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PROSECUTING ATTORNEY FOR SNOHOMISH COUNTY

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## SNOHOMISH COUNTY SUPERIOR COURT STATE OF WASHINGTON

STATE OF WASHINGTON

No. 11-1-00384-6

Plaintiff,

DECLARATION OF WAYNE SCHAKEL

VS.

JENNIFER YOUDE,

Defendant.

Wayne Schakel declares as follows:

- 1. I am of legal age, am competent to make this Declaration, and do so based upon personal knowledge and in my capacity as a police officer for the Tulalip Tribes.
- 2. I am a duly commissioned Tulalip Tribes Peace Officer, on the Safe Trails Drug Task Force, and am cross-commissioned as a Snohomish County Deputy Sheriff. I am also cross-commissioned with the FBI and as a Special Deputy U. S. Marshal. I have over 7 years of law enforcement experience at this time, and am a graduate of the Washington State Criminal Justice Training Commission Law Enforcement Academy (Basic). I have completed 80 hours of Specialized Drug Training for Investigators. I have completed specialized Public Safety/Law Enforcement training that addresses drug enforcement, drug interdiction, trafficking, hidden compartments, surveillance and conspiracies. During my law enforcement career, I have investigated or jointly investigated crimes that include, but are not limited to, drug violations, burglary, homicide, rape, assault, theft, fraud and criminal traffic offenses.

- 4. I started the investigation that led to the arrest of Ms. Youde in January, 2010 when I was asked to follow-up on a tip that a person was selling drugs on the Reservation and was advertising on Craigslist. I did not know what kind of drugs were involved, but decided to investigate by looking for some key words on that site. Almost immediately, I discovered a post by Ms. Youde. A true and correct copy of a post by Ms. Youde is attached as **Exhibit A**. I cannot represent that the post I first saw in January is identical to Exhibit A, but I believe it was (Craigslist posts expire after about a week and need to be renewed. Exhibit A is a post dated February 4, 2010).
- 5. I contacted Ms. Youde by email in January, but we were not able to schedule a meeting at that time. I contacted her again on February 5<sup>th</sup> and asked if we could get something going that day. Ms. Youde responded the next day at 12:55pm and offered to meet me between 6:30 & 7:30pm. I suggested the "Marysville WalMart" the name commonly used to refer to the WalMart on the west side of I-5 at 8924 Quil Ceda Blvd., Tulalip, WA an address on the Tulalip Reservation. At approximately 6:00pm, she emailed me and offered to meet me at the Bank of America parking lot, near the WalMart. The bank is also located on the west side of I-5, within the exterior boundaries of the Tulalip Reservation and the jurisdiction of the Tulalip Police Department. A true and correct and complete copy of our email message traffic is attached as **Exhibit B.** Afterwards, "Jen" called me at approximately 6:30 and told me she'd be waiting at the Bank of America parking lot in a silver Honda CRV. I agreed to meet her there.
- 6. When I arrived at the Bank of America parking lot, I approached a Honda CRV vehicle and said, "Hello Jen." Ms. Youde was in the vehicle with a female passenger, later identified as Sherri Danner. Ms. Youde handed me a small paper package that smelled of marijuana, and I handed her \$90 in cash. Ms. Youde did not ask me any questions or make conversation as she handed me the package. I later determined that the packaged contained 7g of marijuana.

- 7. I walked away and other detectives moved in to contact Ms. Youde and Ms. Danner. Ms. Danner notified another officer that there was a loaded 9mm handgun in the glove box. The weapon was secured, both Ms. Youde and Ms. Danner were taken into custody, and the vehicle was impounded. The \$90 I used to purchase the marijuana was recovered from Ms. Youde when she was arrested.
- 8. The following items were located in the vehicle when it was searched pursuant to a warrant authorized by Tulalip Tribal Court:
  - a. Over 100 grams of marijuana, packaged as follows: 4.47g in a bag marked with the name "Daniel;" 2.14g in a bag with paraphernalia pipes; 7g in a bag marked with the name "Andrew;" 3.5g in a bag marked with the name "Steve;" 3.5 g and 5.16g marijuana separately packaged; 7g of marijuana separately packaged; 7g of marijuana separately packaged; 3.5g marijuana marked with the name "Gina;" 42.5g in a jar; and 28.10g in a jar.
    - b. 49.94 grams of a solid THC substance.
    - c. Five Hydrocodone pills.
    - d. 2 bottles of hashish.
  - e. 3.5 and 7g of separately packaged mushrooms that appear to be psilocybin mushrooms.
    - f. A digital scale.
    - g. Paperwork that appears to document drug delivery plans.

