



FILED  
SUPERIOR COURT  
THURSTON COUNTY, WASH.

2021 APR -1 AM 11: 20

Linda Myhre Enlow  
Thurston County Clerk

IN THE SUPERIOR COURT OF WASHINGTON  
THURSTON COUNTY

STATE OF WASHINGTON,

Plaintiff,

No. 21-1-00117-34

CONSOLIDATED OMNIBUS ORDER

vs.

Docket # \_\_\_\_\_ at 10:00am

Cristhian Valencia,

Defendant.

The Clerk shall not docket dates from this order.

I. HEARING DATES

CASE MANAGEMENT CONFERENCE FOR COMPLEX CASE:

TRIAL CONFIRMATION HEARING:

7/8 /2021 at 10:00 a.m.

TRIAL DATE:

7/19 /2021

II. PROCEDURAL HISTORY

PRELIMINARY HEARING:

ARRAIGNMENT HEARING:

III. DEADLINES

INITIAL WITNESS DISCLOSURE:

4 weeks prior to trial

EXPERT WITNESS NOTICE:

4 weeks prior to trial

DISCOVERY DEADLINE: NO LATER THAN

4 weeks prior to trial

WITNESS INTERVIEW DEADLINE:

4 weeks prior to trial

MOTIONS BRIEF FILING:

4 weeks prior to trial

PRETRIAL SUBMISSIONS:

3 days prior to trial

I. TRIAL

The date for trial of this matter is agreed to by the parties and is set for the date shown in section I. above. The period between the arraignment or any previously scheduled trial date and the trial date contained in this order shall be an excluded period in computing the allowable time for trial CrR 3.3(e)(3). Last date available for trial is 8/18, 2021.

1 The parties agree the dates are realistic based upon current case information, and no continuance will be  
2 granted beyond these dates unless it meets the terms as outlined in the Thurston County Superior Court  
3 Felony Continuance Policy.

4  Pursuant to prior court order trial is set for the date shown in section I. above. The Court finds good  
5 cause to continue the trial date in this matter beyond the dates pursuant to CrR 3.3(b). Continuance is  
6 required in the administration of justice pursuant to CrR 3.3(f)(2). The Court finds the defendant will  
7 not be prejudiced in the presentation of his or her defense by commencement of the trial on the date  
8 indicated in this order. Last date available for trial is \_\_\_\_\_.

9 **LENGTH:** The trial will be a  jury  bench trial estimated to last 3 days. (If requesting a  
10 bench trial, a separate written and accepted waiver is required.)

11 **GENERAL NATURE OF DEFENSE:**

12  General Denial       Consent       Alibi       Diminished Capacity  
13  Insanity       Self-Defense       Other: \_\_\_\_\_

14 **II. DISCOVERY**

15 **PROSECUTOR'S OBLIGATIONS:**

16  The prosecutor has provided a complete list of the defendant's criminal convictions.  
17  The prosecutor has provided all discovery in its possession and control pursuant to CrR 4.7(a).  
18  The prosecutor has contacted law enforcement agencies to request and/or obtain any additional  
19 supplemental police reports, forensic tests, and evidence and will make that information available to  
20 defense counsel no later than the discovery deadline.  
21  The State is aware of the following reports, tests or evidence not yet provided to defense:

22 **DEFENSE OBLIGATIONS:**

23  The defense has met with the defendant about this case and fully discussed it.  
24  Defense attorney has received a plea offer from the State.  
25  Defense attorney has conveyed State's offer to the defendant.  
26  Defense attorney will give discovery to prosecutor no later than the discovery deadline set forth  
27 above.  
28  Defense attorney advises continuous chain of custody of evidence:  
29  Is stipulated       Must be proved.

30 **PHYSICAL AND DOCUMENTARY EVIDENCE.** Identification of all physical and documentary  
31 evidence in each party's possession and the opportunity to inspect and copy:

32  Has been provided to opposing party.  
33  Shall be provided no later than the discovery deadline set forth above.

34 The parties acknowledge the ongoing obligation to identify and provide other evidence that becomes  
35 available after the above date.

**DUTY TO CONFER.** Prior to the entry of this Omnibus Order (preferably within 2 days prior to this  
omnibus date):

The parties have conferred about all unresolved Omnibus issues.

1  
2 The parties agree that discovery is:  Complete  Not Complete (in the following respects):  
3 The disclosure of additional discovery may be contingent on rejection of settlement options.

