

**UNITED STATES OF AMERICA
NATIONAL CREDIT UNION ADMINISTRATION
NATIONAL CREDIT UNION ADMINISTRATION BOARD
Alexandria, Virginia**

In the Matter of)
)
)

ANNE M. MASSEY)

NCUA Docket No.: 08-0015-RV

An Institution-Affiliated Party and)
Person Participating in the Affairs of the)
Simpson Community Credit Union,)
Shelton, Washington)
)

Respondent.)
)

FINAL ORDER OF PROHIBITION

WHEREAS Respondent ANNE M. MASSEY ("MASSEY"), former Member Service Representative/Teller of Simpson Credit Union,¹ charter number 4779, located in Shelton, Washington, was an "institution-affiliated party" of that credit union as defined by 12 U.S.C. § 1786(r);

WHEREAS MASSEY was found guilty to one count of theft in the first degree, in violation of RCW 9A.56.030(1)(a), in the Superior Court of Washington, and was sentenced on August 13, 2007, to imprisonment for eighteen months and ordered to pay restitution in the amount of \$3,969.54. See "Judgment in a Criminal Case", in STATE OF WASHINGTON v. ANNE M. MASSEY, Case Number CR 07-0251, dated August 23, 2007. Because MASSEY did not file an appeal within the required period, her conviction is now final;

¹ September 1, 2006, Simpson Credit Union changed its name to "Our Community Credit Union."

August 23, 2007. Because MASSEY did not file an appeal within the required period, her conviction is now final;

WHEREAS a violation of RCW 9A.56.030(1)(a) is a felony involving theft in the first degree, property or services which exceed(s) one thousand five hundred dollars in value other than a firearm;

WHEREAS the NCUA Board finds that MASSEY'S service to or participation in the conduct of the affairs of a federally-insured credit union may pose a threat to the interests of the members of such credit union or may threaten to impair public confidence in such credit union; and

WHEREAS the NCUA Board has delegated authority to its Regional Directors to issue Final Orders of Prohibition on its behalf based upon a criminal conviction.

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. ANNE M. MASSEY is prohibited from participating in any manner in the conduct of the affairs of any federally-insured credit union, and from continuing or commencing to hold any office, or participate in any manner, in the conduct of the affairs of any insured depository institution; any institution treated as an insured bank under 12 U.S.C. §§ 1818(b)(3) or (4), or as a savings association under 12 U.S.C. § 1818(b)(8); any insured institution chartered under 12 U.S.C. § 2001 et seq.; any appropriate Federal depository institution regulatory agency; the Federal Housing Finance Board and any Federal home loan bank; and the Resolution Trust Corporation. See 12 U.S.C. § 1786(g)(7)(A);

2. The "Judgment in a Criminal Case", in STATE OF WASHINGTON v. ANNE M. MASSEY, Case Number CR 07-0251, dated August 13, 2007, is made a part hereof and is incorporated herein by reference; and

3. This Final Order of Prohibition shall be effective and enforceable on the date set forth below.

OPPORTUNITY FOR HEARING

Pursuant to 12 U.S.C. § 1786(i)(3), KASSON may request in writing, within 30 days of service of this Order, a hearing to present evidence and argument that his participation in the affairs of any federally-insured credit union would not, or would not be likely to, pose a threat to the interests of such credit union's members or threaten to impair public confidence in such credit union. See 12 C.F.R. § 747.306, *et seq.* The NCUA Board will consider the criteria set forth at 12 C.F.R. § 747.311.

A request for a hearing must state with particularity the relief desired, the grounds therefor, and must include, when available, supporting evidence. The request must be sent to: Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314-3428.

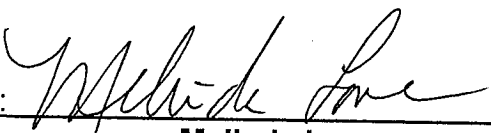
PENALTY FOR VIOLATION OF ORDER OF PROHIBITION

Pursuant to Section 206(k)(2) of the Federal Credit Union Act, 12 U.S.C. § 1786(k)(2), any violation of this Order may subject the violator to a Civil Money Penalty of up to \$1,000,000.00 a day for each day said violation continues. In addition,

pursuant to Section 206(l) of the Federal Credit Union Act, 12 U.S.C. § 1786(l), any violation of this Order is a felony offense that is punishable by imprisonment of up to five years and a fine of up to \$1,000,000.00.

