

Julie Hansen

24-0801

From: noreply@civicplus.com
Sent: Wednesday, April 24, 2024 8:21 AM
To: SheriffRecords
Subject: Online Form Submittal: Public Records Request - Sheriff's Office

Public Records Request - Sheriff's Office

The Sheriff's Office maintains records for incidents that occur in unincorporated Whatcom County. Sheriff's Office case numbers contain an "A" (i.e. 21A21212). If you are requesting records for incidents occurring in city limits, you will need to contact that city's law enforcement agency. If your case report contains a "B" in the number (i.e. 21B12345), you will need to request those records from Bellingham Police Department.

For Whatcom County Sheriff's Office Jail records, visit this link:

For Whatcom County records other than Sheriff's Office records, click below and you will be taken to their request form.

[Click here to request records other than Sheriff's Office records.](#)

For a WA State Accident Report where a WCSO deputy responded, click below to be taken to BuyCrash.com.

[Click here to be taken to BuyCrash.com.](#)

Instructions:

Complete the following form to request records involving the Sheriff's Office. If you have more than one records request, please enter the additional requests in the space provided. Please allow five (5) business days for a response to your request. If you need assistance with Sheriff's Office records, contact the Sheriff's Office/Records Division at (360) 778-6670.

(Section Break)

Requestor's Last Name	kirkey
First Name	philip
Middle Name	andrew
Email Address	courchainerana@gmail.com

Phone Number 425-998-8047

Address 1511 n state st apt 452

City bellingham

State wa

Zip 98225

(Section Break)

Request #1

I wish to Receive a copy of this record

Report / Case No. 161013450 16A23128

Description (provide as much detail as possible) cont sub poss no prescription

Date(s) 07/16/2018

Your Relationship to Requested Record Other Arrestee

(Section Break)

Request #2

I wish to Receive a copy of this record

Report / Case No. 101011504 10A19045

Description (provide as much detail as possible) cont sub no prescrtpt, mfg/delv schedule I II III

Date(s) 09/15/2011

Your Relationship to Requested Record Other

(Section Break)

Request #3

I wish to Receive a copy of this record

Report / Case No. 23a2121858/23-1-00851-37 23A21858

Description (provide as much detail as possible) deputy dallas shelton illegal poss firearm 2nd,

Date(s)

07/16/2023

Your Relationship to
Requested Record

Other

Arrestee

(Section Break)

Email not displaying correctly? [View it in your browser.](#)



WHATCOM COUNTY SHERIFF'S OFFICE

Detail Report for Incident 16A23128

Incident No.: 16A23128

Address: 7650 BIRCH BAY DR
BLAINE WA 98230

Location: Birch Bay SAM

Offense Codes: Cont Sub, Poss Meth

Agency: WCSO

Responding Officers: HEINRICH, C ROOSMA, B BERTRAND, C HEINRICH, C WOOD, B ZSLICK, G STREUBEL, A JILK, M

Responsible Officer: WOOD, B

Disposition: CLRD ADULT ARREST 10/26/16

When Reported: 16:15:04 10/20/16

INVOLVMENT LIST:

Type:	Record #:	Description:	Date:	Relationship:
PR	17204	DRUG METHAMPHETAMINE 1	10/21/16	PROPERTY/OTHER
PR	17205	DRUG METHAMPHETAMINE 1	10/21/16	PROPERTY/OTHER
VH	16241	SIL 2014 CHRY T&C WA	10/20/16	VEHICLE INVOLVED
NM	16746	REECE, JENNIFER LORRAINE	10/20/16	CONTACT
NM	24552	WHITTED, JERRY EUGENE	10/20/16	CONTACT
NM	25177	KIRKEY, PHILIP ANDREW	10/20/16	ARRESTEE
NM	68960	KIRKEY, ELLA LORRAINE	10/20/16	CONTACT
NM	68961	KIRKEY, DAMIEN ANDREW	10/20/16	CONTACT
NM	68962	KIRKEY, LEILAH LYNN	10/20/16	CONTACT
NM	68959	KIRKEY, HAILEY LYNN	10/20/16	Complainant
OF	39400	Offense#: 39400 - BF - 1 count	10/23/16	Charged With
WA	8736	PC POSSESSION OF METHAMPHETAMINE	10/21/16	Originated by

REPORTEES:

Name: KIRKEY, HAILEY L. **Name Number:** 68959 **Relationship:** Complainant
Race: W **Sex:** F **DOB:** 07/02/93 **Hght:** ' " **Weight:** 0 **Hair:** BRO **Eyes:** BLU

Address: 7650 BIRCH BAY DR; SPRUCE-4, BLAINE, WA 98230

Home Phone: (360)603-8611 **Work Phone:** (Yes) -

Employer: WINCO / MCDONALDS **Emp. Phone:** (360)756-7924

ARRESTEES:

Name: KIRKEY, PHILIP A. **Name Number:** 25177 **Relationship:** ARRESTEE

Race: W **Sex:** M **DOB:** 10/28/90 **Hght:** 5'09" **Weight:**148 **Hair:** BLN **Eyes:** BLU

Address: TRANSIENT, LYNDEN, WA 98264

Home Phone: (360)778-9923 **Work Phone:** () -

Employer: SUMAS DRY KILNS **Emp. Phone:** (360)988-4900

OTHERS INVOLVED:

Name: REECE, JENNIFER L. **Name Number:** 16746 **Relationship:** CONTACT

Race: W **Sex:** F **DOB:** 01/03/75 **Hght:** 5'05" **Weight:**140 **Hair:** BRO **Eyes:** BLU

Address: 6165 ASH PL, MAPLE FALLS, WA 98266

Home Phone: (360)201-7950 **Work Phone:** () -

Employer: TRANS-OCEAN PRODUCTS **Emp. Phone:** (360)671-6886

Name: WHITTED, JERRY E. **Name Number:** 24552 **Relationship:** CONTACT

Race: W **Sex:** M **DOB:** 03/07/66 **Hght:** 5'10" **Weight:**220 **Hair:** BRO **Eyes:** HAZ

Address: 8298 KICKERVILLE RD, BLAINE, WA 98230

Home Phone: (360)220-2903 **Work Phone:** () -

Employer: SELF EMPLOYED **Emp. Phone:** () -

Name: KIRKEY, ELLA L. **Name Number:** 68960 **Relationship:** CONTACT

Race: W **Sex:** F **DOB:** 12/05/13 **Hght:** ' " **Weight:**0 **Hair:** **Eyes:**

Address: 7650 BIRCH BAY DR; SPRUCE-4, BLAINE, WA 98230

Home Phone: (360)603-8611 **Work Phone:** () -

Employer: **Emp. Phone:**

Name: KIRKEY, DAMIEN A. **Name Number:** 68961 **Relationship:** CONTACT

Race: W **Sex:** M **DOB:** 11/28/14 **Hght:** ' " **Weight:**0 **Hair:** **Eyes:**

Address: 7650 BIRCH BAY DR; SPRUCE-4, BLAINE, WA 98230

Home Phone: (360)603-8611 **Work Phone:** () -

Employer: **Emp. Phone:**

Name: KIRKEY, LEILAH L. **Name Number:** 68962 **Relationship:** CONTACT

Race: W **Sex:** F **DOB:** 11/10/15 **Hght:** ' " **Weight:**0 **Hair:** **Eyes:**

Address: 7650 BIRCH BAY DR; SPRUCE-4, BLAINE, WA 98230

Home Phone: (360)603-8611 **Work Phone:** () -

Employer: **Emp. Phone:**

WANTED PERSONS:

Name: KIRKEY, PHILIP A. **Name Number:** 25177 **Relationship:** ARRESTEE

Race: W **Sex:** M **DOB:** 10/28/90 **Hght:** 5'09" **Weight:**148 **Hair:** BLN **Eyes:** BLU

Address: TRANSIENT, LYNDEN, WA 98264

Home Phone: (360)778-9923 **Work Phone:** () -

Employer: SUMAS DRY KILNS **Emp. Phone:** (360)988-4900

PROPERTY INFORMATION:

Item Type: DRUG **Property**17204

Number:

Item/Brand: **Model:** METHAMPHETA
MINE

Serial Number: **Color:** /

Characteristics:

Quantity: 207.2 **Meas:** GM **Total Value:** 1

Owner: 25177 KIRKEY, PHILIP A. TRANSIENT, LYNDEN, WA 98264 (360)778-9923

Comments: RED FOLDING KNIFE W/ SUSPECTED METHAMPHETAMINE ON BLADE 207.2 GROSS GRAMS

Item Type: DRUG **Property**17205

Number:

Item/Brand: **Model:** METHAMPHETA
MINE

Serial Number: **Color:** /

Characteristics:

Quantity: 0.6 **Meas:** GM **Total Value:** 1

Owner: 25177 KIRKEY, PHILIP A. TRANSIENT, LYNDEN, WA 98264 (360)778-9923

Comments: 0.6 GROSS GROMS OF SUSPECTED METHAMPHETAMINE IN A PLASTIC BAGGY

VEHICLE INFORMATION:

Relationship: VEHICLE INVOLVED

Vehicle Number: 16241 **License Plate:** AVB2272

VIN: 2C4RC1BG5ER400051 **State:** WA **Expires:** 04/17/17

Year: 2014 **/Make:** CHRY **Model:** T&C **Type:** PVAN **Color:** SIL/ **Doors:** 4

Characteristics:

Comments: SEARCH WARRANT SERVED 10/21, OK TO RELEASE WHEN TOW BILL GETS PAID

NARRATIVE:

PRIMARY

CASE TITLE: Possession of a Controlled Substance - Methamphetamine

EVENT DESCRIPTION:

On 10/20/16 at approximately 1615 I was dispatched as the primary deputy to conduct a welfare check at 7650 Birch Bay Drive unit Spruce 4. Hailey KIRKEY called 911 to report Philip KIRKEY, her husband, was driving around making threats to kill himself. Hailey said Philip sent her a selfie photo with a gun pointed at his face. Deputy Bertand, Deputy Roosman, and Deputy Heinrich also responded.

Jerry WHITTED, Hailey's father, called 911 at 1554 to report Philip was driving his silver Chrysler Town and Country minivan erratically eastbound on Slater Road. See case 16I03914 for details. I ran a driver's check and saw Philip was listed as a convicted felon with a suspended driver's license (DWLS 3rd).

Deputy Roosma and I arrived on scene. Deputy Roosma kept watch over the area while I contacted Hailey and Jennifer REECE, Hailey's mother, in the parking lot. Hailey told me Philip has been up for days under the influence of methamphetamine. She said he has been threatening to kill himself for the past two days because she told him he needed to get clean or she would leave him. Philip did not accept these terms and began making the threats afterward. Hailey said Philip does not work and she believe he steals to support his drug habit.

Hailey said Philip was at the apartment one hour earlier and she saw him holding a black or gray pistol in a non-threatening manner on 10/19. She did not know if it was an actual firearm. Philip sent her the photograph of the pistol pointed at his face via Facebook at 1541. She showed me the photograph and later texted it to me so I could attach it to the case file. I could only see part of the pistol, which appeared to be some sort of semi-automatic appearing pistol. I was unable to determine if it was a firearm, a pellet pistol, or a toy.

Hailey confirmed she was not threatened or assaulted. Hailey and Philip have been together for about nine years and have three children (Ella KIRKEY, Damian KIRKEY, and Layla KIRKEY) in common. She said there was history of domestic violence from months ago and deputies were at the apartment in the early morning hours of 10/20. See case 16A23090 for details.

Hailey had no reason to believe Philip was a danger to anyone but himself. She said he made no mention of fighting law enforcement but did say he would not stop for anyone. He did tell Hailey he would shoot Jerry if Jerry did not stop following him.

What-Comm aired a "watchfor" for Philip and his vehicle but nobody located him. I recommended for Hailey to leave with her children for the night. Jennifer said Hailey and the children could stay with her in Ferndale. I stood by while Hailey and Jennifer packed up to leave. Jerry arrived and told me he is not scared of Philip at all, even given the threat. Everyone left the area. I and the other deputies cleared.

At 1731 Phillip called 911 from a location in Skagit County saying he heard his name was on the scanner. I called to speak with him. He sounded lucid and was more than willing to answer all my questions. He said he was not going to harm himself or others and was not in possession of a firearm. Philip claimed the photograph was fabricated or old. I advised him he should not be driving on a suspended driver's license and he understood. I determined there was

insufficient cause to believe he was a danger to himself or others and concluded the telephone call. I asked What-Comm to update Skagit County and WSP dispatches.

I advised Hailey I made contact with Philip and would be taking no further action. She understood.

At 2221 Deputy Cadman stopped the the vehicle in the 7600 block of Birch Bay Drive. Deputy Cadman arrested Philip based on probable cause for DWLS 3rd Degree (see case number 16A23149). Deputy Slick and I responded to assist. The traffic stop was actually in the parking lot for 7650 Birch Bay Drive. I advised Deputy Cadman booking for Philip was appropriate because he had a prior DWLS arrest and I had just told him earlier in the night not to drive.

Deputy Streubel and K9 "Jag" responded. I contacted Philip as he sat in the back seat of Deputy Cadman's patrol vehicle. Deputy Cadman said he read Philip his constitutional rights and Philip was willing to speak with us.

Philip denied voluntary consent to search the vehicle. He maintained there was no contraband in the vehicle but did not want us to search. Deputy Streubel deployed K9 "Jag" around the exterior of the vehicle and told me K9 "Jag" alerted to the presence of illegal drugs multiple times.

Deputy Sreubel contacted Philip while I returned to my patrol vehicle. Philip then gave voluntary consent briefly for Deputy Streubel and me to search the vehicle. Deputy Cadman remained with Philip while Deputy Streubel and I approached the van. I began searching the driver's seat and Deputy Streubel searched the passenger seat.

Deputy Streubel located a red folding knife on the front passenger seat with what appeared to be methamphetamine residue on the blade before Philip told us to cease searching. I also saw many newer smartphones and Deputy Streubel said he saw a newer tablet. Philip admitted to Deputy Streubel the substance on the blade was likely methamphetamine.

Deputy Streubel requested an impound tow. Deputy Cadman transported Philip to the WCSO Jail for booking. I cleared. Deputy Slick followed ASAP Towing to the WCSO Evidence Building and locked the minivan into an alarmed evidence bay pursuant to a search warrant.

On the afternoon of 10/21/16 I contacted Whatcom County Deputy Prosecutor Caitlin McGrane via telephone. She conferenced me in with Whatcom County District Court Judge Matthew Elich. I applied for a search warrant to search the vehicle for illegal drugs, drug paraphernalia, documents of dominion and control, and other things (see the search warrant document for specifics). Judge Elich granted the search warrant and I affixed his signature to the search warrant document.

I went to the Evidence Building and Deputy Jilk arrived to assist me. WCSO Evidence Technician Tara Tienhaara arrived and opened the locked and alarmed bay at 1725. Deputy Jilk and I began executing the search warrant at 1738.

Deputy Jilk photographed the vehicle before we started the search. I seized the red folding knife from the front passenger seat. I used Nartec field test kits for methamphetamine and the instructions showed a positive result would be indicated by the color blue. A portion of the substance on the blade tested positive with a field test kit for the presumptive presence of methamphetamine. I located a wallet containing Philip's Washington ID card behind the front passenger seat. Deputy Jilk located a Bellingham Pawnshop pawnslip bearing Philip's name.

Deputy Streubel arrived to assist when Deputy Jilk cleared to handle other calls. Deputy Streubel located a small baggy with what appeared to be methamphetamine residue in a box near the back gate of the vehicle. A portion of the substance in the baggy tested positive with a field test kit for the presumptive presence of methamphetamine. I used the digital scale at the evidence building to weight the knife and the baggy. The knife with the residue weighed 207.2 gross grams and the baggy with the residue weighed 0.6 gross grams.

During the search warrant service, we did not locate any firearms. We checked all the smartphones and a computer tablet to see if any of the items were listed as stolen but they were not. I found multiple receipts for the phones and determined the phones were likely not stolen so I did not seize them.

I completed the seizure list and the certificate of search. I placed a copy of the search warrant, seizure list, and certificate of search on the center console and took photographs of the vehicle at the conclusion of the warrant service at 2027. I drove the vehicle into the evidence building parking lot and locked it up. I returned the key to the evidence building key box.

I determined probable cause existed to believe Philip committed the crime of Possession of a Controlled Substance - Methamphetamine. I went to the station and placed the seized items (the knife, the ID card, the pawn slip, and the baggy) into evidence.

I placed the original search warrant documents in the detective sergeant's mailbox. I placed copies of the search warrant documents, Deputy Streubel's K9 affidavit, photo copies of the seized ID card and pawnslip, and the evidence log into the report box. I went to the jail and learned Philip already bailed out so I posted probable cause for his arrest.

On 10/22/16 Deputy Wagenaar informed me Philip called 911 earlier in the day inquiring about how to retrieve his vehicle and belongings. Deputy Wagenaar was not able to make in person contact.

At approximately 1840 Deputy Mellema and I went to 7650 Birch Bay Drive unit Spruce 4 in an attempt to contact Philip. The apartment was dark and I heard no movement inside. I called Philip's cell phone but it went straight to voicemail. I called Hailey's cell phone and it went to voicemail. Several more attempts to call both phones yielded the same results. Deputy Mellema and I cleared.

Deputy Streubel, Deputy Slick, and Deputy Cadman completed supplemental narratives. Philip needs to be located and arrested.

STATEMENTS TAKEN: None.

EVIDENCE: The photograph Hailey forwarded is attached. Photographs from the search warrant service are attached. I placed the seized items (the knife with suspected methamphetamine residue, the ID card, the pawn slip, and the baggy with suspected methamphetamine residue) into evidence.