4 **INITIAL WITNESS DISCLOSURE.** The names, addresses, and contact information of each person  
5 whom either side intends to call as a witness, and any written or recorded statement or the substance of  
6 any oral statement made by said person, together with any record known to the plaintiff of prior criminal  
7 convictions of the defendant or of persons the plaintiff intends to call as a witness shall be provided to  
8 opposing counsel and filed with the Court no later than the date set forth above.

9 **EXPERT WITNESSES.** The parties shall provide notice to opposing counsel and the Court of their  
10 intent to offer expert testimony during their respective cases-in-chief by the date set forth above. The  
11 parties shall identify the name and address of each expert if available, as well as the subject(s) in which  
12 counsel seeks to have the witness qualified as an expert per ER 702. The Notice shall include a summary  
13 of the witness's expected testimony, including any opinions to be rendered, any reports or statements  
14 submitted by the expert in connection with this case, results of physical or mental examinations and  
15 scientific tests, experiments or comparisons, data, or information considered by the expert in forming his  
16 or her opinion, and a recitation of the witness' qualifications.

17 **WITNESS INTERVIEW DEADLINE:** All interviews of opposing party witnesses shall occur or be  
18 scheduled by the date set forth above.

19 **DEFENDANT'S STATEMENTS.** Disclosure of all oral, written, or recorded statements made by the  
20 defendant(s) to investigating officers or to third parties:

- 21  Has been provided.  
22  Shall be provided no later than: \_\_\_\_\_.  
23  Defendant's statements may be admitted into evidence without hearing by stipulation of the parties.  
24  A CrR 3.5 hearing is anticipated and will be filed no later than Motions Filing Deadline set forth  
25 above.  
 No custodial statements will be offered in the plaintiff's case-in-chief or rebuttal.

**MOTION TO SUPPRESS EVIDENCE. \*\*\*\*\*RESERVED BY THE DEFENSE\*\*\*\*\***

- No motion to suppress physical, oral or identification evidence will be made.  
 A CrR 3.6 hearing is required and will be scheduled no later than Motions Filing Deadline set forth  
above.

### III. MOTIONS

**MOTIONS DEADLINE.** All motions other than standard motions *in limine* shall be in writing, filed,  
and a copy served on opposing counsel by the date set forth above. The moving party shall schedule all  
hearings sufficiently in advance of trial so not to interfere with the start of trial. Parties are responsible to  
plan for, and accommodate, calendar availability.

The Notice of Hearing shall state, at a minimum, the relief requested, a concise statement of the basis of  
the motion.

All substantive motions including but not limited to 3.5, 3.6, and evidentiary should be supported by  
briefs filed and served on the following schedule:

- 1 Opening Brief (10 court days before hearing)
- 2 Response Brief (5 court days before hearing)
- 3 Reply Brief, if any (Noon- 2 court days before hearing).

4 All other motions shall have briefs filed and served on the following schedule:

- 5 Opening Brief (5 court days before hearing)
- 6 Response Brief (2 court days before hearing).

7 Bench copies provided to court administration at the time of filing.

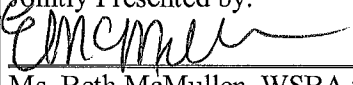
8 **PRETRIAL SUBMISSIONS.** The parties' trial brief or memoranda, proposed jury instructions, plaintiff's restraint memorandum (if any), and standard pretrial motions *in limine*, and proposed jury questionnaire (if any) shall be filed with the Court by the Pretrial Submissions deadline set forth above.

9 **TOPICS NOT ADDRESSED BY THIS ORDER:**

10 Any other issues / motions not addressed in this Order referenced in CrR. 4.5(h) shall be consistent with the dates set forth above.

11 Entered this 1st day of April 2021.

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16 Jointly Presented by:

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18 Ms. Beth McMullen, WSBA #45207  
Deputy Prosecuting Attorney

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HONORABLE SUPERIOR COURT JUDGE

JOHN C. SKINDER

/s/ Kevin Griffin (03-31-21)  
Kevin Griffin, WSBA #38740  
Attorney for Mr. Valencia

*I certify that I have reviewed this document with my attorney and I am aware of all future court dates currently scheduled in this case. I waive my presence for the presentation of this Order.*

Counsel has reviewed the contents of this document with Mr. Valencia and will provide a copy to him.  
Mr. Cristhian Valencia, Defendant