SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON, Plaintiff,	)	
v.	)	No. 13-1-10201-0 SEA
MICHAEL ANTHONY ROBERTSON, Defendant.	)	MOTION, FINDING OF PROBABLE CAUSE AND ORDER DIRECTING ISSUANCE OF SUMMONS OR WARRANT AND FIXING BAIL

The plaintiff, having informed the court that it is filing herein an Information charging the defendant with the crime of **Vehicular Homicide,** now moves the court pursuant to CrR 2.2(a) for a determination of probable cause and an order directing the issuance of a summons or warrant for the arrest of the defendant, and

(X) fixing the bail of the defendant in the amount of $1,000,000, cash or approved surety bond; **additional conditions include no use or possession of alcohol; wear a transdermal alcohol sensing device (e.g. SCRAM bracelet) to monitor compliance, basic CCAP, and no driving any motor vehicle. The no contact order issued at the time of first appearance remains in effect until arraignment.**

( ) directing the issuance of a summons; **additional conditions include no use or possession of alcohol; wear a transdermal alcohol sensing device (e.g. SCRAM bracelet) to monitor compliance, basic CCAP, and no driving any motor vehicle. The no contact order issued at the time of first appearance remains in effect until arraignment.**

In connection with this motion, the plaintiff offers the following incorporated materials: The Washington State Patrol certification or affidavit for determination of probable cause; the Washington State Patrol suspect identification data; and the prosecutor's summary in support of order directing issuance of summons or order fixing bail and/or conditions of release.

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516 Third Avenue
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If the defendant is not in custody, the plaintiff has attempted to ascertain the defendant's current address by searching the District Court Information System database, the driver's license and identicard database maintained by the Department of Licensing, and the database maintained by the Department of Corrections listing persons incarcerated and under supervision.

DANIEL T. SATTERBERG
Prosecuting Attorney

By: _____
Amy J. Freedheim, WSBA #19897
Senior Deputy Prosecuting Attorney

FINDING OF PROBABLE CAUSE AND ORDER FOR ARREST WARRANT

The court finds that probable cause exists to believe that the above-named defendant committed an offense or offenses charged in the information herein based upon the police agency certification/affidavit of probable cause incorporated and pursuant to CrR 2.2(a).

IT IS ORDERED that the Clerk of this Court issue a summons or warrant of arrest for the above-named defendant; and

IT IS FURTHER ORDERED that

(X) the bail of the defendant be fixed in the amount of $1,000,000, cash or approved surety bond. **The no contact order issued at the time of first appearance remains in effect until arraignment.**

( ) directing the issuance of a summons; if the defendant is incarcerated on the investigation charge herein the defendant shall be released from custody; **additional conditions include no use or possession of alcohol; wear a transdermal alcohol sensing device (e.g. SCRAM bracelet) to monitor compliance, basic CCAP, and no driving any motor vehicle. The no contact order issued at the time of first appearance remains in effect until arraignment.**

( ) Additional Conditions: _____
_____
_____
_____
_____

IT IS FURTHER ORDERED that the defendant be advised of the amount of bail fixed by the court and/or conditions of his or her release, and of his or her right to request a bail reduction. Service of the warrant by telegraph or teletype is authorized.

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SIGNED this _____ day of April, 2013.

Judicial Signature Page Attached

Presented by:

Amy J. Freedheim, WSBA #19897
Senior Deputy Prosecuting Attorney

Daniel T. Satterberg, Prosecuting Attorney
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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON, Plaintiff,	)	
v.	)	No. 13-1-10201-0 SEA
MICHAEL ANTHONY ROBERTSON,	)	INFORMATION
Defendant.	)	

I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse MICHAEL ANTHONY ROBERTSON of the crime of **Vehicular Homicide**, committed as follows:

That the defendant MICHAEL ANTHONY ROBERTSON in King County, Washington, on or about April 4, 2013, did drive a motor vehicle which proximately caused injury to Morgan F. Williams, a person who died within three years on or about April 4, 2013, as a proximate result of the injury; and that at said time the defendant was operating the vehicle while under the influence of intoxicating liquor, or any drug as defined in RCW 46.61.502, and in a reckless manner;

Contrary to RCW 46.61.520(1)(a), (b), and against the peace and dignity of the State of Washington.