A true and correct copy of the Evidence Log is attached as Exhibit C.

9. Because Ms. Youde is non-Indian, I referred the charge of Possession of a Controlled

Substance to the Snohomish County Prosecuting Attorney's Office to make a charging decision. I was subsequently notified that Ms. Youde had been charged with that offense in Snohomish County Superior Court.

- 10. At the time of my initial investigation, I sent queries to at least several other Craigslist posts that were advertising a willingness to sell marijuana in this general area. I did so by using my true first name, Wayne," and I wrote from the email address <u>flagrantoffender@gmail.com</u>. Ms. Youde is the only person who responded strongly to my inquiry. She was identified by the name "Jen," and wrote from the email address <u>medicalmaryj420@gmail.com</u>.
- 11. I did not know Ms. Youde before this investigation began and met her for the first time on February 6, 2010. I have never been a "qualifying patient" as that term is defined under Washington's Medical Marijuana law, ch. 69.51A RCW, and I at no time gave Ms. Youde permission to serve as a designated provider under that statute.

Signed under penalty of perjury of the laws of the Tulalip Tribes and the state of Washington this Z6 day of September , 2011 at Tulalip, Washington.

Wayne Schakel

#### seattle craigslist > seattle > for sale / wanted > health and beauty email this posting to a friend

Avoid scams and fraud by dealing locally! Beware any deal involving Western Union, Moneygram, wire transfer, cashier check, money order, shipping, escrow, or any promise of transaction protection/certification/guarantee. *More info* 

### Need Medical MJ? - \$420 (Mt Vernon to Olympia)

miscategorized prohibited

please flag with care:

spam/overpost

best of craigslist

Date: 2010-02-04, 11:04PM PST

Reply to: sale-wcs8z-1586823208@craigslist.org [Errors when replying to ads?]

If you use medical marijuana and would like a competent, friendly delivery, please email me. I deliver anywhere between Arlington and Olympia two to four times a week. Everything is indoor, hydro, organic and flushed. I don't mind meeting in a convenient place for you. Medicine is free. Donation is accepted for my time. Donation request listed below. I will never short you on your meds. I have the utmost care for your safety and security and respect your time and do my best to not keep you waiting. Vacuum-sealed upon request.

Silver Hammer = Nice flavor, a good fuzzy head high --- Grape God = my favorite right now. Grapefruit x God's Treat. Fantastic - a fast and hard high, kind of like the first time you ever got high and it felt trippy. ---

Lavender Kush = sweet flavored typical kush, indica so body high. ---

Master Kush x WW gives a good body high --- BWL = Big Bud x White Widow x Northern Lights. Smooth smoke, equal body/head high.

EWS = Early Wonder Skunk. Hashy, skunk smell and sweet skunk flavor, great high.---

Also have cured hash for \$25 a gram and ½ oz bottles of everclear green dragon for \$50 or 1 oz for \$90.

keyword: mmj, marijuana, weed, 420, bud, pot, medical marijuana

Location: Mt Vernon to Olympia

it's NOT ok to contact this poster with services or other commercial interests

PostingID: 1586823208

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jose cool <flagrantoffender@gmail.com>

## MMJ delivered today (Marysville to Seattle)

17 messages

KR <flagrantoffender@gmail.com>

Sat, Jan 30, 2010 at 4:44 PM

To: sale-kpfyv-1573385383@craigslist.org

Just saw your ad, are you delivering today? I'd like to try some Kush for a change. what are your donation rates?

Thank you Wayne

425-346-2854

#### MaryJ <medicalmaryj420@gmail.com>

Sat, Jan 30, 2010 at 5:01 PM

To: KR <flagrantoffender@gmail.com>

Hi Wayne,

My next delivery day is Monday. If you need something sooner and you're willing to drive to Marysville, I could meet you tonight or tomorrow. 8th = \$50, Quarter = \$90, Half = \$180, Oz = \$360.

Thanks,

Jen

[Quoted text hidden]

this message was remailed to you via: sale-kpfyv-1573385383@craigslist.org

#### KR <flagrantoffender@gmail.com>

Sat, Jan 30, 2010 at 5:08 PM

To: MaryJ <medicalmaryj420@gmail.com>

Thanks for the quick reply, jen. my cars down for a few days, so i'll have to try you next week, if that's okay

Wayne

[Quoted text hidden]

#### MaryJ <medicalmaryj420@gmail.com>

To: KR <flagrantoffender@gmail.com>

Sorry about your car. Sure, just let me know! Peace.