FOLLOW-UP NEEDED: None.

Reporting Deputy: B. Wood
Personnel Number: 4A160

SUPPLEMENTAL NARRATIVE :**Supplement number:** 3**Name:** CADMAN, R**Date:** 01:43:01 10/21/16

SUPPLEMENTAL - CADMAN

CASE TITLE: TRAFFIC STOP

Info Report (Y/N): N

PC Attempt (Y/N): N

Follow-Up (Y/N): N

EVENT DESCRIPTION:

On October 20, 2016, at approximately 2239 hours, I was on routine patrol in the Birch Bay area. I knew that Dep Wood was currently investigating an incident that involved Philip KIRKEY and that KIRKEY had been driving his silver colored van, Wa license AVB2272. I had checked the vans registration and found that the male registered owner, Philip KIRKEY, has a suspended drivers license. Approximately 30 minutes later I saw KIRKEY's van, AVB2272, driving W/B on Alderson Rd approaching Birch Bay Dr. I turned around behind the van and caught up to it on Birch Bay Dr. I activated my emergency lights and stopped the van to investigate the possible driving violation.

I contacted the driver and recognized him as Philip KIRKEY. I recognized KIRKEY from a booking photo. I asked KIRKEY for his drivers license and vehicle paperwork. KIRKEY told me he didn't have his driver's license with him. A Washington DOL Drivers check confirmed that KIRKEY's driving status was Suspended 3 Degree. KIRKEY's drivers license was suspended on November 15, 2014. Reason given for suspension was refusal of breath or blood. KIRKEY has 4 prior DWLS 3 arrests. I took KIRKEY into custody and put him in the rear of my patrol vehicle. I read KIRKEY his rights as per Miranda from my Dept issued rights card. KIRKEY said he understood and was willing to talk to me.

Dep Wood, Dep Slick, and Dep Streubel responded to my location. While I was issuing KIRKEY his citations, Dep Streubel deployed his K-9 partner Jag around KIRKEY's van. After deploying Jag, Dep Streubel asked KIRKEY for consent to search the van. KIRKEY agreed to the search. Dep Streubel and Dep Wood started searching the van. I remained with KIRKEY in my vehicle. Dep Streubel and Dep Wood had just started searching when KIRKEY asked me if they were going to search the rear area of the van. I told KIRKEY that Dep Streubel and Dep Wood were going to search the entire van. KIRKEY told me he didn't want them to search the rear of the van. Before I could relay this information to Dep Streubel and Dep Wood, KIRKEY told me he wanted them to stop searching his vehicle. Dep Slick was standing next to my vehicle. I told Dep Slick to tell Dep Streubel and Dep Wood to stop the search. Dep Streubel and Dep Wood stopped searching immediately.

I transported KIRKEY to the Whatcom County Jail and booked him into jail for Driving while License Suspended 3 Degree.

STATEMENTS TAKEN: None.

EVIDENCE: None.

FOLLOW-UP NEEDED: None.

Reporting Deputy: R. CADMAN
Personnel Number: 4A80

SUPPLEMENTAL NARRATIVE :

Supplement number: 5

Name: ZSLICK, G

Date: 03:46:08 10/22/16

SUPPLEMENTAL

CASE TITLE: POSSESSION OF A CONTROLLED SUBSTANCE

Info Report (Y/N): N

PC Attempt (Y/N): N

Follow-Up (Y/N): Y

EVENT DESCRIPTION: On 10/20/16 at approximately 2221 hours, Deputy Cadman stopped Philip KIRKEY for DWLS 3rd and subsequently placed him under arrest.

I responded to the stop location at 7650 Birch Bay Dr. with Deputy Wood to assist. Philip had been driving a silver Town and County mini-van (WA) AVB2272.

Deputy Streubel had responded with his K9 Jag and advised that there was a positive K9 alert on the vehicle. Deputy Streubel had requested a tow for the vehicle to be taken to to the Whatcom County Evidence Facility.

I assisted by staying with the vehicle until ASAP Towing arrived to tow it. I maintained constant view of the vehicle and followed ASAP Towing to the Whatcom County Evidence Facility. The vehicle was secured into a vehicle evidence bay which I locked and then set the alarm.

Deputy Wood later applied for and was granted a search warrant to search the vehicle.

See Deputy Wood's case report narrative regarding further details of this investigation.

STATEMENTS TAKEN: None.

EVIDENCE: None.

FOLLOW-UP NEEDED: None.

Reporting Deputy: G. Slick

Personnel Number: 4A105

SUPPLEMENTAL NARRATIVE :

Supplement number: 7

Name: TADDONIO, M

Date: 02:53:40 10/25/16

SUPPLEMENTAL

CASE TITLE: Possession of Controlled Substance

Follow-Up (Y/N): Y

EVENT DESCRIPTION:

On 10/24/16 at 2015 hours, I met with HAILEY KIRKEY and released her vehicle to her at the request of Sgt. Mede. The release had been previously approved by the Whatcom County Sheriff's Office Evidence personnel.

STATEMENTS TAKEN: None.

EVIDENCE: None.

FOLLOW-UP NEEDED: None.

Reporting Deputy: M. Taddonio

Personnel Number: 7A168



WHATCOM COUNTY SHERIFF'S OFFICE

Detail Report for Incident 23A21858

Incident No.: 23A21858

Address: 5927 GUIDE MERIDIAN
BELLINGHAM WA 98226

Location: SAM03

Offense Codes: Unlawful Poss Firearm Weapons Offense

Agency: WCSO

Responding Officers: CRAIG, T DOUGLAS, J

Responsible Officer: SHELTON, D

Disposition: CLRD ADULT ARREST 07/16/23

When Reported: 03:38:20 07/16/23

INVOLVMENT LIST:

Type:	Record #:	Description:	Date:	Relationship:
PR	51087	BRZ AMMUNITION MULTI 1	07/16/23	PROPERTY/OTHER
PR	51088	BRO GUN UNK 1	07/16/23	PROPERTY/OTHER
PR	51089	WHI DRUG FENTANYL 1	07/16/23	SEIZED DRUGS
PR	51090	SIL WEAPON METAL KNUCKLES 1	07/16/23	PROPERTY/OTHER
PR	51091	MUL DRUG PARAPHERNALIA 1	07/16/23	SEIZED DRUGS
VH	52071	SIL 2011 CHEV SILVERAD WA	07/16/23	VEHICLE INVOLVED
NM	25177	KIRKEY, PHILIP ANDREW	07/16/23	ARRESTEE
OF	109995	Offense#: 109995 - CF - 2 counts	07/16/23	Charged With
OF	109996	Offense#: 109996 - GM - 1 count	07/16/23	Charged With
OF	115969	Offense#: 115969 - CF - 1 count	03/01/24	Charged With
WA	30105	FTA TRIAL CALL	11/21/23	Originated by
WA	30995	FTA/TRIAL CALL/FIREARM UNLAWFUL POSS-2ND	02/20/24	Originated by

ARRESTEES:

Name: KIRKEY, PHILIP A. **Name Number:** 25177 **Relationship:** ARRESTEE
Race: W **Sex:** M **DOB:** 10/28/90 **Hght:** 5'09" **Weight:** 148 **Hair:** BLN **Eyes:** BLU

Address: TRANSIENT, LYNDEN, WA 98264

Home Phone: (360)778-9923 **Work Phone:** () -

Employer: SUMAS DRY KILNS **Emp. Phone:** (360)988-4900

WANTED PERSONS:

Name: KIRKEY, PHILIP A. **Name Number:** 25177 **Relationship:** ARRESTEE

Race: W **Sex:** M **DOB:** 10/28/90 **Hght:** 5'09" **Weight:**148 **Hair:** BLN **Eyes:** BLU

Address: TRANSIENT, LYNDEN, WA 98264

Home Phone: (360)778-9923 **Work Phone:** () -

Employer: SUMAS DRY KILNS **Emp. Phone:** (360)988-4900

Name: KIRKEY, PHILIP A. **Name Number:** 25177 **Relationship:** ARRESTEE
Race: W **Sex:** M **DOB:** 10/28/90 **Hght:** 5'09" **Weight:**148 **Hair:** BLN **Eyes:** BLU

Address: TRANSIENT, LYNDEN, WA 98264

Home Phone: (360)778-9923 **Work Phone:** () -

Employer: SUMAS DRY KILNS **Emp. Phone:** (360)988-4900

PROPERTY INFORMATION:

Item Type: AMMUNITION **Property**51087
Number:

Item/Brand: MULTI **Model:**

Serial Number: **Color:** BRZ/

Characteristics:

Quantity: 73 **Meas:** DU **Total Value:** 1

Owner: 25177 KIRKEY, PHILIP A. TRANSIENT, LYNDEN, WA 98264 (360)778-9923

Comments:

Item Type: GUN **Property**51088
Number:

Item/Brand: UNK **Model:**

Serial Number: UNK **Color:** BRO/

Characteristics:

Quantity: **Meas:** **Total Value:** 1

Owner: 25177 KIRKEY, PHILIP A. TRANSIENT, LYNDEN, WA 98264 (360)778-9923

Comments:

Item Type: DRUG **Property**51089
Number:

Item/Brand: FENTANYL **Model:**

Serial Number: **Color:** WHI/

Characteristics:

Quantity: 1.6 **Meas:** GM **Total Value:** 1

Owner: 25177 KIRKEY, PHILIP A. TRANSIENT, LYNDEN, WA 98264 (360)778-9923

Comments:

Item Type: WEAPON **Property**51090
Number:

Item/Brand: METAL
 Model:
 KNUCKLES

Serial Number: **Color:** SIL/

NARRATIVE:

PRIMARY

CASE TITLE: Unlawful Possession

BWC ACTIVATION (Y/N): Y

EVENT DESCRIPTION:

On 7/16/23 at 0338 hours, I observed a vehicle parked behind a closed business in the area of Laurel Rd and Guide Meridian Rd. I contacted the vehicle with Deputy Craig and observed a male, Philip KIRKEY, slumped over the wheel with the keys in the ignition. In addition a bag of suspected fentanyl powder was visible on the center console next to Philip with a burnt foil under Philip's arm. Along with the suspected narcotics, I could see what appeared to be a brown, flintlock style firearm in plain view on the back seat of the vehicle.

I requested additional units due to the possibility of firearms in the vehicle. I woke Philip up and gave him commands to exit the vehicle. Philip was placed into custody and read his constitutional rights. Philip granted consent to Deputies for a search of the vehicle after his consent warnings were given and he stated he understood. The following was located during the consent search;

- Flintlock pistol with no markings, with all firing mechanisms intact and appeared in working order
- (69)22 long rifle bullets, (2) 12GA shotgun shells, and (2) 30-30 Cartridges
- One pair of metal knuckles
- 1.6G of suspected fentanyl powder
- Misc drug paraphernalia (tooter, foil, pipe, container with residue)

While speaking with Philip after the consent search, he confirmed post Miranda that the suspected narcotics were in fact fentanyl powder. As well as he knowingly possessed the firearm and ammunition as for he received it from his brother. The metal knuckles were located during the search below where Philip's right leg was when he exited the vehicle.

There is probable cause to believe Philip committed the crime of Unlawful Possession of a firearm in the second degree times two. Philip is a convicted felon, as well as he has domestic violence convictions. Philip knowingly possessed an unmarked flintlock pistol with all firing mechanisms intact and appearing to be in working order. As well as in accordance with federal law Philip is ineligible to possess ammunitions and he possessed 73 total rounds. There is also probable cause to believe Philip committed the crime of Possessing dangerous weapons. When Philip exited the vehicle, he had metal knuckles located below his right leg. Philip was placed in the back of my patrol car after the consent search. The evidence was placed into evidence bags. Both Philip and the seized evidence were transported to WCSO Jail and booked without incident.

Philip's vehicle was legally parked in a private parking lot. Philip requested that the vehicle be left. I informed Philip that the establishment could potentially tow his vehicle and that if it was left there was no certainties on whether it would still be there pending his release. I allowed Philip to call his wife, leaving her a voicemail for where the vehicle was located, encouraging her to pick the truck up at her earliest convenience.

This concluded my investigation.

STATEMENTS TAKEN: None.

EVIDENCE: Seizure list above & Photos

FOLLOW-UP NEEDED: None.

Reporting Deputy: D. Shelton

Personnel Number: 4A235

No. Arrested	2	OFFENSE / EVENT DESCRIPTION	Investigation of Possession / Delivery of Heroin	EVENT NUMBER	10A19045
Adult	2	Juvenile	0		

LAST KNOWN SECURE ON:					DISCOVERED / OBSERVED ON:					REPORTED ON:				
MO	DA	YR	DOW	TIME	MO	DA	YR	DOW	TIME	MO	DA	YR	DOW	TIME
										9	4	10	Sat	0032

GENERAL LOCATION OF OCCURRENCE:
7000 block of Tall Cedars Lane



SPECIFIC LOCATION OF OCCURRENCE:
7044 Tall Cedars Lane

GRID: **392E04**

CODE: V-Victim C-Contact (Initialed Disclosure OK, Write Name Below) **DO NOT DISCLOSE** **OK TO DISCLOSE**

CODE	NO	LAST NAME	FIRST	MI	DOB	SEX	RACE	AGE
------	----	-----------	-------	----	-----	-----	------	-----

RESIDENCE ADDRESS	CITY	STATE	ZIP	RES. PHONE (AREA CODE)
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BUSINESS ADDRESS	CITY	STATE	ZIP	BUS. PHONE (AREA CODE)
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CODE	NO	LAST NAME	FIRST	MI	DOB	SEX	RACE	AGE
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RESIDENCE ADDRESS	CITY	STATE	ZIP	RES. PHONE (AREA CODE)
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BUSINESS ADDRESS	CITY	STATE	ZIP	BUS. PHONE (AREA CODE)
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CODE: A-Arrestee (List Multiple Charges in Summary) Circle Code if Additional Pages Needed

CODE	NO	LAST NAME	FIRST	MI	DOB	SEX	RACE	AGE
A	1	Kirkey	Philip	A.	10-28-90	M	W	19

RESIDENCE ADDRESS	CITY	STATE	ZIP	WARRANT OR CIT. #	RES. PHONE
7044 Tall Cedars Ln	Ferndale	WA	98248	PC	360-380-1320

BUSINESS ADDRESS	CITY	STATE	ZIP	BUS. PHONE (AREA CODE)
unemployed				N/A

OBSERVABLE PHYSICAL ODDITIES / DESC.	AKA / NICKNAME	HAIR	EYES	HEIGHT	WEIGHT	DRIVER'S LICENSE & STATE
		Bln	Blu	5'08	140	KIRKEPA

VEHICLE

IMPOUND LOCATION:

ABANDONED ARREST / OTHER HAZARD RECOVERED STOLEN USED IN CRIME

YEAR	MAKE	MODEL	COLOR(S)	LICENSE NO.	STATE	VIN
------	------	-------	----------	-------------	-------	-----

CODE	NO	REGISTERED OWNER - LAST NAME	FIRST	MI	DOB	SEX	RACE	AGE
------	----	------------------------------	-------	----	-----	-----	------	-----

RESIDENCE ADDRESS	CITY	STATE	ZIP	RES. PHONE (AREA CODE)
-------------------	------	-------	-----	------------------------

JUVENILE ARRESTEE INFORMATION

PARENTS NOTIFIED OF ARREST? YES NO
 NOTIFICATION BY DEPUTY: DATE

PARENTS NOTIFIED OF DETENTION? YES NO
 TIME IF PRIOR ARREST, WHERE?

FORWARD ADDITIONAL COPIES OF REPORT TO:

DISCLOSABLE VICTIM / BUSINESS: ADDRESS:

PROPERTY (TOTAL VALUE)	RECOVERED-\$	STOLEN-\$	DAMAGED-\$
------------------------	--------------	-----------	------------

SUMMARY:
 The WCSO investigated and arrested two suspects for selling heroin out of their home.

EVENT NUMBER
10A19045

REPORTING DEPUTY	PERS NO.	REVIEWING SUPERVISOR	PERS NO.
J. Nyhus	7A124	<i>RD Casman</i>	4A80

No. Arrested		2		OFFENSE / EVENT DESCRIPTION		Investigation of Possession / Delivery of Heroin				EVENT NUMBER			
Adult	2	Juvinie	0							10A19045			

LAST KNOWN SECURE ON:					DISCOVERED / OBSERVED ON:					REPORTED ON:				
MO	DA	YR	DOW	TIME	MO	DA	YR	DOW	TIME	MO	DA	YR	DOW	TIME
										9	4	10	Sat	0032

GENERAL LOCATION OF OCCURRENCE:
7000 block of Tall Cedars Lane

SPECIFIC LOCATION OF OCCURRENCE:
7044 Tall Cedars Lane

GRID: 392E04

CODE: V-Victim C-Contact (Initialed Disclosure OK, Write Name Below) DO NOT DISCLOSE OK TO DISCLOSE

CODE	NO	LAST NAME	FIRST	MI	DOB	SEX	RACE	AGE
RESIDENCE ADDRESS			CITY	STATE	ZIP	RES. PHONE (AREA CODE)		
BUSINESS ADDRESS			CITY	STATE	ZIP	BUS. PHONE (AREA CODE)		

CODE	NO	LAST NAME	FIRST	MI	DOB	SEX	RACE	AGE
RESIDENCE ADDRESS			CITY	STATE	ZIP	RES. PHONE (AREA CODE)		
BUSINESS ADDRESS			CITY	STATE	ZIP	BUS. PHONE (AREA CODE)		

CODE: A-Arrestee (List Multiple Charges in Summary) Circle Code if Additional Pages Needed

CODE	NO	LAST NAME	FIRST	MI	DOB	SEX	RACE	AGE
A	2	Kirkey	Larry	M.	03-16-63	M	W	47
RESIDENCE ADDRESS			CITY	STATE	ZIP	WARRANT OR CIT. #	RES. PHONE	
7044 Tall Cedars Ln			Ferndale	WA	98248	PC	360-380-1320	
BUSINESS ADDRESS			CITY	STATE	ZIP	BUS. PHONE (AREA CODE)		
unemployed						N/A		
OBSERVABLE PHYSICAL ODDITIES / DESC.		AKA / NICKNAME	HAIR	EYES	HEIGHT	WEIGHT	DRIVER'S LICENSE & STATE	
			Bln	haz	6 :01	200	KIRKEYLM372DF	

VEHICLE

IMPOUND LOCATION:

ABANDONED ARREST / OTHER HAZARD RECOVERED STOLEN USED IN CRIME

YEAR	MAKE	MODEL	COLOR(S)	LICENSE NO.	STATE	VIN		
CODE	NO	REGISTERED OWNER - LAST NAME	FIRST	MI	DOB	SEX	RACE	AGE
RESIDENCE ADDRESS			CITY	STATE	ZIP	RES. PHONE (AREA CODE)		

JUVENILE ARRESTEE INFORMATION

PARENTS NOTIFIED OF ARREST? YES NO
 NOTIFICATION BY DEPUTY: DATE TIME PARENTS NOTIFIED OF DETENTION? YES NO
 IF PRIOR ARREST, WHERE?

