IN THE MUNICIPAL COURT OF THE STATE OF WASHINGTON
IN AND FOR THE CITY OF AIRWAY HEIGHTS

CITY OF AIRWAY HEIGHTS, Plaintiff, vs. _____, Defendant.	NO. _____ **ORDER DEFERRING INFRACTION** **RCW 46.63.070**

I. BASIS

The Defendant requested a deferred disposition pursuant to RCW 46.63.070.

II. FINDINGS

After reviewing the case record to date, and the basis for the motion, the court finds that the Defendant has not been granted a deferred disposition on a traffic infraction in the last seven years. The Defendant does not have a CDL.

III. ORDER

The Court hereby defers entry of it's finding in this matter until one year following the date of this Order or such earlier date as the Court determines appropriate in the event of a commission of a new violation. A review hearing in chambers shall be held at the end of the year without further notice unless the court orders an in court hearing following notice.

The Court will dismiss the above infraction at said anniversary date if the Defendant's record and case file demonstrate compliance with all terms of this Order. The Court will not extend the time for Defendant to pay court costs or otherwise show compliance with the terms of this Order for any reason.

The Defendant shall: 1) pay Court Costs in the amount of **$100** in full today or time payment agreement; 2) personally appear for hearing if ordered by the court; 3) **commit no new violation of the traffic laws** (including criminal traffic misdemeanors) in any jurisdiction during the period of this deferral. Any infraction issued after entry of this order shall be considered a new violation for purposes of this Order. The filing of any infraction or criminal traffic violation with an offense date after entry of this order shall be considered a new violation unless the case has been dismissed with prejudice before the review hearing.

If the Court finds that the Defendant has violated the terms of this Order by committing a new violation, or otherwise fails to prove compliance with any term of this Order, the Court shall find the infraction committed and shall assess the full penalty provided under IRLJ 6.2(d). Defendant may apply for the opportunity to make time payments if Defendant is not delinquent in payment of the court costs assessed by this Order, but will not be entitled to a penalty reduction.

If the Defendant fails for any reason to pay court costs in full today or as agreed in the time payment agreement, the Court shall, without further notice, find the infraction committed, assess the full penalty provided by IRLJ 6.2(d) plus the penalty for failure to pay or appear, and notify the Department of Licensing of the Court's finding and of the failure to pay or appear.

If the Defendant is not licensed in the State of Washington the Defendant must provide a copy of their driving record at the time this Order is submitted and submit another current record again one year later.

Dated this _____ day of _____, 20___.

_____
JUDGE FASSBENDER

Defendant Agrees to the Above Terms:

_____
Defendant