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6 **IN THE SUPERIOR COURT OF THE**
7 **STATE OF WASHINGTON**
8 **IN AND FOR THE COUNTY OF SKAMANIA**

9 STATE OF WASHINGTON,
10 Plaintiff,
11 vs.
12 CRAIG ALLEN SJOBERG,
13 Defendant.

NO. 08-1-00126-0

AFFIDAVIT IN SUPPORT
OF PROBABLE CAUSE

14 STATE OF WASHINGTON)
15) SS:
16 County of Skamania)

17 CHRISTOPHER R. LANZ, being first duly sworn upon oath deposes
18 and says:

19 That I am a duly appointed, qualified and acting Chief Deputy
20 Prosecuting Attorney for Skamania County, Washington;

21 That I am familiar with the police reports and investigation
22 conducted in this case and have reason to believe that probable
23 cause exists to prove that the above-named defendant has committed
24 the crime of MANSLAUGHTER IN THE FIRST DEGREE, RCW 9A.32.060(1)(a),
25 based upon the following facts and circumstances as provided by the
26 Skamania County Sheriff's Office.

 On November 1, 2008, at about 8:24 p.m., hours, Santos Diego-
Esparragoza and Serafin Jimenez-Bautista contacted the Skamania
County Sheriff's Office, reporting the discovery of the dead body
of their co-worker, Juan Cortez Rojas. Mr. Diego-Esparragoza and
Mr. Jimenez-Bautista stated they were picking bear grass with Mr.

1 | Rojas, known to them only as "Dario Macho," in the area of Lon
2 | Butte, Skamania County, Washington, and they discovered Mr. Ro
3 | body after he failed to reunite with them at the prearranged t
4 | at their camp. Additionally, they had reported hearing a guns
5 | in the area, which did not find to be unusual because it was t
6 | first day of elk-hunting season. After locating the body, the
7 | flagged down three hunters, Alan Vanevery, John Roth, and Brad
8 | and those three hunters gave them a ride to the Sheriff's Offi
9 | Stevenson, Skamania County, Washington.

10 | The three hunters stated they had been hunting and walking
11 | of the Forest Service 150 spur road, when either Mr. Diego-
12 | Esparragoza or Mr. Jimenez-Bautista approached them and stated
13 | friend had been shot. They gave that person a ride to his camp
14 | where they picked up the other co-worker, and they then drove t
15 | both to Stevenson to contact law enforcement, where they gave t
16 | above-referenced statement concerning the discovery of the body

17 | Members of the Skamania County Sheriff's Office, along wit
18 | Mr. Diego-Esparragoza and Mr. Jimenez-Bautista, went to the
19 | reported location of the dead body. They found Mr. Rojas's bod
20 | off of the Forest Service 150 spur road, and, upon examining t
21 | body, they located a bullet wound in Mr. Rojas's right shoulder

22 | A number of elk hunters, after reading the Skamania County
23 | Sheriff's Office's press-release about the death, called the
24 | Sheriff's Office to report information about an individual hunt
25 | in the area of Forest Service 150 spur road on the morning and
26 | early afternoon of November 1, 2008, described as: "round faced

1 male, less than 5'10' in height, maybe as short as 5'5" or even
2 5'4", answering to the name of "Craig," wearing thick-lensed
3 eyeglasses and hunter orange, including a hunter orange rainhat and
4 backpack, and carrying a 30-06 Remington stainless-steel rifle.
5 One witness stated he spoke with the individual, and the individual
6 had stated he had fired his rifle at a three-point buck elk, but he
7 had missed. The individual was described as leaving the Forest
8 Service 150 spur road in a white sports utility vehicle, possibly a
9 Jeep Liberty, shortly after admitting to having fired his rifle.
10 Another witness stated "Craig" had made arrangements with him to
11 hunt the following day, November 2, 2008, but that "Craig" did not
12 return to hunt that next day.

13 On November 4, 2008, at 6:51 a.m., Skamania County Sheriff's
14 Office Sergeant Monty Buettner received a voice mail in which the
15 following was stated:

16 "Yes, uhhhh, Mr. Buettner, this is Craig Sjoberg, and I was
17 just reading a story in today's Columbian, and uuuumm, I, I, I
18 might be the person that you're thinking about in that um,
19 shooting incident, and uuuumm, I, I guess you probably want to
20 talk to me. So anyway, uuuumm, I'm at work. I'm a teacher, it's
kind of hard to get me during the day, but if you would like,
uhhhhh, you could give me a call, say after 3 pm, and my uhhh,
cell phone number is [REDACTED] So, I will probably talk to
you later today. Thank you, bye."

21 Pursuant to the caller's instructions, Sgt. Buettner called the
22 cell phone number four times between the hours of 3:10 p.m. and
23 4:10 p.m. that afternoon. The caller did not return Sgt.
24 Buettner's calls.

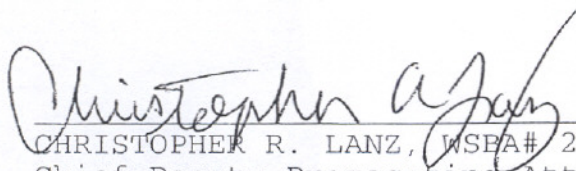
25 On November 5, 2008, Skamania County Sheriff's Office
26 Detective Tim Garrity applied for a search warrant for the

1 residence of the defendant, CRAIG ALLEN SJOBERG. Detective
2 Garrity, through contacts with the Clark County Sheriff's Office,
3 learned the defendant's residence to be [REDACTED]
4 [REDACTED] Clark County, Washington. Clark County District
5 Court Judge Jason P. Swanger signed the search warrant authorizing
6 the search of the residence. Upon execution of the search warrant
7 on the defendant's residence, the following items were seized: a
8 30-06 rifle, Remington model 760, unspent 30-06 rounds, and a
9 hunter orange camouflage backpack.

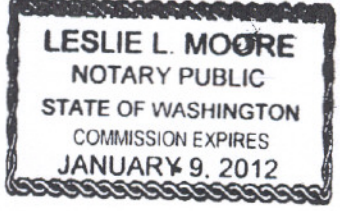
10 Detective Garrity learned Washington Department of Licensing
11 records indicate the defendant owns a 2003 Jeep Liberty.

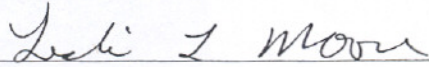
12 On November 3, 2008, Clark County Medical Examiner Dennis
13 Wickham, M.D., conducted a post-mortem examination of Mr. Rojas's
14 body. Dr. Wickham concluded Mr. Rojas died as a result of a
15 gunshot wound. He also he recovered a bullet from Mr. Rojas's
16 body.

17 Washington State Patrol ballistic testing indicates
18 the bullet recovered from Mr. Rojas's body was fired from a firearm
19 of the same classification as the rifle seized from the defendant's
20 residence.

21 
22 CHRISTOPHER R. LANZ, WSEA# 24220
23 Chief Deputy Prosecuting Attorney

24 SUBSCRIBED AND SWORN to before me this 19th day of NOVEMBER
25 2008.



26 
Leslie L. Moore
Notary Public for the State of
Washington Residing at Carson
My Commission Expires: 01-09-2012