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KING COUNTY
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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

MICHAEL LA-ROSA,

Defendant.

No. 10-1-10060-8 SEA

MOTION FOR ACQUITTAL AND
STATEMENT OF DEFENDANT ON
RCW 10.77.080 MOTION FOR
ACQUITTAL ON THE GROUNDS OF
INSANITY

I. MOTION

The defendant moves the court for a judgment of acquittal on the grounds of insanity in the above-entitled and numbered criminal proceeding.

II. STATEMENT OF DEFENDANT

1. My true name is Michael La-Rosa

2. My age is 28. Date of Birth 7/2/1984

3. I went through the 12th grade.

4. I understand that I have the right to have a lawyer and that if I cannot afford to pay for one, a lawyer will be furnished at no cost to me. My lawyer is CARLOS GONZALES

1 5. I have been informed and fully understand that I am charged with the crime(s) of

2 2 counts Murder 1st w/ Deadly Weapon

3 6. The elements of this these crimes are listed in the attached Amended Information. ^{Enhancement}

4 The maximum sentence for the crime(s) of

Murder 1st Degree

5 is (are)

Life

~~years~~

6 7. **I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT I HAVE THE**
7 **FOLLOWING IMPORTANT RIGHTS:**

8 (a) The right to a speedy and public trial by an impartial jury in the county where the
9 crime is alleged to have been committed;

10 (b) The right to remain silent before and during trial, and the right to refuse to testify
11 against myself;

12 (c) The right at trial to testify and to hear and question the witnesses who testify against
13 me;

14 (d) The right at trial to have witnesses testify for me. These witnesses can be made to
15 appear at no expense to me;

16 (e) The right to be presumed innocent until the charge is proven beyond a reasonable
17 doubt or I enter a plea of guilty;

18 (f) The right to appeal the judgment of the court.

19 8. I understand that by moving for a judgment of acquittal by reason of insanity pursuant to
20 RCW 10.77.080, I give up the right to a jury trial if I am acquitted on the grounds of insanity on
21 my motion and that I cannot later contest the validity of my detention on the grounds that I did
22 not commit the acts charged.

1 9. I have been advised that the prosecuting attorney will take the following action and make
2 the following recommendation to the judge:

3 The State will move the court to find the defendant is a substantial danger to other persons and
4 presents a substantial likelihood of committing felonious acts jeopardizing public safety or
5 security, unless kept under further control by the court or other persons or institutions, and it is in
6 the best interest of the defendant and others that the defendant be placed in a state mental
7 hospital pursuant to RCW 10.77.010 et. seq..

8 See attached State's Recommendation.

9 10. If any new information is discovered by the prosecuting attorney before disposition of
10 this case, the prosecuting attorney's recommendation may change. Even so, I cannot withdraw
11 my motion to acquit on grounds of insanity. I cannot change my mind if additional information
12 is discovered, even if the prosecuting attorney's recommendation changes.

13 11. I understand that the judge does not have to follow anyone's recommendation as to
14 disposition. The court is completely free to give me any disposition it sees fit no matter what the
15 Prosecuting Attorney and my attorney recommend.

16 12. I understand that if I am acquitted by reason of insanity and the court finds that I am a
17 substantial danger to other persons, or present a substantial likelihood of committing criminal
18 acts jeopardizing public safety or security, unless kept under further control by the court or other
19 persons or institutions, the court may order me hospitalized for a period of up to the maximum
20 possible sentence for any offense charged for which I am acquitted by reason of insanity.

21 13. If I am not a citizen of the United States, an acquittal by reason of insanity for an offense
22 punishable as a crime under state law may be grounds for deportation, exclusion from admission
23 to the United States, or denial of naturalization pursuant to the laws of the United States.

1 14. I make this motion to acquit on the grounds of insanity pursuant to RCW 10.77.080
2 freely and voluntarily.

3 15. No one has threatened harm of any kind to me or to any other person to cause me to make
4 this motion.

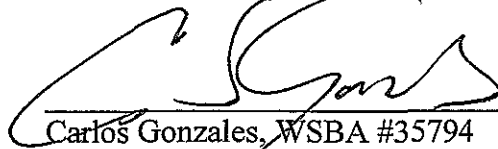
5 16. No person has made promises of any kind to cause me to enter this plea except as set
6 forth in this statement.

7 17. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs.
8 I understand them all. I have been given a copy of this Motion for Acquittal on Grounds of
9 Insanity. I have no further questions to ask the judge.




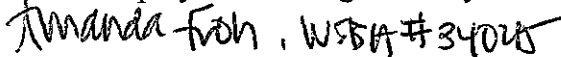
DEFENDANT

I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement.



Carlos Gonzales, WSBA #35794
Attorney for the Defendant


Jeff Baird, WSBA #11731
Senior Deputy Prosecuting Attorney


Amanda Froh, WSBA #34025

18 The foregoing statement was signed by the defendant in open court in the presence of the
19 defendant's lawyer and the undersigned judge.

20 Dated this ^{13th} ~~12th~~ day of Dec., 2012.


JUDGE **BILL A. BOWMAN**