FORWARD ADDITIONAL COPIES OF REPORT TO:

DISCLOSABLE VICTIM / BUSINESS: ADDRESS:

PROPERTY (TOTAL VALUE) RECOVERED-\$ STOLEN-\$ DAMAGED-\$

SUMMARY:

The WCSO investigated and arrested two suspects for selling heroin out of their home.

EVENT NUMBER
10A19045

REPORTING DEPUTY	PERS NO.	REVIEWING SUPERVISOR	PERS NO.
J. Nyhus	7A124		

PRIMARY INVESTIGATION
 FOLLOW-UP

DATE **09-04-10**

WHATCOM COUNTY SHERIFFS OFFICE

OFFENSE / EVENT DESCRIPTION

Investigation of Possession/Delivery of Heroin

EVENT NUMBER
10A19045

18. CODE S-SUSPECT, C-CONTACT, W-WITNESS, I-INFORMANT, P-PARENT, V-VICTIM (Circle code if additional pages are needed)

CODE	NO	LAST NAME	FIRST	MI	SEX	RACE	AGE
W	1	Rickstein	William	R.	M	W	17
RESIDENCE ADDRESS 8040 Custer School Road			CITY Custer	STATE WA	ZIP 98240	RES. PHONE (AREA CODE) 360-392-8198	
BUSINESS ADDRESS N/A			CITY	STATE	ZIP	BUS. PHONE (AREA CODE) N/A	
HAIR	EYES	HEIGHT	WEIGHT	DOB 9/4/1993	AKA/NICKNAME		DRIV.LIC & STATE
OBSERVABLE PHYSICAL ODDITIES / DESCRIPTION				CLOTHING		SCHOOL ATTENDED	
W	2	Zsiros	Felicia	J.	F	W	19
RESIDENCE ADDRESS 821 E. Pacific Drive			CITY Bellingham	STATE WA	ZIP 98229	RES. PHONE (AREA CODE) 360-739-0682	
BUSINESS ADDRESS N/A			CITY	STATE	ZIP	BUS. PHONE (AREA CODE) N/A	
HAIR	EYES	HEIGHT	WEIGHT	DOB 9/5/1990	AKA/NICKNAME		DRIV.LIC & STATE
OBSERVABLE PHYSICAL ODDITIES / DESCRIPTION				CLOTHING		SCHOOL ATTENDED	
S	1	Kirkey	Clayton	T.	M	W	24
RESIDENCE ADDRESS 7044 Tall Cedars Lane			CITY Ferndale	STATE WA	ZIP 98248	RES. PHONE (AREA CODE) 360-384-4863	
BUSINESS ADDRESS unemployed			CITY	STATE	ZIP	BUS. PHONE (AREA CODE) N/A	
HAIR	EYES	HEIGHT	WEIGHT	DOB 2/23/1986	AKA/NICKNAME		DRIV.LIC & STATE
OBSERVABLE PHYSICAL ODDITIES / DESCRIPTION				CLOTHING		SCHOOL ATTENDED	
RESIDENCE ADDRESS			CITY	STATE	ZIP	RES. PHONE (AREA CODE)	
BUSINESS ADDRESS			CITY	STATE	ZIP	BUS. PHONE (AREA CODE)	
HAIR	EYES	HEIGHT	WEIGHT	DOB	AKA/NICKNAME		DRIV.LIC & STATE
OBSERVABLE PHYSICAL ODDITIES / DESCRIPTION				CLOTHING		SCHOOL ATTENDED	
RESIDENCE ADDRESS			CITY	STATE	ZIP	RES. PHONE (AREA CODE)	
BUSINESS ADDRESS			CITY	STATE	ZIP	BUS. PHONE (AREA CODE)	
HAIR	EYES	HEIGHT	WEIGHT	DOB	AKA/NICKNAME		DRIV.LIC & STATE
OBSERVABLE PHYSICAL ODDITIES / DESCRIPTION				CLOTHING		SCHOOL ATTENDED	
REPORTING DEPUTY J. Nyhus			PERS NO. 7A124		REVIEWING SUPERVISOR		PERS NO.

WHATCOM COUNTY SHERIFF'S OFFICE

PAGE 21 OF 32

OFFENSE/EVENT DESCRIPTION Possession/Delivery of Heroin	DATE 09-04-10	<input checked="" type="checkbox"/> CONT. NARRATION <input type="checkbox"/> FOLLOWUP ONLY	EVENT NUMBER 10A19045
20 CODE: LIST 1 THROUGH 8 BELOW – USE N/A IF NOT APPLICABLE.			
1 RECONSTRUCT INCIDENT DESCRIBE INVESTIGATION 2 VICTIM'S INJURIES-DETAIL & WHERE MED. EXAM OCCURRED 3 PROPERTY DAMAGED-DESCRIBE & INDICATE AMOUNT OF LOSS 4 IF SIGNIFICANT, DESCRIBE VEHICLE		5 IDENTIFY UNDEVELOPED LEADS 6 LIST STATEMENTS TAKEN 7 LIST PERSONS WHOM STATEMENTS NEED TO BE TAKEN LATER 8 PHYSICAL EVIDENCE-DETAIL WHAT & WHERE FOUND, DISPOSITION	
ADDITIONAL COPIES TO:			
NARRATIVE:			

1.) On 09-04-10 at about 0032 hours, I responded to suspicious vehicle (10A19061) in the 7100 block of Tall Cedars Lane. An off duty Customs and Border Protection Officer observed a vehicle parked near a public utilities water pump station. This area is private property and should have no one present at these hours. The officer called in and reported a vehicle pulled up and he watched as three subjects in the car prepared narcotics in a soda can and drew the drugs into a syringe. One of the occupants put a rubber band around his arm. All these actives are consistent with narcotics ingestion. I arrived on scene and saw the vehicle parked without its headlights on. As I pulled up I could see three subjects inside of the vehicle. As soon as they acknowledged my presence they began to move around in the car furtively. (We later learned the two subjects in the car had just bought the heroin about 2 blocks from their location. The officer stated no vehicle have come or left on Tall Cedars Ln since the suspicious vehicle pulled in and my arrival)

I exited and contacted the occupants. After interviewing them two of the subjects were arrested for possessing heroin. I retrieved a "rig" freshly loaded with heroin. They were identified as (W-1) William Rickstein and (W-2) Felicia. Both William and Felicia gave written statement they buy from two subjects down the road. They identified the heroin sellers as Phil and Nate. William said he called Phil and asked if he had anything going on? William said this is a question asking if he has any heroin to sell. Phil replied to William, Yeah, come on over. William and Felicia said they have bought from Phil numerous times in the past. They both stated they went over at about 2330 hours and walked into the house. Phil got up from the living room and cut a piece of heroin off a larger piece on the kitchen table, put it on an electronic scale, and wrapped it in a plastic grocery bag and handed it to William. William said he threw \$25.00 on the table and they both left. William and Felicia said they drove to the end of the road where they immediately began to shoot up. William and Felicia said no one has left or come to Phil's since they have been parked there.

As I was finishing processing William and Felicia Deputy Freeman and Deputy VanLoo arrived. They were briefed on the call and I advised them I was going to seek a search warrant for Phil's residence. They stood by at the house securing it from the outside. I field tested the substance in the syringe. It field tested positive for heroin. I also had William and Felicia confirm which residence they had bought the heroin from. It was the Kirkey residence, 7044 Tall Cedars Lane.

Deputy Freeman briefed Acting Supervisor Cadman who sent Deputies Linderman, Murphy, Taddonio, and Deputy Bogle to assist.

I contacted Deputy Prosecutor Hulbert. He contacted Whatcom County Superior Court Judge Uhrig who granted a search warrant for the residence.

An entry team consisting of Deputy Van Loo (beanbag), Deputy Taddoin, Deputy Freeman, myself, and Deputy Linderman was formed. Deputy Murphy was assigned to a rear containment position, and Deputy Cadman called

REPORTING OFFICER <i>J. Nyhus</i> 7A124	REVIEWING OFFICER
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WHATCOM COUNTY SHERIFF'S OFFICE

PAGE 5 OF 32

OFFENSE/EVENT DESCRIPTION Possession/Delivery of Heroin	DATE 09-04-10	<input checked="" type="checkbox"/> CONT. NARRATION <input type="checkbox"/> FOLLOWUP ONLY	EVENT NUMBER 10A19045
20 CODE: LIST 1 THROUGH 8 BELOW – USE N/A IF NOT APPLICABLE.			
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ADDITIONAL COPIES TO:			

NARRATIVE:

the residence from his vehicle. Deputy Cadman called the number listed but no one would answer. We could hear the phone ringing inside. (It should also be noted there were multiple surveillance cameras mounted the house)

I knocked and announced our presence identifying us, and announcing our intention to execute a search warrant. Commands were giving for the occupants to exit the house with their hands in the air. Movement could be heard in the house and seen obscured through curtains. Deputy Murphy advised there was movement in the back bedroom but still no one would answer the door. I knock and announced "sheriff's office search warrant, come to the door" two more time. Each time I pounded loudly on the metal siding of the trailer.

As the announcements were being giving I could hear dogs barking inside. Deputy Taddonio had warned us they have large pit bull dogs. I heard Deputy Taddonio yell to the occupants to secure the dogs and to not let them out.

As the door opened a subject emerged slowly. He was later identified as (A-2) Larry Kirkey. Larry came out onto a small enclosed porch. He initially did not immediately put his hands up but eventually did and walked down the stairs to awaiting deputies. Deputy Linderman took control of Larry. As this was going on another subject came out holding a large pit-bull. The dog was aggressively barking and trying to pull away. This subject matched the description of Phil and was later identified as (A-1) Philip Kirkey. Philip was nearly wrestling with the dog trying to keep him from breaking free. The dog seemed very aggressive and appeared like he wanted to charge us.

While Philip was trying to keep his dog from attacking us, another large pit-bull came out onto the porch aggressively barking. The dog was looking around, leaning forward, and barking with a wide open mouth. A third subject emerged and tried to take a hold of the dog. The dog was jumping back and forth trying to break free from his hold. This subject, later identified as (S-1) Clayton Kirkey, looked frightened. Deputies were yelling at Clayton to hold the dog and to not let it go. He was told if the dog was to get loose he would be shot. (Our initial entry plan was to beanbag any dog that comes at us aggressively) Clayton seemed to loose his grip and the dog ran toward Deputy VanLoo. The dog was barking and still leaning forward with his head up in the air. Saliva was spattering from his mouth and he appeared to be attacking.

As soon as the dog broke free I continued to yell at Clayton to get the dog. Deputy VanLoo backed up tracking the dog. As the dog closed the distance Deputy VanLoo shot one round of a beanbag at the dog. This had no effect and the dog bit the shotgun barrel. I then watched as the dog went under the shotgun toward Deputy VanLoo's legs. Deputy VanLoo had also backed into Deputy Taddonio who was behind him. Fearing Deputy VanLoo was going to be seriously hurt and I had a clear back stop, I sidestepped and shot the dog. The dog turned toward me so I continued firing until I saw an effect on the dog's advancement. The dog stopped and turned away, backing up near a boat and laid down. Seeing the threat was stopped I turned my attention toward Clayton, Philip, and the unclear house.

REPORTING OFFICER <i>J. Nyhus</i> 7A124	REVIEWING OFFICER
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OFFENSE/EVENT DESCRIPTION Possession/Delivery of Heroin	DATE 09-04-10	<input checked="" type="checkbox"/> CONT. NARRATION <input type="checkbox"/> FOLLOWUP ONLY	EVENT NUMBER 10A19045
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ADDITIONAL COPIES TO:			

NARRATIVE:

Clayton yelled and expressed concern about his dog. I could hear the dog labored breathing and it expire from its wounds. Clayton was detained and Philip was directed to put his dog in a parked car in the driveway securing it and preventing it from injuring us. Philip also reported he had a shotgun in his bedroom.

Because we had multiple subjects not secure in patrol cars, weapons involved, the residence had not been secured, I requested assistance from Ferndale Police. Three units responding and assisted on outside containment. Deputies Van Loo, Taddonio, Freeman, Linderman, and I executed the warrant clearing the house locating no one else inside.

I spoke with each deputy involved with the initial entry. It was concluded that Clayton appeared to have not intentionally let his dog go to attack us. I believe the dog escaped his control and attempted to attack on his own.

Larry, Clayton, and Philip were secured in patrol cars. Deputies Taddonio, Freeman, Murphy, Bogel, and Linderman executed the search warrant. I interviewed Philip and Clayton.

I first spoke with Philip. He was advised of his constitutional rights which he waived. Philip said he is addicted to heroin and sells regularly from the family house. A series of questions and answers were gone through:

Who sells dope?

I do.

What kind of dope?

Heroin

How long have you been selling?

A year or maybe just less than a year.

What kind of quantities?

An ounce.

Who do you sell to?

Friends.

How many times a day to you make sales?

Maybe 10.

How often?

Every day.

How many times a day?

4 to 10... I guess.

How much do you sell...what kind of volume?

From \$10.00 to \$100.00.

Who did you sell to tonight?

Don't know.

Dillon early this morning.

What about tonight?

REPORTING OFFICER J. Nyhus 7A124	REVIEWING OFFICER
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OFFENSE/EVENT DESCRIPTION Possession/Delivery of Heroin	DATE 09-04-10	<input checked="" type="checkbox"/> CONT. NARRATION <input type="checkbox"/> FOLLOWUP ONLY	EVENT NUMBER 10A19045
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NARRATIVE:			

I don't know...only 2 or three all day.

What about a younger male and female about 11:30 tonight?

Oh yeah...

How do you know them? How much did you sell them?

I just met them through friends of friends. Maybe \$20.00 worth. Andrew and some girl, right?

Things just run together?

Pretty much.

Where do you keep it?

In my safe in my bedroom.

What's the combo?

71-55-21.

What does it look like? Is it a little fire safe?

It's medium sized.

Just in the safe?

Some maybe in the bathroom, dirty stuff and there's some weed.

How much weed?

Its stuff we got for free.

Why did Clayton let the dog go?

I didn't see him. His dog is afraid of guns...he's really nice.

Why do you have the dogs?

There just pets..and we got robbed?

Do you have any guns?

Just the shotgun.

Why do you have it?

Hunting, Skeet shooting.(Philip explained the gun is usually at his mother's house and he recently brought it over)

Does your dad know you sell dope?

Yeah, but he doesn't like it at all.

Does your brother know?

Sort of.

What did you think when we first knocked?

It didn't really click...

Did you know it was the police?

Yeah.

Where do you get your heroin from?

Mt Vernon.

Same person all the time?

Yeah.

What kind of guy?

REPORTING OFFICER J. Nyhus 7A124	REVIEWING OFFICER
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OFFENSE/EVENT DESCRIPTION Possession/Delivery of Heroin	DATE 09-04-10	<input checked="" type="checkbox"/> CONT. NARRATION <input type="checkbox"/> FOLLOWUP ONLY	EVENT NUMBER 10A19045
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NARRATIVE:

A Hispanic guy.

Do you want to tell me who he is?

Not really.

How much do you pay for an ounce?

600.

How much do you make in an ounce?

Not much, maybe a \$100 worth.

Philip completed a written statement admitting he sells heroin regularly for profit. Philip did get emotional while we spoke and said he needs help getting off the drug. Philip was very pleasant and cooperative when we spoke.

I then spoke with Clayton after he was advised of his constitutional rights. Clayton said he only smokes weed. He said he does not use heroin. He admitted to having "about 2 Grams" in his room. I asked Clayton, Why are we here?

He said he knows the other stuff is going on here but only moved in 4 months ago. He said he can't really explain it. I asked if he is selling narcotics. He said, No. I asked Clayton who is selling narcotics? He said he didn't know. I asked, "You don't know or don't want to say?" He said, "Both...I stay to myself." I asked if his father sells and he said he didn't think so.

I asked Clayton about the dog. He explained his dog just barks. He said the dog is afraid of the dark and would never bite anyone. I asked why he let the dog go? He said he got out of my hands. Clayton believes he was inside of the house when the shots were fired. I explained from our perspective what happened with the dog. Clayton said he understands why we had to protect ourselves. Clayton was very upset about his dog and broke down several times crying. I reiterated what our intents were and he again said he understood and that he was "not mad at us."

