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FILED
KING COUNTY, WASHINGTON

MAY 27 2014

SUPERIOR COURT CLERK

STATE OF WASHINGTON
KING COUNTY SUPERIOR COURT

STATE OF WASHINGTON,

Plaintiff,

v.

TIMOTHY DARRELL FULTZ,

Defendant.

NO. 14-1-02670-2-SEA

AFFIDAVIT FOR DETERMINATION
OF PROBABLE CAUSE

Lisa R. Gilman, being first duly sworn upon oath deposes and states:

Timothy Darrell Fultz, a Department of Social and Health Services (DSHS) employee since 2004, in the State of Washington utilized his clearance and access to confidential databases granted through his employment with DSHS to steal **\$156,580.90**, from numerous victims and the Department of Revenue (DOR). These victims included, but are not limited to, the elderly, the disabled and an organization called Hospice Friends, a not for profit organization that provides support and comfort to the dying and their families. Fultz created false documents, forged documents and stole identities in order to steal this money.

I am an investigator with the Criminal Justice Division of the Attorney General's Office (AGO-CRJ) for the State of Washington. I am familiar with the investigation of Timothy D. Fultz, resident of Renton, Washington and former employee of the Department of Social and Health Services (DSHS) in Olympia, Washington. This investigation was

1 conducted by the AGO-CRJ in Seattle, in conjunction with the Washington State Patrol
2 (WSP), State of Washington Department of Revenue (DOR) and DSHS.

3 The Honorable Daniel T. Satterberg, King County Prosecuting Attorney and the
4 Honorable Jon Tunheim, Thurston County Prosecuting Attorney, granted the Washington State
5 Office of Attorney General concurrent authority to investigate this case and conduct any
6 prosecution arising from said investigation.

7 I have been employed as an investigator with the AGO-CRJ since September 1, 2013.
8 Before joining the AGO-CRJ, I was employed for twenty years with the Department of Social
9 and Health Services as an investigator for the Office of Fraud and Accountability, Adult
10 Protective Services and Child Protective Services. During my work as an investigator, I have
11 been responsible for investigating welfare fraud, vendor fraud, trafficking, child abuse and the
12 abuse/exploitation of vulnerable adults.

13 As an investigator with the AGO-CRJ, I have as one of my primary responsibilities the
14 investigation of public corruption in which the State of Washington Department of Revenue
15 and other State agencies are the victims. I am familiar with the facts and circumstances
16 contained in this certification, either through personal investigation or through personal
17 discussions with WSP, DOR and/or DSHS personnel who have obtained information in the
18 normal course of their duties.

19 DOR has an "Unclaimed Property Division". This division manages and acts as the
20 custodial trustee of unclaimed property, including but not limited to, money that belongs to
21 individuals or heirs but has not been claimed by them. Once you click on a name, business
22 name or reference number the site will provide details of the claim, such as the last address on
23 file for the claimant of record, the source of the property such as a life insurance agency, health
24 insurance, DSHS or Labor and Industries(LNI) to name a few. If one chooses to pursue a
25 claim on-line then a log-on identity and password are required to set up an account with DOR
26 and submit the claim. Fultz created, in a two year time frame, 38 log-on identities. Fultz

1 accessed the Unclaimed Properties database 680 times to file and check on claims that he had
2 submitted.

3 Based on the investigation that was conducted there is probable cause to believe that
4 Timothy D. Fultz committed the crimes of: Unlawful Possession of a Firearm in the 1st Degree-
5 RCW 9A.41.040(1)(a), Theft in the 1st Degree-RCW 9A.56.030(1)(a), Theft in the 2nd Degree-
6 RCW 9A.56.040(1)(a), Identity Theft-RCW 9.35.020(1), Criminal Impersonation in the 1st
7 Degree- RCW 9A.60.040(1)(a), Computer Trespass in the 1st Degree-RCW 9A.52.110(1)(a)(b)
8 and Money Laundering 9A.83.020 (1)(a)(b).

9 A criminal history check was completed on Fultz. Fultz has a felony Burglary
10 conviction in Lincoln County, Idaho, from 11/16/1992. In addition, Fultz was convicted of
11 Possession of Stolen Property, on 4/10/1989, in King County, the State of Washington.

12 During the time frame of September 2011 through October 2013, Timothy D. Fultz
13 submitted a number of false claims to the "Unclaimed Property Division" of DOR in order to
14 claim money being held by DOR for his own personal gain. Fultz initially made a legitimate
15 claim to DOR "Unclaimed Property Division" in the amount of \$75.39. Fultz filed this claim
16 under his own name, on June 20, 2010. Subsequently, Fultz submitted and received payment
17 for an additional 35 false claims through the "Unclaimed Property Division", totaling
18 \$147,673.62. In addition Fultz submitted a claim through the "Unclaimed Property Division"
19 that was paid through DSHS in the amount of \$8,907.28, bringing the theft total to
20 **\$156,580.90.**

21 Fultz was able to submit the falsified claims utilizing the personal information he
22 obtained on his victims because of his access to certain confidential databases through his
23 employment at DSHS. Fultz was employed as a "Benefit Program Consultant; Social and
24 Health Program Consultant 2". Fultz's duties included assisting individuals in obtaining food
25 assistance benefits when they were involved in job training or educational programs. Fultz had

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1 | been employed with DSHS since June of 2004. Fultz received an annual salary of
2 | approximately \$47,000.00 in the last position he occupied with DSHS.

