIN TO SEE IF WE COULD LOCATE THE PIPE AND GLASSES CASE. WHEN SCHNEIDER AND I TRANSPORTED PETERSON TO THE JAIL HIS VAN WAS PARKED AND LOCKED IN THE FRONT LOT AT 7200 BARRISTER. I RETURNED TO THIS VEHICLE AND ENTRY WAS FORCED WITH THE USE OF A SLIM JIM. I SEARCHED THE VEHICLE AT THIS LOCATION AND WAS STILL UNABLE TO LOCATE THE GLASS PIPE AND THE GLASSES CASE. THE VEHICLE WAS LEFT AT THIS LOCATION AND SECURED AS IT HAD BEEN IN THE MORNING.

ROUTE TO COUNTY PROSECUTOR

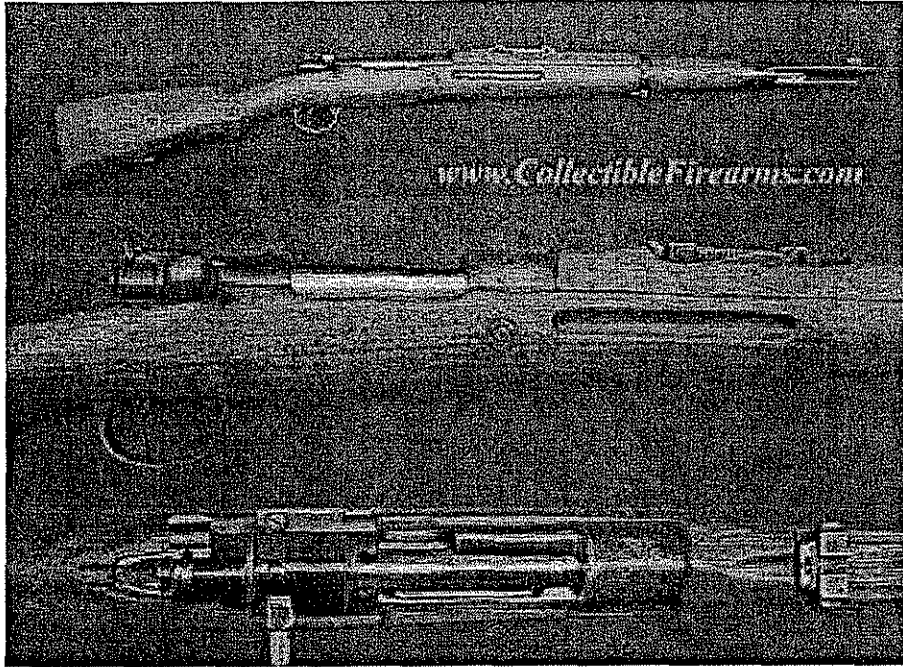
Vehicle Disposition: LEFT AT 7200 BARRISTER FRONT LOT		Removed By:			
Transported To:	Handcuffed? Y	Checked? Y	Seat Belted? Y	Door Locked? Y	
Suspect Identified By: DRIVER'S LICENSE WASHINGTON STATE.					
Reporting Officer / Serial / Date/Time GALLAS 597		Supervisor Approving / Serial / Date/Time <i>[Signature]</i> 00027			

BPD-002a-ADP 1994

DISTRIBUTION: ORIGINAL - RECORDS, YELLOW - FOLLOW-UP, PINK - CRIME ANALYSIS

78

326659



Picture 1

Has this already been sold? If so, [Click here](#).*

*Only use this if you've called and the gun is unavailable

Seller Information:

(Please Tell Them You Found Them Through GunsAmerica)

GunsAmerica Stock # 976351319

Seller Name: Collectible Firearms

(Please LOGIN to use your Gold Privacy preferences)

Your Name:

Your Email:

(double check email, then check again)

Your Phone (as a backup):

Contact Seller:

*Gun Similar To
This
MODEL*

Your message to seller: (TIP: Hit TAB then ENTER when done.)

00029

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CONTINUATION PAGE
 MISCELLANEOUS REPORT

189/11/99

ADA COUNTY SHERIFF'S DEPARTMENT

BOISE POLICE DEPARTMENT

1. Incident/Topic <i>POSSESSION OF DRUG PARAPHERNELIA</i>		2. Subject/Victim's Name <i>WADE PETERSON</i>		3. R.D. <i>75</i>	4. D.R. No. <i>326659</i>
5. Location/Address <i>EDNA / SHAMACK</i>			6. Phone		7. Page <i>2</i>
8. Date Occurred	9. Time Occurred	10. Route to	11. <input type="checkbox"/> File for information <input type="checkbox"/> For Hot Sheet Entry <input type="checkbox"/> Extra Patrol		12. Division
1.	<i>RESIDUE ON GLASS PIPES FIELD TEST POSITIVE / PRESUMPTIVE</i>				
2.	<i>METHAMPHETAMINE. NIK TEST BY GALLAS.</i>				
3.	<i>Information:</i>				
4.	<i>See Sgt. Hambleton's Supplemental and Photos of Illegal Evidence</i>				
5.	<i>Calling Party was Mr. J. Bish, 7200 Barrister.</i>				
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					
16.					
17.					
18.					
19.	<i>ROUTE TO DET. HEATHERLEY</i>				
20.					
21.					
Vehicle Disposition: Not Involved <input type="checkbox"/> Left at Scene <input type="checkbox"/> Removed by: <i>CID</i>					
Transported to: Ada County Jail <input type="checkbox"/> Other <input type="checkbox"/>		Handcuffed Y <input type="checkbox"/> N <input type="checkbox"/>	Checked Y <input type="checkbox"/> N <input type="checkbox"/>	Seat Belted Y <input type="checkbox"/> N <input type="checkbox"/>	Door Locked Y <input type="checkbox"/> N <input type="checkbox"/>
Suspect Identified by:		Drivers License <input type="checkbox"/>	Military I.D. <input type="checkbox"/>	Verbal <input type="checkbox"/>	
		Idaho State I.D. <input type="checkbox"/>	AFIS <input type="checkbox"/>	Other <input type="checkbox"/>	
13. Reporting Officer <i>GALLAS</i>	Serial <i>597</i>	Date/Time <i>8/20/03 1251</i>	14. Supervisor Approving <i>CHW434</i>	Serial <i>00030</i>	Date/Time

ADA COUNTY SHERIFF BOISE POLICE PROPERTY INVOICE

RD No. 35	DR No. 926659	PAGE OF 1
DATE 8/2/03		TIME 1209
Property Codes*	1 = Stolen 2 = Embezzled 3 = Seized 4 = Evidence	5 = Found 6 = Safekeeping 7 = Destruct only 8 = Other

INVOICE ONLY
 REPORT TO FOLLOW
 CITED/NO REPORT

BOOKING OFFICER <i>Gallias</i>	ADA NO. <i>597</i>	APPROVED BY <i>ALH/A34</i>	OFFENSE <i>CCW</i>	FELONY/MISD. <i>M1</i>
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				PROPERTY USE ONLY	
ITEM NO.	DESCRIPTION	SERIAL NO.	DISPO.	BAR CODE	
1	<i>ASP w/ ratchet - PARKER 27277</i>				
*CODE	OWNER'S NAME	LOCATION SEIZED			
4	<i>WADE PETERSON</i>	<i>DRIVER SIDE DOOR</i>			
2	<i>SILVER GARAGE w/ BLACK LEATHER</i>				
*CODE	OWNER'S NAME	LOCATION SEIZED			
4	<i>"</i>	<i>SEE SUPPLEMENT</i>			
3	<i>Black KILMER FOLDING KNIFE</i>	<i>Plastic (Glow)</i>			
*CODE	OWNER'S NAME	LOCATION SEIZED			
4	<i>"</i>	<i>SEE SUPPLEMENT</i>			
4	<i>BLACK/STEEL SURVIVAL KNIFE w/ PLAIN STEEL</i>				
*CODE	OWNER'S NAME	LOCATION SEIZED			
4	<i>"</i>	<i>SEE SUPPLEMENT</i>			
ITEM NO.	DESCRIPTION	SERIAL NO.			
*CODE	OWNER'S NAME	LOCATION SEIZED			
ITEM NO.	DESCRIPTION	SERIAL NO.			
*CODE	OWNER'S NAME	LOCATION SEIZED			
ITEM NO.	DESCRIPTION	SERIAL NO.			
*CODE	OWNER'S NAME	LOCATION SEIZED			
ITEM NO.	DESCRIPTION	SERIAL NO.			
*CODE	OWNER'S NAME	LOCATION SEIZED			
ITEM NO.	DESCRIPTION	SERIAL NO.			
*CODE	OWNER'S NAME	LOCATION SEIZED			
ITEM NO.	DESCRIPTION	SERIAL NO.			
*CODE	OWNER'S NAME	LOCATION SEIZED			

HOW PROPERTY OBTAINED/DETAILS OF INCIDENT
See Supplement

WAIVER: The property is not my own and I do not allege any claim upon the property as against the true owner nor do I allege any claim upon the property as against the City of Boise nor County of Ada, Idaho.