Deputies located numerous items relating to narcotics distribution and usage in the residence. Each room was clearly inhabited by each member of the family. See an attached sketch by Deputy Freeman.

The following items were retrieved from Philip bedroom: A Benelli shotgun, one glass bong, a scale with heroin residue, 3 marijuana pipes with residue, a vehicle mounted charger and GPS system (suspect stolen), GPS with mount (suspected stolen), Satellite radio system (suspected stolen), a digital scale, 146.6 Grams of marijuana, 406 Grams of marijuana, document of dominion and control, narcotics crib notes (see attached), marijuana grow light, two ballast's, a Sentry safe (this safe was described by Philip as containing the remaining unsold heroin), a Brinks fire safe containing coins.

REPORTING OFFICER J. Nyhus 7A124	REVIEWING OFFICER
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NARRATIVE:

Based on the statements of William, Felicia, and Philip, a total of 146.6 Grams of marijuana, packaging, and weighing equipment, probable cause for Possessing/Delivering Heroin and Possession of Marijuana over 40 Grams was established for Philip. During the execution of the warrant in Philips room we asked for consent to retrieve the heroin in the safe. He waived his rights and consented to the search after signing a Ferrier waiver. The deputies were still unable to open the safe. Having no success we asked Philip if he would open the safe but due to the late hour he asked to be transported to the jail.

The following items were located in Larry's room: documents of dominion and control, a total of 889.7 Grams of marijuana, 10.8 Grams of suspected heroin on Larry's nightstand, numerous syringes in drawers, and numerous items of drug paraphernalia.

Based on the facts Larry was in possession of 889.7 Grams of marijuana and 10.8 Grams of heroin, probable cause for Possessing Heroin and Possession of Marijuana over 40 Grams was established.

The following items were located in Clayton's room: Crib notes, a pawn slip for Clayton, a box of miscellaneous marijuana and heroin drug paraphernalia, three boxes of drug pipes, drug pipe making materials, approximately 7.5 Grams of marijuana, a razor blade with heroin residue, 2 digital scales with heroin residue, 5 pipes and two bongs, and a shotgun shell.

All of Claytons items were booked for destruction.

All the above items were taken to the sheriff's office and booked by Deputies Freeman and Linderman. Deputy Freeman also took numerous photos of the scene and submitted them to sheriff's office evidence.

Search warrant paperwork was completed with a copy left at the residue. I asked several times if I could help Clayton with his deceased dog. He declined.

Philip and Larry were transported and booked into the county jail. Clayton was released from his detention.

I contacted Larry at the jail and re-advised him of his constitutional rights which he waived. I asked if he knew Philip was selling. Larry said he "knew he is but does not support it." Larry said he has a problem but he is too strong to ask for help.

I asked about the marijuana found in his room. He said he got it for free and he has to smoke a lot to have any effect. Larry said he is not selling it and has not yet had a chance to get his medical marijuana card. Larry did sw he grew marijuana outside last year. He said he was planning on starting a grow in one of the bedrooms until Clayton moved in. I also asked about the heroin in his room. Larry suggested the heroin must be his ex-wife's even though she had not lived there for a year. I explained to Larry the heroin looked fresh and it was located on

REPORTING OFFICER J. Nyhus 7A124	REVIEWING OFFICER
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ADDITIONAL COPIES TO:			

NARRATIVE:

his night stand in a small container. He had no explanation. He did say, "I'm surprised you didn't find any meth because "that's what my ex used to

like." Larry said he saw the dog get out of Clayton's grasp and did not blame us for having to shoot the dog. He seemed cooperative and pleasant.

This concluded this incident.

2.-4.) N/A

5.) This report should be routed back for follow up. An amended search warrant should be applied for to search Philip's safe for Heroin.

6.-7.) N/A

8.) See attached evidence sheet.

REPORTING OFFICER <i>J. Nyhus</i> 7A124	REVIEWING OFFICER
--	-------------------

OFFENSE DESCRIPTION:

DATE:

EVENT NUMBER:

Drug Investigation	<input type="checkbox"/> CONT. NARRATIVE <input checked="" type="checkbox"/> FOLLOW-UP	September 4, 2010	10A-19045
1. Reconstruct incident and describe investigation. 2. Victim's injuries - details and where medical exam occurred. 3. Property damaged - describe and indicate amount of loss. 4. If significant, describe vehicle.		5. Identify undeveloped leads. 6. List statements taken. 7. List persons from whom statements need to be taken later. 8. Physical evidence - detail what and where found, by whom, and disposition.	
ADDITIONAL COPIES TO:			

NARRATIVE:

1. On 9/4/10 at approximately 0215 hours, I responded to Tall Cedars Road to assist Deputy Nyhus in an ongoing investigation. I had been advised Deputy Nyhus was conducting a drug investigation where he was going to be executing a search warrant at (A) Larry Kirkey's residence.

In contacting Deputy Nyhus and forming a plan, I advised him I had previously been to the home and knew of them to have at least one pit-bull. In the previous contact, the dog had to be restrained in the house and Larry exited to speak to me.

With the possibility of there being a hostile dog it was determined Deputy Van Loo would approach with less lethal and I would cover him. After formulating an approach plan, we approached the house and Deputy Nyhus banged on the side of the house and loudly announce our presence. Deputy Nyhus announced who we were and advised we had a search warrant. After banging several times we observed movement in the home. I observed Larry come to the front door and open it. I could also hear a dog moving and beginning to bark. Larry opened the door and we announced who we were again. Larry was instructed that everyone needed to exit the home and they needed to control their dog. With the dog sounding agitated Larry shut the door and I observed (A) Phillip Kirkey behind him holding onto a large pit-bull. Larry opened the door again and Phillip slowly came out restraining the pit-bull as it growled and barked at us. I advised Phillip he needed to keep ahold of his dog as if it were to be released it would be shot. Phillip continued to maintain control of the dog. Phillip continued off the porch and Larry exited the home onto the front porch.

With Larry on the front porch, I observed another male moving inside the house and then coming to the front door also holding onto a pit-bull. The male stepped onto the porch and upon getting onto the porch, I observed the second pit-bull run away from the male and the male stand up. The dog immediately ran off the porch and approached Deputy Van Loo. Deputy Van Loo lowered the barrel of his shotgun to keep the dog back and away from him. The dog was barking, growling and snapping towards Deputy Van Loo. I observed the dog apparently trying to bite Deputy Van Loo's weapon causing Deputy Van Loo to step backwards attempting to back away from the dog. I then observed several shots as Deputy Nyhus stepped to the side and discharged his firearm. I saw the dog retreat and I returned focus to Larry and Phillip who maintained their position. I then observed (S) Clayton Phillips charge down the stairs screaming about his dog. Clayton was ordered to the ground and was eventually detained by Deputy Freeman.

Upon detaining Clayton, Larry was also detained and Phillip escorted the other pit-bull to a nearby car where it was secured and Phillip was detained. After all people were secured, I briefly checked the dog and found it was obviously deceased. With all people detained we cleared the house and verified there were no other people in the residence.

REPORTING OFFICER:

REVIEWING OFFICER:

M. Taddonio	4A168	
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OFFENSE DESCRIPTION:

DATE:

EVENT NUMBER:

Drug Investigation	<input type="checkbox"/> CONT. NARRATIVE <input checked="" type="checkbox"/> FOLLOW-UP	September 4, 2010	10A-19045								
<table border="0"> <tr> <td>1. Reconstruct incident and describe investigation.</td> <td>5. Identify undeveloped leads.</td> </tr> <tr> <td>2. Victim's injuries - details and where medical exam occurred.</td> <td>6. List statements taken.</td> </tr> <tr> <td>3. Property damaged - describe and indicate amount of loss.</td> <td>7. List persons from whom statements need to be taken later.</td> </tr> <tr> <td>4. If significant, describe vehicle.</td> <td>8. Physical evidence - detail what and where found, by whom, and disposition.</td> </tr> </table>				1. Reconstruct incident and describe investigation.	5. Identify undeveloped leads.	2. Victim's injuries - details and where medical exam occurred.	6. List statements taken.	3. Property damaged - describe and indicate amount of loss.	7. List persons from whom statements need to be taken later.	4. If significant, describe vehicle.	8. Physical evidence - detail what and where found, by whom, and disposition.
1. Reconstruct incident and describe investigation.	5. Identify undeveloped leads.										
2. Victim's injuries - details and where medical exam occurred.	6. List statements taken.										
3. Property damaged - describe and indicate amount of loss.	7. List persons from whom statements need to be taken later.										
4. If significant, describe vehicle.	8. Physical evidence - detail what and where found, by whom, and disposition.										
<p>ADDITIONAL COPIES TO:</p>											

NARRATIVE:

After securing the home, I assisted in searching the residence. I assisted Deputy Freeman and Deputy Murphy with searching Larry and Clayton's room. In viewing the entire house, I observed drug paraphernalia and other drug related items in all rooms of the home. See seizure list for items located in the two rooms I searched with Deputy Freeman and Deputy Murphy.

See Deputy Nyhus's report for complete details.

2-8. N/A

REPORTING OFFICER:

REVIEWING OFFICER:

<p>M. Taddonio</p>	<p>4A168</p>
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OFFENSE DESCRIPTION:

DATE:

EVENT NUMBER:

VUCSA	<input checked="" type="checkbox"/> CONT. NARRATIVE <input type="checkbox"/> FOLLOW-UP	9-4-10	10A19045
1. Reconstruct incident and describe investigation. 2. Victim's injuries - details and where medical exam occurred. 3. Property damaged - describe and indicate amount of loss. 4. If significant, describe vehicle.		5. Identify undeveloped leads. 6. List statements taken. 7. List persons from whom statements need to be taken later. 8. Physical evidence - detail what and where found, by whom, and disposition.	
ADDITIONAL COPIES TO:			

NARRATIVE:

1 On 9-4-10 at approximately 0124 hours I responded to assist Deputy Nyhus with a suspicious vehicle investigation in the 7100 block of Tall Cedars Lane. Upon arrival Deputy Nyhus requested that I respond to the Kirkey residence of 7044 Tall Cedars Lane, as he had probable cause to believe some of the Kirkey family was selling Heroin from the residence.

I observed the Kirkey residence, and I filled out the warrant affidavit. Several deputies responded to assist with the execution of the warrant. I responded to the rear of the residence with Deputy Murphy, as he said he heard lots of movement back there. While at the rear of the residence I heard Deputy Nyhus state several times commands to the effect of, "Police, Search Warrant, Come to the door." Shortly thereafter I heard several Deputies command, "Do not let the dogs go," and seconds later I heard gunshots from the front side of the residence.

I left Deputy Murphy at the rear to assist on the front side of the residence. I saw two white males standing outside the front door. One was holding onto a dog, and the other, later identified as Clayton Kirkey, stood next to him. I gave him several commands to lay down on the ground with his hands out to the side. When Clayton finally complied I grabbed onto his right wrist, and I pulled him away from the doorway. Once safely out of the way of the door I cuffed his hands behind his back, and I checked them for proper fit. I did not double lock the cuffs at that point, as I was more concerned about the unknown threats from inside of the home. Deputy Linderman came up to take Clayton from the area, and as he stood Clayton up I told Deputy Linderman of the need to double lock the cuffs.

Once everyone that came out was secured we searched the residence for anyone else inside. After that was complete we executed the search warrant for drugs, proceeds, paraphernalia, and documents of dominion and control. I photographed the exterior and interior of the scene. Deputies Linderman, Bogle, Murphy, Taddonio, and I conducted the search warrant. I made a rough sketch of the scene, and I logged all of the evidence that was seized on the search warrant. For additional details see the search warrant paperwork for this case. I left the appropriate warrant copies at the residence. Deputy Linderman transported the evidence to the station, and I booked the items along with the photos into evidence.

2-8 See Deputy Nyhus' report for details.

REPORTING OFFICER:

REVIEWING OFFICER:

J. FREEMAN	7A146	
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OFFENSE DESCRIPTION:

DATE:

EVENT NUMBER:

Possession of Heroin	<input checked="" type="checkbox"/> CONT. NARRATIVE <input type="checkbox"/> FOLLOW-UP	9-4-10	10A-19045
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- | | |
|---|--|
| 1. Reconstruct incident and describe investigation.
2. Victim's injuries - details and where medical exam occurred.
3. Property damaged - describe and indicate amount of loss.
4. If significant, describe vehicle. | 5. Identify undeveloped leads.
6. List statements taken.
7. List persons from whom statements need to be taken later.
8. Physical evidence - detail what and where found, by whom, and disposition. |
|---|--|

ADDITIONAL COPIES TO:

NARRATIVE:

1) On 9-4-10, at about 0230 hours, I assisted Deputy Nyhus with a Vuca call at 7044 Tall Cedars Ln. Upon arrival I was advised Deputy Nyhus had obtained a warrant for the residence. After a short briefing reference entry it was decided Deputy Cadman would make a phone call into the residence to see if we could gain compliance for them to come out. Deputy Murphy went around to the back of the residence, while Deputies Nyhus, VanLoo, Taddonio, and Freeman went to the front of the house. We heard movement inside of the house and then we heard Deputy Cadmans phone call, however no one would answer the phone.

At this time Deputy Cadman assisted us at the front door while Deputy Nyhus knocked on the glass window and announced Sheriff's Office, search warrant and to come to the door. We could hear scrambling throughout the house and we knocked and announced several more times and ordered them to come to the front door. Deputies had heard running in the back of the house and Deputy Freeman ran to the back of the house to assist Deputy Murphy. The door was then opened by A- 2 Larry Kirkey. Kirkey was ordered to come out of the residence. As Larry started walking down the stairs A- 1 Phillip Kirkey exited the front door holding onto what appeared to be a Pit-Bull. Phillip or one of the Kirkey's told us the dog would bite us if he let it go.

Several of the Deputies ordered Phillip not to let go of the dog, or the dog would be shot. The dog was extremely agitated and Phillip struggled to restrain the dog. We started to order Phillip to walk his dog down the stairs and we would have him secure the dog into one of the vehicles in the driveway. As Phillip started to walk his dog down the stairs, S-1 Clayton Kirkey came to the front of the door with a brown and white colored Pit-Bull type dog. Deputies ordered Clayton numerous times not to let go of his dog or the dog would be shot.

At this time I was on the side of the house, directly in path of the walkway to the front door as the deputies were on my left. I could not see the entire events of what took place as my responsibilities were to cover the front door. At one point I saw the dog come loose from Clayton and the dog charged Deputy VanLoo. I moved to cover the threat of the dog and saw the dog lunge towards the shot-gun of Deputy VanLoo's. To me the dog was a threat and appeared to going to attack Deputy VanLoo. As I was about to stop the threat I heard several shots and saw the dog go down. As this was occurring I directed my responsibilities back to covering the front door in case another person came out.

At this time Larry started backing up towards me and I decided to detain him into handcuffs as Clayton was screaming and very upset that we had just shot his dog. I walked Larry back and placed him into a patrol vehicle. I then came back and ordered Phillip to place his dog in one of the un-locked vehicles on the property. I then handed Phillip off to a Ferndale PD unit who had just arrived. After we detained all three, we completed a search of the house to make sure the house was secure and safe.

REPORTING OFFICER:

REVIEWING OFFICER:

K. Linderman 4A183	
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OFFENSE DESCRIPTION:

DATE:

EVENT NUMBER:

Possession of Heroin	<input checked="" type="checkbox"/> CONT. NARRATIVE <input type="checkbox"/> FOLLOW-UP	9-4-10	10A-19045
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- | | |
|---|--|
| 1. Reconstruct incident and describe investigation.
2. Victim's injuries - details and where medical exam occurred.
3. Property damaged - describe and indicate amount of loss.
4. If significant, describe vehicle. | 5. Identify undeveloped leads.
6. List statements taken.
7. List persons from whom statements need to be taken later.
8. Physical evidence - detail what and where found, by whom, and disposition. |
|---|--|

ADDITIONAL COPIES TO:

NARRATIVE:

I then assisted in a search of the residence and searched with Deputy Bogle. We first searched Phillips Bedroom, the room furthest west in the residence. I located a black colored 12-gauge shot-gun between the mattress and the box-spring. We also located several baggies of marijuana to include a glass jar with marijuana in it. We also located numerous glass smoking devices throughout the room. In the closet was a marijuana grow light and in the corner of the bedroom was a safe. Inside of the bathroom were numerous spoons with what appeared to be heroin residue and numerous used needles. This was obviously Phillips bedroom as there were paper documents which had his name on them.

Deputy Bogle and I then searched the living room area and located numerous glass pipes of the coffee table and on the shelves. I then stood by while other deputies completed their search of their assigned areas.

We then loaded all seized items up into my patrol vehicle and I transported them to the station where I assisted Deputy Freeman impounding all items into evidence. No further action taken by me.