3 | DSHS employees are given access to multiple sensitive and confidential databases in
4 | order to perform their daily job tasks. Prior to the database access being granted the employee
5 | must sign a confidentiality pledge and an internet access agreement form. The language in
6 | these forms prohibit the employee from using state resources for illegal activities and the
7 | employee must agree to hold the information of DSHS clients in strict confidence. These
8 | agreements are signed annually and outline the ramifications of failing to comply with the
9 | policies and procedures to include: "dismissal from employment or more serious
10 | consequences (e.g. criminal charges)". Fultz reviewed the DSHS policies and signed these
11 | agreements as part of his employment requirements.

12 | On October 21, 2013, an exact image was taken of Fultz's DSHS desktop computer.
13 | This image was analyzed by Sergeant Jesse Regalado with the High Tech Crime Unit (HTCU)
14 | Washington State Patrol (WSP). Sergeant Regalado found evidence that Fultz had accessed
15 | the Department of Health (DOH) Vital Statistics database for the purpose of submitting claims
16 | to DOR Unclaimed Properties. The DOH Vital Statistics database is a secure database that the
17 | public does not have access to. Access to DOH Vital Statistics has to be granted by authority
18 | of DSHS and requires the user to sign a data share agreement, have a unique log on identity
19 | and a secure password. Evidence was found that Fultz searched the name: "Jesse G. Wallace"
20 | on the Unclaimed Property database from his DSHS computer and that he also searched the
21 | DOH Vital Statistics database for "Jesse G. Wallace", this exhibits the method that Fultz
22 | utilized in obtaining the necessary information to submit false claims.

23 | Sergeant Regalado conducted "keyword searches" of the victims' names and found
24 | evidence of two matches relating to claims that Fultz submitted to DOR Unclaimed Properties.
25 | The first match was for Maria Ruiz, whose claim was submitted but denied because Fultz was
26 | unable to provide the supporting documentation which includes a copy of the claimant's

1 identification. The other "keyword search" match was for Mary W. Combs, who had an estate
2 property with DOR in the amount of \$6,231.16. Mary W. Combs's granddaughter, Victoria
3 Wolfson is a victim in this investigation, as she was the rightful heir to this claim. Mary W.
4 Combs's claim was wrongfully paid to Fultz after he submitted documentation of a false and
5 forged Last Will and Testament, where he listed his grandmother, Ludvina Toman, as the niece
6 to Mary W. Combs. Fultz also obtained a certified copy of Mary W. Combs's death certificate
7 to complete the claim.

8 Sergeant Regalado further found evidence of a Last Will and Testament document on
9 Fultz's DSHS computer that appeared to be in a state of being altered and contained
10 information relating to Mary W. Combs. Fultz had emailed this document from his DSHS
11 computer to his personal email address.

12 In a post Miranda interview Fultz admitted to taking steps to minimize the computer
13 evidence of his wrong doing such as sending items to his "computer trash bin" and then
14 deleting the items from the trash bin. Sergeant Regalado explained to this investigator that the
15 amount of information stored on the hard drive and at what point it will be overwritten is
16 subject to various factors that include the size of the hard drive and how the computer is set-up
17 to store, manage and delete data.

18 On November 4, 2013 a search warrant was served on Timothy D. Fultz's workplace,
19 residence and vehicle. On this same date, following being read his Constitutional Rights, Fultz
20 consented to a recorded interview with WSP and the AGO. Fultz confessed during this
21 interview to making the false claims and that he did so to support a gambling habit that he
22 described as being out of control. Fultz admitted to utilizing secure databases that he had
23 access to, due to his employment at DSHS, in order to gain the personal information necessary
24 to submit the false claims.

25 Approximately, ten minutes into the interview, after being shown a spread sheet of the
26 claims falsely filed, Fultz admitted that he had "fucked up" and "gambled everything away".

1 Fultz stated during the interview that he initially checked the DOR website:
2 Claim.Your.Cash.org to see if he had any money to claim. According to Fultz he found one
3 unclaimed property in his name and one in his grandmother's and submitted claims for both of
4 them. Following the initial submission, Fultz began to file false claims for persons unrelated to
5 him, for purposes of supporting his gambling habit.

6 Fultz would identify a claim after searching the Claim.Your.Cash.org website and then
7 utilize the different databases that he had access to in order to complete the claim information.
8 Fultz initially used "Barcode" and "Aces On-line", both DSHS specific confidential databases,
9 to find pertinent information such as names, social security numbers, birth dates, limited
10 English speaking profiles and information on victim relatives. Fultz would obtain names,
11 birthdates, death, marriage and divorce information through the DOH Vital Statistics database.
12 Fultz also utilized "SEMS", a database managed by the Division of Child Support to find child
13 support case information, but later learned he did not need a case number to submit claims on
14 these types of property.

15 Fultz claimed that the primary source he used in order to file claims was the secured
16 and confidential DOH Vital Statistics database which Fultz only had access to due to
17 permissions given by his employer, DSHS. Fultz used this database to primarily look up death
18 certificates. By looking up the death certificates Fultz was able to ascertain the date of death
19 and identify claims that family member and/or heirs had not yet claimed.