PERSON PROPERTY OBTAINED FROM	ADDRESS	PHONE NO.
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Stored at: Property Room Other

If Pawn Shop, attach pawn ticket copy to this form.

00031 28

**ADA COUNTY SHERIFF
BOISE POLICE
PROPERTY INVOICE**

RD 75	DR No. 225 654	PAGE OF 1
DATE 8-20-03	TIME 0437	
Property Codes*	1 = Stolen	5 = Found
	2 = Embezzled	6 = Safekeeping
	3 = Seized	7 = Destruct only
	4 = Evidence	8 = Other

INVOICE ONLY REPORT TO FOLLOW CITED/NO REPORT

BOOKING OFFICER <i>Schneider/Kallas</i>	ADA NO. <i>664/597</i>	APPROVED BY <i>CHW434</i>	OFFENSE <i>Pos. of Inj. Subst.</i>	FELONY/MISD. <i>F</i>
--	---------------------------	------------------------------	---------------------------------------	--------------------------

PROPERTY USE ONLY				
ITEM NO.	DESCRIPTION	SERIAL NO.	DISPO.	BAR CODE
1	<i>White Powdery Substance TPW: 03</i>			
*CODE	OWNER'S NAME <i>Peterson Wade L</i>	LOCATION SEIZED <i>Front Pants Pocket</i>		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		

HOW PROPERTY OBTAINED/DETAILS OF INCIDENT
**See Report*

WAIVER: The property is not my own and I do not allege any claim upon the property as against the true owner nor do I allege any claim upon the property as against the City of Boise nor County of Ada, Idaho.

PERSON PROPERTY OBTAINED FROM	ADDRESS	PHONE NO.
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Stored at: Property Room Other

If Pawn Shop, attach pawn ticket copy to this form.

00032 23

ADA COUNTY SHERIFF BOISE POLICE PROPERTY INVOICE

RD <i>R</i>	DR No. <i>326659</i>	PAGE OF <i>1</i>
DATE <i>8/23/03</i>	TIME <i>12:39</i>	
Property Codes	1 = Stolen	5 = Found
	2 = Embezzled	6 = Safekeeping
	3 = Seized	7 = Destruct only
	4 = Evidence	8 = Other

INVOICE ONLY
 REPORT TO FOLLOW
 CITED/NO REPORT

BOOKING OFFICER <i>Gallo</i>	ADA NO. <i>597</i>	APPROVED BY <i>CHWAZA</i>	OFFENSE <i>CCW</i>	FELONY/MISD. <i>M</i>
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ITEM NO.	DESCRIPTION	SERIAL NO.	PROPERTY USE ONLY	
			DISPO	BAR CODE
<i>4</i>	<i>25" Louisville Slugger</i>			
*CODE	OWNER'S NAME <i>WAGE PETERSON</i>	LOCATION SEIZED <i>SEE MEMO</i>		
<i>2</i>	<i>AXE HANDLE - Fishing Club Black Handle</i>			
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		

HOW PROPERTY OBTAINED/DETAILS OF INCIDENT

See Supplement Behind Driver Seat

WAIVER: The property is not my own and I do not allege any claim upon the property as against the true owner nor do I allege any claim upon the property as against the City of Boise nor County of Ada, Idaho.

PERSON PROPERTY OBTAINED FROM	ADDRESS	PHONE NO.
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Stored at: Property Room Other

00033 *24*

If Pawn Shop, attach pawn ticket copy to this form.

ADA COUNTY SHERIFF BOISE POLICE PROPERTY INVOICE

RD 75	DR No. 326-659	PAGE OF 1
DATE 8-30-03		TIME 1427
Property Codes*	1 = Stolen	5 = Found
	2 = Embezzled	6 = Safekeeping
	3 = Seized	7 = Destruct only
	4 = Evidence	8 = Other

INVOICE ONLY
 REPORT TO FOLLOW
 CITED/NO REPORT

BOOKING OFFICER <i>Schwartz/Kallas</i>	ADA NO. <i>604/507</i>	APPROVED BY <i>QUINLAN</i>	OFFENSE <i>Disrupt Bus of Person</i>	FELONY/MISD. <i>F</i>
---	---------------------------	-------------------------------	---	--------------------------

PROPERTY USE ONLY				
ITEM NO.	DESCRIPTION	SERIAL NO.	DISPO	BAR CODE
1	<i>Granulation Bottle of Temporal Band 51</i>	<i>V 9772</i>		
*CODE	OWNER'S NAME <i>Peterson Wade L</i>	LOCATION SEIZED <i>See Supplement</i>		
2	<i>Older Prescription Bottle of Wellbutrin</i>			
*CODE	OWNER'S NAME <i>Peterson Wade L</i>	LOCATION SEIZED <i>See Supplement</i>		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		

HOW PROPERTY OBTAINED/DETAILS OF INCIDENT
** See Report*

WAIVER: The property is not my own and I do not allege any claim upon the property as against the true owner nor do I allege any claim upon the property as against the City of Boise nor County of Ada, Idaho.

PERSON PROPERTY OBTAINED FROM	ADDRESS	PHONE NO.
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Stored at: Property Room Other

If Pawn Shop, attach pawn ticket copy to this form.

00035 *26*

**ADA COUNTY SHERIFF
BOISE POLICE
PROPERTY INVOICE**

RD <i>K</i>	DR No. <i>326659</i>	PAGE OF <i>1</i>
DATE <i>8/21/03</i>	TIME <i>1236</i>	
Property Codes	1 = Stolen	5 = Found
	2 = Embezzled	6 = Safekeeping
	3 = Seized	7 = Destruct only
	4 = Evidence	8 = Other

INVOICE ONLY REPORT TO FOLLOW CITED/NO REPORT

BOOKING OFFICER <i>GALLAS</i>	ADA NO. <i>597</i>	APPROVED BY <i>C. H. WAZA</i>	OFFENSE <i>Robbery</i>	FELONY/MISD. <i>M</i>
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			PROPERTY USE ONLY	
ITEM NO.	DESCRIPTION	SERIAL NO.	DISPO	BAR CODE
<i>1</i>	<i>GREEN M-101 TUBE w/ GLASS PIPE</i>			
*CODE <i>4</i>	OWNER'S NAME <i>WADE PETERSON</i>	LOCATION SEIZED <i>SEE SUPPLEMENT</i>		
<i>2</i>	<i>SILVER M-2002 w/ WHITE RESIDUE</i>			
*CODE <i>4</i>	OWNER'S NAME <i>"</i>	LOCATION SEIZED <i>"</i>		
<i>3</i>	<i>RED M-101 TUBE w/ GLASS PIPE PLASTIC BAGGIE 2 STRIPS OF STRIPED OBTAINATIVE TEST + MPTN (RESIDUE)</i>			
*CODE <i>4</i>	OWNER'S NAME <i>"</i>	LOCATION SEIZED <i>"</i>		
<i>4</i>	<i>PAK w/ FILM CANISTER - Ballistics</i>			
*CODE <i>4</i>	OWNER'S NAME <i>"</i>	LOCATION SEIZED <i>"</i>		
<i>5</i>	<i>GREEN M-101 TUBE w/ GLASS PIPE w/ RESIDUE</i>			
*CODE <i>4</i>	OWNER'S NAME <i>"</i>	LOCATION SEIZED <i>"</i>		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		
ITEM NO.	DESCRIPTION	SERIAL NO.		
*CODE	OWNER'S NAME	LOCATION SEIZED		

HOW PROPERTY OBTAINED/DETAILS OF INCIDENT
See Supplement

WAIVER: The property is not my own and I do not allege any claim upon the property as against the true owner nor do I allege any claim upon the property as against the City of Boise nor County of Ada, Idaho. SIGNATURE: _____

PERSON PROPERTY OBTAINED FROM	ADDRESS	PHONE NO.
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Stored at: Property Room Other

If Pawn Shop, attach pawn ticket copy to this form.