(2-8) N/A

REPORTING OFFICER:

REVIEWING OFFICER:

K. Linderman 4A183	
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CASE SUMMARY/ PROBABLE CAUSE STATEMENT

WHATCOM COUNTY SHERIFF'S OFFICE

PAGE 16 OF 32

OFFENSE/ EVENT DESCRIPTION VUCSA – Possession of Heroin with Intent to Deliver		DATE 09-04-10	EVENT NUMBER 10A19045
COURT			
<input type="checkbox"/> DISTRICT	<input checked="" type="checkbox"/> SUPERIOR	<input type="checkbox"/> JUVENILE	<input type="checkbox"/> MUNICIPAL
SUSPECT ADMITTED OFFENSE <input checked="" type="checkbox"/>	CRIME PARTNER ADMITTED OFFENSE <input type="checkbox"/>	CRIME PARTNER ADMITTED AND NAMED SUSPECT AS PARTICIPANT <input type="checkbox"/>	
INJURIES RECEIVED BY VICTIM			
MEDICAL ATTENTION REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>		AT SCENE <input type="checkbox"/> AT HOSPITAL <input type="checkbox"/>	TREATMENT LOCATION: None DATE AND TIME OF ARREST: 09-04-10 0310 hours

***VUCSA – Possession of Heroin with Intent to Deliver
Possession of Marijuana (over 40 Grams)***

Kirkey, Philip A. 10-28-90
7044 Tall Cedars Lane
Ferndale, WA 98248

***VUCSA – Possession of Heroin
Possession of Marijuana (over 40 Grams)***

Kirkey, Larry M. 03-16-63
7044 Tall Cedars Lane
Ferndale, WA 98248

On 09-04-10 at about 0032 hours, deputies responded to a drugs complaint in the 7100 block of Tall Cedars Lane. Two subjects arrested for possessing heroin gave detailed statements of purchasing the heroin at 7044 Tall Cedars Ln moments before our contact. They said they purchased the heroin from Phil, a 17 year old white male residing at the home. A search warrant was obtained for the residence.

Deputies executed the search warrant and located Philip Kirkey inside. Philip admitted to selling heroin out of the home. He stated he buys heroin by the ounce in Mt. Vernon once or twice a week and sells everyday to friends and other acquaintances. Philip said he sells to 4-10 people a day, quantities ranging from \$10-\$100.00, seven days a week. Philip also said he is a heroin user and is addicted. Philip said he sold to 3-4 people today. He thought he sold \$20.00 worth of heroin to a male named Andrew and an unknown female at about 2400 hours tonight but could not remember specifically. Philip said he keeps his heroin in a medium sized safe in his bedroom. He said there is about "\$100.00 worth" left in the safe. Deputies also located 146+ of Marijuana in Philip's bedroom.

Philips father, Larry Kirkey also admitted he is aware Philip sells heroin out of his house.

Because two subjects described Philip as selling them \$25.00 worth of heroin, Philip admitting to selling heroin regularly out of his home, and him admitting to having additional heroin in a safe (*the safe is going to require a lock smith to retrieve the remaining narcotics*), an electronic narcotics scale was found, and extensive narcotics "crib notes" probable cause for Possession of Heroin with Intent to Deliver was established for Philip.

REPORTING OFFICER J. Nyhus 7A124	REVIEWING OFFICER
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CASE SUMMARY/ PROBABLE CAUSE

WHATCOM COUNTY SHERIFF'S OFFICE

PAGE 17 OF 32

OFFENSE/ EVENT DESCRIPTION	DATE	EVENT NUMBER
VUCSA – Possession of Heroin with Intent	09-04-10	10A19045

Also while executing the search warrant a substantial amount of Marijuana was located in Larry's bedroom. The total weight was 889.7 Grams. 10.8 Grams of Heroin was also located in his bedroom. Because Larry has control over the narcotics in his bedroom, probable cause for Possession of Heroin was established for Larry. Larry said the marijuana was obtained free from a friend. He said its "home grown." He said, "Its real bad stuff" meaning the quality is poor. He said the Heroin probably belonged to his ex-wife who has not lived there for about a year.

The heroin was field tested positive.

These incidents occurred in Whatcom County, WA.

REPORTING OFFICER J. Nyhus 7A124	REVIEWING OFFICER
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WHATCOM COUNTY SHERIFF'S OFFICE

VOLUNTARY STATEMENT

Event # 10A19045

DATE 09/10 PLACE DALLAS RD LN TIME STARTED 0415

I, the undersigned KIRKEL PHILIP A. D.O.B. 102890
Last First Middle

have been duly warned and advised by J. Nix of the
WHATCOM COUNTY SHERIFF'S OFFICE that,

- 1. I have the right to remain silent.
2. Anything I say can be used against me in a court of law.
3. I have the right at this time to talk to a lawyer and have him present with me while I'm being questioned.
4. If I cannot afford to hire a lawyer, one will be appointed to represent me before any questioning, if I wish.
5. I may decide at any time to exercise these rights and not answer any questions or make any statements.
6. If I am under the age of eighteen (18), anything I say can be used against me in a juvenile court prosecution for a juvenile offense and can also be used against me in an adult court criminal prosecution if I am to be tried as an adult.

Waiver: I understand each of the above rights. I understand that I may exercise these rights at any time before or during questioning. With these rights in mind, I will talk to you now.

WITNESS: SIGNATURE: Phillip Kirkel

I HAVE BEEN SELLING HEROIN FOR ABOUT A YEAR. I SELL FROM OUR HOME AT 7044 DALLAS RD LN. I SELL TO FRIENDS AND PEOPLE I KNOW. I BUY QUICES FROM A HISPANIC BUY IN MT VERNON AND SELL USUALLY IN QUANTITIES OF \$10-\$100.00 WORTH. I GO TO MT VERNON ONCE OR TWICE A WEEK. I SELL TO SOME PEOPLE TODAY. I KEEP MY DRUGS IN A SAFE IN MY ROOM. MY DAD AND BROTHER PATA KNOW I SELL DRUGS AND LOOK THE OTHER WAY. I SELL EVERY DAY ANYWHERE FROM 4-10 BUT FROM ME. I ALSO USE HEROIN. I AM ADDICTED AND DON'T LIKE IT. I KNOW WHAT I DO IS WRONG AND I AM SORRY. I DO REALLY BELIEVE DRUGS ARE BAD BUT NEED HELP QUITTING. THIS STATEMENT WAS WRITTEN FOR ME BY DEPUTY NIXES, IT IS TRUE AND CORRECT.

I have read each page of this statement consisting of 1 page(s). Each page bears my signature, and any corrections, if any, bear my initials. I certify (or declare) under penalty of perjury under the laws of the State of Washington that the entire statement is true and correct (RCW 9A.72.085). I also certify that I was not told or prompted what to say in this statement. (Initial)

I further certify that I made no request for the advice or presence of an attorney before or during any part of this statement, nor at any time before it was finished did I request that this statement be stopped. (Initial)

This statement was completed at 430 on the 4 day of Sept 2010

WITNESS: J. Nix SIGNATURE: Phillip Kirkel

WHATCOM COUNTY SHERIFF'S OFFICE

VOLUNTARY STATEMENT

Event # 10A19045

DATE 090410 PLACE DANLBERG LN TIME STARTED 0515

I, the undersigned KIRK Last CLAYTON First Middle D.O.B. 022386

have been duly warned and advised by J. NIKK of the WHATCOM COUNTY SHERIFF'S OFFICE that,

- 1. I have the right to remain silent.
2. Anything I say can be used against me in a court of law.
3. I have the right at this time to talk to a lawyer and have him present with me while I'm being questioned.
4. If I cannot afford to hire a lawyer, one will be appointed to represent me before any questioning, if I wish.
5. I may decide at any time to exercise these rights and not answer any questions or make any statements.
6. If I am under the age of eighteen (18), anything I say can be used against me in a juvenile court prosecution for a juvenile offense and can also be used against me in an adult court criminal prosecution if I am to be tried as an adult.

Waiver: I understand each of the above rights. I understand that I may exercise these rights at any time before or during questioning. With these rights in mind, I will talk to you now.

WITNESS: SIGNATURE:

TONIGHT I Woke up to the deputies knocking on the side of the house. My dog SKRILLA heard the other dogs barking and left my room. I caught him in the kitchen. I tried to push him down the hallway. He got passed me and went outside. I heard gun shots so I came out. SKRILLA was already shot and against the boat. I complied with the deputies and got on the ground. I did not intentionally let the dog loose. I don't think he would bite someone. He is afraid of the dark and barks at people. He also doesn't like guns. SKRILLA did come out and aggressively come at the deputies, I do understand what they had to do to protect themselves. This statement was written by Deputy NIKK, it is true and correct.

I have read each page of this statement consisting of 1 page(s). Each page bears my signature, and any corrections, if any, bear my initials. I certify (or declare) under penalty of perjury under the laws of the State of Washington that the entire statement is true and correct (RCW 9A.72.085). I also certify that I was not told or prompted what to say in this statement. (Initial)

I further certify that I made no request for the advice or presence of an attorney before or during any part of this statement, nor at any time before it was finished did I request that this statement be stopped. (Initial)

This statement was completed at 0500 on the 4 day of SEPT 20 10

WITNESS: J. NIKK SIGNATURE:

SEARCH WARRANT

STATE of WASHINGTON)
) ss.
COUNTY of WHATCOM)

Event # 10A19045

TO THE SHERIFF OR ANY LAW ENFORCEMENT OFFICER OF SAID COUNTY:

THIS MATTER having come on before me this day, and testimony having been taken and based upon probable cause having been found, in the name of the State of Washington, I command that you enter the following described place:

7044 TALL CEDARS LANE. A WHITE DOUBLE WIDE TRAILER WITH AN ADDED ON FRONT PORCH. THE RESIDENCE HAS A WOODEN FENCE AROUND THE FRONT AND BOTH SIDES. 7044 APPEARS ON THE STREET SIDE OF THE RESIDENCE. THERE ARE SEVERAL CARS PARKED IN THE DRIVEWAY TO INCLUDE A WHITE FORD TRUCK WA LICENSE # B93898B

therein to search for, seize, secure, tabulate and make return according to law the following property and things:

ILLEGAL NARCOTICS, SPECIFICALLY HEROIN, DRUG PARAPHARNALIA, PROCEEDS OF THE SALE OF SUCH ILLEGAL NARCOTICS, AS WELL AS DOCUMENTS OF DOMINION AND CONTROL.

You are hereby commanded to execute the Search Warrant within TEN (10) days from the date of issuance. Following execution of this warrant, a return of said warrant shall promptly be made to the undersigned District/Superior Court Judge.

ISSUED UNDER MY HAND this 04 day of APRIL, 2010

UADILG
DISTRICT/SUPERIOR COURT JUDGE in and for the County of Whatcom, State of Washington.

OFFICER'S CERTIFICATE OF SEARCH

STATE of WASHINGTON)
) ss.
COUNTY of WHATCOM)

Event # 10A 17015

I hereby certify that under and by virtue of the within warrant. I did enter the premises therein described and did find the person and personal effects on attached list, which were in the possession or custody of: Michael K... + Legal K...

[Lined area for additional notes or details]

and have seized listed items and taken them into custody.

Dated this 4 day of Sept, 20 10

[Signature]
REPORT / SEARCH

(Title of Officer)

EVIDENCE SEIZURE LIST

WHATCOM COUNTY SHERIFF'S OFFICE

Page _____ of _____

Evidence Number _____

Event Number 10A19045

Date 9-4-10

ITEM NO.	OWNER	DESCRIPTION OF ITEM	TIME
1	Room 1	SMALL BRINKS SAFE FILLED WITH SUSPECTED STOLEN COINS	0413
2	Room 1	DOCUMENTS OF LARRY KIRKEY	0415
3	Room 1	4 BIG BIGS OF MARIJUANA	0416
4	Room 1	PLASTIC BOX OF HEROIN	0416
5	Room 1	PARAPHERNALIA HEROIN/MARIJUANA	0417
6	Room 2	CRIB NOTES	0424
7	Room 2	DOCUMENTS FOR CLAYTON	0425
8	Room 2	PARAPHERNALIA. HEROIN/MARIJUANA	0426
9	Room 2	MARIJUANA	0427
10	KITCHEN	2 SCALES W/ HEROIN RESIDUE	0431
11	KITCHEN	RAZOR BLADE W/ HEROIN RESIDUE	0432
12	LIVING	PARAPHERNALIA HEROIN/MARIJUANA	0434
13	Room 3	PARAPHERNALIA SCALES/PIPES	0436
14	Room 3	SUSPECTED STOLEN ELECTRONICS	0437
15	Room 3	12 GA. SHOTGUN BENELLI SER# Z400162	0438
16	Room 3	KROW LIGHTS	0439
17	Room 3	SENTRY FIRE SAFE	0440
18	Room 3	3 BUBBLES / FLUSS JAR OF MARIJUANA	0443

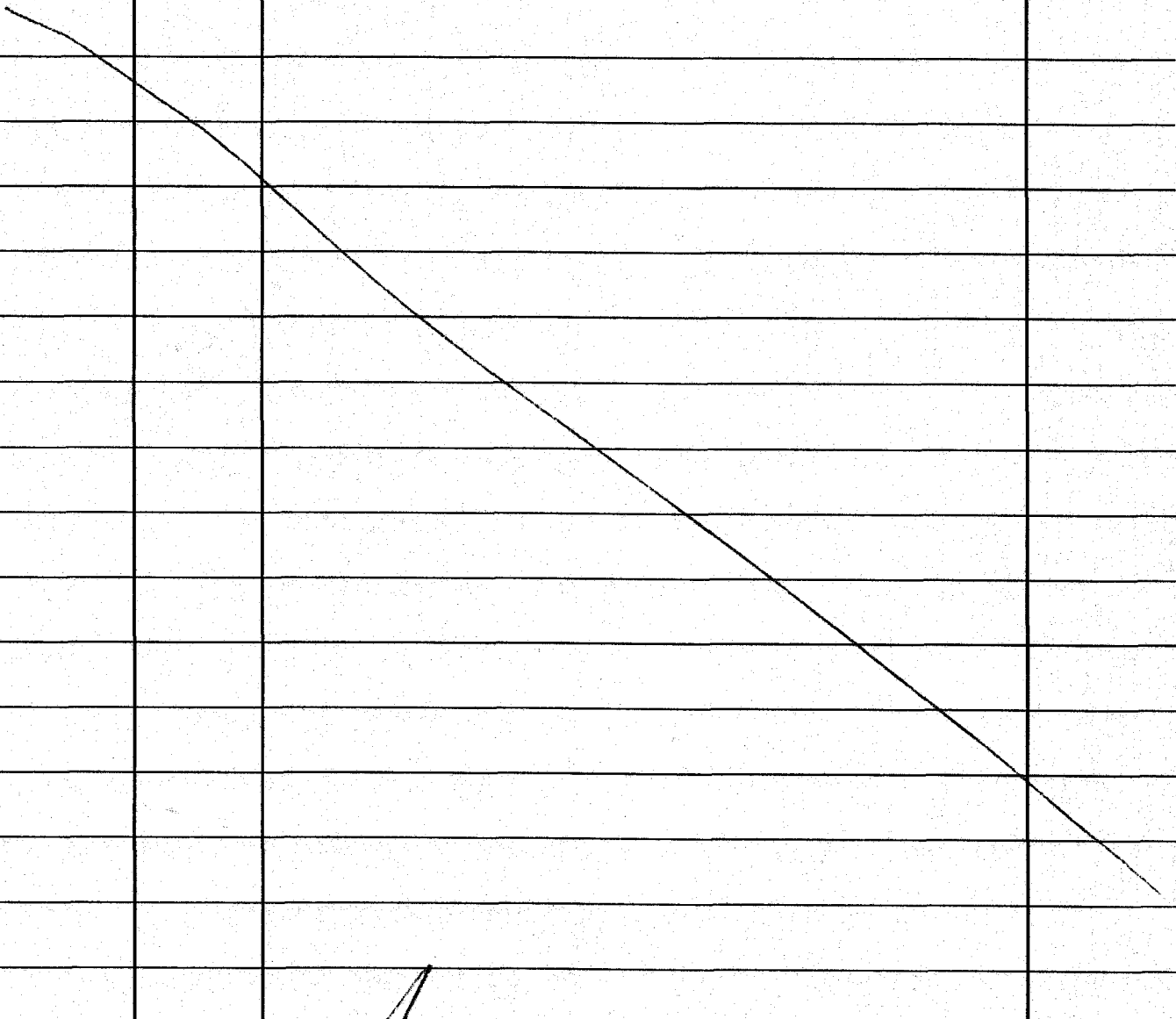
Reporting Officer _____

EVIDENCE SEIZURE LIST

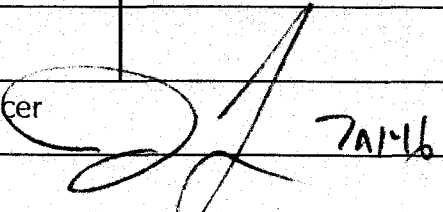
WHATCOM COUNTY SHERIFF'S OFFICE

Page ____ of ____

Evidence Number _____ Event Number 10A19045 Date 9-4-10

ITEM NO.	OWNER	DESCRIPTION OF ITEM	TIME
19	Room 3	CRIB NOTES	0444
20	Room 3	DOCUMENTS	
21	BATH Room 1	12 GA SIGTGUN SHELL	
			

Reporting Officer



WHATCOM COUNTY SHERIFF'S OFFICE

24-32

VOLUNTARY CONSENT TO SEARCH

Event # 10A19045

I, Philip Kirkey, D.O.B.: 102890,

being in legal custody or control of the premises or structure located at:

Address <u>4077 DAUBENHILL LN</u>		Apt
City <u>FERMAGE</u>	County	State <u>WA</u>

and/or the following vehicle:

Color	Year	Make	Model	License	St/Pr

have been informed that J. N. [Signature], of the Whatcom County Sheriff's Office, is requesting permission to search the above described premises, structure, and/or vehicle.

- I understand that the purpose of such a search is to obtain evidence in a criminal investigation and that any such evidence gained by this search can be used in court against me or any other person.
- I understand that I may refuse to consent to the search.
- I understand that if I consent to the search, I may withdraw or revoke that consent at any time.
- I understand that I may limit the scope of the consent to certain areas of the premises, structure, or vehicle.