20 Fultz was asked why there seemed to be so many Hispanic names that he had submitted
21 claims on. Fultz admitted that he would look to see if an individual was limited English
22 Speaking in "Barcode" or "Aces Online" and submitted these claims thinking that these
23 individuals wouldn't be able to navigate the DOR system and file claims themselves. Fultz
24 stated during his interview that after utilizing the Unclaimed Property database for a period of
25 time he realized one could search for estate claims. The estate claims were easy to search as
26 one needs only to put "estate of" in the search field and all estate claims will be pulled up

1 | alphabetically. These claims tended to have higher dollar amounts compared to the DSHS
2 | claims and/or the Labor and Industries (LNI) claims.

3 | Fultz claimed that he had no accomplices and that he acted alone in falsely filing the
4 | claims with DOR. Fultz admitted to using his aunt, his great aunt and his grandmother's
5 | names and information in the documents and claims he filed. Fultz claimed that none of them
6 | were aware of his actions and that he forged their signatures on the checks and documents.
7 | Fultz stated that he would go to the "Google" search engine online and learn how to hold his
8 | pen a different way, put a little shake in his hand while writing and change up the size of the
9 | writing from big to small to vary the signatures and give them a more authentic look. Fultz
10 | also admitted that he would utilize the "Google" search engine online to pull up wills and
11 | power of attorney documents and then substitute the different parties' names in the documents.
12 | Fultz would then forge the signatures of the parties listed in the documents. Fultz explained
13 | that in order to get a notary seal on a document he would go online and find a document that
14 | had been recorded with the County and had a notary seal on it, "grab the seal and paste it onto
15 | his document".

16 | Fultz claimed that for check delivery he would primarily utilize his PO Box addresses
17 | but that, on occasion, he had a check delivered to his 90 year old neighbor's address, Ida
18 | Quakenbush. Fultz claimed that he brought Ida Quakenbush's mail to her home on a regular
19 | basis and was able to intercept the DOR checks that were delivered.

20 | Fultz would sign the checks and deposit them into one of his bank accounts. If the
21 | check was made out to him he would sign his own name and if it was made out to one of his
22 | relatives or someone he claimed to be POA for, he would forge their signature and deposit the
23 | check into a joint account that he was listed on. Fultz shares accounts with his grandmother,
24 | great aunt and aunt, because of this it was not an issue for him to deposit the checks on their
25 | behalf and then withdraw the funds at a later date for his personal use.

26 | ////

1 At the onset of Fultz's interview he was asked the last time he accessed the Unclaimed
2 Properties website. Fultz said that it had been a year ago. Toward the end of the interview
3 Fultz was again asked when he last accessed the website, Fultz claimed it was two months ago.
4 At the conclusion of Fultz's interview, Fultz claimed that all he wanted to do was gamble and
5 that he had been thinking (throughout the interview) that he had a few dollars and could stop
6 by the casino after this (interview).

7 A check of the DOR Unclaimed Property database showed that on November 4, 2013
8 at approximately 4:23PM, following the conclusion of the search warrants and after Fultz had
9 left the DSHS office where he was interviewed, that he logged onto one of his pre-established
10 accounts with DOR Unclaimed Properties in order to check the status of the last claim he
11 submitted weeks prior.

12 The search warrant that was served on Fultz's residence produced hundreds of pages of
13 documents related to the false claims filed by Fultz. These documents included falsified and
14 forged last will and testaments, falsified and forged power of attorney documents, certified
15 copies of the death certificates for the individuals that Fultz filed false estate claims on,
16 falsified and forged Affidavits of Successor forms and pages showing where someone had
17 practiced writing different signatures over and over.

18 In addition to the paperwork taken into evidence, a .22 semi-automatic caliber rifle was
19 taken into evidence, due to Fultz being a convicted felon. The rifle was test fired and found to
20 function as a firearm. During Fultz's interview he acknowledged that he had a .22 caliber rifle
21 in the home and that as a convicted felon he should not have one in his possession. Fultz
22 claimed that the rifle belonged to his teenage son but that it was kept in Fultz's bedroom for
23 safekeeping.

24 The bank records that were obtained from the search warrant revealed that Timothy D.
25 Fultz shares three accounts through JP Morgan Chase with his grandmother, Ludvina Toman,
26 his great aunt, Lorraine Smith and his aunt, Theresa "Terri" Toman. Fultz is listed as a POA

1 for Ludvina Toman on these accounts. In addition, Fultz maintains two accounts through US
 2 Bank in his name alone. Check deposits and subsequent withdrawals prove that Fultz would
 3 deposit the checks received from DOR, in either his sole account or one of those he shared
 4 with his relatives and then over a period of time withdraw the funds from the accounts for his
 5 personal use. The bank statements obtained show many ATM withdrawals each month and
 6 many of these withdrawals occurred at casinos near Fultz's home.