00036 27

ADA COUNTY SHERIFF BOISE POLICE PROPERTY INVOICE

RD 75	DR No. 3261057	PAGE OF 1
DATE 8/20/03		TIME 1209
Property Codes*	1 = Stolen	5 = Found
	2 = Embezzled	6 = Safekeeping
	3 = Seized	7 = Destruct only
	4 = Evidence	8 = Other

INVOICE ONLY
 REPORT TO FOLLOW
 CITED/NO REPORT

BOOKING OFFICER GALLAS	ADA NO. 597	APPROVED BY CHUVAZA	OFFENSE Felony Poss of Fulltime	FELONY/MISD. F
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				PROPERTY USE ONLY	
ITEM NO.	DESCRIPTION	SERIAL NO.	DISPO.	BAR CODE	
1	MAUSER 8. MM	H273203			
*CODE 4	OWNER'S NAME WADE PETERSON	LOCATION SEIZED VAN / SEE SUPPLEMENT			
*CODE	OWNER'S NAME	LOCATION SEIZED			
*CODE	OWNER'S NAME	LOCATION SEIZED			
*CODE	OWNER'S NAME	LOCATION SEIZED			
*CODE	OWNER'S NAME	LOCATION SEIZED			
*CODE	OWNER'S NAME	LOCATION SEIZED			
*CODE	OWNER'S NAME	LOCATION SEIZED			
*CODE	OWNER'S NAME	LOCATION SEIZED			
*CODE	OWNER'S NAME	LOCATION SEIZED			
*CODE	OWNER'S NAME	LOCATION SEIZED			
*CODE	OWNER'S NAME	LOCATION SEIZED			
*CODE	OWNER'S NAME	LOCATION SEIZED			
*CODE	OWNER'S NAME	LOCATION SEIZED			
*CODE	OWNER'S NAME	LOCATION SEIZED			

HOW PROPERTY OBTAINED/DETAILS OF INCIDENT
See Supplement
Passenger Sub / Van Road / Plain View.

WAIVER: The property is not my own and I do not allege any claim upon the property as against the true owner nor do I allege any claim upon the property as against the City of Boise nor County of Ada, Idaho.	SIGNATURE:	
PERSON PROPERTY OBTAINED FROM	ADDRESS	
		PHONE NO.

Stored at: Property Room Other

If Pawn Shop, attach pawn ticket copy to this form. **00037** *28*

NOTIFICATION OF RIGHTS

DR# 326659

1. I HAVE THE RIGHT TO REMAIN SILENT.
2. ANYTHING I SAY MAY BE USED AGAINST ME IN A COURT OF LAW.
3. I HAVE THE RIGHT TO TALK TO A LAWYER AND HAVE HIM PRESENT WITH ME WHILE BEING QUESTIONED.
4. IF I CANNOT AFFORD TO HIRE A LAWYER, ONE WILL BE APPOINTED TO REPRESENT ME FREE OF CHARGE BEFORE ANY QUESTIONING.
5. I CAN DECIDE AT ANY TIME TO EXERCISE THESE RIGHTS AND NOT ANSWER ANY QUESTIONS OR MAKE ANY STATEMENTS.
6. I UNDERSTAND THESE RIGHTS, AND HAVING THEM IN MIND, I WISH TO TALK TO THE OFFICERS NOW.

SIGNED Wade Peterson

DATE 8/20/03

TIME 1936

LOCATION ACSO, JAIL

WITNESSED BY JK 597 (GRI/AS)

AG/VN

IN THE DISTRICT COURT OF THE 4TH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA STATE OF IDAHO

vs.

COMPLAINT AND SUMMONS

- Infraction Citation
Misdemeanor Citation
Accident Involved

1012957

PETERSON LAST NAME

DR# 326659

WADE LEMONTE FIRST NAME MIDDLE INITIAL

DR#

DR#

VIN # USDOT TK Census #

Operator Class A Class B Class C Class D Other

GVWR 26001+ 16+ Person Placard Hazardous Materials IPUC #

Home Address 4917 EVERGREEN WAY #228

Business Address EVERETT WA 9 Ph #

THE UNDERSIGNED OFFICER (PARTY) HEREBY CERTIFIES AND SAYS:

DL or SS # [redacted] and, believe the above-named Defendant,

Ht. 509 Wt. 150 Hair BRN Eyes BLU DOB [redacted]

Veh. Lic. # 6516DT State WA Yr. of vehicle 92

Make Dodge Model Durango Color MAROON

Did commit the following act(s) on 8/20 2003 at 0412 o'clock A.M.

VIO.#1 POSSESSION OF DRUG PARAPETRALIA 37-2734A

CODE SECTION

VIO.#2 CARRYING CONCEALED WEAPON 183302

CODE SECTION

Location EDNA / SHAMROCK

Hwy. ADA County, Idaho

Date 8/20/03 GALLS/SCHROEDER 597 Audio Video BOISE POLICE DEPT. DEPT.

Date Witnessing Officer Serial/Address DEPT.

THE STATE OF IDAHO TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned to appear before the Clerk of the Magistrate's Court of the District Court of ADA County, BOISE, Idaho, located at 200 W. FRONT ST. on or after 8 A.M.-4 o'clock P.M.

I acknowledge receipt of this summons and I promise to appear at the time indicated.

APPROVED

Defendant's Signature

I hereby certify service upon the defendant personally on 8/20, 2003

AS97

Officer

NOTICE: See reverse side of your copy for PENALTY and COMPLIANCE instructions.

COURT COPY VIOLATION #1

IN THE DISTRICT COURT OF THE 4TH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

PETERSON vs. WADE LEMONTE LAST NAME FIRST NAME MIDDLE INITIAL

COMPLAINT AND SUMMONS Infraction Citation Misdemeanor Citation Accident Involved DR# 326657

USDOT TK Census # Operator Class A Class B Class C Class D Other GVWR 26001+ 16+ Person Placard Hazardous Materials IPUC # Home Address 4917 EUGENEEN WAY #225 Business Address EVERETT WA Ph #

THE UNDERSIGNED OFFICER (PARTY) HEREBY CERTIFIES AND SAYS: I certify I have reasonable grounds, and believe the above-named Defendant, DL or SS # PETERIN L YUMIC State WA Sex M F HT. 509 Wt. 150 Hair Brun Eyes BLU DOB 7/12/56 Veh. Lic. # 651 GDT State WA Yr. of vehicle 92 Make DODGE Model CHRYSLER Color MAROON Did commit the following act(s) on 8/20 20 03 at 0412 o'clock P M. VIO.#1 POSSESSION OF ILLEGAL FIREARMS 7-31-2 CODE SECTION

VIO.#2 CODE SECTION

Location EDNA / SA... HWY. ADA County, Idaho Date 8/20/03 GALLA / SIV... 507 Audio Video BOISE POLICE DEPT. DEPT.

THE STATE OF IDAHO TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned to appear before the Clerk of the Magistrate's Court of the District Court of ADA County, BOISE Idaho, located at 200 W. FRONT ST. on or after 20, but on or before 20, 8 A.M.-4 o'clock P M. I acknowledge receipt of this summons and I promise to appear at the time indicated.

ARRESTED Defendant's Signature I hereby certify service upon the defendant personally on 8/20, 20 03 Officer

NOTICE: See reverse side of your copy for PENALTY and COMPLIANCE instructions.

COURT COPY VIOLATION #1

Ada County Prosecutors Office
BOISE POLICE DEPARTMENT/ADA COUNTY SHERIFFS DEPARTMENT
SUPPLEMENTAL REPORT

AUG 26 2003
 110309431

TSD

1. Incident/Topic Possession of Controlled		2. Subject/Victim's Name Peterson, Wade Lemonte		3. RD 75	4. DR No. 326-659
5. Location/Address Shamrock/Edna			6. Phone		7. Page 1
8. Date Occurred 8/20/03	9. Time Occurred 4:12 a.m.	10. Route To Det. Moe Heatherley		12. Division cid/child abuse	

ASSIGNMENT:

I, Det. Moe Heatherley, am employed by the Boise Police Department. I am assigned to the Violent Crimes Section of CID, specifically the Child Abuse Unit. I was assigned this case by Sgt. Tony Wallace, supervisor of the Violent Crimes Section. My case file number is # 03-133.

On 8/20/03, at approximately 5:30 a.m., I was the on-call Child Abuse Detective for the Boise Police Department. I was contacted at home by Sgt. Wallace and directed to respond to Shamrock and Edna. Sgt. Wallace stated patrol officers had arrested a suspicious suspect in a van on numerous drugs related offenses. He said during the search of the suspect's vehicle, incident to arrest, officers discovered numerous weapons (knives/guns), duct tape, motion detector, remote video camera and women's undergarment in the suspects van. I was requested to interview the suspect and determine if he is involved in further criminal behavior.

INITIAL ALLEGATION:

On 8/20/03, at approximately 4:12 a.m., patrol officers contacted the suspect in response to a "suspicious vehicle" radio call. Upon first making contact and talking with suspect in his vehicle, officers could see weapons in plain view. Further investigation resulted in the arrest of the suspect for numerous drug and weapon violations.