I hereby grant permission to search the above described premises, structure, and/or vehicle. The search may extend to the entire premises, structure, and/or vehicle or the following specific portions of the premises, structure, and/or vehicle MEDIUM SIZED FIRE SAFE
combo is 71 55 21

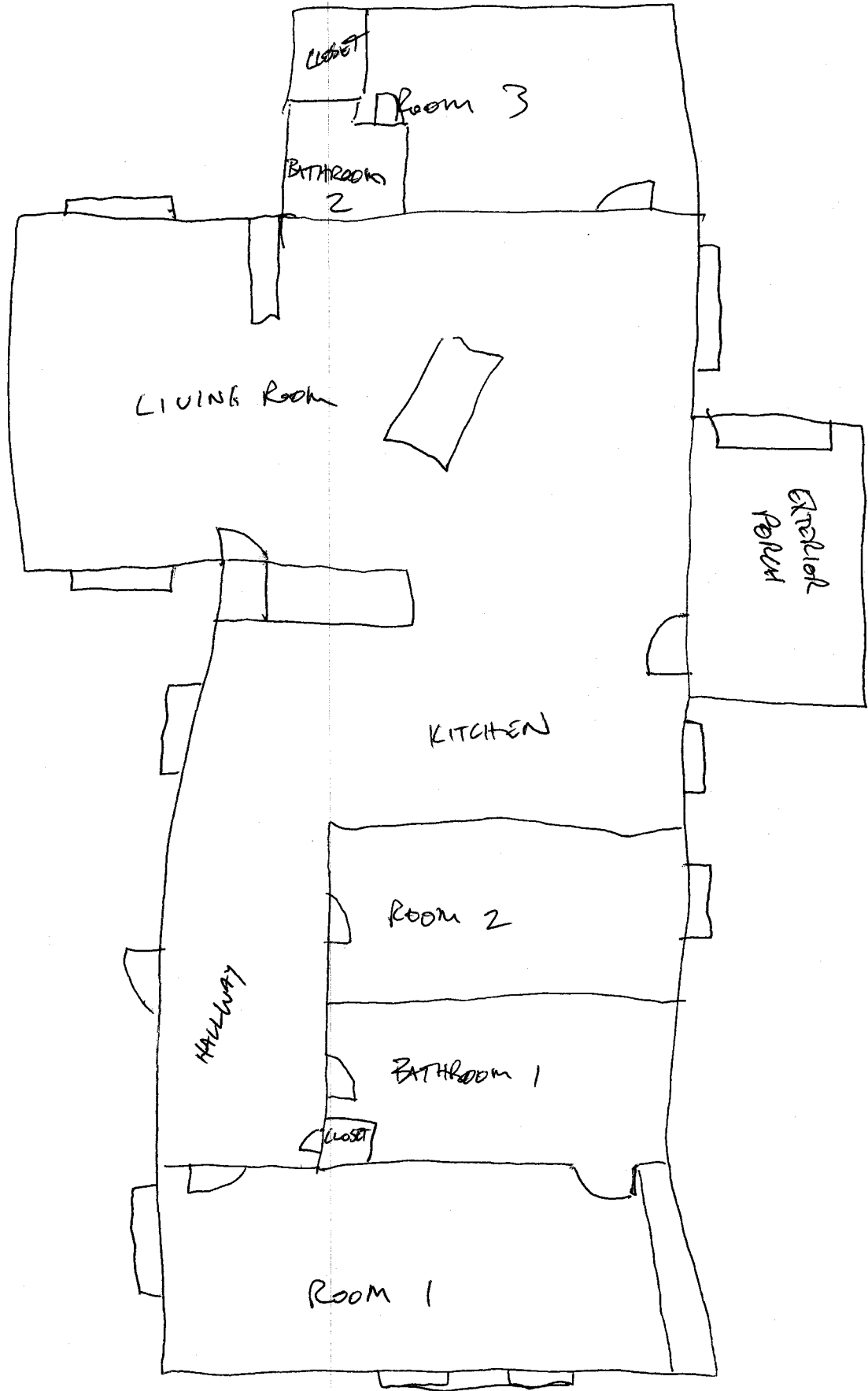
This permission is granted without threats or promises of any kind by any police agency. The granting of this permission is a free and voluntary act.

Signed: Philip Kirkey Date: 9/4/10

Place: FERMAGE WA Time: 4:30

Witness: [Signature]

Witness: [Signature]



WHATCOM COUNTY SHERIFF'S OFFICE

Page _____ of _____

VOLUNTARY STATEMENT

Event # _____

DATE _____ PLACE _____ TIME STARTED _____

I, the undersigned _____ D.O.B. _____
Last First Middle

have been duly warned and advised by _____ of the
WHATCOM COUNTY SHERIFF'S OFFICE that,

1. I have the right to remain silent.
2. Anything I say can be used against me in a court of law.
3. I have the right at this time to talk to a lawyer and have him present with me while I'm being questioned.
4. If I cannot afford to hire a lawyer, one will be appointed to represent me before any questioning, if I wish.
5. I may decide at any time to exercise these rights and not answer any questions or make any statements.
6. If I am under the age of eighteen (18), anything I say can be used against me in a juvenile court prosecution for a juvenile offense and can also be used against me in an adult court criminal prosecution if I am to be tried as an adult.

Waiver: I understand each of the above rights. I understand that I may exercise these rights at any time before or during questioning. With these rights in mind, I will talk to you now.

WITNESS: _____ SIGNATURE: _____

I have read each page of this statement consisting of _____ page(s). Each page bears my signature, and any corrections, if any, bear my initials. I certify (or declare) under penalty of perjury under the laws of the State of Washington that the entire statement is true and correct (RCW 9A.72.085). I also certify that I was not told or prompted what to say in this statement. _____ (Initial)

I further certify that I made no request for the advice or presence of an attorney before or during any part of this statement, nor at any time before it was finished did I request that this statement be stopped. _____ (Initial)

This statement was completed at _____ on the _____ day of _____ 20____

WITNESS: _____ SIGNATURE: _____

2 Mathew 120⁰⁰

33 Clayton $\left\{ \begin{array}{l} 300⁰⁰ \rightarrow 197⁰⁰ \\ \cancel{480⁰⁰} \\ \underline{210} \end{array} \right. \begin{array}{l} 270⁰⁰ \\ \cancel{210} \\ \underline{60⁰⁰} \end{array}$

10 Dave 60⁰⁰

3 Philip shoes & cloths

1 Dad

10 For 40⁰⁰ 5^s

200⁰⁰ Travel

(4 - 20^s Sold Three eat one)

25 70

Bobby

10 = 5 ^s	}	6
5 = 20 ^s		
10 = Sama's		
10 = Somas		
10 = 5 ^s		
3 = 20 ^s		

$$\begin{array}{r} 10 \\ 4 \\ 4 \\ 6 \\ \hline +6 \\ 38 \end{array}$$

meat

20 = 5^s

5 = 20^s

Justin

~~100~~

Clayton

~~10 = 20^s~~

~~20 = 5^s~~

~~2 = 20^s~~

~~$$\begin{array}{r} 250 \\ -143 \\ \hline 107 \\ \hline 34 \\ \hline 141^{00} \\ -130 \\ \hline 11^{00} \end{array}$$~~

20 = 5^s

10 = 20^s

$$\begin{array}{r} 250 \\ \hline 287^{10} \\ \hline 123 \\ \hline 138 \\ -10 \\ \hline 128 \end{array}$$

Pen brown

441 - 2570

217

$\frac{3}{51}$

$\frac{12}{124}$
3.

Clayton

185⁰⁰
 - 120⁰⁰

 65
 - 20

 45
 - 45

 00
 185
 - 40

 85
 - 70

 15
 - 15

 00
 185
 - 45

 140
 5

 135
 - 140

 -5
 185
 - 100

 85
 - 40

 45
 - 20

 25
 - 20

 5
 + 185

 200
 - 40

 160
 185
 - 80

 105
 - 75

 30
 185
 - 10

 175
 - 20

 155
 - 75

 80
 185
 - 15

 170
 - 10

 160
 - 20

 140
 - 75

 65
 - 15

 50
 185
 - 100

 85
 - 40

 45
 - 20

 25
 - 20

 5
 + 185

 200
 - 40

 160
 185
 - 80

 105
 - 75

 30
 185
 - 10

 175
 - 20

 155
 - 75

 80
 185
 - 15

 170
 - 10

 160
 - 20

 140
 - 75

 65
 - 15

 50

Philip

185
 60

 125
 20

 105
 20

 85
 85

 0
 185
 185

 185
 145

 40
 - 100

 130
 185
 - 100

 85
 - 40

 45
 - 20

 25
 - 20

 5
 + 185

 200
 - 40

 160
 185
 - 80

 105
 - 75

 30
 185
 - 10

 175
 - 20

 155
 - 75

 80
 185
 - 15

 170
 - 10

 160
 - 20

 140
 - 75

 65
 - 15

 50

Ph

200⁰⁰
 60

 160
 20

 140
 40

 100
 20

 80
 40

 40
 40

 40
 40

 185
 90







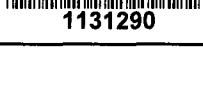
 95
 30

 25

EVIDENCE SEIZURE LIST
WHATCOM COUNTY SHERIFF'S OFFICE

Event Number: 2010A19045

Date :09/04/2010

















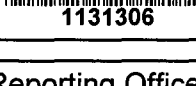
Barcode	Item	Owner	Description of item	Time
 1131275	1	WCSSO	CDR SCENE PHOTOS	6:23:59
 1131276	2	KIRKEY, PHILLIP A	BENELLI SHOTGUN	6:26:18
 1131277	3	KIRKEY, PHILLIP A	1BONG, 1SCALE, 3 PIPES W/MARIJUANA RESIDUE	6:38:07
 1131278	4	KIRKEY, PHILLIP A	VEHICLE MOUNT/CHARGER GPS SYSTEM-SUSPECTED STOLEN	6:52:20
 1131279	5	KIRKEY, PHILLIP A	GPS W/MOUNT &CHARGER SUSPECTED STOLEN	6:55:05
 1131280	6	KIRKEY, PHILLIP A	GPS W/MOUNT &CHARGER SUSPECTED STOLEN	6:57:12
 1131281	7	KIRKEY, PHILLIP A	SATELITE RADIO SYSTEM	6:59:20
 1131282	8	KIRKEY, PHILLIP A	Digital Scale	7:12:11
 1131283	9	KIRKEY, PHILLIP A	Aprox. 146.6g Suspected Marijuana	7:12:50
 1131284	10	KIRKEY, PHILLIP A	Aprox. 4006.6gg of suspected MJ	7:14:01
 1131285	11	KIRKEY, PHILLIP A	Document of Dominion and Control for Philip	7:14:41
 1131286	12	KIRKEY, PHILLIP A	Crib notes	7:15:20
 1131287	13	KIRKEY, PHILLIP A	Grow Light	7:15:33
 1131288	14	KIRKEY, PHILLIP A	Ballast	7:16:51
 1131289	15	KIRKEY, PHILLIP A	Ballast	7:17:01
 1131290	16	KIRKEY, PHILLIP A	Sentry Safe	7:17:27

Reporting Officer

EVIDENCE SEIZURE LIST

21-32

WHATCOM COUNTY SHERIFF'S OFFICE





Barcode	Item	Owner	Description of item	Time
 1131291	17	KIRKEY, PHILLIP A	Brinks Firesafe containing coin collection	7:19:07
 1131311	18	KIRKEY, LARRY	Documents of dominion and control for Larry Kirkey	7:54:18
 1131292	19	KIRKEY, LARRY	Approx 425.7g suspected MJ	7:19:53
 1131293	20	KIRKEY, LARRY	Approx 288.6g suspected MJ	7:25:44
 1131294	21	KIRKEY, LARRY	Approx 80.0g suspected MJ	7:26:06
 1131295	22	KIRKEY, LARRY	Approx 95.4 suspected MJ	7:26:34
 1131296	23	KIRKEY, LARRY	APPROX 10.8G SUSPECTED HEROIN	7:28:07
 1131297	24	KIRKEY, LARRY	Drug paraphernalia	7:28:41
 1131298	25	KIRKEY, CLAYTON T.	Crib notes	7:29:46
 1131299	26	KIRKEY, CLAYTON T.	Pawn slip for Clayton Kirkey	7:32:59
 1131300	27	KIRKEY, CLAYTON T.	BOX OF PARAPHERNALIA, HEROIN & MJ	7:34:23
 1131301	28	KIRKEY, CLAYTON T.	Box of drug pipes	7:35:22
 1131302	29	KIRKEY, CLAYTON T.	Box of drug pipes	7:36:10
 1131303	30	KIRKEY, CLAYTON T.	Box of drug pipes	7:36:30
 1131304	31	KIRKEY, CLAYTON T.	Pipe making materials	7:36:43
 1131305	32	KIRKEY, CLAYTON T.	Box of pipe making materials	7:37:03
 1131306	33	KIRKEY, CLAYTON T.	Aprox. 7.5G suspected MJ	7:38:27

Reporting Officer

EVIDENCE SEIZURE LIST

32-32

WHATCOM COUNTY SHERIFF'S OFFICE

Barcode	Item	Owner	Description of item	Time
 1131307	34	KIRKEY, CLAYTON T.	Razor blade w/suspected heroin residue	7:40:34
 1131308	35	KIRKEY, CLAYTON T.	2 digital scales w/heroin residue	7:41:39
 1131309	36	KIRKEY, CLAYTON T.	5 pipes, 2 bongs	7:42:12
 1131310	37	KIRKEY, LARRY	Shotgun shell	7:43:22

Reporting Officer

OFFENSE DESCRIPTION:

DATE:

EVENT NUMBER:

VUCSA	<input checked="checked" type="checkbox"/> CONT. NARRATIVE <input type="checkbox"/> FOLLOW-UP	9-4-10	10A-19045
1. Reconstruct incident and describe investigation. 2. Victim's injuries- details and where medical exam occurred. 3. Property damaged- describe and indicate amount of loss. 4. If significant, describe vehicle. 5. Identify undeveloped leads. 6. List statements taken. 7. List persons from whom statements need to be taken later. 8. Physical evidence- detail what and where found, by whom, and disposition.			
ADDITIONAL COPIES TO:			

NARRATIVE:

1 On 9-4-10 I was working as S91 and was tasked with assisting the graveyard shift with a suspicious vehicle / drugs complaint in the 7000 blk of Tall Cedars. Neighbors called in reporting several individuals buying illegal narcotics from a nearby residence and using them just down the street. Deputy Nyhus was able to obtain a search warrant for the residence at 7044 Tall Cedars.

Prior to approaching the residence Deputy Taddonio advised there was a large pit-bull dog that had barked and acted aggressively towards deputies in the past. I deployed my patrol shotgun, loaded with less than lethal bean bag rounds. Deputies, Freeman, Nyhus, Taddonio, Linderman, Acting Sgt Cadman, and I approached the residence to execute and serve the search warrant.

There was a medium height wooden fence around the yard of the trailer with "beware of dog signs". We stopped in the yard just past the front gate. There was no indication a dog was anywhere in the fence yard. An attempted phone call was placed inside the residence with no response. From my vantage point I could see into the trailer, specifically the kitchen / entry area.

Deputy Nyhus knocked on the side of the trailer and announced in a loud voice "Sheriff's Office, Search Warrant Come To the Door." I could hear people running around inside and witnessed a shirtless male run from a front room of the trailer into and past the kitchen. Several more commands were given for the occupants of the trailer to come to the door with accompanying knocks. Someone inside asked "Who is it." "Sheriff's Office Search Warrant, Come To The Door" was the reply. Another male voice from inside advised "I have dog, he will bite." I could hear a large dog barking aggressively inside the trailer. I gave verbal commands to hold the dog and not let him go. I also advised the occupants of the trailer if the dog got loose and attacked deputies it would be shot.

An older subject later identified as (A2) Larry Kirkey opened the front door and stepped out with his hands visible as instructed. A second subject identified as (A1) Phillip Kirkey exited the front door onto the porch area holding onto large reddish brown pit-bull. The pit-bull was attempting to break free of Phillips grasp. It was trying to break free towards the deputies not away. As Larry and Phillip were coming off the front porch, being detained and securing the pit-bull, a third subject identified as (S1) Clayton Kirkey exited the residence hanging on to another pit-bull with both hands on what appeared to be the collar. I could see Clayton had two hands on the dog trying to restrain it from running towards the myself and the other deputies. The pit-bull was white and brown and was between Clayton's legs straining to get away. The pit-bull was barking aggressively towards the deputies and rearing up on its hind legs.

REPORTING OFFICER:

REVIEWING OFFICER:

Van Loo 4A166	
---------------	--

OFFENSE DESCRIPTION:		DATE:	EVENT NUMBER:
VUCSA	<input checked="" type="checkbox"/> CONT. NARRATIVE <input type="checkbox"/> FOLLOW-UP	9-4-10	10A-19045
1. Reconstruct incident and describe investigation. 2. Victim's injuries- details and where medical exam occurred. 3. Property damaged- describe and indicate amount of loss. 4. If significant, describe vehicle.		5. Identify undeveloped leads. 6. List statements taken. 7. List persons from whom statements need to be taken later. 8. Physical evidence- detail what and where found, by whom, and disposition.	
ADDITIONAL COPIES TO:			

NARRATIVE:

I was dividing my attention between both dogs who were acting aggressively and trying to break free towards the deputies. As I turned back to the white and brown pit-bull Clayton was attempting to hold I saw it bounding down the steps towards Deputy Taddonio and myself. Deputy Taddonio illuminated the pit-bull and it stopped momentarily. It began to lunge towards my lower legs and I thrust the muzzle of my shotgun towards its head to prevent it from biting me as I took my weapon off "safe." I fired one beanbag round at the pit-bull as it began to bite at the muzzle of my shotgun. Deputy Nyhus was off to my right and had safe angle of fire. He fired several rounds from his handgun into the pit-bull, as I was chambering a second beanbag round in my shotgun. The pit-bull yelped several times and then expired.

