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6 SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

7 THE STATE OF WASHINGTON,)
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Plaintiff,

v.

MICHAEL LA-ROSA,

Defendant.

No. 10-1-10060-8 SEA
INFORMATION

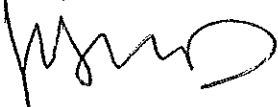
I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse MICHAEL LA-ROSA of the crime of **Murder in the First Degree**, committed as follows:

That the defendant MICHAEL LA-ROSA in King County, Washington, on or about November 22, 2010, with premeditated intent to cause the death of another person, did cause the death of Joseph M. LaMagno, a human being, who died on or about November 22, 2010;

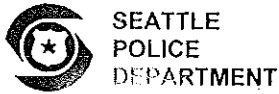
Contrary to RCW 9A.32.030(1)(a), and against the peace and dignity of the State of Washington.

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington further do accuse the defendant MICHAEL LA-ROSA at said time of being armed with a deadly weapon, to-wit: a hatchet, under the authority of RCW 9.94A.825 and 9.94A.533(4).

DANIEL T. SATTERBERG
Prosecuting Attorney

By: 
Jeffrey B. Baird, WSBA #11731
Senior Deputy Prosecuting Attorney

CAUSE NO. 10-1-10060-8 SEA



**CERTIFICATION FOR DETERMINATION
OF PROBABLE CAUSE**

GENERAL OFFENSE #	10-406544
UNIT FILE NUMBER	H10-384

That James L. Cooper is a Detective with the Seattle Police Department and has reviewed the investigation conducted in Seattle Police Department Case Number 10-406544;

There is probable cause to believe that Michael J. La-Rosa W/M/070984 committed the crime(s) of Murder within the City of Seattle, County of King, State of Washington.

This belief is predicated on the following facts and circumstances:

On November 22nd 2010, at approximately 1037 hrs, in the City of Seattle, County of King and the State of Washington, Joseph M. LaMagno was walking on E. Union Street in Seattle. LaMagno was returning to his residence at 1130 14th Avenue; he had been grocery shopping. In the 1400 block of E. Union Street, LaMagno was approached by the defendant, Michael J. La-Rosa. The defendant was carrying a short camping axe.

The suspect, La-Rosa, approached LaMagno and struck him with the axe, knocking him to the ground. Numerous witnesses, some of whom were children released from school early because of a snowfall, watched La-Rosa continued to strike LaMagno in the head with the axe multiple times. LaMagno did not move from where he had fallen. He died quickly from the repeated blows to his head. When police later arrived, his feet were on the sidewalk, but his torso had fallen to the side. The straps to his shopping bag were still around his arm. There was no evidence that showed the victim even had time to defend himself from the attack.

Witnesses began to call 911 to report the attack. After the attack the suspect turned and began to walk away. The suspect heard and saw the SPD police cars coming into the area. La-Rosa threw the axe to the ground and continued to walk away from the victim. Uniformed officers saw La-Rosa, who matched the description given by 911 callers. When officers gave La-Rosa directions to stop he turned into a nearby alleyway and continued to walk away from the officers. Officers stopped La-Rosa and took him into custody. La-Rosa was also wearing a backpack on his person when he was stopped. The arresting officers read La-Rosa his Miranda warnings at the time of his arrest and he acknowledged in the affirmative that he understood them. When questioned by the arresting officers regarding the assault La-Rosa told them that he attacked the victim with an axe. The scene was secured and SPD Homicide detectives responded to the scene. The arresting officers were directed to transport La-Rosa to the Homicide unit for further questioning.

At the SPD Homicide unit La-Rosa was again advised of his Miranda warnings and he stated he understood them before being interviewed. When his backpack was turned over to the homicide detectives, suspected blood and brain tissue was observed on it. An examination of the suspect's clothing also showed possible suspected blood spatter on them. These items were later collected for evidentiary purposes.

La-Rosa told detectives that he is homeless and stays at the local shelters in the downtown area of Seattle. The night prior to the attack on LaMagno, he had rode Metro buses and even sat in a local "Denny's" restaurant to stay out of the weather. On the morning of the 22nd the suspect stated that he had been at a local grocery store and was attempting to buy groceries but he discovered he did not have his food stamp card. At that point he left the store and began to walk around in the area because he was feeling "physically" sick and needed fresh air. La-Rosa was asked if he ever had met the victim he stated he did not. When asked if he saw