Jen

[Quoted text hidden]

Sat, Jan 30, 2010 at 5:12 PM



jose cool <flagrantoffender@gmail.com>

### MMJ in Marysville

1 message

MaryJ <medicalmaryj420@gmail.com>
To: sale-xxnwx-1578584052@craigslist.org

Mon, Feb 1, 2010 at 10:26 PM

- \*\* CRAIGSLIST ADVISORY --- AVOID SCAMS BY DEALING LOCALLY
- \*\* Avoid: wiring money, cross-border deals, work-at-home
- \*\* Beware: cashier checks, money orders, escrow, shipping
- \*\* More Info: http://www.craigslist.org/about/scams.html

Hi there,

Here are the current strains of medical marijuana I provide along with donation request:

Silver Hammer = A favorite. Nice, smooth flavor, awesome head high - 55/8th, 100/quarter, 200/half, 400/oz

Grape God = Another favorite. Grapefruit x God's Treat. Fantastic - a fast and hard high, kind of like the first time you ever got high and it felt trippy. 55/8th, 100/quarter, 200/half, 400/oz

Lavender Kush = sweet flavored typical kush, indica so body high. 50/8th, 90/quarter, 180/half, 360/oz

Master Kush x WW gives a good body high and is 50/8th, 90/quarter, 180/half, 360/oz

BWL = Big Bud  $\times$  White Widow  $\times$  Northern Lights. Smooth smoke, equal body/head high. 50/8th,  $\frac{90}{\text{quarter}}$ ,  $\frac{180}{\text{half}}$ ,  $\frac{360}{\text{oz}}$ 

EWS = Early Wonder Skunk. Hashy, skunk smell and sweet skunk flavor, great high. 50/8th, 90/quarter, 180/half, 360/oz.

I can meet you at IGA or Dairy Queen in Marysville at your convenience.

Peace, Jen

this message was remailed to you via: sale-xxnwx-1578584052@craigslist.org

#### KR <flagrantoffender@gmail.com>

To: MaryJ <medicalmaryj420@gmail.com>

Jen, can we get something going today? Thanks Wayne 425-346-2854

[Quoted text hidden]

#### medicalmaryj420@gmail.com <medicalmaryj420@gmail.com>

Sat. Feb 6, 2010 at 12:55 PM

Fri, Feb 5, 2010 at 2:22 PM

>> ---- Original Message ----

>> \*To:\* sale-kpfyv-1573385383

>> \*From:\* KR <flagrantoffender@gmail.com>

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To: flagrantoffender@gmail.com
 Hi Wayne, just got your message. I can meet you tonight between 6:30 & 7:30. Would that work?
 Jen
 ----Original Message----
 Date: Friday, February 05, 2010 2:22:32 pm
 To: "MaryJ" < medicalmaryj420@gmail.com >
 From: "KR" <flagrantoffender@gmail.com>
 Subject: Re: MMJ delivered today (Marysville to Seattle)
 Jen, can we get something going today?
 Thanks
 Wayne
 425-346-2854
 On Sat, Jan 30, 2010 at 5:12 PM, MaryJ <medicalmaryi420@gmail.com > wrote:
 > Sorry about your car. Sure, just let me know! Peace.
 > Jen
 > ---- Original Message -----
 > *From: * KR <flagrantoffender@gmail.com>
 > *To:* MaryJ <medicalmaryj420@gmail.com>
 > *Sent:* Saturday, January 30, 2010 5:08 PM
> *Subject:* Re: MMJ delivered today (Marysville to Seattle)
> Thanks for the quick reply, jen.
> my cars down for a few days, so i'll have to try you next week, if that's
> okay
> Wayne
> On Sat, Jan 30, 2010 at 5:01 PM, MaryJ < medicalmary j420@gmail.com > wrote:
>> Hi Wayne,
>>
>> My next delivery day is Monday. If you need something sooner and you're
>> willing to drive to Marysville, I could meet you tonight or tomorrow. 8th =
>> $50, Quarter = $90, Half = $180, Oz = $360.
>>
>> Thanks,
>> Jen
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KR <flagrantoffender@gmail.com>

Sat, Feb 6, 2010 at 1:06 PM

To: "medicalmaryj420@gmail.com" <medicalmaryj420@gmail.com>

yeah, that sounds good, I'll probably be shopping at Walmart around that time.

If you can call me, we'll set something up.

Thanks again Wayne 425-436-2854

[Quoted text hidden]

medicalmaryj420@gmail.com <medicalmaryj420@gmail.com>

Sat, Feb 6, 2010 at 1:10 PM

To: flagrantoffender@gmail.com

which Walmart?
[Quoted text hidden]

KR <flagrantoffender@gmail.com>

Sat, Feb 6, 2010 at 1:13 PM

To: "medicalmaryj420@gmail.com" <medicalmaryj420@gmail.com>

In Marysville.
Will that work for you?