Clayton came off the porch and was detained in the front yard by Deputy Freeman. Once the three occupants and the other pit-bull were safely detained away from the residence we made entry into the residence to serve the search warrant. No one else was found inside. I completed a secondary search for persons with Deputy Taddonio.

I collected the spent hull of my less lethal beanbag round for disposal after it was photographed in the front yard. I had no further involvement in this case.

2-8 NA

REPORTING OFFICER:	REVIEWING OFFICER:
Van Loo 4A166	

RPT INFO	Initial Review	Date	Event Description	Is this follow-up?	Event Number
	80	9/5	POSS + DELIVERY OF HEROIN	<input type="checkbox"/> Yes	10A19045
STATUS	<input checked="" type="checkbox"/> Active/ Still Investigating	<input type="checkbox"/> Closed	<input type="checkbox"/> No Leads	<input type="checkbox"/> Info Only	Pages
					34
					Deputy
					7A124

DISTRIBUTION

To: _____

<input type="checkbox"/> 1A1	<input type="checkbox"/> CPS	<input type="checkbox"/> Birch Bay
<input type="checkbox"/> 1A2	<input type="checkbox"/> Crime Analysis	<input type="checkbox"/> Foothills
<input type="checkbox"/> 1A3	<input checked="" type="checkbox"/> Det Sgt	<input type="checkbox"/> Sudden Valley
<input type="checkbox"/> 1A4	<input type="checkbox"/> District Court	
<input type="checkbox"/> 1A5	Citations _____	
<input type="checkbox"/> 1A6	<input type="checkbox"/> DTF	
<input type="checkbox"/> 1A7	<input type="checkbox"/> Medical Examiner	
	<input type="checkbox"/> Traffic Sgt	

FOLLOW-UP

Comments: _____

<input checked="" type="checkbox"/> Required	<input type="checkbox"/> Suspect	1) LOCK SMITH TO OPEN SAFE IN EVIDENCE
<input type="checkbox"/> Complete	<input type="checkbox"/> Victim	
	<input type="checkbox"/> Witness	
	<input type="checkbox"/> Tagged Vehicle	
	<input checked="" type="checkbox"/> Other _____	

2) Crim Hist on A-1

PROSECUTOR'S OFFICE

Send to Prosecutor _____ Send Entire Case File Medical Records

Follow-Up Info Review Charges

Felony Adult(s) DVPA Request Warrant

Misdemeanor Juvenile(s) Drugs Cite By Summons

	Crimes		Name(s)	Charges (A, B, C, etc.)
A	POSS OF HEROIN WITH INTENT TO DELIVER	1	KIRKEY, PHILIP A	A+B
B	POSS OF MJS OVER 40 GRAMS	2	KIRKEY, LARRY M	C+B
C	POSS OF HEROIN	3		
D		4		
E		5		

SHERIFF'S OFFICE USE

Comments

Citation/PC Routed Separately

Stolen Firearm/Property

Stolen Vehicle

Fugitive Warrant

Other: _____

Prosecutor's Use

Received By _____



RPT INFO	Initial Review	Date	Event Description	Is this follow-up?	Event Number
	80	9/5	POSS + DELIVERY OF HEROIN	<input type="checkbox"/> Yes	10A19045

STATUS	<input checked="" type="checkbox"/> Active/ Still Investigating	<input type="checkbox"/> Closed	<input type="checkbox"/> No Leads	<input type="checkbox"/> Info Only	Pages	Deputy
					34	7A124

DISTRIBUTION	<input type="checkbox"/> 1A1	<input type="checkbox"/> CPS	<input type="checkbox"/> Birch Bay	To: _____
	<input type="checkbox"/> 1A2	<input type="checkbox"/> Crime Analysis	<input type="checkbox"/> Foothills	_____
	<input type="checkbox"/> 1A3	<input checked="" type="checkbox"/> Det Sgt	<input type="checkbox"/> Sudden Valley	_____
	<input type="checkbox"/> 1A4	<input type="checkbox"/> District Court		_____
	<input type="checkbox"/> 1A5	Citations _____		_____
	<input type="checkbox"/> 1A6	<input type="checkbox"/> DTF		_____
	<input type="checkbox"/> 1A7	<input type="checkbox"/> Medical Examiner		_____
		<input type="checkbox"/> Traffic Sgt		_____

FOLLOW-UP	<input checked="" type="checkbox"/> Required	<input type="checkbox"/> Suspect	Comments: 1) LOCKSMITH TO OPEN SAFE IN EVIDENCE 2) Crim Hist on A-1
	<input type="checkbox"/> Complete	<input type="checkbox"/> Victim	
		<input type="checkbox"/> Witness	
		<input type="checkbox"/> Tagged Vehicle	
	<input checked="" type="checkbox"/> Other _____		

PROSECUTOR'S OFFICE	<input checked="" type="checkbox"/> Send to Prosecutor _____	<input type="checkbox"/> Send Entire Case File	<input type="checkbox"/> Medical Records	
	<input type="checkbox"/> Follow-Up Info			
	<input type="checkbox"/> Review Charges			
	<input checked="" type="checkbox"/> Felony	<input checked="" type="checkbox"/> Adult(s)	<input type="checkbox"/> DVPA	<input type="checkbox"/> Request Warrant
	<input type="checkbox"/> Misdemeanor	<input type="checkbox"/> Juvenile(s)	<input checked="" type="checkbox"/> Drugs	<input type="checkbox"/> Cite By Summons

	Crimes		Name(s)	Charges (A, B, C, etc.)
A	POSS OF HEROIN WITH INTENT TO DELIVER	1	KIRKEY, PHILIP A	A+B
B	POSS OF MS OVER 40 GAMS	2	KIRKEY, LARRY M	C+B
C	POSS OF HEROIN	3		
D		4		
E		5		

SHERIFF'S OFFICE USE	<input type="checkbox"/> Citation/PC Routed Separately	Comments
	<input type="checkbox"/> Stolen Firearm/Property	
	<input type="checkbox"/> Stolen Vehicle	
	<input type="checkbox"/> Fugitive Warrant	
	<input type="checkbox"/> Other:	

Prosecutor's Use
DAVID McEACHRAN Prosecuting Attorney
SEP - 7 2010
Whatcom County Bellingham, WA
Received By <i>[Signature]</i>



RPT INFO	Initial Review	Date	Event Description	Is this follow-up?	Event Number
	131	9-8-10	SEARCH WARRANT RETURN	<input type="checkbox"/> Yes	10A19045

STATUS	<input checked="" type="checkbox"/> Active/ Still Investigating	<input type="checkbox"/> Closed	<input type="checkbox"/> No Leads	<input type="checkbox"/> Info Only	Pages	Deputy
					4	7A124

DISTRIBUTION	<input type="checkbox"/> 1A1	<input type="checkbox"/> CPS	<input type="checkbox"/> Birch Bay	To:
	<input type="checkbox"/> 1A2	<input type="checkbox"/> Crime Analysis	<input type="checkbox"/> Foothills	_____
	<input type="checkbox"/> 1A3	<input type="checkbox"/> Det Sgt	<input type="checkbox"/> Sudden Valley	_____
	<input type="checkbox"/> 1A4	<input type="checkbox"/> District Court		_____
	<input type="checkbox"/> 1A5	Citations _____		_____
	<input type="checkbox"/> 1A6	<input type="checkbox"/> DTF		_____
	<input type="checkbox"/> 1A7	<input type="checkbox"/> Medical Examiner		_____
		<input type="checkbox"/> Traffic Sgt		_____

FOLLOW-UP	<input type="checkbox"/> Required	<input type="checkbox"/> Suspect	Comments:
	<input type="checkbox"/> Complete	<input type="checkbox"/> Victim	
		<input type="checkbox"/> Witness	
		<input type="checkbox"/> Tagged Vehicle	
		<input type="checkbox"/> Other _____	

PROSECUTOR'S OFFICE	<input type="checkbox"/> Send to Prosecutor _____	<input type="checkbox"/> Send Entire Case File	<input type="checkbox"/> Medical Records	
	<input type="checkbox"/> Follow-Up Info			
	<input type="checkbox"/> Review Charges			
	<input type="checkbox"/> Felony	<input type="checkbox"/> Adult(s)	<input type="checkbox"/> DVPA	<input type="checkbox"/> Request Warrant
	<input type="checkbox"/> Misdemeanor	<input type="checkbox"/> Juvenile(s)	<input type="checkbox"/> Drugs	<input type="checkbox"/> Cite By Summons

	Crimes	Name(s)	Charges (A, B, C, etc.)
A		1	
B		2	
C		3	
D		4	
E		5	

SHERIFF'S OFFICE USE	Comments	Prosecutor's Use
	<input type="checkbox"/> Citation/PC Routed Separately <input type="checkbox"/> Stolen Firearm/Property <input type="checkbox"/> Stolen Vehicle <input type="checkbox"/> Fugitive Warrant <input checked="" type="checkbox"/> Other: SEARCH WARRANT - 7044 TALL CEDARS	DAVID McEACHRAN Prosecuting Attorney SEP - 8 2010 Whatcom County Bellingham, WA Received By <i>B. Williams</i>

EVIDENCE/PROPERTY RELEASE

WHATCOM COUNTY SHERIFF'S OFFICE



EVENT DESCRIPTION	EVIDENCE NUMBER	DATE <i>11/3/10</i>	EVENT NUMBER <i>10A19045</i>
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FIELD RECEIPT FIELD RELEASE VEHICLE IMPOUND

VEHICLE DESCRIPTION

YEAR	MAKE	MODEL	LICENSE NO.	ST/PR	V.I.N.
REGISTERED OWNER NAME	LAST	FIRST	M.I.		
ADDRESS	CITY	STATE	ZIP		
LEGAL OWNER NAME	LAST	FIRST	M.I.		
ADDRESS	CITY	STATE	ZIP		
STORAGE LOCATION					
REMARKS/REASON FOR IMPOUND					

ITEM NO.	ITEM DESCRIPTION/INVENTORY OF CONTENTS	QUANTITY
<i>16</i>	<i>Sentry safe</i>	

RECEIVED BY (print clearly)	<i>J ALLEGRE</i>	PERS NO.	SIGNATURE	<i>[Signature]</i>	STATE	ZIP	<i>3A152</i>
ADDRESS	CITY						
RELEASSED BY (print clearly)	<i>Holly Vega</i>	PERS NO.	SIGNATURE	<i>[Signature]</i>	STATE	ZIP	
ADDRESS	<i>WC50</i>	<i>7A874</i>					



RPT INFO	Initial Review	Date	Event Description	Is this follow-up?	Event Number
	131	11-8-10	SEARCH WARRANT RETURN	<input checked="" type="checkbox"/> Yes	10A 19045

STATUS	<input type="checkbox"/> Active/ Still Investigating	<input checked="" type="checkbox"/> Closed	<input type="checkbox"/> No Leads	<input type="checkbox"/> Info Only	Pages	Deputy
					3	7A124 / 3A152

DISTRIBUTION	<input type="checkbox"/> 1A1	<input type="checkbox"/> CPS	<input type="checkbox"/> Birch Bay	To:
	<input type="checkbox"/> 1A2	<input type="checkbox"/> Crime Analysis	<input type="checkbox"/> Foothills	_____
	<input type="checkbox"/> 1A3	<input type="checkbox"/> Det Sgt	<input type="checkbox"/> Sudden Valley	_____
	<input type="checkbox"/> 1A4	<input type="checkbox"/> District Court		_____
	<input type="checkbox"/> 1A5	Citations _____		_____
	<input type="checkbox"/> 1A6	<input type="checkbox"/> DTF		_____
	<input type="checkbox"/> 1A7	<input type="checkbox"/> Medical Examiner		_____
		<input type="checkbox"/> Traffic Sgt		_____

FOLLOW-UP	<input type="checkbox"/> Required	<input type="checkbox"/> Suspect	Comments:
	<input type="checkbox"/> Complete	<input type="checkbox"/> Victim	
		<input type="checkbox"/> Witness	
		<input type="checkbox"/> Tagged Vehicle	
		<input type="checkbox"/> Other _____	

PROSECUTOR'S OFFICE	<input checked="" type="checkbox"/> Send to Prosecutor _____	<input type="checkbox"/> Send Entire Case File	<input type="checkbox"/> Medical Records	
	<input type="checkbox"/> Follow-Up Info			
	<input type="checkbox"/> Review Charges			
	<input type="checkbox"/> Felony	<input type="checkbox"/> Adult(s)	<input type="checkbox"/> DVPA	<input type="checkbox"/> Request Warrant
	<input type="checkbox"/> Misdemeanor	<input type="checkbox"/> Juvenile(s)	<input type="checkbox"/> Drugs	<input type="checkbox"/> Cite By Summons

	Crimes	Name(s)	Charges (A, B, C, etc.)
A		1	
B		2	
C		3	
D		4	
E		5	

SHERIFF'S OFFICE USE	<input type="checkbox"/> Citation/PC Routed Separately	Comments
	<input type="checkbox"/> Stolen Firearm/Property	
	<input type="checkbox"/> Stolen Vehicle	
	<input type="checkbox"/> Fugitive Warrant	
	<input checked="" type="checkbox"/> Other: SEARCH WARRANT - SAFE	

Prosecutor's Use

DAVID McEACHRAN
Prosecuting Attorney

NOV - 8 2010 *SC 2A111*

Whatcom County
Bellingham, WA

Received By *D. [Signature]*

RPT INFO	Initial Review 80	Date 9/5	Event Description POSS + DELIVERY OF HEROIN	Is this follow-up? <input type="checkbox"/> Yes	Event Number 10A19045
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STATUS	<input checked="" type="checkbox"/> Active/ Still Investigating	<input type="checkbox"/> Closed	<input type="checkbox"/> No Leads	<input type="checkbox"/> Info Only	Pages 34	Deputy 7A124
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DISTRIBUTION	<input type="checkbox"/> 1A1	<input type="checkbox"/> CPS	<input type="checkbox"/> Birch Bay	To: - <u>To Craig Chambers</u>
	<input type="checkbox"/> 1A2	<input type="checkbox"/> Crime Analysis	<input type="checkbox"/> Foothills	
	<input type="checkbox"/> 1A3	<input checked="" type="checkbox"/> Det Sgt	<input type="checkbox"/> Sudden Valley	
	<input type="checkbox"/> 1A4	<input type="checkbox"/> District Court		
	<input type="checkbox"/> 1A5	Citations _____		
	<input type="checkbox"/> 1A6	<input type="checkbox"/> DTF		
	<input type="checkbox"/> 1A7	<input type="checkbox"/> Medical Examiner		
	<input type="checkbox"/> Traffic Sgt			

FOLLOW-UP	<input checked="" type="checkbox"/> Required	<input type="checkbox"/> Suspect	Comments: <u>1) LOCKSMITH TO OPEN SAFE IN EVIDENCE</u> <u>2) CRIM HIST on A-1</u>
	<input type="checkbox"/> Complete	<input type="checkbox"/> Victim	
		<input type="checkbox"/> Witness	
		<input type="checkbox"/> Tagged Vehicle	
		<input checked="" type="checkbox"/> Other _____	
		<u>Contact:</u>	

PROSECUTOR'S OFFICE	<input checked="" type="checkbox"/> Send to Prosecutor _____	<input type="checkbox"/> Send Entire Case File	<input type="checkbox"/> Medical Records	
	<input type="checkbox"/> Follow-Up Info			
	<input type="checkbox"/> Review Charges			
	<input checked="" type="checkbox"/> Felony	<input checked="" type="checkbox"/> Adult(s)	<input type="checkbox"/> DVPA	<input type="checkbox"/> Request Warrant
	<input type="checkbox"/> Misdemeanor	<input type="checkbox"/> Juvenile(s)	<input checked="" type="checkbox"/> Drugs	<input type="checkbox"/> Cite By Summons

	Crimes		Name(s)	Charges (A, B, C, etc.)
A	POSS OF HEROIN WITH INTENT TO DELIVER	1	KIRKEY, PHILIP A	A+B
B	POSS OF MTS OVER 40 GRAMS	2	KIRKEY, LARRY M	C+B
C	POSS OF HEROIN	3		
D		4		
E		5		

SHERIFF'S OFFICE USE	Comments	Prosecutor's Use
	<input type="checkbox"/> Citation/PC Routed Separately <input type="checkbox"/> Stolen Firearm/Property <input type="checkbox"/> Stolen Vehicle <input type="checkbox"/> Fugitive Warrant <input type="checkbox"/> Other: _____	DAVID MCEACHRAN Prosecuting Attorney APR 18 2011 Whatcom County Bellingham, WA
	Received By	<u>Wilson</u>

2010A 19045

RECEIVED

11 SEP 19 P12:27

WHATCOM COUNTY
SHERIFF

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

THE STATE OF WASHINGTON,

Case No: 10-1-01150-4

Plaintiff,

vs.