VICTIM:

State of Idaho

SUSPECT:

Peterson, Wade Lemonte
 DOB [REDACTED]
 Mailing Address:
 4917 Evergreen Way # 288
 Everett, Wa.
 Phone # none

WITNESS:

1. Officer Schneider # 664
 2. Officer Gallas # 597
 Boise Police Department
 7200 Barrister
 Phone # 377-6790

Reporting Officer / Serial / Date/Time Det. Moe Heatherley 523	Supervisor Approving / Serial / Date/Time Sgt. Tony Wallace 296
---	--

BPD-002a-ADP 1994

DISTRIBUTION: Original - Records, Yellow - Follow-up, Pink - Crime Analysis

00041

**BOISE POLICE DEPARTMENT/ADA COUNTY SHERIFF'S DEPARTMENT
SUPPLEMENTAL REPORT**

1. Incident/Topic Possession of Controlled		2. Subject/Victim's Name Peterson, Wade Lemonte		3. RD 75	4. DR No 326-659
5. Location/Address Shamrock/Edna			6. Phone		7. Page 2
8. Date Occurred 8/20/03	9. Time Occurred 4:12 a.m.	10. Route To Det. Moe Heatherley		12. Division cid/child abuse	

BRIEFING BY OFFICER GALLAS:

Officer Gallas stated they had responded to Shamrock and Edna reference a "suspicious vehicle" radio call. He said their investigation resulted in the arrest of Wade Peterson for numerous drug and weapon violations. See Officer Gallas' supplemental report for further details.

Officer Gallas stated that during the search of Peterson's vehicle incident to arrest, he and Officer Schneider found items that could be construed as a "sex/rape" kit. Officer Gallas stated they found knives, guns, remote camera, laptop computer, duct tape (three rolls under the drivers seat), voice altering device, women's undergarment and numerous "porn" videos in the back of his van.

Officer Gallas requested I interview/investigate for further criminal activity by Peterson.

INTERVIEW OF SUSPECT WADE PETERSON:

Det. T.J. Gilbert and I, interviewed Wade Peterson at the CID annex. This interview was video tape recorded in its entirety. Prior to the interview, I admonished Peterson of his "Miranda" rights. He acknowledged that he understood his rights and was willing to talk to us. See Peterson's signed waiver for further details.

Synopsis of the interview: Peterson admitted to having a problem with methamphetamine and wanted help with it. He admitted the methamphetamine he was arrested with this morning, was given to him by a friend in Twin Falls. He denied paying/buying it. Peterson admitted he has a prior criminal history in Washington State for drug usage and manufacturing.

When questioned about the items of interest found in his van, Peterson told of an elaborate scheme of how this motorcycle gang "Ghost Riders" out of Everett, Washington were out to kill him.

See the video tape recording for further details.

EVIDENCE DEVELOPED BY INVESTIGATION:

-See officers property invoices for further details.

Reporting Officer / Serial / Date/Time Det. Moe Heatherley 523	Supervisor Approving / Serial / Date/Time Sgt. Tony Wallace 296
---	--

**BOISE POLICE DEPARTMENT/ADA COUNTY SHERIFF'S DEPARTMENT
SUPPLEMENTAL REPORT**

1. Incident/Topic Possession of Controlled		2. Subject/Victim's Name Peterson, Wade Lemonte		3. RD 75	4. DR No 326-659
5. Location/Address Shamrock/Edna			6. Phone		7. Page 3
8. Date Occurred 8/20/03	9. Time Occurred 4:12 a.m.	10. Route To Det. Moe Heatherley		12. Division cid/child abuse	

REVIEW OF FINDINGS:

Det. Gilbert and I, were unable to determine if Peterson has been involved in any further criminal activity at this time.

ATTACHMENTS:

- General and supplemental reports by Officers Gallas and Scheider.
- Photo copies of Peterson's drivers license and military ID card.
- Consent to search laptop computer.
- Notification of Rights form.
- NCIC criminal history printout.

DISPOSITION:

Peterson was arrested and booked for numerous drug and weapons violations.

Teletype and TRAK flier sent out to the states of Idaho, Oregon and Washington.

Reporting Officer / Serial / Date/Time Det. Moe Heatherley 523	Supervisor Approving / Serial / Date/Time Sgt. Tony Wallace 296
---	--

GENERAL REPORT

Boise Police Department

General Report Type
 Initial Report Supplemental

- Associated Reports
- DUI
 - Domestic Violence
 - Property Invoice
 - Missing/Runaway
 - Case Status

- Signature Form
- Witness Statement
- Vehicle Disposition
- Probable Cause/Suppl
- CSI

RD: [] DR# 2003 - 326659

Location Code 13

Charges	7 Date & Time Reported	8 Location of Occurrence	# Counts	Type Activity	Hate Bias
1 Possession of Drug Paraphernalia	8-20-03 0412	Edna/Shamrock	1	<input type="checkbox"/> Warrant / Hold <input type="checkbox"/> Felony	<input checked="" type="checkbox"/> Misdemeanor <input type="checkbox"/> Infraction
2 Possession of controlled substance			1	<input type="checkbox"/> Warrant / Hold <input checked="" type="checkbox"/> Felony	<input type="checkbox"/> Misdemeanor <input type="checkbox"/> Infraction
3 Unlawful Possession of a firearm			1	<input type="checkbox"/> Warrant / Hold <input checked="" type="checkbox"/> Felony	<input type="checkbox"/> Misdemeanor <input type="checkbox"/> Infraction

Audio Tape Video Tape

Officer(s) Involved:

People Involved

Suspect
Peterson, Wade Lemonte
 4917 Evergreen Way #288
 Address: Everett, WA 9820
 Occupation:
 Bus or School:

Race: W Sex: M DOB: [REDACTED] Age: 47
 5' 9" 150 lbs hair Color: BRO Eye Color: BLU
 Res Phone:
 Cell Phone:
 Bus Phone:
 SSN:
 OLN/St: PETERWL444MK /
 How Ident: DL

Vehicle Info: 1992 DODGE CARAVAN VAN MAR 651GDT ID
 Charges Info: #1 #2 #3 #4 #5 #6 #7 #8 #9 #10
 Arrest Cited ummons:
 Compute Drugs Alchoho

Victim State of Idaho, Race: Sex: DOB: Age:
 lbs air Color: Eye Color:
 Address:
 Occupation:
 Bus or School:
 Res Phone:
 Cell Phone:
 Bus Phone:
 SSN:
 OLN/St: /
 How Ident:
 relationship:
 Injury Type:
 Victim Type:

SUSPECT VEHICLE:

Probable Cause
 PETERSON WAS THE OCCUPANT OF A SUSPICIOUS VEHICLE CONTACTATED AT THE ABOVE LOCATION. DURING QUESTIONING PETERSON OFFICERS OBSERVED WEAPONS IN PETERSONS VEHICLE, WHILE BEING QUESTIONED PETERSON QUICKLY REACHED FOR A CYLINDRICAL OBJECT IN FRONT OF THE STEERING WHEEL, PULLED OFF A LID AND CONCEALED THE BOTTOM IN HIS LAP. OFFICER GALLAS GRABBED HIS LEFT HAND AFTER GIVING VERBAL COMMANDS AND OBSERVED A GLASS PIPE WITH RESIDUE CONSISTENT WITH METHAMPHETAMINE INGESTION. PETERSON WAS ARRESTED AND DURING A SEARCH INCIDENT TO ARREST OFFICERS LOCATED CONCEALED WEAPONS, ILLEGAL FIREWORKS, AND A WHITE CRYSTAL SUBSTANCE WHICH PRESUMPTIVE TEST POSITIVE FOR AMPHETAMINE. PETERSON IS A CONVICTED FELON AND WAS IN POSSESSION OF FIREARMS. SEE SUPPLEMENT FOR SUBSTANCE WEIGHT AND FOR ADDITIONAL INFORMATION.

108 Description

Admin
 Officer(s) Reporting: []
 Reporting Person's Signature: []
 Related DR #s: []

Supervisor Review: []
 Phone Rpt Audio Recording Cuffs Check
 Counter Rpt Video Recording Seat Belted

Copies for: City Prosecutors County Prosecutors Domestic Violence

Crime Analysis - Ada County / Gang Unit - BPD

00044

GENERAL REPORT Continuation
of Charges and Persons Involved

Boise Police Department

RD: DR# 2003 - 326659

Date & Time Occurred 8-20-03 0412	Date & Time Reported 8-20-03 0412	Location of Occurrence Edna/Shamrock	Location Code 13
--------------------------------------	--------------------------------------	---	---------------------

Charges - Contined from Face Page		LawSection	# Counts	TypeActivity	HateBias
4	Carrying Concealed Weapon	18-3302	1	<input type="checkbox"/> Warrant / Hold <input type="checkbox"/> Felony	<input checked="" type="checkbox"/> Misdemeanor <input type="checkbox"/> Infraction
5	Illegal Fireworks	7-31-2	1	<input type="checkbox"/> Warrant / Hold <input type="checkbox"/> Felony	<input checked="" type="checkbox"/> Misdemeanor <input type="checkbox"/> Infraction
6	Illegal Possession of Prescription Drugs	54-1732	1	<input type="checkbox"/> Warrant / Hold <input type="checkbox"/> Felony	<input checked="" type="checkbox"/> Misdemeanor <input type="checkbox"/> Infraction

Admin 	Ada No.
Officer(s) Reporting 	

Yellow - Follow-up Pink - NIBRS Gold - Crime Analysis - Ada County / Gang Unit - BPD