7 The table below summarizes a partial list of victim's and claims that were wrongfully
 8 paid to Fultz due to the crimes he committed. The victims listed represent 78% of the total
 9 amount stolen from DOR by Fultz:

<u>Claim submitted</u>	<u>Date Claim Paid</u>	<u>Rightful Claimant</u>	<u>Claim Type</u>	<u>Amount of Claim</u>
11 11/29/2011	12/02/2011	Tess Taylor	LNI	\$12,411.25
12 12/09/2011	12/14/2011	Tess Taylor	LNI	\$670.54
13 12/27/2011	12/29/2011	Karen M. Perez	Child Support	\$5,156.06
14 03/29/2013	04/17/2013	Victoria Combs Wolfson	Estate	\$6,231.16
15 09/20/2012	09/20/2012	Douglas & Michael Byrd	Estate	\$27,291.25
16 09/20/2012	09/20/2012	Douglas & Michael Byrd	Estate	\$30,732.18
17 12/17/2012	12/20/2012	Douglas & Michael Byrd	Estate	\$7,017.75
18 12/12/2012	12/14/2012	Mary Monica Lesh et al	Estate	\$4,488.28
19 01/14/2013	01/18/2013	Delores Pitalo & Richard May Sr.	Estate	\$5,125.32
20 02/04/2013	03/04/2013	Bruce & Brett Thompson	Estate	\$7,282.76
21 03/19/2013	03/26/2013	Huynh Thi Hong	Estate	\$7,570.76
22 05/12/2013	05/13/2013	Hospice Friends	Estate	\$4,419.07
23 08/19/2013	09/05/2013	Mary "June" Hawkins	Estate	\$4,076.42
24 Total:				\$122,472.90

1 An additional victim, Joyce Flores, was owed \$8,907.28 earned as a State/Federal paid
2 caregiver contracted through DSHS. Fultz fraudulently claimed that money from DSHS by
3 pretending to be Ms. Flores.

4 Tess Taylor made an LNI claim due to a work related injury. Ms. Taylor thought the
5 claim had been denied. Ms. Taylor stated that she had no idea that her claims totaling
6 \$13,081.79 had been approved. Ms. Taylor does not know Fultz and never appointed him as
7 her attorney-in-fact, as he claimed. Ms. Taylor is willing to be a witness for the State's case
8 against Fultz.

9 On November 29, 2011 and again on December 9, 2012, Fultz made two false claims to
10 DOR. Fultz falsified a POA document, claiming to be Tess Taylor's brother and attorney-in-
11 fact. Fultz forged Taylor's name as well as two witnesses listed on the document. Bank
12 records indicate that on 12/05/11, Fultz endorsed the check he received as "POA for Tess
13 Taylor" and deposited the \$12,411.25, into two different accounts he held at US Bank;
14 \$9,000.00 was deposited into a money market savings account ending in 3556, \$3,147.23, less
15 \$264.02 cash back was deposited into a checking account ending in 7317. On 12/21/11, Fultz
16 endorsed a second check in the amount of \$670.54, as POA for Tess Taylor and cashed this
17 check utilizing his US Bank account ending in 7317.

18 Karen M. Perez is a single mother who had a DSHS claim that was being held by the
19 Division of Child Support. Ms. Perez had been on DSHS assistance in Washington State that
20 ended in 2003, when she left the area. When DSHS was unable to locate Karen Perez the
21 money owed to her in the amount of \$5,156.06, was sent to the Unclaimed Property Division.
22 Karen Perez had no knowledge that her daughter's father had paid any child support. Ms.
23 Perez does not know Fultz and never granted him authority to act on her behalf. Karen Perez
24 is willing to be a witness for the State's case.

25 When Fultz filed a claim on behalf of Karen Perez, he filed the claim as if he were
26 Ms. Perez and used his PO Box as her mailing address. When the check was received, Fultz

1 endorsed the check by forging Karen Perez's signature and writing "pay to the order of Tim
2 Fultz" and signing his signature as well. On January 9, 2012, Fultz deposited the check in the
3 amount of \$5,156.00, into his US Bank checking account ending in 7317.

4 Victoria Combs Wolfson is a resident of Colorado Springs, CO. Ms. Wolfson is the
5 rightful heir to her grandmother, Mary W. Combs's, estate. Ms. Wolfson does not know Fultz
6 or Ludvina Toman. Victoria Wolfson provided all necessary documentation to prove she was
7 the rightful heir to the estate claim in the amount of \$6,231.16. Victoria Wolfson is willing to
8 be a witness for the State's case.

9 In order to submit the false claim on Mary W. Combs, Fultz falsified a Last Will and
10 Testament where he claimed that Ludvina Toman, Fultz's grandmother, was the niece to Mary
11 W. Combs and that she was "like a daughter" to Ms. Combs. Fultz forged Mary W. Combs's
12 signature as well as a witness's signature, which is not readable. Fultz then ordered a certified
13 copy of Combs's death certificate to complete the claim. Bank records show that on
14 April 19, 2013, Fultz endorsed and deposited a check in the amount of \$6,231.16, less
15 \$1439.00 cash back into the joint account he held with Ludvina Toman, at JP Morgan Chase
16 bank, ending in 7779.

17 Douglas and Michael Byrd are both residents of Texas. They lost their mother,
18 Jacqueline Byrd, after a long battle with breast cancer, on June 6, 2002. They were unaware
19 that there was a remaining estate totaling \$65,041.18. They provided all requested
20 documentation along with notarized statements explaining that they did not know or have any
21 previous knowledge of Fultz nor of Ludvina Toman. Former notary public Thomas K. Hanson
22 reviewed the false will and confirmed that he did not notarize the document. Douglas Byrd,
23 Michael Byrd and former notary Thomas K. Hanson are all willing to be witnesses for the
24 State's case.