DANIEL T. SATTERBERG
Prosecuting Attorney

By: _____
Amy J. Freedheim, WSBA #19897
Senior Deputy Prosecuting Attorney

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CAUSE NO. 13-1-10201-0 SEA

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

The State incorporates the Certification for Determination of Probable Cause signed by Washington State Patrol Detective Jeff Maijala in incident # 13-4388.

On Thursday Morning, April 4, 2013, the defendant, 25yO Michael Anthony Robertson, was driving home after drinking alcohol with friends in Seattle. He entered the 520 bridge from Seattle to drive eastbound toward Bellevue, but U-turned and began accelerating the wrong-way back toward Seattle.

58yO Morgan F. Williams was on her way to work that morning, driving toward her eastside job on the 520 bridge. She had no expectation that a car would be driving towards her as she approached a right curve. The defendant came around the corner and slammed into her car with a closing speed of approximately 100mph under the Montlake Street overpass. Both cars slid westbound and came to rest just west of the overpass.

Ms. Williams was trapped in her vehicle with catastrophic leg and pelvic injuries. The steering wheel was pushed to her neck, the dash against her body. She was extricated by the first responders and rushed to Harborview Medical Center, but her injuries were devastating and she died that morning.

The defendant was trapped in his car with an apparent broken ankle. He kept trying to exit the car and "go home." He showed several signs of alcohol impairment. An open, nearly empty bottle of whiskey was in his front seat. He admitted to the police that he was a lightweight, admitted he drank alcohol, and indicated that he felt impaired, but said he must have been drugged. A legal blood draw was done within two hours of the crash and the results are pending with the Washington State Toxicology Laboratory. They are expected to show his blood alcohol content was significantly above the per se limit of .08g/100mL.

REQUEST FOR BAIL

The State requests bail in the amount of $1,000,000. Additional conditions include no use or possession of alcohol; wear a transdermal alcohol sensing device (e.g. SCRAM bracelet) to monitor compliance, basic CCAP, and no driving any motor vehicle.

The defendant was arrested 12/15/12 in Tacoma and charged with **driving under the influence** (DUI). He set a trial date for 4/23/13 and was released pending trial on several

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conditions including that he not drive after consuming alcohol and not consume any alcohol. He failed to follow both of those Court Orders. Additionally, the defendant has five **speeding** citations (11/3/2011, 9/2/2011, 7/25/2011, 1/30/2009, & 5/28/2009). The defendant is a grave danger to the community who repeatedly drives without regard for others safety and cannot follow Court Orders.

Signed this 5th day of April, 2013.

Amy J. Freedheim, WSBA #19897

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13-1-10201-0 SEA

CAUSE NO.

CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE

That I, Detective J. S. Maijala, with the Washington State Patrol, have reviewed the investigation conducted in the Washington State Patrol case number **13-004388**;

There is probable cause to believe that **Michael Anthony Robertson** committed the crime(s) of **Vehicular Homicide,** ***RCW 46.61.520.***
This belief is predicated on the following facts and circumstances:

In King County, in the city of Seattle, on April 4, 2013 at about 5:23 am, Michael Anthony Robertson was driving his green 1996 Ford Explorer on eastbound State Route 520. Witnesses reported that Robertson was on the ramp from Montlake Boulevard to eastbound State Route 520 when he made a U-turn onto the eastbound lanes of State Route 520 and began traveling wrong way in the inside lane of travel. Shortly after making the U-turn and driving wrong way, Robertson struck an eastbound Mazda Protégé head-on. The Mazda was driven by Morgan Williams. The vehicles collided in the inside lane, rotated and came to rest in the outside lane. Morgan Williams died as a result of the injuries in the collision.

The collision occurred just west of the Montlake Boulevard overpass on eastbound State Route 520. The roadway construction consists of a concrete surface. Two lanes of travel are present for general purpose travel. The left side is separated from the westbound lanes by a concrete barrier. A solid yellow fogline separates a six inch shoulder from the left lane. The two lanes of travel are separated by raised reflective lane markers. The lanes of travel were in good condition. The right lane is separated from a shoulder by a solid white reflective fogline. There is a DOT Metro bus lane that separates from the right lane and runs to a bus stop under the Montlake overpass. The bus stop is divided from the eastbound lanes by a solid concrete support wall for the overpass. East of the overpass, the right lane is bordered by a concrete curb that supports a dirt divider filled with hedge bushes. The collision occurred during the hours of darkness, the posted speed limit is 50 miles per hour and the roadway was dry.