00045

**Narrative Report
Supplement**

Boise Police Department

DR# 2003 - 326659

Chgt#	Offense/Charge	7 Date of This Report
1	Possession of Drug Paraphe	8-20-03 0412
2	Possession of controlled su	6 Date & Time Occurred
3	Unlawful Possession of a fir	8-20-03 0412
4	Carrying Concealed Weapo	
5	Illegal Fireworks	
6	Illegal Possession of Prescri	
4 Location of Occurrence		
Edna/Shamrock		
NARRATIVE		

ENTRY:

ON 8-20-03 AT 0412 I WAS DISPATCHED TO A SUSPICIOUS VEHICLE AT EDNA AND SHAMROCK. UPON ARRIVAL I LOCATED THE DESCRIBED SUSPICIOUS VEHICLE. THE VEHILCE WAS A 1992 DODGE CARAVAN WITH WASHINGTON PLATES #651GDT LOCATED ON THE WEST SIDE OF SHAMROCK FACING SOUTH PARKED. I THEN MADE CONTACT WITH THE SOLE OCCUPANT OF THE VEHICLE, PETERSON WADE(S). WADE WAS FOUND ASLEEP AND AFTER WAKING UP I ASKED HIM FOR HIS DRIVERS LICENSE. HE INITIALLY PROVIDED ME WITH A MILITARY ID. I THEN HAD TO ASK HIM TWICE MORE FOR ADDITIONAL ID AND WADE STATED HE DID NOTHAVE A DRIVERS LICENSE. WADE THEN ADMITTED THAT HIS WASHINGTON DRIVERS LICENSE WAS SUSPENDED. WADE FINALLY SURRENDERED HIS DRIVERS LICENSE. A ROUTINE RECORDS CHECKED REVEALED THAT WADE WAS SUSPENDED OUT OF WASHINGTON.

OFC. GALLAS THEN BEGAN TO QUESTION WADE AND ASKED HIM IF THERE WERE ANY WEAPONS IN THE CAR AND WADE STATED NO. OFC. GALLAS THEN QUESTIONED WADE ABOUT THE CYLINDER ON HIS DASH BOARD AND ASKED HIM IF THERE WERE ANY WEAPONS IN THE CYLINDER. WADE THEN OPENED THE CYLINDER AND ATTEMPTED TO HIDE ONE END OF IT THE CYLINDER IN HIS LEFT HAND. OFC. GALLAS THEN TOLD WADE TO BRING HIS RIGHT HAND BACK INTO VIEW AND WHEN WADE DID NOT COMPLY OFC. GALLAS TOLD HIM ONCE MORE AND GRABBED WADE'S LEFT HAND. WADE THEN BROUGHT HIS RIGHT HAND BACK INTO VIEW AND OFC. GALLAS BASED UPON HIS TRAINING AND EXPERIENCE OBSERVED A METHAMPHETAMINE PIPE. OFC. GALLAS THEN PLACED WADE UNDER ARREST. SEE OFC. GALLAS'S SUPPLEMENT.

SEARCH INCIDENT TO ARREST OF WADE'S PERSON REVEALED:

- FRONT LEFT POCKET: RED M&M CONTAINER CONTAINING A 2 GLASS PIPES WITH WHITE RESIDUE AND A LOADING SPOON AND STRAW 1 ZIP LOCK BAGGY WITH RESIDUE. A WHITE CRYSTAL SUBSTANCE THAT FIELD TESTED PRESUMPTIVE POSITIVE FOR METHAMPHETAMINE. THIS SUBSTANCE WAS IN A SMALL GREEN PLASTIC BAGGY (TPW =) POCKET ALSO CONTAINED A SILVER ROUNDED MIRROR BOX WITH WHITE POWDERY RESIDUE. POCKET ALSO CONTAINED A WHITE PLASTIC FILM CANISTER WITH SMALL PLASTIC BAGGIES WITH WHITE POWDERY RESIDUE.
- RIGHT FRONT POCKET: FLYING FALCON FOLDING KNIFE

SEARCH INCIDENT TO ARREST OF WADE'S VEHICLE:

- ASP BATON LOCATED INSIDE DRIVERS DOOR POCKET
- SILVER DAGGER KNIFE IN BLACK SHEATH LOCATED BETWEEN CONSOLE AND PASSNEGER SEAT
- STAINLESS STEEL BLACK HANDLED SURVIVAL KNIFE IN BLACK PLASTIC SHEATH LOCATED BEHIND DRIVERS SEAT ON THE RIGHT SIDE
- ORANGE MEDICATION BOTTLE CONTAINING 16 WELLBUTRIN (BOTTLE HAD NO PRESCRIPTION INFORMATION ON IT) LOCATED IN CENTER CONSOLE
- GREEN METALLIC PIPE WITH RESIDUE LOCATED IN CENTER CONSOLE
- GREEN M&M CONTAINER WITH GLASS PIPE WITH RESIDUE LOCATED IN CENTER CONSOLE
- RIFLE ZBROJOVKA BRNO, A.S.VZ. 24, 8MM BOLT ACTION, CZZ80, #HR23203 LOCATED ION THE BACK AREA OF THE VAN ON THE RIGHT SIDE BETWEEN REAR SEAT AND SIDE OF VEHICLE.
- BASEBALL BAT LOCATED ON THE LEFT HAND SIDE OF DRIVERS SEAT BETWEEN SEAT AND SIDE OF VEHICLE
- AX HANDLE LOCATED ON THE LEFT HAND SIDE OF DRIVERS SEAT BETWEEN SEAT AND VEHICLE
- HP OMINBOOK XE3 LAPTOP LOCATED DIRECTLY BEHIND CENTER CONSOLE, FOLDED UP.
- ORANGE MEDICINE PRESCRIPTION BOTTLE CONTAINING 600MG IBUPROFEN QUANTITY 51 LOCATED BY OFC. GALLAS IN A BOX IN THE CARGO AREA OF VEHICLE.
- M100 FIRECRACKER IN PURPLE CLOTH BAG LOCATED IN THE CENTER CONSOLE. M100 WAS PLACED IN THE MIDDLE OF THE ROAD AND BOISE PD BOMB SQUAD TECH. SGT. HAMILTON CAME AND TOOK POSSESSION OF THE DEVICE.

Admin

Schneider/Gallas

664

ADA #

APPROVED BY

ADA #

Page 1

00046

**Narrative Report
Supplement**

Boise Police Department

DR# 2003 - 326659

Chg#	Offense/Charge	7 Date of This Report
1	Possession of Drug Paraphe	8-20-03 0412
2	Possession of controlled su	6 Date & Time Occurred
3	Unlawful Possession of a fir	8-20-03 0412
4	Carrying Concealed Weapo	
5	Illegal Fireworks	
6	Illegal Possession of Prescri	
4 Location of Occurrence		
Edna/Shamrock		

I THEN CONTACTED ACTING FIELD COMMANDER TUCKER WHO THEN CONTACTED DETECTIVE HEATHERLEY WHO RESPONDED TO THE SCENE. DET. HEATHERLEY THEN REQUESTED WE MOVE THE WADE AND HIS VEHICLE TO CID.

INFORMATION:

SEE ATTACHED PORPERTY INVOICE
DRUG AND WEAPON PROPERTY BOOKED INTO PROPERTY BY OFC'S GALLAS AND SCHNEIDER
LAPTOP COLLECTED BY DETECTIVE GILBERT AT CID

CONCLUSION:

ROUTE TO DET. HEATHERLEY

Admin
Schneider/Gallas 664
ADA # APPROVED BY

00047

CONTINUATION PAGE
 MISCELLANEOUS REPORT

ADA COUNTY SHERIFF'S

BOISE POLICE DEPARTMENT

1. Incident/Topic POSSESSION OF CONTROLLED SUBSTANCE		2. Subject/Victim's Name PETERSON, WADE		3. RD	4. DR No 326659
5. Location/Address SHAMROCK/EDNA			6. Phone		7. Page 1
8. Date Occurred 8/20/03	9. Time Occurred 0412	10. Route To		12. Division PATROL	

ON THE ABOVE DATE AND TIME OFFICER SCHNEIDER AND I WERE OPERATING AS A TRAINING CAR DRIVING PATROL UNIT # 84. WE WERE DEPLOYED IN FULL BPD UNIFORM AND DISPATCHED TO A SUSPICIOUS VEHICLE CALL AT THE ABOVE LOCATION. UPON OUR ARRIVAL SCHNEIDER AND I OBSERVED THE SUSPECT VEHICLE, AS DESCRIBED BY THE CALLING PARTY. THIS VEHICLE WAS A MAROON MINI VAN WITH WASHINGTON LICENSE PLATES. CALLING PARTY INDICATED THAT HE OBSERVED A SUBJECT IN THE VEHICLE WITH THE SEAT LAID BACK. CALLING PARTY INDICATED THAT THE SUBJECT WAS SLEEPING IN THE VEHICLE IN FRONT OF RESIDENCES AT THE LOCATION.