25 In order to make this claim, Fultz falsified a Last Will and Testament, claiming that
26 Jacqueline Byrd named Ludvina Toman as her sole heir and stated in the will that, "you were

1 my mother's best friend and were like a mother to me after she died". Fultz forged Jacqueline
2 Byrd's signature on this document as well as the signatures of two witnesses: Robert
3 Quakenbush and Peter Phillips. Fultz affixed the notary seal and forged the signature of
4 Thomas K. Hanson to the false will. Fultz ordered a certified copy of the death certificate in
5 order to complete the claim. Banks records show that on September 24, 2012, Fultz deposited
6 two of Byrd's estate checks, totaling \$58,023.43, into a JP Morgan Chase joint account that he
7 shared with Ludvina Toman, ending in 7779. Fultz later deposited a third check on December
8 24, 2012, in the amount of \$7,017.75, less \$1,000.00 cash back.

9 Mary "Monica" Lesh and her eight siblings were unaware that there were unclaimed
10 estate funds for their mother, Helen McNerney. Monica Lesh has provided a written
11 statement, witnessed by this investigator, as well as her spouse, James Lesh. Ms. Lesh
12 provided a true and accurate copy of her late mother's will as proof that she and her siblings
13 are the rightful heirs to Helen McNerney's estate. Ms. Lesh informed this investigator during a
14 face to face interview; on January 17, 2014, that she does not know Fultz or Terri Toman,
15 whose name the false claim was filed under. Notary public David L. Moe confirmed that he
16 did not provide notary service on McNerney's false will. Monica Lesh and notary David L.
17 Moe are willing to be witnesses for the State's case.

18 When Fultz filed a false claim on Helen McNerney's estate he falsified a Last Will and
19 Testament. In the will Fultz claimed Helen McNerney had only one natural child and one
20 adopted child, instead of the nine adult children she actually had. The will split the assets
21 between Terri Bernice Toman (Fultz's aunt) and Monica Lesh. Fultz forged Helen
22 McNerney's signature on the false will. Fultz transferred a notary seal to the will and forged
23 the signature of notary public David L. Moe to the false will. Fultz received the check made
24 out to Terri Toman and forged her signature on the check and wrote "pay to the order of Tim
25 Fultz" and then signed his signature as well. Bank records show that on December 18, 2012,

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1 Fultz deposited the check in the amount of \$4,488.28, less \$900.00 cash back to his joint
2 account with Terri Toman, at JP Morgan Chase, ending in 7779.

3 Delores "Kay" Pitalo and Richard Lee May Sr. lost their son in a motorcycle accident,
4 on February 10, 2001. Kay Pitalo and Richard May Sr. were unaware that there was a claim in
5 the amount of \$5,125.32, owed to them. Both Kay Pitalo and Richard May Sr. are in poor
6 health and have financial constraints. Ms. Pitalo recently suffered a stroke and Mr. May Sr.
7 resides in a skilled nursing facility due to renal failure. Neither Kay Pitalo nor Richard May
8 Sr. had previous knowledge of Fultz and have provided written statements to this effect.
9 Thomas K. Hanson confirmed that he did not notarize the false will. Kay Pitalo, Richard May
10 Sr. and former notary; Thomas K. Hanson are willing to be witnesses for the State's case.

11 In order to submit Richard May Jr's false claim, Fultz made up a Last Will and
12 Testament where he forged Richard May Jr's signature and claimed that he was Richard May's
13 boyfriend and that Richard May Jr. was "able to live and find love through him". Fultz affixed
14 the notary seal of Thomas K. Hanson and forged Mr. Hanson's signature. This was the same
15 notary seal affixed to Jacqueline Byrd's falsified will. Fultz ordered a certified death
16 certificate to complete the claim. Bank records show that on January 23, 2013, Fultz endorsed
17 the \$5,125.32 check, less \$1,500.00 cash back, with his signature and deposited the check into
18 his sole account at US Bank, ending in 7317.

19 Bret and Bruce Thompson are brothers who lost their mother, Bette Thompson, on May
20 1, 2005, they were unaware that there was a claim that they were entitled to in the amount of
21 \$7,282.76. Both Bret and Bruce provided written statements and a copy of their mother's Last
22 Will and Testament that showed they were the rightful heirs to this claim. Neither has any
23 knowledge of Fultz or Lorraine Smith, whose name the claim was filed under. Notaries Steven
24 Daniel Henderson and Jodie M. Stewart confirmed that they did not notarize the false
25 documents. Bret Thompson, Bruce Thompson, Steven Daniel Henderson and Jodie M. Stewart
26 are willing to be witnesses for the State's case.

1 In order for Fultz to falsely claim Bette Thompson's estate he falsified a Last Will and
2 Testament. In the will he named his great aunt, Lorraine Smith, as the executor and sole heir
3 to the estate. Fultz forged Bette Thompson's signature on the will, two witness signatures, one
4 of which was Bette Thompson's son, Bruce Thompson and notary public Jodie M. Stewart's
5 signature. Fultz also submitted a false Affidavit of Successor form, forging Lorraine Smith's
6 signature, again, as well as notary public Steve Daniel Henderson's signature. Fultz cut and
7 pasted a copy of the notary seal to the document. Fultz then ordered a certified death certificate
8 to complete the claim. When Fultz received the \$7,282.76 check for Bette Thompson's estate,
9 he forged Lorraine Smith's signature and signed his own with an AiF (attorney-in-fact) after
10 his signature. Bank records prove on March 6, 2013, Fultz deposited the check into the joint
11 account Fultz has with Lorraine Smith, at JP Morgan Chase, ending in 7779.