Examining the damage to the vehicles, the Ford and the Mazda collided very near to head on. There was major intrusion into the driver's floorboard area of both vehicles, with buckling damage which accounts for the significant injuries sustained by both parties.

Witness Romano was traveling westbound on State Route 520 approaching Montlake when he and his wife observed a dark colored SUV making a U-turn in the eastbound lanes. Romano described the turn as being made in one motion, not a 3 point style turn, with the SUV ending up in the inside lane and accelerating. As Romano passed under the Montlake overpass, he observed headlights approaching eastbound in the inside lane then observed a collision in his side mirror between the eastbound car and the SUV he had seen make the U-turn.

Two pedestrians that were atop the Montlake overpass heard the collision below them and responded to render aid. Both went to the Mazda and attempted to stabilize Williams until aid

arrived. Both of these witnesses observed a male who identified himself as an ex-firefighter tending to the driver of the SUV (Robertson).

Trooper Pena-Sanchez and other investigators arrived at the scene. Trooper Pena-Sanchez was told by aid crews that Williams had multiple fractures to her legs/pelvis and was in critical condition. He contacted Robertson who was being treated and noted an odor of intoxicants on his breath, that he had bloodshot, watery eyes, and thick, slurred speech. Investigators observed a nearly empty bottle of Fireball cinnamon whisky on the right front passenger's seat of Robertson's Ford Explorer. Robertson admitted drinking alcohol to Trooper Pena-Sancez.

As Robertson was being placed on a backboard by aid crews, Trooper Pena-Sanchez asked him about the Fireball in the vehicle, to which Robertson did not want to answer. When asked about his drinking alcohol the previous night, he did not answer. Recognizing the signs of impairment and based on the injuries sustained by Williams, Trooper Pena-Sanchez placed Robertson in custody for vehicular assault. Robertson was read his Constitutional Rights which he acknowledged that he understood.

Both Williams and Robertson were transported from the scene by separate aid cars and taken to Harborview Medical Center for treatment. Trooper Kelly contacted Harborview Medical Center and spoke with Trooper Pena-Sanchez on the phone. Trooper Kelly was informed of the probable cause for vehicular assault on Robertson by Trooper Pena-Sanchez. When speaking with Robertson Trooper Kelly immediately noticed the odor of intoxicants coming from his breath. Trooper Kelly read Robertson his Constitutional Rights which Robertson stated he understood. Trooper Kelly read Robertson the special evidence warnings for blood, vehicular assault, and his blood was drawn at 6:43 am by qualified staff at Harborview.

Trooper Kelly asked Robertson where he was coming from to which he answered "a club in Seattle and I was trying to go to Tacoma." Robertson claimed to be following google maps and didn't remember how he entered the highway wrong way and that he was "unfamiliar with the area." Robertson made the unsolicited statement "I have a low tolerance for alcohol that's why I didn't have much." He further claimed that he had "two drinks, I think I was drugged."

At about 10:45 am, Harborview Medical Center staff indicated that Williams had died as a result of her injuries.

Michael Anthony Robertson chose to drive his vehicle after knowingly being impaired. Robertson self admitted that he had a low tolerance for alcohol. He claimed he didn't recall making the U-turn that witnesses observed him making, which led to him traveling wrong way on State Route 520 and colliding head on with Morgan Williams, killing her.

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct. Signed and dated by me this Fifth day of April 2013, in King County, Washington.