Wayne

[Quoted text hidden]

medicalmaryj420@gmail.com <medicalmaryj420@gmail.com>

Sat, Feb 6, 2010 at 1:24 PM

To: flagrantoffender@gmail.com

yes, should i email or text you when ii'm close?

[Quoted text hidden]

KR <flagrantoffender@gmail.com>

To: "medicalmaryj420@gmail.com" <medicalmaryj420@gmail.com>

Sounds good, Jen, how bout you text me when you are coming my way?

Thanks

Wayne

[Quoted text hidden]

Sat, Feb 6, 2010 at 1:44 PM

medicalmaryj420@gmail.com <medicalmaryj420@gmail.com>

To: flagrantoffender@gmail.com

how much would you like?

[Quoted text hidden]

Sat, Feb 6, 2010 at 2:09 PM

KR <flagrantoffender@gmail.com>

To: "medicalmaryj420@gmail.com" <medicalmaryj420@gmail.com>

Sat, Feb 6, 2010 at 2:12 PM

can you do a half tonight?

I think you said 80 bucks?

Wayne

[Quoted text hidden]

medicalmaryj420@gmail.com <medicalmaryj420@gmail.com>

Sat, Feb 6, 2010 at 3:24 PM

To: flagrantoffender@gmail.com

A half is 180.

[Quoted text hidden]

medicalmaryj420@gmail.com <medicalmaryj420@gmail.com>

Sat, Feb 6, 2010 at 3:24 PM

To: flagrantoffender@gmail.com

[Quoted text hidden]

KR <flagrantoffender@gmail.com>

Sat, Feb 6, 2010 at 3:29 PM

To: "medicalmaryj420@gmail.com" <medicalmaryj420@gmail.com>

oops, i meant a quarter, I found your previous email 90 sounds good. See you tonight. Wayne

[Quoted text hidden]

medicalmaryj420@gmail.com <medicalmaryj420@gmail.com>

Sat, Feb 6, 2010 at 5:54 PM

To: flagrantoffender@gmail.com

Let's meet at the Bank of America by Walmart, I'll be there in 30 min. [Quoted text hidden]

CASE #\_10-0377

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NAME_	Jorde - Danner TEL#			
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CITY	Maysville STATE LUA ZIP_	732/10		
REL CODE	DESCRIPTION: $\sqrt{200}$			
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REL CODE	DESCRIPTION: \$20.00			
MAKE.				
LOCATIO	on FOUND: Yarde's Wallett	RMS		
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	ITEM # DESCRIPTION: MISC PRODUCTS SEE KEE			
REL CODE	DESCRIPTION: Misc Property & SIFE KEE			
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REL CODE	DESCRIPTION: 12 EA 9MM Rands			
MAKE:	MODEL:SER#/VIN			
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LOCATION FOUND:

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CRIME CODE (RCW) 69.50.401 DELONY OTHER	8
CRIME TITLE VUCSA MISDEMEANOR GROSS MISDEME	1
VICTIM NAME	
SUBMITTED BY SIGNATURE: PERSONNE	L#: <u>53</u>
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MAKE:MODEL:SER#/VIN	
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11 and 2-19 5 MANJUSTA	
MAKE: MODEL: SER#/VIN	
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MAKE: MODEL: SER#/VIN	
WARE.	□RMS
REL CODE ITEM# DESCRIPTION: 5 EA, Toots: c Rolls in Bu	5
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LOCATION FOUND:	
REL CODE ITEM# DESCRIPTION: Paper with and ledge	4
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MAKE: MODEL: SER#/VIN  LOCATION FOUND: Suspect Vehicle	□RMS
LOCATION FOUND: Suspect Vehille	