12 Huynh Thi Hong is a limited English speaking Vietnamese woman, who lost her spouse
13 on June 18, 2005. Ms. Hong knew that her husband had purchased stocks and bonds but due to
14 her limited English had no idea how to access or redeem them. Ms. Hong provided a copy of
15 the Last Will and Testament that showed her to be the rightful heir to the \$7,570.76, which was
16 illegally claimed by Fultz. Ms. Hong provided a statement written in Vietnamese and
17 translated by a certified interpreter stipulating that she did not know Fultz and is the rightful
18 heir to her late husband's estate. Notary public Richard Harold Dewitt reviewed the false will
19 and confirmed that he did not notarize or sign his signature to the document. Ms. Hong and
20 notary; Richard Harold Dewitt are willing to be witnesses for the State's case.

21 Fultz submitted a false Last Will and Testament for John Kracht, in order to claim the
22 estate rightfully belonging to Hunh Thi Hong. In the will it states that Fultz is the "son to my
23 dead sister" and names Fultz as the executor. It further directs Fultz to assist Hunh Thi Hong
24 in selling off the family assets and helping her return to her homeland". Fultz forged John
25 Kracht's signature on the false will and notary Richard Harold Dewitt's signature to the false
26 document as well as copying and pasting the notary seal to the document. Fultz ordered a

1 certified copy of the Kracht's death certificate to complete the claim. Bank records prove that
2 on March 28, 2013, Fultz endorsed and deposited the check from John Kracht's estate, in the
3 amount of \$7570.76, less \$1500.00 cash back, into his sole US Bank account ending in 7317.

4 "Hospice Friends" is a not for profit agency providing support services to the
5 terminally ill and their families during their time of need. Elmer Seth left to "Hospice Friends"
6 a portion of his estate. Mr. Seth did so because of his late wife's commitment and involvement
7 with Hospice Friends and his strong feelings to provide financial support to such an agency.
8 Andrew Lyons is currently the president of the board of directors for "Hospice Friends".
9 Andrew Lyons provided a statement and a notarized business affidavit regarding "Hospice
10 Friends", being the rightful heir to the \$4,419.17, from Elmer Seth's estate. Mr. Lyons states
11 that he has no knowledge of Fultz and that Fultz has not been known to "Hospice Friends".
12 Andrew Lyons is willing to be a witness for the State's case on behalf of "Hospice Friends".

13 When Fultz falsified the Elmer Seth claim he submitted the claim as if Elmer Seth were
14 still alive. Mr. Seth had passed away on October 10, 2004. Fultz made the claim utilizing
15 Mr. Seth's information and his identification. The claim was filed "in care of Lorraine Smith",
16 Fultz's great aunt, in order to utilize an address that Fultz could access. Fultz forged Lorraine
17 Smith's signature and Elmer Seth's signature on the check. Fultz wrote a fake identification
18 number for Seth on the back of the check that does not match the last Washington State ID,
19 Elmer Seth had on file with Department of Licensing, prior to his death. Bank records show
20 that on May 15, 2013, Fultz deposited the check into the joint bank account he shares with
21 Lorrain Smith at JP Morgan Chase, ending in 7779.

22 Mary "June" Hawkins is an 89 year old woman, who resides in her own home.
23 Ms. Hawkins cared for her mother-in-law, Leah Hawkins, until she passed away, on January
24 19, 1987. Ms. Hawkins subsequently cared for her spouse, James Ellsworth Hawkins, until his
25 death, on June 9, 1995. June Hawkins was not aware there was an estate claim owed to her in
26 the amount of \$4,076.42 from her mother-in-laws estate. Ms. Hawkins lives on a fixed income

1 and was in need of the money she received when the estate claim was rightfully paid to her.
2 June Hawkins does not know Fultz. June Hawkins is willing to be a witness for the State's
3 case.

4 For Leah Hawkins's claim Fultz submitted a false Last Will and Testament, where he
5 claimed he was the great nephew of Leah Hawkins and the sole heir to her estate. Fultz forged
6 Leah Hawkin's signature and that of two witnesses: Edward Denner and Anna May Krup.
7 Fultz ordered a certified copy of the death certificate to complete the claim. Bank records
8 prove that on September 9, 2013, Fultz deposited the check in the amount of \$4,076.42, less
9 \$800.00 cash back, into his sole account at US Bank, ending in 7317.