Detective J.S. Majala	510	Washington State Patrol	Bellevue, WA/King County
Title/Full Name & Signature	*Badge #*	*Agency*	*Place Signed*

AGENCY:		CASE NUMBER	FILE NUMBER	PCN NUMBER	
Washington State Patrol	WAWSP0000	13-004388			**SUPERFORM**

ARREST INFORMATION

TIME OF VIOLATION	CRIMINAL TRAFFIC CITATION ATTACHED?	ACCOMPLICES
../2013 5:23 AM	☐ YES ☐ NO	
DATE OF ARREST/TIME	**ARREST LOCATION**	
4/4/2013 5:23 AM	, I EB SR520 at Montlake	

SUSPECT INFORMATION

NAME (LAST, FIRST, MIDDLE/JR, SR, 1st, 2nd)	DOB	ALIAS, NICKNAMES
Robertson, Michael Anthony	2/14/1988	

ARMED/DANGEROUS	IDENTITY IN DOUBT?	CITIZENSHIP
☐ YES ☒ NO	☐ YES ☒ NO	US

PHYSICAL DETAILS

SEX	HEIGHT	WEIGHT	SKIN TONE	RACE	EYE	HAIR	SCARS, MARKS, TATTOOS, DEFORMITIES
M	509	165		W	HAZ	BRO	

IDENTIFICATION DETAILS

CCN	PRIOR BA #	AFIS #	FBI #	STATE ID #	STATE	SSN
	0			[redacted]	WA	

RESIDENCE	EMPLOYMENT / SCHOOL
LAST KNOWN ADDRESS	**EMPLOYER, SCHOOL (ADDRESS, SHOP/UNION NUMBER**
3202 S Mason AV UNIT: L105 Tacoma, WA 98409-8506	
RESIDENCE PHONE	**BUSINESS PHONE** / **OCCUPATION**

EMERGENCY CONTACT

PERSON TO BE CONTACTED IN CASE OF EMERGENCY	RELATIONSHIP	Address	PHONE

CHARGE INFORMATION

OFFENSE	RCW / ORD#	COURT / CAUSE #	CITATION #
☐ DV ☐ FUGITIVE I - VEHIC HOMICIDE INV	0909	/	
☐ DV ☐ FUGITIVE	RCW / ORD#	COURT / CAUSE #	CITATION #

WARRANT / OTHER

WARRANT DATE	WARRANT NUMBER	OFFENSE	AMOUNT OF BAIL	WARRANT TYPE

ORIGINATING POLICE AGENCY	ISSUING AGENCY	WARRANT RELEASED TO: (SERIAL # / UNIT / DATE / TIME)

PROPERTY INFORMATION

LIST VALUABLE ITEMS OR PROPERTY LEFT FOR ARRESTEE AT JAIL

LIST VALUABLE ITEMS OR PROPERTY ENTERED INTO EVIDENCE (SIMPLE DESCRIPTION, IDENTIFYING MARKS, SERIAL #)

LIST ITEMS ENTERED INTO SAFEKEEPING

TOTAL CASH OF ARRESTEE	WAS CASH TAKEN INTO EVIDENCE?	SIGNATURE OF JAIL STAFF RECEIVING ITEMS / SERIAL #
$0.00	☐ YES ☒ NO AMOUNT: $0.00	

OFFICER INFORMATION

ARRESTING OFFICER / SERIAL #	TRANSPORTING OFFICER / SERIAL #	SUPERVISOR SIGNATURE / SERIAL #
Maljala, J. D510		[signature] 2/6

SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #)	CONTACT PERSON FOR ADDITIONAL INFORMATION (NAME/SERIAL#/PHONE)
Maljala, Jeff	Maljala, J. D510 4254017742

COURT FILE

SUPERIOR COURT FILING INFO	☐ IN CUSTODY	☐ AT LARGE	☐ OUT ON BOND	COURT CAUSE (STAMP OR WRITE)
				13-1-10201-0 SEA

COURT/DIST. CT.NO.	DIST. CT. BOND $	SUP. CT. DATE

EXTRADITE

PERSON APPROVING EXTRADITION	SEEKING-LOCAL ONLY WACIC-STATE WIDE ☐	NCIC-WILL EXTRADITE FROM ID & OR ONLY ☐	NCIC-WILL EXTRADITE FROM OR, ID, MT, WY, CA, NV, UT, CO, AZ, NM, HI, AK ☐	NCIC-WILL EXTRADITE FROM FROM ALL 50 STATES ☐

ENTRY			CLEARANCE	
CCH	1912345	DOE	DOC	
WAC		TOE	TOC	
NCIC		OP	OP	

PROBABLE CAUSE INFORMATION

STATEMENT OF PROBABLE CAUSE: NON-VUCSA

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