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**STATE OF WASHINGTON
KITSAP COUNTY SUPERIOR COURT**

THE STATE OF WASHINGTON,

Plaintiff,

NO.

INFORMATION

v.

ANTHONY R. SMITH,
WM: 10/16/1983

Defendant.

I, Robert W. Ferguson, Attorney General of Washington, in the name and by the authority of the State of Washington, pursuant to RCW 43.10.232 and at the request of Russell D. Hauge, Kitsap County Prosecuting Attorney, and hereby alleges ANTHONY R. SMITH did commit the following crime(s):

COUNT I

THEFT IN THE FIRST DEGREE

On or between February 1, 2013 and January 1, 2014, with one or more acts in furtherance of the scheme or criminal episode occurring in the State of Washington, the above-named Defendant, did wrongfully obtain or exert unauthorized control over property, other than a firearm, as defined in RCW 9.41.010, or services of another, to-wit: moorage of the Tugboat Chickamauga at the Eagle Harbor Marina, of a value exceeding \$5,000, with intent to

1 deprive such other of such property or services; contrary to Revised Code of Washington
2 9A.56.030(1)(a) and 9A.56.020(1)(a).

3 Theft in the First Degree is a Class B felony and has a maximum penalty of ten (10) years imprisonment and/or a
4 \$20,000 fine, pursuant to RCW 9A.56.030(2) and RCW 9A.20.021(1)(b), plus restitution, assessments and court costs.

5 **COUNT II**

6 **CAUSING A VESSEL TO BECOME ABANDONED OR DERELICT**

7 On or about October 2, 2013, the defendant, ANTHONY R. SMITH, in the State of
8 Washington, did cause a vessel, to-wit: the Tugboat CHICKAMAUGA, to become abandoned
9 or derelict upon aquatic lands; contrary to RCW 79.100.110(1), and RCW 79.100.010, and
10 against the peace and dignity of the State of Washington.

11 (Maximum Penalty — Ninety (90) days jail/or a \$1,000 fine pursuant to RCW 79.100.110(1) and RCW
12 9A.20.021(3), plus restitution and assessments.)

13 **COUNT III**

14 **DISCHARGE OF POLLUTING MATTERS INTO STATE WATERS**

15 On or about October 2, 2013, the defendant, ANTHONY R. SMITH, in the State of
16 Washington, did throw, drain, run, or otherwise discharge into any of the waters of this state, or to
17 cause, permit or suffer to be thrown, run, drained, allowed to seep or otherwise discharged into such
18 waters any organic or inorganic matter that caused or tended to cause pollution of such waters
19 according to the determination of the Department of Ecology; contrary to RCW 90.48.080, and
20 RCW 90.48.140, and against the peace and dignity of the State of Washington.

21 (Maximum Penalty — Three hundred sixty-four (364) days jail/or a \$10,000 fine pursuant to RCW 90.48.140,
22 plus restitution and assessments.)

23 DATED this _____ day of January, 2014.

24 **ROBERT W. FERGUSON**
25 Attorney General

26 **JOSHUA CHOATE, WSBA # 30867**
Assistant Attorney General
Attorney for Plaintiff