10 Ms. Joyce Flores is an individual provider/caregiver contracted and paid through
11 DSHS. Her paycheck is paid by State funds that are matched by Federal funds as this is a
12 Medicaid program. Ms. Flores cares for disabled and/or elderly persons who are unable to
13 function independently. Ms. Flores has been a caregiver in some capacity since 1972.
14 Ms. Flores had been going through a rough time refinancing her home a few years back and
15 due to the stress of the refinance and working two jobs to make ends meet she was often
16 getting home late in the evening. During this time Ms. Flores neglected to claim several of her
17 DSHS paychecks. Ms. Flores was under the impression that she only had thirty days to claim
18 and cash the checks. When Ms. Flores realized more than this amount of time had passed she
19 was embarrassed by her oversight and decided not to follow up on the checks. The checks
20 totaled \$8907.28. Ms. Flores is a hardworking, independent woman. Ms. Flores has not
21 authorized any person to be her attorney-in-fact and act on her behalf. Ms. Flores does not
22 know Timothy Fultz. Ms. Flores provided a written statement and is willing to be a witness for
23 the State's case.

24 When Fultz falsified Ms. Flores's claim he utilized her social security number and
25 claimed the funds as if he was Ms. Flores. Fultz had the check mailed to his P.O. Box in
26 Maple Valley, WA. On June 25, 2012, Fultz deposited the check in the amount of \$8,907.28,

1 after endorsing the check with his signature and claiming to be Ms. Flores's POA and
2 depositing an additional check in the amount of \$128.00, into his sole US Bank account,
3 ending in 7317.

4 Fultz has not only victimized persons that had did not know but has also exploited
5 several elderly and disabled family members, who relied on Fultz for assistance. Fultz did so
6 without his family members' knowledge and utilized his position of trust to access their joint
7 bank accounts to launder the DOR checks that he wrongfully received. Fultz would funnel the
8 DOR checks, which he illegally obtained, through these bank accounts and then withdraw or
9 transfer the money to other accounts for his personal use. Fultz criminally impersonated these
10 vulnerable individuals by forging their signatures on checks and other documents that he
11 falsified to include: Last Will and Testaments, Power of Attorney documents and Affidavit of
12 Successor forms to name a few. The family members that Fultz exploited and criminally
13 impersonated were: Ludvina Toman, Fultz's 93 year old grandmother, whom Fultz resides
14 with and acts as her POA and informal caregiver, Lorraine Smith, his 90 year old great aunt
15 whose health is failing and who resides in a nursing facility and Theresa Toman, his 65 year
16 old aunt who is disabled and on social security disability.

17 Timothy D. Fultz was a resident of Renton, King County, Washington, during the time
18 that he was submitting false claims, falsifying documents, forging signatures, criminally
19 impersonating unknowing victims and vulnerable relatives and stealing money from
20 unknowing victims and the DOR from September 2011 through November 4, 2013. Fultz's
21 financial institutions that he utilized to cash the checks from the fraudulent claims were located
22 in King County.

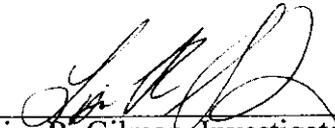
23 Based upon my information and belief, Timothy D. Fultz, was employed in Thurston
24 County, and his primary workstation was in Olympia, in the county of Thurston, State of
25 Washington.

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I certified under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED 27th day of May, 2014.