AS WE ARRIVED ON SCENE WE OBSERVED A MALE SUBJECT ASLEEP IN THE DRIVERS SEAT OF THE VEHICLE. THE VEHICLE WAS NOT TURNED ON AND WAS PARKED FACING SOUTHBOUND ON THE WEST SIDE OF THE STREET.

THE DRIVER OF THE VEHICLE BEGAN TO WAKE UP AS WE MADE CONTACT WITH THE SUBJECT. OFFICER SCHNEIDER MADE CONTACT WITH THE DRIVER OF THE VEHICLE, LATER IDENTIFIED AS WADE PETERSON. AS SCHNEIDER QUESTIONED PETERSON I MADE ATTEMPTS TO HEAR WHAT WAS SAID. I OBSERVED A WEAPON, AN ASP STYLE BATON IN THE DOOR POCKET OF THE DRIVER SIDE DOOR. I WATCHED PETERSONS MOVEMENTS TO BE SURE HE DID NOT REACH FOR THE WEAPON. WHILE DOING SO I HEARD SCHNIEDER ASK PETERSON FOR IDENTIFICATION AND I WATCHED AS HE FUMBLLED THROUGH HIS WALLET FOR A MILITARY TYPE ID CARD. SCHNEIDER ASKED PETERSON FOR HIS DRIVER'S LICENSE TO WHICH PETERSON STATED THAT HE DID NOT HAVE ONE.

Vehicle Disposition:		Removed By:		
Transported To:	Handcuffed?	Checked?	Seat Belted?	Door Locked?
Suspect Identified By:				
Reporting Officer / Serial / Date/Time 10507		Supervisor Approving / Serial / Date/Time		

CONTINUATION 1
 MISCELLANEOUS REPORT

ADA COUNTY SHERIFF'S

BOISE POLICE DEPARTMENT

1. Incident/Topic POSSESSION OF CONTROLLED SUBSTANCE		2. Subject/Victim's Name PETERSON, WADE		3. RD	4. DR No 326659
5. Location/Address SHAMROCK/ EDNA			6. Phone	7. Page 2	
8. Date Occurred 8/20/03	9. Time Occurred 0412	10. Route To	12. Division PATROL		

I HAD SEEN THE DRIVER'S LICENSE IN PETERSON'S WALLET AS HE FLIPPED THROUGH IT AND WHEN SCHNEIDER WAS DONE WITH HIS QUESTIONS I WALKED OVER TO THE DRIVER SIDE OF THE VEHICLE TO SPEAK WITH PETERSON. I BEGAN TO SPEAK TO HIM ABOUT WHY HE DID NOT PROVIDE SCHNIEDER WITH A DRIVER'S LICENSE AS REQUESTED, TO WHICH HE STATED THAT HIS DRIVER'S LICENSE WAS SUSPENDED. I THEN ASKED HIM ABOUT THE ASP BATON IN HIS DOOR POCKET, HE STATED THAT IT WAS FOR HIS PROTECTION FROM PERSONS HE WAS IN FEAR OF IN WASHINGTON.

PETERSON HAD HIS RIGHT HAND TUCKED BETWEEN THE DRIVER'S SEAT AND PASSENGER SEAT SO THAT I COULD NOT SEE IT. I TOLD HIM TO KEEP HIS HANDS ON THE STEERING WHEEL FOR OFFICER SAFETY REASONS AND I THEN ASKED HIM ABOUT OTHER WEAPONS IN THE VEHICLE. I ADVISED HIM TO CLOSE HIS OPENED DRIVER SIDE DOOR AND TO ROLL DOWN HIS WINDOW TO CONTINUE THE CONVERSATION. AS I QUESTIONED HIM I OBSERVED A CYLINDRICAL OBJECT ON THE DASH IN FRONT OF HIS STEERING WHEEL AND ASKED HIM WHAT IT WAS. HE STATED THAT IT WAS A CONTAINER FOR HIS GLASSES. I ASKED HIM IF I COULD LOOK AT IT TO BE SURE IT WAS NOT A WEAPON AND HE QUESTIONED WHY I NEEDED TO DO SO. DURING THIS QUESTIONING HE STARED FORWARD OVER THE STEERING WHEEL, HE THEN MADE A QUICK MOVEMENT TOWARD THE CYLINDRICAL OBJECT AND REMOVED THE LID FROM ONE SIDE WHILE CONCEALING THE CONTENTS OF THE OTHER SIDE. NOT KNOWING WHAT THE OTHER HALF OF THE OBJECT CONTAINED I TOLD HIM TO SHOW ME HIS HANDS, HE DID NOT DO SO. HE HAD THE OBJECT TUCKED INTO HIS CROTCH, KEEPING IT HIDDEN FROM MY VIEW. HE REFUSED TO COMPLY WITH MY COMMANDS TO SHOW ME THE OBJECT.

Vehicle Disposition:		Removed By:		
Transported To:	Handcuffed?	Checked?	Seat Belted?	Door Locked?
Suspect Identified By:				
Reporting Officer / Serial / Date/Time		Supervisor Approving / Serial / Date/Time		

CONTINUATION P.
MISCELLANEOUS REPORT

ADA COUNTY SHERIFF'S

BOISE POLICE DEPARTMENT

1. Incident/Topic POSSESSION OF CONTROLLED SUBSTANCE		2. Subject/Victim's Name PETERSON, WADE		3. RD	4. DR No 326657
5. Location/Address SHAMROCK/ EDNA			6. Phone	7. Page 3	
8. Date Occurred 8/20/03	9. Time Occurred 0412	10. Route To	12. Division PATROL		

WITH THE PRESENCE OF WEAPONS ALREADY CONFIRMED IN THE VEHICLE COUPLED WITH HIS NON COMPLIANCE I FELT THE SITUATION AN OFFICER SAFETY CONCERN AND I REACHED TOWARD HIS HIDDEN HAND AND PULLED IT FROM HIDING. AS I DID SO I OBSERVED A GLASS PIPE WITH A WHITE RESIDUE, SET UP IN A FASHION COMMONLY USED TO INGEST (SMOKE) METHAMPHETAMINE. I RETAINED A GRIP ON HIS LEFT HAND WHILE SCHNEIDER ASSISTED ME IN PLACING PETERSON UNDER ARREST FOR POSSESSION OF DRUG PARAPHERNALIA.

AFTER PLACING PETERSON IN HANDCUFFS I CONDUCTED A SEARCH OF HIS PERSON INCIDENT TO ARREST. DURING THIS SEARCH OFFICER SCHNEIDER AND I LOCATED ADDITIONAL ITEMS OF DRUG PARAPHERNALIA, PLASTIC ZIP-SEAL BAGGIES AND A SMALL BAGGIE CONTAINING A CRYSTAL SUBSTANCE.

SEE OFFICER SCHNEIDER'S SUPPLEMENT FOR ADDITIONAL INFORMATION AND ACTIONS TAKEN FOLLOWING ARREST OF PETERSON.

GALLAS AUDIO NO, VIDEO NO

ROUTE TO DETECTIVE HEATHERLEY

Vehicle Disposition:		Removed By:		
Transported To:	Handcuffed?	Checked?	Seat Belted?	Door Locked?
Suspect Identified By:				
Reporting Officer / Serial / Date/Time TAYLOR 597		Supervisor Approving / Serial / Date/Time		

WASHINGTON DRIVER'S LICENSE

NUMBER	ISSUE DATE	EXPIRES
PETERWL444MK	052300	071203
CDL END	RES	F
SEX	HEIGHT	WEIGHT
M	5-09	150
EYES	BIRTHDATE	
BLU	071256	
144AC1100		

PETERSON, WADE LAMONTE
 4917 EVERGREEN WAY #288
 EVERETT WA 98203

Wade Peterson

DEPARTMENT OF DEFENSE UNIFORMED SERVICES

		ISSUE DATE	05/23/00
		EXPIRES	07/12/03
SPECIAL SECURITY NUMBER		518-68-9200	
SIGNATURE		<i>Wade Peterson</i>	
PETERSON, WADE L		DAVPRM/E4	
IDENTIFICATION AND PRIVILEGE CARD		AUTHORIZED PATRONAGE EXCHANGE COMMISSARY	

LAPTOP

VOLUNTARY CONSENT TO SEARCH VEHICLE

8/20/03

(Date)

I, WADE CAMONT PETERSON, hereby authorize

DETECTIVES HEATHERLEY AND GILBERT (an officer of the (Boise City Police Dept.)

LAPTOP COMPUTER

(Ada County Sheriff's Dept.) to conduct a search of my vehicle which is a:

HP OMNIBOOK EX3

This written permission is being given by me to the above named officer voluntarily and without threats or promises of any kind.

