

FILED  
LEWIS COUNTY

2020 JUN 15 PM 1:42

20-1-00482-21  
ADPC 3  
Affidavit of Probable Cause  
8341583



IN THE SUPERIOR COURT OF WASHINGTON IN AND  
FOR LEWIS COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

DUNCAN ANDREW SMALL,

Defendant.

No. 20-1-00482-21

AFFIDAVIT REGARDING  
PROBABLE CAUSE

II. AFFIDAVIT

STATE OF WASHINGTON )  
: ss.  
COUNTY OF LEWIS )

The undersigned on oath states:

2.1 I am a Deputy Prosecuting Attorney for this county:

2.2 I am familiar with the investigative report in 20B2237 and the following information is contained in that report:

On March 10, 2020, Duncan Small was issued citation XZ0081126 by Washington State Patrol. On March 14, 2020, the Lewis County District Court, in Washington State, received an email message from a duncanuberbike@gmail.com reference ticket XZ0081126 with name listed as "Duncan". The message indicated that the sender has COVID-19 and if the citation was not dropped in three business days, they would make sure that the whole court gets infected.

On April 6, 2020, the Lewis County District Court received another email message from a duncanuberbike@gmail.com reference ticket XZ0081126 with name listed as "Duncan". The message indicated that the sender has COVID-19 and threatened to mail contaminated items to infect court workers and anyone who touched the mail between Tennessee and Washington, if the ticket was not dropped. The end of the message reads, "You have been warned."

AFFIDAVIT REGARDING  
PROBABLE CAUSE

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LEWIS COUNTY  
PROSECUTING ATTORNEY  
345 W. Main Street, 2<sup>nd</sup> Floor  
Chehalis, WA 98532  
360-740-1240 (Voice) 360-740-1497 (Fax)

1 On May 1, 2020, Officer Dyas responded to Lewis County District Court for a report  
2 of yet another email and a hard copy letter mailed to the court. The email to the District  
3 Court contact form was from duncanuberbike@gmail.com with the citation XZ0081126  
4 WSP as the case number. The name of sender was listed as "FUCK YOU." The body of  
5 the message read, "You 'people' extorted the wrong fucking citizen. There WILL be  
6 retribution. Do not EVER write me a ticket again."

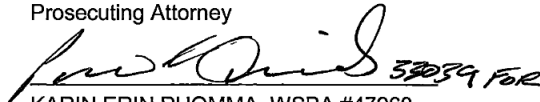
7 District Court staff also provided Officer Dyas with the hard copy envelope mailed to  
8 the court postmarked April 27, 2020 and received on May 1, 2020. The letter read, "I have  
9 COVID-19. I have sent multiple messages warning that I would send tainted mail if my  
10 ticket wasn't dropped. I have spat on this paper multiple times. This will now continue until  
11 ALL tickets are dropped." It also says, "Do NOT make someone cause an incident."

12 Court staff indicated that Small had also called to pay his ticket on May 1, 2020.  
13 Officer Dyas called Duncan Small at the number provided by court staff. When confronted  
14 about the threats, Small admitted that he knew what Officer Dyas was talking about and  
15 apologized.


16 Based on the above, the State requests that the suspect, Duncan Andrew Small, be  
17 detained subject to conditions of release.

18  
19 Dated this 15 day of June, 2020.

20 JONATHAN L. MEYER  
21 Prosecuting Attorney

22   
23 KARIN ERIN PHOMMA, WSBA #47960  
24 Deputy Prosecuting Attorney

25 SUBSCRIBED and SWORN to before me June 15, 2020.

26  
27   
28 MONTESSA VOSS, NOTARY PUBLIC in  
29 And for the State of Washington,  
30 Residing at Tumwater.  
My commission expires 03/30/2024.