**CERTIFICATION FOR DETERMINATION
OF PROBABLE CAUSE**

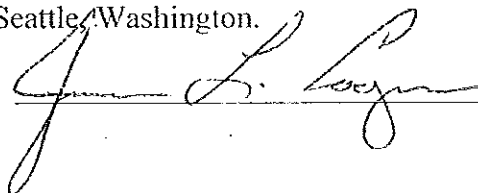
INCIDENT NUMBER	10-406544
UNIT FILE NUMBER	H10-384

the victim at the store, he was not sure. La-Rosa then stated as he was walking he thought the victim had been following him from the store. He stated that at one point he thought the victim was behind him then ahead of him then next to him. At that point the victim looked at him and La-Rosa stated the victim said to him, "I gave your sister herpes, without having it!" La-Rosa stated the victim then "smacked" him and stated, "What are you going to do about that!". La-Rosa told detectives he usually carries his axe in his backpack but on this morning he was walking with it in his hand. La-Rosa told detectives, "I don't know what came over me because I've never done murder you know." La-Rosa was asked what happened after the victim struck him and he stated he hit him with the axe he was carrying. He did not recall where he struck the victim but when asked for clarification on the number of strikes he replied, "many times". Detectives asked La-Rosa why he had an axe with him he told detectives that he had purchased it because he was tired of staying at shelters and he was going to camp in the woods in the area. When asked why he was carrying the axe in his hand at the time of the attack he stated he was trying to find some woods to try it out at. La-Rosa asked if he recalled being arrested and he stated he did. He said he heard the sounds of arriving police cars and began to walk away. When he saw the officers he tossed the "weapon" and attempted to walk away. When he was asked why he did that he stated he was scared because he had "just killed a guy" and he did not think "the cops would understand" his story. La-Rosa was asked if he had any questions for the detectives and he asked if he was going to jail then to prison now.

La-Rosa appeared to be completely sober and was questioned about his mental health and he told detectives that he has been diagnosed as being schizophrenic and Bi-Polar. He was asked if he used drugs or alcohol and he stated that he used Methadone that he would buy off the street but he has been "clean" for several weeks. When asked if he is currently taking medication for his mental health issues he stated he has been prescribed medication but chose not to take it because it does not make him feel good and he did not like the side effects. He also explained how he hears voices in his head and the voices state that people are giving him and his family diseases. He stated he hears the voices whether he is on medication or not. He stated his case manager at "Sound Mental Health" told him the "voices" are actually "intrusive thoughts". He said he had seen a number of counselors in the past but he had been trying to quit going to counseling. La-Rosa stated that his family resides in Florida and he has no family or friends in the Seattle area. He said he moved from Florida to Seattle to be with the woman who became his common law wife. He said he no longer lived with her. He said his wife had obtained a restraining order against him because he had struck her.

On November 23, 2010 detectives attended the autopsy of LaMagno at the K.C. Medical Examiner's office. During the autopsy detectives estimated that the victim had suffered at least ten blows to the head during the assault.

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct to best of my knowledge and belief. Signed and dated by me this 23rd day of Nov., 2010, at Seattle, Washington.

 # 5339

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2 CAUSE NO. 10-1-10060-8 SEA

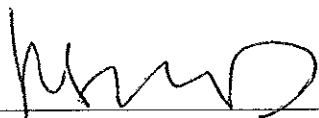
3 PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR
4 CONDITIONS OF RELEASE

5 The State incorporates by reference the attached Certification for Determination of
6 Probable Cause written by Seattle Police Department Detective James L. Cooper under incident
7 number 10-406544.

8 REQUEST FOR BAIL

9 Bail in the amount of five million dollars, the amount imposed at the defendant's first
10 appearance, is appropriate in this case. He is unemployed, has no fixed address, and is unlikely
11 to comply with any conditions of release or appear voluntarily for court appearances. More
12 importantly, he presents a great danger to public safety -- the offense described in the
13 Information was unprovoked and committed in broad daylight, on a public sidewalk, in the
14 presence of numerous witnesses. Finally, the defendant is a suspect in the murder of another
15 Seattle man. That murder, also committed on a Seattle sidewalk, occurred less than 24 hours
16 before the defendant killed Joseph LaMagno.

17 Signed this 30th day of November, 2010.

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19 _____
20 Jeffrey B. Baird, WSBA #11731
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AGENCY: Seattle PD	WASPD0000	CASE NUMBER 10-406544	FILE NUMBER	PCN NUMBER	SUPERFORM
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ARREST INFORMATION		ACCOMPLICES
DATE & TIME OF VIOLATION 11/22/2010 10:37 AM	CRIMINAL TRAFFIC CITATION ATTACHED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
DATE OF ARREST/TIME 11/22/2010 10:46 AM	ARREST LOCATION SEATTLE, WA 15TH AVE. AND E. UNION ST	

SUSPECT INFORMATION		DOB	ALIAS, NICKNAMES
NAME (LAST, FIRST, MIDDLE/JR, SR, 1st, 2nd) LA-ROSA, MICHAEL		7/9/1984	
ARMED/DANGEROUS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	IDENTIFY IN DOUBT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	CITIZENSHIP US	
PHYSICAL DETAILS		SCARS, MARKS, TATTOOS, DEFORMITIES	
SEX M	HEIGHT 506	WEIGHT 260	SKIN TONE FAR
RACE W	EYE BRO	HAIR BLK	
IDENTIFICATION DETAILS		STATE ID #	DRIVER'S LICENSE #
CCH 1875846	PRIOR BA # 210026188	AFIS # 00647363	FBI #
RESIDENCE		EMPLOYMENT / SCHOOL	
LAST KNOWN ADDRESS UNIT: SEATTLE, WA		EMPLOYER, SCHOOL (ADDRESS, SHOP/UNION NUMBER)	
RESIDENCE PHONE		BUSINESS PHONE	OCCUPATION
EMERGENCY CONTACT		RELATIONSHIP	PHONE
PERSON TO BE CONTACTED IN CASE OF EMERGENCY		Address	