NOTICE OF ATTORNEY'S CLAIM OF
LIEN, PURSUANT to RCW 60.40

PHILLIP ANDREW KIRKEY,

Defendant

- TO: CLERK OF THE COURT
- TO: Phillip Kirkey, 2392 Douglas Drive, Trl 8, Ferndale, WA 98248
- TO: Whatcom County Sheriff's Office, 311 Grand Ave., Bellingham, WA 98225

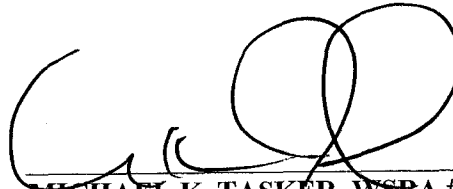
NOTICE IS HEREBY GIVEN, pursuant to RCW 60.40, that the undersigned attorney, Michael K. Tasker, claims a lien for services rendered to Phillip Andrew Kirkey, upon all property (**Attached**) in the possession of the Whatcom County Sheriff's Office, arising out of an incident that occurred on 09/03/10.

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1 DATED this 16th day of September, 2011.

3 LAW OFFICES OF MICHAEL K. TASKER

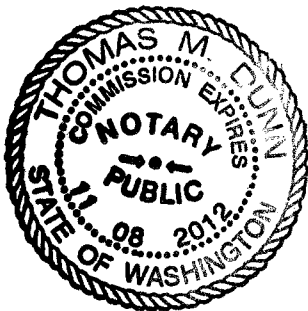
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7 MICHAEL K. TASKER, WSBA #12426
8 Attorney for the Defendant

9 STATE OF WASHINGTON)
10) ss.
11 COUNTY OF WHATCOM)
12

13 I certify that I know or have satisfactory evidence that MICHAEL K. TASKER signed
14 this instrument and acknowledged it to be his free and voluntary act for the uses and purposes
15 mentioned therein.
16

17 DATED this 16th day of September 2011.

















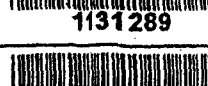

21 Thomas Dumas
22 NOTARY PUBLIC in and for the State of
23 Washington, residing at Bellingham, MY
24 COMMISSION EXPIRES: 11/8/12
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EVIDENCE SEIZURE LIST
WHATCOM COUNTY SHERIFF'S OFFICE

30-32
 Page 1 of 3

Event Number: 2010A19045

Date :09/04/2010





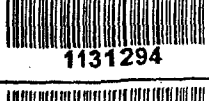
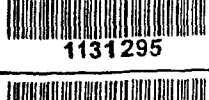

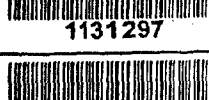
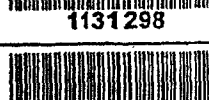







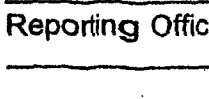
Barcode	Item	Owner	Description of item	Time
 1131275	1	WCSO	CDR SCENE PHOTOS	6:23:59
 1131276	2	KIRKEY, PHILLIP A	BENELLI SHOTGUN	6:26:18
 1131277	3	KIRKEY, PHILLIP A	1BONG, 1SCALE, 3 PIPES W/MARIJUANA RESIDUE	6:38:07
 1131278	4	KIRKEY, PHILLIP A	VEHICLE MOUNT/CHARGER GPS SYSTEM-SUSPECTED STOLEN	6:52:20
 1131279	5	KIRKEY, PHILLIP A	GPS W/MOUNT &CHARGER SUSPECTED STOLEN	6:55:05
 1131280	6	KIRKEY, PHILLIP A	GPS W/MOUNT &CHARGER SUSPECTED STOLEN	6:57:12
 1131281	7	KIRKEY, PHILLIP A	SATELITE RADIO SYSTEM	6:59:20
 1131282	8	KIRKEY, PHILLIP A	Digital Scale	7:12:11
 1131283	9	KIRKEY, PHILLIP A	Aprox. 146.6g Suspected Marijuana	7:12:50
 1131284	10	KIRKEY, PHILLIP A	Aprox. 4006.6gg of suspected MJ	7:14:01
 1131285	11	KIRKEY, PHILLIP A	Document of Dominion and Control for Philip	7:14:41
 1131286	12	KIRKEY, PHILLIP A	Crib notes	7:15:20
 1131287	13	KIRKEY, PHILLIP A	Grow Light	7:15:33
 1131288	14	KIRKEY, PHILLIP A	Ballast	7:16:51
 1131289	15	KIRKEY, PHILLIP A	Ballast	7:17:01
 1131290	16	KIRKEY, PHILLIP A	Sentry Safe	7:17:27

Reporting Officer



EVIDENCE SEIZURE LIST

WHATCOM COUNTY SHERIFF'S OFFICE




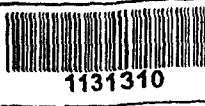
Barcode	Item	Owner	Description of item	Time
 1131291	17	KIRKEY, PHILLIP A	Brinks Firesafe containing coin collection	7:19:07
 1131311	18	KIRKEY, LARRY	Documents of dominion and control for Larry Kirkey	7:54:18
 1131292	19	KIRKEY, LARRY	Approx 425.7g suspected MJ	7:19:53
 1131293	20	KIRKEY, LARRY	Approx 288.6g suspected MJ	7:25:44
 1131294	21	KIRKEY, LARRY	Approx 80.0g suspected MJ	7:26:06
 1131295	22	KIRKEY, LARRY	Approx 95.4 suspected MJ	7:26:34
 1131296	23	KIRKEY, LARRY	APPROX 10.8G SUSPECTED HEROIN	7:28:07
 1131297	24	KIRKEY, LARRY	Drug paraphernalia	7:28:41
 1131298	25	KIRKEY, CLAYTON T.	Crib notes	7:29:46
 1131299	26	KIRKEY, CLAYTON T.	Pawn slip for Clayton Kirkey	7:32:59
 1131300	27	KIRKEY, CLAYTON T.	BOX OF PARAPHERNALIA, HEROIN & MJ	7:34:23
 1131301	28	KIRKEY, CLAYTON T.	Box of drug pipes	7:35:22
 1131302	29	KIRKEY, CLAYTON T.	Box of drug pipes	7:36:10
 1131303	30	KIRKEY, CLAYTON T.	Box of drug pipes	7:36:30
 1131304	31	KIRKEY, CLAYTON T.	Pipe making materials	7:36:43
 1131305	32	KIRKEY, CLAYTON T.	Box of pipe making materials	7:37:03
 1131306	33	KIRKEY, CLAYTON T.	Aprox. 7.5G suspected MJ	7:38:27

Reporting Officer

84

EVIDENCE SEIZURE LIST

WHATCOM COUNTY SHERIFF'S OFFICE

Barcode	Item	Owner	Description of item	Time
 1131307	34	KIRKEY, CLAYTON T.	Razor blade w/suspected heroin residue	7:40:34
 1131308	35	KIRKEY, CLAYTON T.	2 digital scales w/heroin residue	7:41:39
 1131309	36	KIRKEY, CLAYTON T.	5 pipes, 2 bongos	7:42:12
 1131310	37	KIRKEY, LARRY	Shotgun shell	7:43:22

Reporting Officer

85

RECEIVED

11 SEP 19 P12:27

WHATCOM COUNTY
SHERIFF

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

THE STATE OF WASHINGTON,

Plaintiff,

vs.

LARRY KIRKEY,

Defendant

Case No: 10-1-01149-1

NOTICE OF ATTORNEY'S CLAIM OF
LIEN, PURSUANT to RCW 60.40

TO: CLERK OF THE COURT
TO: Larry Kirkey, 2392 Douglas Drive, Trl 8, Ferndale, WA 98248
TO: Whatcom County Sheriff's Office, 311 Grand Ave., Bellingham, WA 98225

NOTICE IS HEREBY GIVEN, pursuant to RCW 60.40, that the undersigned attorney,
William Johnston, claims a lien for services rendered to Larry Kirkey, upon all property
(Attached) in the possession of the Whatcom County Sheriff's Office, arising out of an incident
that occurred on 09/03/10.

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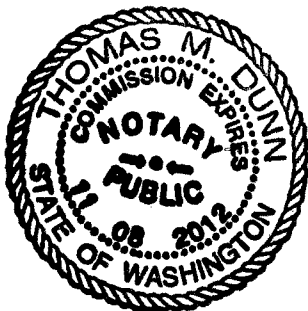
1 DATED this 19th day of September, 2011.

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5 William Johnston
6 WILLIAM JOHNSTON, WSBA #6113
7 Attorney for the Defendant
8

9 STATE OF WASHINGTON)
10) ss.
11 COUNTY OF WHATCOM)
12

13 I certify that I know or have satisfactory evidence that WILLIAM JOHNSTON signed
14 this instrument and acknowledged it to be his free and voluntary act for the uses and purposes
15 mentioned therein.

16
17 DATED this 19th day of September 2011.



Thomas M. Dunn

NOTARY PUBLIC in and for the State of WA
Washington, residing at Bellingham MY
COMMISSION EXPIRES: 11/8/12

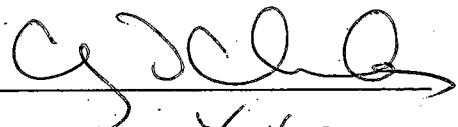
EVIDENCE DISPOSITION



Agency: SFO
Event Number: 2010A19045

Defendant Name: Larry M. Kirkey
Cause Number: 10-1-01149-1

**EVIDENCE IN THE ABOVE LISTED CASE CAN BE DISPOSED OF
AS PER LAWS PERTAINING TO EVIDENCE.**


Date: 7/9/12

Comments: _____

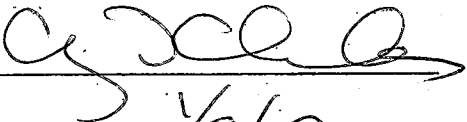
EVIDENCE DISPOSITION



Agency: SFD
Event Number: 2010A19045

Defendant Name: Philip Kirkey
Cause Number: 10-1-01150-4

**EVIDENCE IN THE ABOVE LISTED CASE CAN BE DISPOSED OF
AS PER LAWS PERTAINING TO EVIDENCE.**


Date: 7/9/12

Comments: _____

**WHATCOM COUNTY
SHERIFF'S OFFICE**

BILL ELFO
SHERIFF

PUBLIC SAFETY BUILDING
311 Grand Avenue
Bellingham, WA 98225-4078
(360) 676-6650



JEFF PARKS
UNDERSHERIFF
ART EDGE
CHIEF DEPUTY
DOUG CHADWICK
CHIEF DEPUTY
STEVE COOLEY
CHIEF INSPECTOR
WENDY JONES
CHIEF OF CORRECTIONS

January 19, 2012

Mr. William Johnston
Attorney at Law
401 Central Ave.
Bellingham, WA 98225

RE: Notice of Attorney's Claim of Lien 10-1-01149-1

Dear Mr. Johnston:

This letter is to notify you that I have received evidence dispositions for both defendants in our case number 10A19045. However, upon researching the property we have in evidence, all items worth value came from Philip Kirkey's room and therefore will be released to Michael Tasker per his lien on property. Larry only had drugs and paraphernalia seized from his room.

If you have any questions, please feel free to contact me at 360-676-6707 ext. 50433.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Tienhaara'.

Tara Tienhaara
Identification Technician
Whatcom County Sheriff's Office
311 Grand Ave.
Bellingham, WA 98225

10A-19045

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WHATCOM COUNTY
SHERIFF

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

THE STATE OF WASHINGTON,

Case No: 10-1-01149-1

Plaintiff,

NOTICE OF ATTORNEY'S CLAIM OF
LIEN, PURSUANT to RCW 60.40

vs.

LARRY KIRKEY,

Defendant

TO: CLERK OF THE COURT

TO: Larry Kirkey, 2392 Douglas Drive, Trl 8, Ferndale, WA 98248

TO: Whatcom County Sheriff's Office, 311 Grand Ave., Bellingham, WA 98225

NOTICE IS HEREBY GIVEN, pursuant to RCW 60.40, that the undersigned attorney,
William Johnston, claims a lien for services rendered to Larry Kirkey, upon all property
(Attached) in the possession of the Whatcom County Sheriff's Office, arising out of an incident
that occurred on 09/03/10.

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10A19045

19th

DATED this 19th day of September, 2011.

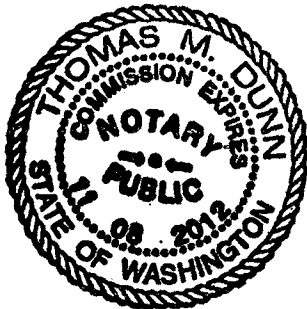
William Johnston

WILLIAM JOHNSTON, WSBA #6113
Attorney for the Defendant

STATE OF WASHINGTON)
) ss.
COUNTY OF WHATCOM)

I certify that I know or have satisfactory evidence that WILLIAM JOHNSTON signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned therein.

DATED this 19th day of September 2011.



Thomas M. Dunn

NOTARY PUBLIC in and for the State of WA
Washington, residing at Bellingham MY
COMMISSION EXPIRES: 11/8/12

**WHATCOM COUNTY
SHERIFF'S OFFICE**

BILL ELFO
SHERIFF

PUBLIC SAFETY BUILDING
311 Grand Avenue
Bellingham, WA 98225-4078
(360) 676-6650



JEFF PARKS
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CHIEF DEPUTY
DOUG CHADWICK
CHIEF DEPUTY
STEVE COOLEY
CHIEF INSPECTOR
WENDY JONES
CHIEF OF CORRECTIONS

January 19, 2012

Mr. Michael Tasker
Attorney at Law
510 E Holly St.
Bellingham, WA 98225

RE: Notice of Attorney's Claim of Lien 10-1-01150-4

Dear Mr. Tasker:

This letter is in response to your Notice of Attorney's Claim of Lien in our case number 10A19045 for Philip Kirkey. I have received evidence dispositions for the defendants and would like to return any and all property belonging to Philip to your office.

Included in the property list is a shotgun which will require a background check on whoever will be picking the gun up. I have enclosed a form for this purpose with this letter. Please fill out the highlighted section and return it to me at the address below.

Please contact me at 360-676-6707 ext: 50433 to make an appointment to pick up the property. Per RCW 63.32.010, you have 60 days to claim this property or the Sheriff's Office reserves the right to dispose of it accordingly.

Sincerely,

A handwritten signature in black ink, appearing to read "Tara Tienhaara", with a long horizontal flourish extending to the right.

Tara Tienhaara
Identification Technician
Whatcom County Sheriff's Office
311 Grand Ave.
Bellingham, WA 98225

2010A 19045

RECEIVED

11 SEP 19 12:27

WHATCOM COUNTY
SHERIFF

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

THE STATE OF WASHINGTON,

Case No: 10-1-01150-4

Plaintiff,

vs.

NOTICE OF ATTORNEY'S CLAIM OF
LIEN, PURSUANT to RCW 60.40

PHILLIP ANDREW KIRKEY,

Defendant

TO: CLERK OF THE COURT
TO: Phillip Kirkey, 2392 Douglas Drive, Trl 8, Ferndale, WA 98248
TO: Whatcom County Sheriff's Office, 311 Grand Ave., Bellingham, WA 98225

NOTICE IS HEREBY GIVEN, pursuant to RCW 60.40, that the undersigned attorney, Michael K. Tasker, claims a lien for services rendered to Phillip Andrew Kirkey, upon all property (Attached) in the possession of the Whatcom County Sheriff's Office, arising out of an incident that occurred on 09/03/10.

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10A19045

1 DATED this 16th day of September, 2011.

3 LAW OFFICES OF MICHAEL K. TASKER

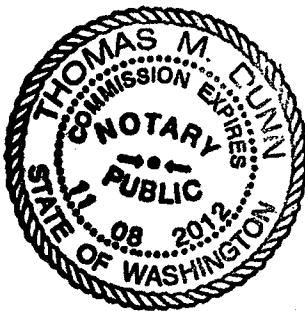
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7 MICHAEL K. TASKER, WSBA #12426
8 Attorney for the Defendant

9 STATE OF WASHINGTON)
10) ss.
11 COUNTY OF WHATCOM)
12

13 I certify that I know or have satisfactory evidence that MICHAEL K. TASKER signed
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16

17 DATED this 16th day of September 2011.
18



22 Thomas Dunn
23 NOTARY PUBLIC in and for the State of
24 Washington, residing at Bellingham MY
25 COMMISSION EXPIRES: 11/8/12

EVIDENCE/PROPERTY RELEASE



WHATCOM COUNTY SHERIFF'S OFFICE

EVENT DESCRIPTION VUCSA	EVIDENCE NUMBER	DATE 3/19/12	EVENT NUMBER 10A19045
-----------------------------------	-----------------	------------------------	---------------------------------

FIELD RECEIPT
 FIELD RELEASE
 VEHICLE IMPOUND

VEHICLE DESCRIPTION					
YEAR	MAKE	MODEL	LICENSE NO.	ST/PR	V.I.N.
REGISTERED OWNER NAME		LAST	FIRST	M.I.	
ADDRESS		CITY	STATE	ZIP	
LEGAL OWNER NAME		LAST	FIRST	M.I.	
ADDRESS		CITY	STATE	ZIP	
STORAGE LOCATION					
REMARKS/REASON FOR IMPOUND					

ITEM NO.	ITEM DESCRIPTION/INVENTORY OF CONTENTS	QUANTITY
2 ✓	Benelli Shotgun	1
4 ✓	Vehicle mount / charger GPS	1
5 ✓	GPS	1
6 ✓	GPS	1
7 ✓	Satellite radio	1
16 ✓	Sentry safe	1
17 ✓	Briggs Firesafe	1
19 ✓	Cash from safe	1

RECEIVED BY (print clearly) Taker, Michael	PERS NO.	SIGNATURE 	DATE 3/19/12
ADDRESS X	CITY	STATE	ZIP
RECEIVED BY (print clearly) Tarat.	PERS NO. 77885	SIGNATURE 	DATE
ADDRESS WCSO	CITY	STATE	ZIP