

FILED

14 FEB 28 PM 12:38

KING COUNTY  
SUPERIOR COURT CLERK  
E-FILED

CASE NUMBER: 14-1-01699-5 KNT

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON,	)	
	)	
	)	Plaintiff,
v.	)	No. 14-1-01699-5 KNT
	)	
BRETT MICHAEL GITCHEL,	)	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 BRETT MICHAEL GITCHEL of the following crime[s]: **Possession Of Stolen Vehicle**, committed as follows:

Count 1 Possession Of Stolen Vehicle

That the defendant BRETT MICHAEL GITCHEL in King County, Washington, on or about December 7, 2013, did knowingly receive, retain, possess, conceal and dispose of a stolen motor vehicle, to-wit: Kia Spectra, knowing that such property had been stolen, and did withhold and appropriate the same to the use of a person other than Wesley Steward, the true owner and person entitled thereto;

Contrary to RCW 9A.56.068 and 9A.56.140, and against the peace and dignity of the State of Washington.

DANIEL T. SATTERBERG  
Prosecuting Attorney

By:



Alice A. Degen, WSBA #29091  
Deputy Prosecuting Attorney - Senior  
Specialist

1  
2 CAUSE NO. 14-1-01699-5 KNT

3  
4 PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR  
5 CONDITIONS OF RELEASE

6 The State incorporates by reference the Certification for Determination of Probable  
7 Cause prepared by Officer Adam Howell of the Federal Way Police Department for case number  
8 13-15465.

9  
10 REQUEST FOR BAIL

11 Pursuant to CrR 2.2(b), the State requests that a summons be issued for Gitchel's  
12 attendance in court.

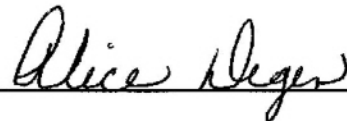
13 There has been no preliminary appearance by Brett M. Gitchel in this case.

14 Gitchel has non-felony convictions for DWLS 2 (1998), Making False Statement to a  
15 Public Servant (1999), DUI (1997), DWLS 3 (1997, 1994), DV Assault 4 (2 counts 1997, 1993),  
16 Minor in Possession and Supplying Liquor/Premises to minor (1996), Theft 3 (2 counts 1993),  
17 Malicious Mischief 3 (1993).

18 Gitchel has felony convictions for VUCSA (1998), Theft 2 (2 counts 1993), Vehicle  
19 Prowl 1 (1992).

20 Initial negotiator: CTI

21 Signed and dated by me this \_\_\_ day of February, 2014.

22  
23 

24 Alice A. Degen, WSBA #29091  
Deputy Prosecuting Attorney - Senior  
Specialist

## CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE:

That A. Howell is a Detective with the Federal Way Police Department and has reviewed the investigation conducted in Federal Way Police Department Case Number 13-15465; There is probable cause to believe that Brett M. Gitchel, [REDACTED] Ave S. Federal Way, WA. 98003 committed the crimes of Possession of a Stolen Motor Vehicle 9A.56.068 on 12/7/13 @ 0300 Hrs at 34520 16th Ave S., Federal Way, King County, Washington.

This belief is predicated on the following facts and circumstances:

On 12/6/13, Wesley Steward contacted the Renton Police Department to report the overnight theft of his 2003 Kia Spectra (VIN ending in 5299) from his residence, located at 330 Vermont PL. NE (RPD Case # 13-13137). Steward indicated that he had not given anyone permission to take, use, or possess the vehicle and furnished consent for the vehicle to be searched upon its eventual recovery by law enforcement.

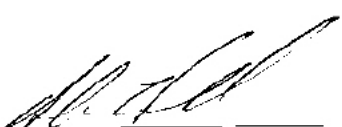
On 12/7/13, Federal Way Police Officer S. Gotcher was on uniformed patrol within the City of Federal Way, King County, Washington. At approximately 0300 Hrs, He was driving through the Walmart parking lot, located at 34520 16<sup>th</sup> Ave S., when he observed Steward's vehicle in the parking lot with a broken passenger side window covered in plastic sheeting. When he checked the vehicle's registration, he learned that it had been reported stolen the day prior. He also observed a male subject, later identified as Roy Boswell, sitting in the vehicle's passenger seat.

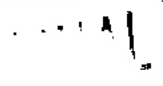
At that time, additional officers arrived on scene and detained Boswell without incident. Post Miranda, Boswell denied having any knowledge that the vehicle was stolen and claimed that he was merely waiting on the vehicle's driver, "Brett", who was inside the store. Boswell went on to say that "Brett", whom he described as a chubby white male, had picked him up somewhere off of 216<sup>th</sup> Street, approximately four hours earlier. Boswell said that he noticed the car's broken passenger side window, but also saw a key in the vehicle's ignition. He also said that he specifically asked "Brett" if the vehicle was stolen and that "Brett" responded by telling him that it was not and jokingly asked if he would get out of the car if it was stolen.

Officers entered the Walmart store where they located Brett Gitchel, noted that he matched the description provided by Boswell, and detained him without incident. Post Miranda, Gitchell admitted to possessing the vehicle and told officers that he had purchased it from an associate, Paul Marsine, for \$200 the night before. Gitchel went on to say that he was staying at an unidentified residence in Renton when Paul approached him, said he needed some money, and mentioned that he had a car to sell. Gitchel said that he noticed the vehicle's broken window and asked Marsine if it was stolen. Marsine reportedly told him it wasn't, gave him the ignition key, and explained that he had obtained it from an individual who owed him money and gave him the car in lieu of payment. Both Boswell and Gitchell were released after providing written statements.