CHARGE INFORMATION		RCW / ORD #	COURT / CAUSE #	CITATION #
OFFENSE <input type="checkbox"/> DV <input type="checkbox"/> FUGITIVE	I - HOMICIDE INV	0999	/	
OFFENSE <input type="checkbox"/> DV <input type="checkbox"/> FUGITIVE		RCW / ORD #	COURT / CAUSE #	CITATION #

WARRANT / OTHER		AMOUNT OF BAIL	WARRANT TYPE
WARRANT DATE	WARRANT NUMBER	OFFENSE	
ISSUING AGENCY	ISSUING AGENCY	WARRANT RELEASED TO. (SERIAL # / UNIT / DATE / TIME)	

PROPERTY INFORMATION		SIGNATURE OF JAIL STAFF RECEIVING ITEMS / SERIAL #
LIST VALUABLE ITEMS OR PROPERTY LEFT FOR ARRESTEE AT JAIL		
LIST VALUABLE ITEMS OR PROPERTY ENTERED INTO EVIDENCE (SIMPLE DESCRIPTION, IDENTIFYING MARKS, SERIAL #)		
LIST ITEMS ENTERED INTO SAFEKEEPING		
TOTAL CASH OF ARRESTEE \$0.00	WAS CASH TAKEN INTO EVIDENCE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	AMOUNT: \$0.00

OFFICER INFORMATION		TRANSPORTING OFFICER / SERIAL #	SUPERVISOR SIGNATURE / SERIAL #
ARRESTING OFFICER / SERIAL # Cooper, James L 5339		COOPER, JAMES L 5339	
SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #) Cooper, James		CONTACT PERSON FOR ADDITIONAL INFORMATION (NAME/SERIAL#/PHONE) COOPER, JAMES L 5339 2066845568	

COURT FILE		COURT CAUSE (STAMP OR WRITE)
SUPERIOR COURT FILING INFO	<input checked="" type="checkbox"/> IN CUSTODY <input type="checkbox"/> AT LARGE <input type="checkbox"/> OUT ON BOND	10-1-10 SEA
COURT/DIST. CT.NO.	DIST CT. BOND \$	SUP. CT. DATE

EXTRADITE		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"/>	NCIC-WILL EXTRADITE FROM FROM ALL 50 STATES <input type="checkbox"/>
PERSON APPROVING EXTRADITION	CCN _____	DOE _____	CL L E A R A N C E	DOC _____	
	WAC _____	TOE _____		TOC _____	
	NCIC _____	OP _____		OP _____	

PROBABLE CAUSE INFORMATION

STATEMENT OF PROBABLE CAUSE: NON-VUCSA

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 WEAPONS INVOLVED. (DRUG CRIME CERTIFICATE BELOW.)

ON (date) 11/22/2010 AT (time) 10:37 AM, WITHIN THE (city/unincorporated area of county) City of Seattle, COUNTY OF KING, STATE OF WASHINGTON, THE FOLLOWING DID OCCUR:

On above date and time, in the city of Seattle, County of King and the State of Washington, witnesses called 911 after seeing the listed suspect strike a male in the head multiple times with an axe who had been walking on the street near the suspect at 15th Ave and E. Union St. SPD uniformed officers responded to the area and based on the description given of the suspect stopped LA-ROSA. The suspect was read his Miranda warnings which he stated he understood. He admitted to the arresting officers that he had struck the male with his axe. The suspect was arrested and a backpack was taken from him that he had on at the time of his arrest. The suspect was transported to the SPD homicide office where he was interviewed by homicide detectives. Detectives discovered blood and suspected brain matter on the suspect's backpack along with blood on his jacket. Detectives video recorded mirandizing the suspect and he stated he understood his rights. During the recorded interview he admitted again that he had struck the victim multiple times in in the head with the axe. He stated he did not know the victim and had never seen him before.

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-HR RUSH FILE? YES NO ANTICIPATED FILING DATE

DATE AND PLACE 11/22/2010 Seattle SIGNATURE / AGENCY james.cooper@seattle.gov / WASPD0000 This printout is from the King County Booking and Referral System (BARS), where the above officer signed and transmitted this eSuperform as permitted by GR 30 and LCrRLJ 2.6.

DRUG CRIME INFORMATION

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) APPROXIMATE STREET VALUE OF THE CONTROLLED SUBSTANCE IS (value of drugs)

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

ON (date) AT (time), WITHIN THE (city/unincorporated area of county) COUNTY OF KING, STATE OF WASHINGTON, THE FOLLOWING DID OCCUR:

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. REQUEST 72-HR RUSH FILE? YES NO ANTICIPATED FILING DATE

DATE AND PLACE SIGNATURE / AGENCY

ZONE DETAILS SODA ZONE DRUG FREE ZONE? EXACT LOCATION IS REQUIRED LAB WORK LAB WORK REQUESTED? (DATE / TYPE)