(Signed) X Wade Peterson

Witnesses: DET. GILBERT #576

4 CELERON
WINDOWS XP
ADMINISTERED
CATT

NOTIFICATION OF RIGHTS

DR# 326-659

1. I HAVE THE RIGHT TO REMAIN SILENT.
2. ANYTHING I SAY MAY BE USED AGAINST ME IN A COURT OF LAW.
3. I HAVE THE RIGHT TO TALK TO A LAWYER AND HAVE HIM PRESENT WITH ME WHILE BEING QUESTIONED.
4. IF I CANNOT AFFORD TO HIRE A LAWYER, ONE WILL BE APPOINTED TO REPRESENT ME FREE OF CHARGE BEFORE ANY QUESTIONING.
5. I CAN DECIDE AT ANY TIME TO EXERCISE THESE RIGHTS AND NOT ANSWER ANY QUESTIONS OR MAKE ANY STATEMENTS.
6. I UNDERSTAND THESE RIGHTS, AND HAVING THEM IN MIND, I WISH TO TALK TO THE OFFICERS NOW.

SIGNED Wade Peterson

DATE 8/20/2003

TIME 8:00 A.M.

LOCATION CIT # 4004

WITNESSED BY Det. Muey [Signature]
Det. J.P. Hill #516

AM. P.M.
 DEC 08 2006
 J. DAVID NAVARRO, Clerk
 By S. RILEY
 DEPUTY


ADA COUNTY PUBLIC DEFENDER
 Attorney for Defendant
 200 West Front Street, Suite 1107
 Boise, Idaho 83702
 Telephone: (208) 287-7450
 Facsimile: (208) 287-7419

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
 OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO)	
)	
Plaintiff,)	
	)	Criminal No. H0500434
vs.)	
	)	OBJECTION TO MOTION FOR
WADE L. PETERSON,	)	CONFISCATION AND CLAIM TO
	)	PROPERTY
Defendant.)	
)	
)	

Comes now the defendant, WADE PETERSON, by and through his attorney of record, Ada County Public Defender's Office, JONATHAN LOSCHI, handling attorney, and objects to the State's Motion for Confiscation of Firearms/Contraband previously filed with this Court. Pursuant to Idaho Code Section 19-3807(3), the defendant notifies all parties that he is the true owner of the referenced property.

DATED this 7th day of ~~May~~ ^{December}, 2006 th.



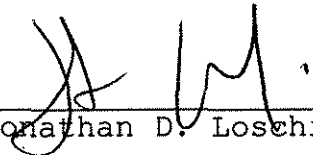
 Jonathan D. Loschi
 Ada County Public Defender

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on this 7 day of December, 2006, I mailed a true and correct copy of the foregoing Motion to the:

Jill Longhurst
C/o Ada County Prosecutor

by depositing same in the Interdepartmental mail.



Jonathan D. Loschi

Session: wilper020607
Session Date: 2007/02/06
Judge: Wilper, Ronald J.
Reporter: Morris, Frances

Division: DC
Session Time: 08:11

Courtroom: CR507

Clerk(s):
Johnson, Inga

State Attorneys:
Fisher, Jean
Harmer, Ben
Haws, Joshua
Longhurst, Jill
Medema, Jonathan
Robbins, Kenneth

Public Defender(s):
Loschi, Jonathon
Myshin, Amil
Simonaitis, David

Prob. Officer(s):

Court interpreter(s):

Case ID: 0034

Case Number: H0500434
Plaintiff:
Plaintiff Attorney:
Defendant: Peterson, Wade
Co-Defendant(s):
Pers. Attorney:
State Attorney: Longhurst, Jill
Public Defender: Loschi, Jonathon

2007/02/06

11:21:57 - Operator
Recording:
11:21:57 - New case
Peterson, Wade
11:22:31 - General:
Motion to Confiscate Property, Def. not present, on probatio
n
11:22:44 - Public Defender: Loschi, Jonathon
Unable to reach def.
11:24:00 - Judge: Wilper, Ronald J.
Will proceed w/o def. as he got notice, waiving presence
11:24:16 - State Attorney: Longhurst, Jill
Advises court what evidence will elicit
11:25:11 - State Attorney: Longhurst, Jill
Calls Officer Steven Schneider, sworn, examiend
11:27:05 - Public Defender: Loschi, Jonathon

No Q. witness steps down
11:27:10 - State Attorney: Longhurst, Jill
Calls Detective Moe Heatherley, sworn, examined
11:28:48 - Public Defender: Loschi, Jonathon
No cross, witness steps down
11:28:58 - Public Defender: Loschi, Jonathon
No testimony
11:29:02 - Judge: Wilper, Ronald J.
Q. on specifics of motion
11:29:07 - State Attorney: Longhurst, Jill
Responds
11:29:29 - Judge: Wilper, Ronald J.
Makes findings, grants motion to confiscate
11:31:07 - Judge: Wilper, Ronald J.
St. to prepare order
11:31:12 - Operator
Stop recording:

FEB 12 2007

By ~~J. DAVID NAVARRO, Clerk~~
DINA JOHNSON

GREG H. BOWER
Ada County Prosecuting Attorney

Jill Longhurst
Deputy Prosecuting Attorney
200 West Front Street, Room 3191
Boise, Idaho 83702
Telephone: (208) 287-7700

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

THE STATE OF IDAHO,)
)
Plaintiff,)
)
vs.)
)
WADE L. PETERSON,)
)
Defendant.)
_____)

Case No. H0500434

**ORDER FOR
CONFISCATION OF
FIREARMS AND
CONTRABAND**

This matter came before the court on the State's motion. The Defendant did not appear at the hearing, however, he was represented by counsel. The Defendant received notice of the hearing. Testimony was offered and received. Pursuant to I.C. §19-3807, this Court hereby orders the confiscation of:

A. Firearms, Ammunition, Deadly Weapons or Explosives of any Nature including fireworks:

- ASP/baton with nylon strap
- Silver dagger with black leather sheath
- Black folding knife (Falcon)

- Black steel survival knife with plastic sheath
- 25" Louisville slugger (baseball bat)
- Axe handle – Ivory/Black
- 22 cal Smith's
- Czechoslovak Mauser (8mm)
- M100 Firecracker in purple cloth

B. Contraband:

- White powdery substance (controlled substance)
- Green M&M container with glass pipe
- Silver mirror with residue
- Red M&M tube with plastic baggie and white powder (M&M container with 2 glass pipes with white residue)
- Green metallic pipe with residue
- White film canister with plastic baggies
- Orange bottle with no label and the labeled pills within

Further, this Court order the delivery of said items to a Boise City Police Department person pursuant to I.C. §19-3807(6) for disposition deemed appropriate by the Boise City Police Department at a future date to be specified by the court when any/all appeals and or motions for post-conviction relief have been exhausted.

DATED this 9th day of Feb., 2007.


 District Judge Ronald Wilper

Session: wilper031907
Session Date: 2007/03/19
Judge: Wilper, Ronald J.
Reporter: Kreidler, Debora

Division: DC
Session Time: 10:52

Courtroom: CR508

Clerk(s):
Oatman, Diane

State Attorneys:
Gunn, George

Public Defender(s):
Loschi, Jonathon

Prob. Officer(s):

Court interpreter(s):

Case ID: 0003

Case Number: H0500434
Plaintiff:
Plaintiff Attorney:
Defendant: Peterson, Wade
Co-Defendant(s):
Pers. Attorney:
State Attorney: Gunn, George
Public Defender: Loschi, Jonathon

2007/03/19

15:00:47 - Operator
Recording:

15:00:47 - New case
Peterson, Wade

15:01:14 - Judge: Wilper, Ronald J.
Ct calls case; def present on prob w/counsel

15:01:25 - Judge: Wilper, Ronald J.
Ct revws file re: confiscation of weapons

15:01:42 - Public Defender: Loschi, Jonathon
Adv Ct re: previous hearing; def adv counsel h did not rec'd
notice of

15:02:13 - Public Defender: Loschi, Jonathon
hearing--prosecution has already presented their case; req d

ef be allowed to
15:02:41 - Public Defender: Loschi, Jonathon
testify
15:02:45 - State Attorney: Gunn, George
No objection
15:03:01 - Public Defender: Loschi, Jonathon
Calls defendant Wade Peterson, sworn; D-X
15:06:19 - Other: Peterson, Wade
Ownership of guns and items seized--two firearms and silver
bat brought as a
15:08:45 - Other: Peterson, Wade
present for son; does not wish return of other items
15:09:06 - State Attorney: Gunn, George
Cross-examination
15:12:02 - Other: Peterson, Wade
Steps down
15:12:07 - Public Defender: Loschi, Jonathon
Argument -- confiscation order
15:14:07 - State Attorney: Gunn, George
Response
15:15:26 - Judge: Wilper, Ronald J.
Ct denies motion and advises def for the reason
15:17:58 - Judge: Wilper, Ronald J.
Requests prosecutor to prepare order
15:18:32 - Defendant: Peterson, Wade
Requests permission to comment
15:18:40 - Judge: Wilper, Ronald J.
Ct notes ruling and adv def to inquire of his atty
15:19:00 - Operator
Stop recording:

NO. _____ FILED _____
A.M. 8:40 P.M. _____

APR 09 2007

J. DAVID NAVARRO, Clerk
By INGA JOHNSON
DEPUTY

GREG H. BOWER
Ada County Prosecuting Attorney

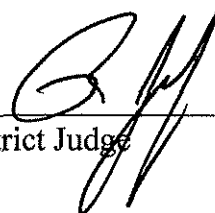
George Gunn
Deputy Prosecuting Attorney
200 West Front Street Room 3191
Boise, ID 83702
Telephone: (208) 287-7700

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

THE STATE OF IDAHO,)	
)	
Plaintiff,	)	Case No. H0500434
)	
vs.	)	ORDER DENYING
	)	DEFENDANT'S MOTION TO
WADE LEMONTE PETERSON,	)	RECONSIDER
)	
Defendant.)	
_____)	

The Court on March 19, 2006, heard the Defendant's Motion to Reconsider the Order Granting the State's Motion for Confiscation of Firearms and Contraband. Having heard the Defendant's testimony and arguments of counsel, the Court hereby denies the Defendant's Motion for Reconsideration.

DATED this 9th day of April, 2007.



District Judge

APR 13 2007

J. DAVID NAVARRO, Clerk
By R. CALLAHAN
DEPUTY

ADA COUNTY PUBLIC DEFENDER
Attorneys for Defendant
200 West Front Street, Suite 1107
Boise, Idaho 83702
Telephone: (208) 287-7400
Facsimile: (208) 287-7409

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO,)	
	)	Criminal No. H0500434
Plaintiff,)	
	)	NOTICE OF APPEAL
vs.)	
)	
WADE LEMONTE PETERSON,)	
)	
Defendant.)	
)	

TO: THE ABOVE NAMED RESPONDENT, GREG H. BOWER, ADA COUNTY PROSECUTOR, AND THE CLERK OF THE ABOVE-ENTITLED COURT.

NOTICE IS HEREBY GIVEN THAT:

- 1) The above-named defendant, appeals against the state of Idaho to the Idaho Supreme Court from the final ORDER DENYING MOTION TO RECONSIDER entered against him on the 9th day of April 2007, the Honorable RONALD J. WILPER, District Judge, presiding.
- 2) That the party has a right to appeal to the Idaho Supreme Court, and the Judgment described in paragraph one (1) above is appealable pursuant to I.A.R. 11(c)(1).
- 3) That Defendant requests the entire reporter's standard transcript as defined in Rule 25(a), I.A.R.

- 4) Defendant also requests the preparation of the following additional portions of the reporters transcript:

Hearings held: March 19, 2007

- 5) The defendant requests that the clerk's record contain only those documents automatically included as set out in I.A.R. 28(b)(2), including the Grand Jury Transcript if indicted, any Jury Instructions requested and given, and Pre-Sentence Investigation Report.

- 6) I certify:

a) That a copy of this "Notice of Appeal" has been served on the reporter.

b) That the defendant is exempt from paying the estimated transcript fee because he is an indigent person and is unable to pay said fee.

c) That the defendant is exempt from paying the estimated fee for preparation of the record because he is an indigent person and is unable to pay said fee.

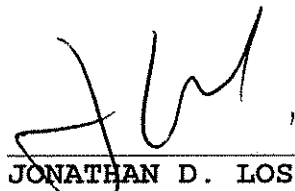
d) That the defendant is exempt from paying the appellate filing fee because he is indigent and is unable to pay said fee.

e) That service has been made upon all parties required to be served pursuant to I.A.R. 20.

- 7) That the defendant anticipates raising issues including, but not limited to:

(a) The error of this Court by denying the defendant's Motion to Reconsider the Order to Confiscate Weapons.

DATED, April 13, 2007.



JONATHAN D. LOSCHI
Attorney for Defendant

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on April 13, 2007, I mailed a true and correct copy of the foregoing to:

LAWRENCE G. WARDEN
IDAHO ATTORNEY GENERAL

- U.S. MAIL
- HAND DELIVERED
- FACSIMILE
- INTERDEPARTMENTAL MAIL

HONORABLE RONALD J. WILPER'S COURT
REPORTER

- U.S. MAIL
- HAND DELIVERED
- FACSIMILE
- INTERDEPARTMENTAL MAIL



Jacob B. Precht

RECEIVED

APR 13 2007

NO. _____ FILED _____
A.M. _____ P.M. 2:30

ADA COUNTY PUBLIC DEFENDER
Attorneys for Defendant
200 West Front Street, Suite 1107
Boise, Idaho 83702
Telephone: (208) 287-7400
Facsimile: (208) 287-7409

Ada County Clerk

APR 18 2007

By: DAVID NAVARRO
David Navarro
DEPUTY

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO,)	
	)	Criminal No. H0500434
Plaintiff,)	
	)	ORDER APPOINTING STATE
vs.	)	APPELLATE PUBLIC DEFENDER ON
	)	DIRECT APPEAL
WADE LEMONTE PETERSON,)	
)	
Defendant.)	
)	

The defendant has elected to pursue a direct appeal in the above-entitled matter. The defendant being indigent and having heretofore been represented by the Ada County Public Defender's Office in the District Court, the Court finds that, under these circumstances, appointment of appellate counsel is justified. The Idaho State Appellate Public Defender shall be appointed to represent the above-named defendant in all matters pertaining to the direct appeal.

IT IS SO ORDERED.

DATED, this 17th day of April 2007.

RJ

RONALD J. WILPER
District Judge

RECEIVED

MAY 03 2007

Ada County Clerk

4-0500434
FILED
AM PM 4:00
MAY 03 2007

J. DAVID WATKINS, Clerk
By BRADLEY J. TILES,
DEPUTY

To Whom it Concerns

I would like to appeal the decision of Hearing on 3-19-07 by Judge Wilper concerning my Property Release, Judge Wilper erred in that this case is still pending appeal, the previous hearing that was heard was done so without my prior knowledge, John Lawsky failed to properly notify of hearing & in 2nd hearing I felt John Lawsky was inadequate representation in that he failed to submit evidence I showed him showing that my property was exempt from proceedings that it was classified under Antique Firearms & exempt as well as war time memorabilia. I had left phone message to John Lawsky asking him to file an appeal on his decision on 4-19-07 as of yet I have not heard any reply so this written instrument should serve as such
such

submitted by Wade Peters
Wade Peters

00067

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO,

Plaintiff-Respondent,

vs.

WADE LAMONT PETERSON,

Defendant-Appellant.

Supreme Court Case No. 33137

CERTIFICATE OF EXHIBITS

I, J. DAVID NAVARRO, Clerk of the District Court of the Fourth Judicial District of the State of Idaho in and for the County of Ada, do hereby certify:

There were no exhibits offered for identification or admitted into evidence during the course of this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Court this 15th day of May, 2007.

J. DAVID NAVARRO
Clerk of the District Court

By BRADLEY J. THIES
Deputy Clerk

CERTIFICATE OF EXHIBITS

00068



IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO,

Plaintiff-Respondent,
vs.

WADE LAMONT PETERSON,

Defendant-Appellant.

Supreme Court Case No. 33137

CERTIFICATE OF SERVICE

I, J. DAVID NAVARRO, the undersigned authority, do hereby certify that I have personally served or mailed, by either United States Mail or Interdepartmental Mail, one copy of the following:

SUPPLEMENTAL CLERK'S RECORD AND REPORTER'S TRANSCRIPT

to each of the Attorneys of Record in this cause as follows:

STATE APPELLATE PUBLIC DEFENDER

ATTORNEY FOR APPELLANT

BOISE, IDAHO

LAWRENCE G. WASDEN

ATTORNEY FOR RESPONDENT

BOISE, IDAHO

J. DAVID NAVARRO
Clerk of the District Court

Date of Service: MAY 16 2007

By BRADLEY J. THIES
Deputy Clerk



CERTIFICATE OF SERVICE

00069

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO,

Plaintiff-Respondent,
vs.

WADE LAMONT PETERSON,

Defendant-Appellant.

Supreme Court Case No. 33137

CERTIFICATE TO RECORD

I, J. DAVID NAVARRO, Clerk of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Ada, do hereby certify that the above and foregoing record in the above-entitled cause was compiled and bound under my direction as, and is a true and correct record of the pleadings and documents that are automatically required under Rule 28 of the Idaho Appellate Rules, as well as those requested by Counsels.

I FURTHER CERTIFY, that the Notice of Appeal was filed on the 13th day of April, 2007.

J. DAVID NAVARRO
Clerk of the District Court

By BRADLEY J. THIES
Deputy Clerk

SEAL

CERTIFICATE TO RECORD

000'70