The vehicle's owner, Wesley Steward, later furnished a telephonic statement indicating that he had apparently left a spare ignition key in the vehicle at the time of its theft. When asked, Steward said that he did not know Gitchel and had not given him, or anyone else, permission to take, use, or possess his vehicle. Based on the aforementioned evidence, probable cause exists to believe that Gitchel possessed Steward's stolen vehicle and knew or reasonably should have known that the vehicle was stolen.

*Under the 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 1/16/2014, at Federal Way, Washington.*

  
A. Howell #0108

  
1/16/2014  
Date

1/17

# SUPERFORM

CCN/JCN NUMBER	B/A NUMBER	PCN NUMBER
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AGENCY:  UNINCORPORATED KING COUNTY  
 CITY OF FEDERAL WAY

13-15465  
CASE NUMBER

FILE NUMBER

DATE OF ARREST/TIME		BOOKING DATE/TIME		ARREST LOCATION	
NAME (LAST, FIRST, MIDDLE/JR., SR., 1 <sup>st</sup> , 2 <sup>nd</sup> ) Gitchel, Brett M.				ALIAS, NICKNAMES	
IDENTITY IN DOUBT? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	DOB [REDACTED]	SEX M	RACE W	HGT 5"11"	WGT 190
SCARS, MARKS, TATTOOS, DEFORMITIES		EYES Haz	HAIR Brn	SKIN TONE	
LAST KNOWN ADDRESS [REDACTED] Federal Way, WA. 98003				CITY	STATE
OCCUPATION		EMPLOYER, SCHOOL (ADDRESS, SHOP/UNION NUMBER)		SOCIAL SECURITY NUMBER	
DRIVER'S LICENSE #		STATE	AFIS #	FBI # 52806WA4	STATE ID # WA16066538
VEHICLE LICENSE #	STATE	YEAR	MAKE	MODEL	VEHICLE LOCATION
PERSON TO BE CONTACTED IN CASE OF EMERGENCY			RELATIONSHIP	ADDRESS	CITY

1) OFFENSE <input type="checkbox"/> DV Possession of a Stolen Motor Vehicle	RCW/ORD# 9A.56.068	COURT/CAU#	CITATION #
2) OFFENSE <input type="checkbox"/> DV	RCW/ORD#	COURT/CAU#	CITATION #
3) OFFENSE <input type="checkbox"/> DV	RCW/ORD#	COURT/CAU#	CITATION #
4) OFFENSE <input type="checkbox"/> DV	RCW/ORD#	COURT/CAU#	CITATION #
ANY OTHER ADDITIONAL CHARGES		CRIMINAL TRAFFIC CITATION ATTACHED? YES <input type="checkbox"/> NO <input type="checkbox"/>	ACCOMPLICES

LIST VALUABLE ITEMS OR PROPERTY LEFT FOR ARRESTEE AT JAIL

LIST VALUABLE ITEMS OR PROPERTY ENTERED INTO EVIDENCE  
 YES  NO  IF YES DESCRIBE:  
 (SIMPLE DESCRIPTION, IDENTIFYING MARKS, SERIAL #)

TOTAL CASH OF ARRESTEE \$	WAS CASH TAKEN INTO EVIDENCE? YES <input type="checkbox"/> NO <input type="checkbox"/> AMOUNT: \$	SIGNATURE OF JAIL STAFF RECEIVING ITEMS/SERIAL #
ARRESTING OFFICER/SERIAL #	TRANSPORTING OFFICER/SERIAL #	SUPERVISOR SIGNATURE/SERIAL #
SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #) [Signature] #108		CONTACT PERSON FOR ADDITIONAL INFORMATION (NAME/SERIAL #/PHONE) Detective A. Howell 0108 253-835-6723

**MISDEMEANOR BOOKINGS:** Complete to this line. **FELONY BOOKINGS:** Complete both sides.  
**OBJECTION TO RELEASE (MISDEMEANOR OR FELONY) IS ON REVERSE SIDE.**

COURT FILE WARRANT INFO. / EXTRADITE	SUPERIOR COURT <input type="checkbox"/>	IN CUSTODY <input type="checkbox"/>	COURT CAUSE (STAMP OR WRITE)	
	FILING INFO. <input type="checkbox"/>	AT LARGE <input type="checkbox"/>		
		OUT ON BOND <input type="checkbox"/>		
	COURT/DIST.	DIST. CT.	SUP. CT. DATE	WARRANT NUMBER
CT.NO.	BOND \$			
WARRANT DATE	OFF CODE OFFENSE	AMOUNT OF BAIL \$	FELONY <input type="checkbox"/>	BENCH <input type="checkbox"/>
POLICE AGENCY ISSUING		COURT	WARRANT RELEASED TO: SERIAL	UNIT
PERSON APPROVING EXTRADITION		SEAKING-LOCAL ONLY WACIC-STATE WIDE <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM ID & OR ONLY <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM OR, ID, MT, WY, CA, NV, UT, CO, AZ, NM, HI, AK <input type="checkbox"/>
CCN# 1713661	DOE _____	C L E A R A N C E		DOC _____
WAC# _____	TOE _____			TOC _____
NIC# _____	OP# _____			OP# _____

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