Lisa R. Gilman, Investigator
Criminal Justice Division

SUPERFORM

CCN/JCN NUMBER

B/A NUMBER

PCN NUMBER

AGENCY: UNINCORPORATED KING COUNTY
 CITY OF

14-1-02670-2
 CASE NUMBER

FILE NUMBER

SUSPECT DATA	DATE OF ARREST/TIME n/a.	BOOKING DATE/TIME n/a.	ARREST LOCATION n/a.						
	NAME (LAST, FIRST, MIDDLE/JR., SR., 1 ST , 2 ND) Fultz, Timothy Darrell			ALIAS, NICKNAMES none known					
	IDENTITY IN DOUBT? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	DOB 12/03/1970	SEX m	RACE w	HGT 5-10	WGT 258	EYES blu	HAIR brown	SKIN TONE fair
	SCARS, MARKS, TATTOOS, DEFORMITIES scar on right knee							ARMED/DANGEROUS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
	LAST KNOWN ADDRESS 22811 196 th Ave., Renton, WA 98058			CITY	STATE	ZIP	RESIDENCE PHONE 425-432-4226	BUSINESS PHONE n/a.	CITIZENSHIP y
	OCCUPATION former program manager		EMPLOYER, SCHOOL (ADDRESS, SHOP/UNION NUMBER) DSHS					NUMBER	
	STATE WA		AFIS #		FBI # 162112KA2		STATE ID # WA14321185		
	VEHICLE LICENSE # B27591V	STATE WA	YEAR 2005	MAKE GMC	MODEL Canyo	VEHICLE LOCATION 22811 196 th Ave., Renton, WA		TOW COMPANY n/a.	
	PERSON TO BE CONTACTED IN CASE OF EMERGENCY n/a.			RELATIONSHIP	ADDRESS		CITY	STATE	PHONE
	OFFENSE DATA	1) OFFENSE <input type="checkbox"/> DV Unlawful Poss. of a Firearm, 1 st deg		RCW/ORD# 9A.040(1)(a)		COURT/CAU#		CITATION #	
	2) OFFENSE <input type="checkbox"/> DV Computer Trespass, 1 st deg		RCW/ORD# 9A.52.110		COURT/CAU#		CITATION #		
	3) OFFENSE <input type="checkbox"/> DV Money Laundering		RCW/ORD# 9A.83.020		COURT/CAU#		CITATION #		
	4) OFFENSE <input type="checkbox"/> DV Theft 1		RCW/ORD# 9A.56.030		COURT/CAU#		CITATION #		
	ANY OTHER ADDITIONAL CHARGES Identity Theft RCW 9.35.020		CRIMINAL TRAFFIC CITATION ATTACHED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		ACCOMPLICES N/A.				
PROPERTY	LIST VALUABLE ITEMS OR PROPERTY LEFT FOR ARRESTEE AT JAIL								
	LIST VALUABLE ITEMS OR PROPERTY ENTERED INTO EVIDENCE YES <input type="checkbox"/> NO <input type="checkbox"/> 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 #				
OFF	ARRESTING OFFICER/SERIAL #		TRANSPORTING OFFICER/SERIAL #		SUPERVISOR SIGNATURE/SERIAL #				
	SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #)				CONTACT PERSON FOR ADDITIONAL INFORMATION (NAME/SERIAL #/PHONE)				
	MISDEMEANOR BOOKINGS: Complete to this line. FELONY BOOKINGS: Complete both sides. OBJECTION TO RELEASE (MISDEMEANOR OR FELONY) IS ON REVERSE SIDE.								
COURT FILE	SUPERIOR COURT <input type="checkbox"/>		IN CUSTODY		COURT CAUSE (STAMP OR WRITE)				
	FILING INFO. <input type="checkbox"/>		AT LARGE						
	<input type="checkbox"/>		OUT ON BOND						
	COURT/DIST.		DIST. CT.		SUP. CT. DATE		WARRANT NUMBER		
	CT. NO.		BOND \$						
WARRANT INFO. / EXTRADITE	WARRANT DATE		OFF CODE OFFENSE		AMOUNT OF BAIL \$		FELONY <input type="checkbox"/> BENCH <input type="checkbox"/>		
							MISD <input type="checkbox"/> ARREST <input type="checkbox"/>		
	POLICE AGENCY ISSUING		COURT		WARRANT RELEASED TO: SERIAL UNIT DATE TIME				
	PERSON APPROVING EXTRADITION		SEAKING-LOCAL ONLY WAC-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# _____		DOE _____		C L E A R A N C E		DOC _____		
	WAC# _____		TOE _____				TOC _____		
	NIC# _____		OP# _____				OP# _____		

SUSPECT NAME: Fultz, Timothy Darrell

CASE NUMBER

STATEMENT OF PROBABLE CAUSE: NON-VUCSA FELONY

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 WEAPON INVOLVED. (DRUG CRIME CERTIFICATE BELOW.)

ON DATE AT TIME, WITHIN THE , COUNTY OF KING, STATE OF WASHINGTON, THE FOLLOWING DID OCCUR:

See Affidavit of Probable Cause signed under penalty of perjury by Lisa Gilman, Senior Investigator with the Attorney General's Office, signed in Seattle, Washington on May 27, 2014.

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

REQUEST 72-HOUR RUSH FILE? YES NO ANTICIPATED FILING DATE

DATE AND PLACE

SIGNATURE/AGENCY

DRUG CRIME CERTIFICATE

Part I: On (DATE) the suspect (SUSPECT'S NAME) DELIVERED POSSESSED WITH INTENT TO DELIVER/MANUFACTURE POSSESSED what the undersigned officer (OFFICER'S NAME) based on training and experience, believes to be (approximate quantity and type of controlled substance) (QUANTITY AND TYPE OF SUBSTANCE). Approximate street value of the controlled substance is (value of drug) \$

Part II: FACTS INDICATING THE SUSPECT DELIVERED POSSESSED WITH INTENT TO DELIVER/MANUFACTURE or POSSESSED THE CONTROLLED SUBSTANCE:

On (date) at (time) within the , County of King, State of Washington,

My source of information about this crime (e.g., myself, other person with firsthand knowledge)

Other Facts:

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Date and Place: Signature/Agency: REQUEST 72-HOUR RUSH FILE? YES NO SODA ZONE YES NO DRUG FREE ZONE? Exact location is required: YES NO ANTICIPATED FILING DATE LAB WORK REQUESTED? (Date/Type)

LAW ENFORCEMENT OBJECT TO RELEASE? YES NO. IF YES, EXPLAIN WHY SAFETY OF INDIVIDUAL OR PUBLIC WILL BE THREATENED IF SUSPECT IS RELEASED ON BAIL OR RECOGNIZANCE (CONSIDER HISTORY OF VIOLENCE, MENTAL ILLNESS, DRUG DEPENDENCY, DRUG DEALING, DOCUMENTED GANG MEMBER, FAILURE TO APPEAR, LACK OF TIES TO COMMUNITY). INCLUDE FARR GUIDELINES. DESCRIBE TYPE OF WEAPON. BE SPECIFIC. TIES TO COMMUNITY (MARITAL STATUS, TIME IN COUNTY, ETC.)

CONVICTION RECORD: SUBJECT ARMED/DANGEROUS SUSPECT IDENTITY IN QUESTION WARRANT(S) FOR FTA HISTORY OF FTA'S (LIST)

PRELIMINARY APPEARANCE DATE JUDGE BAIL AMOUNT RETURN DATE CONDITIONS P.R. Y/N RETURNED Y/N EXCUSED Y/N

NON DRUG CRIME PROBABLE CAUSE

DRUG CRIME CERTIFICATE

OBJECT TO RELEASE

DPA