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0495

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CASE # 10 - 0377

DEVIDENCE □FOUND PROPERTY □SAFEKEEPING □DISPOSAL
SEIZED PURSUANT TO SEARCH WARRANT SEIZURE/FORFEITURE NOTICE ISSUED  CRIME CODE (RCW) 69.50.40 FELONY OTHER
CRIME CODE (RCW) 61. 0. 701 AFELONY DOTTER
CRIME TITLE WUCSA MISDEMEANOR GROSS MISDEMEANOR
SUBMITTED BY SIGNATURE: Dersonnel #: 53
PRINT: SANTO
DATE: 2/6/10 TIME: 2250 LOCKER#
OWNER DICTIM FINDER SUSPECT OTHER
NAME_ Youde - Dane TEL#/
ADDRESS 7716 GOTH PL NE
CITY Maysville STATE WA ZIP 98270
REL CODE ITEM# DESCRIPTION: 79 Marivana
REL CODE ITEM# DESCRIPTION: 79 Marijvana  13 Bae with "Andrev"
MAKE: MODEL: SER#/VIN
LOCATION FOUND: Sispect Vehicle RMS
REL CODE ITEM# DESCRIPTION: 3.50 Marijvana
17 cug of Steve
MAKE: MODEL: SER#/VIN
LOCATION FOUND: STOPECO VENICLE
REL CODE ITEM# DESCRIPTION: 3.5 g Marijana
15   5-16g Marijuna
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LOCATION FOUND: Seperto Volitica RMS
REL CODE ITEM# DESCRIPTION: 2 EA Bottle Hushish
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MAKE:SER#/VIN
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REL CODE ITEM # DESCRIPTION: diaita Scale
17
MAKE:SER#/VIN
LOCATION FOLIND: Scoot 16/h1c/e RMS

LOCATION FOUND:

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CASE # 10-0377

	DISDOSAL			
☐EVIDENCE ☐FOUND PROPERTY ☐SAFEKEEPING ☐ SEIZED PURSUANT TO SEARCH WARRANT ☐SEIZURE/FORFEITURE NOTICE	E ISSUED			
CRIME CODE (RCW)				
CRIME TITLE VULSA MISDEMEANOR GROSS MISDEM				
VICTIM NAME				
SUBMITTED BY SIGNATURE: PERSONNE	EL#: 53			
PRINT: Spares				
DATE: 2/6/10 TIME: 2250 LOCKER #_				
OWNER DICTIM FINDER SUSPECT OTHER				
NAME Yade - Duner TEL#/_				
ADDRESS 7719 64 PL NE				
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REL CODE ITEM# DESCRIPTION: 350 DOC 30 Mishrooms				
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y DESCRIPTION. 79 Cas				
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5 Jess Jess Jess Jess Jess Jess Jess Jes				
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REL CODE ITEM# DESCRIPTION: 3.59 Manifulana				
REL CODE ITEM# DESCRIPTION: 3.59 Moniturna  6 Brown bus with "Gina"				
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7				
MAKE:MODEL:SER#/VIN				

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case#<u>/0-377</u>

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VICTIM NAME	+1
PRINT: WAYNE Schakel	
DATE: 2-6-10 TIME: 2300 LOCKER#	
OWNER VICTIM FINDER SUSPECT OTHER	
NAME TEL # /	www.saaaaaaaaaaaaaaaaaaaa
ADDRESS	
CITYSTATEZIP	
REL CODE ITEM# DESCRIPTION:	
8 42.50 Greves Marigona	
MAKE:MODEL:MK+DTSER#/VIN	
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MAKE: <u>TAUVUS</u> MODEL: <u>PT ///</u> SER#/VIN_TCO /4782	
LOCATION FOUND: Suspect Vehicle	_□RMS
REL CODE ITEM# DESCRIPTION:  PACKAGING MATURIAL	
MAKE: SER#/VIN	
OCATION FOUND: SUSPECT VENILE	RMS
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CASE # 10 - 0377

CRIME CRIME	SEIZED CODE (I FITLE NAME	OPURSUANT TO SEARCH WARRANT SEIZURE/FORFEITURE NOTICE  RCW) STENDARD SEIZURE/FORFEITURE NOTICE  RCW) STENDARD SEIZURE/FORFEITURE NOTICE  RCW) SEIZURE/FORFEITURE NOTICE  MISDEMEANOR GROSS MISDEME  PERSONNEL  PRINT: SAUTOS	ISSUED  ANOR	
		DATE: 2/4/10 TIME: 2244 LOCKER#_		
OWN NAME_ ADDRES CITY_	Da	TOUR GUPL NE		
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MAKE:	AND THE PROPERTY OF THE PROPER	MODEL:SER#/VIN,		
LOCATION	ON FOU	ND: Recovered from Det. Schakel		
REL CODE	ITEM#	DESCRIPTION: \$ 90.00 recorded 6:1/5		
		MODEL: SER#/VINND: Youde's wallet		
REL CODE	ITEM#	DESCRIPTION:		
RANKE.		MODEL:SER#/VIN		
		ND:	RMS	
REL CODE	ITEM#	DESCRIPTION:		
MAKE:		MODEL:SER#/VIN		
LOCATION FOUND: RMS				
REL CODE	ITEM#	DESCRIPTION:		
MAKE:		MODEL:SER#/VIN	3	
I OCATIO	NEOLIN	ND.	□RMS	

LOCATION FOUND:

EVIDENCE

0500