IT IS SO ORDERED this 27th day of May 2008.

**NATIONAL CREDIT UNION
ADMINISTRATION BOARD**

By: 

Melinda Love
Regional Director, Region V
National Credit Union Administration

FILED
IN THE OFFICE
OF COUNTY CLERK
GRAY HARBOR CO. WA

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COUNTY CLERK

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SUPERIOR COURT OF WASHINGTON
COUNTY OF GRAYS HARBOR

STATE OF WASHINGTON, Plaintiff,

vs.

ANNE M. MASSEY
Defendant.

SID:
If no SID, use DOB: 12/15/64

No. 07-1-246-7

FELONY JUDGMENT AND SENTENCE (FJS)

- Prison RCW 9.94A.712 Prison Confinement
- Jail One Year or Less RCW 9.94A.712 Prison Confinement
- First-Time Offender
- Special Sexual Offender Sentencing Alternative
- Special Drug Offender Sentencing Alternative

Clerk's Action Required, para 4.5 (SDOSA), 4.15.2, 5.3, 5.6, and 5.8

I HEARING

1.1 A sentencing hearing was held and the defendant, the defendant's lawyer, CURTIS M. JANHUNEN, and (deputy) prosecuting attorney, KATHERINE L. SVOBODA, were present.

II FINDINGS

There being no reason why judgment should not be pronounced, the court FINDS:

2.1 CURRENT OFFENSE(S): The defendant was found guilty on AUGUST 13, 2007, by PLEA as charged in the Information of:

COUNT	CRIME	RCW	DATE OF CRIME
1	THEFT IN THE FIRST DEGREE	9A.56.030(1)(a)	01/01/99 THROUGH 01/25/07

(If the crime is a drug offense, include the type of drug in the second column.)

- The court finds that the defendant is subject to sentencing under RCW 9.94A.712.
- Current offenses encompassing the same criminal conduct and counting as one crime in determining the offender score are (RCW 9.94A.589): _____

FELONY JUDGMENT AND SENTENCE (FJS) (Over One Year)
(RCW 9.94A.500, .505) (WPF CR 84.0-100 (06-2006))

Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number): _____

2.2 CRIMINAL HISTORY (RCW 9.94A.525):

The defendant has no known criminal history.

Additional criminal history is attached in Appendix 2.2.

The defendant committed a current offense while on community placement (adds one point to score). RCW 9.94A.525.

The court finds that the following prior convictions are one offense for purposes of determining the offender score (RCW 9.94A.525):

The following prior convictions are not counted as points but as enhancements pursuant to RCW 46.61.520:

2.3 SENTENCING DATA:

Count No.	Offender Score	Seriousness Level	Standard Range (not including enhancements)	Plus Enhancements*	Total Standard Range (including enhancements)	Maximum Term
I	1	II	0-90 days		0-90 days	10 YRS./\$20,000

* (F) firearm, (D) Other deadly weapons, (V) VUCSA in a protected zone, (VH) Veh. Hom., see RCW 46.61.520, (JP) Juvenile present (SM) Sexual motivation, RCW 9.94A.533(8).

Additional current offenses sentencing data is attached in Appendix 2.3.

2.4 EXCEPTIONAL SENTENCE. Substantial and compelling reasons exist which justify an exceptional sentence:

within below the standard range for Count(s) _____

above the standard range for Count(s) _____

The defendant and state have stipulated that justice is best served by imposition of the exceptional sentence above the standard range and the court finds the exceptional sentence furthers and is consistent with the interests of justice and the purposes of the sentencing reform act.

Aggravating factors were stipulated by the defendant, found by the court after the defendant waived jury trial, found by jury by special interrogatory.

Findings of Fact and Conclusions of Law are attached in Appendix 2.4. Jury's special interrogatory is attached.

The Prosecuting Attorney did did not recommend a similar sentence.

2.5 ABILITY TO PAY LEGAL FINANCIAL OBLIGATIONS. The court has considered the total amount owing, the defendant's past, present and future ability to pay legal financial obligations, including the defendant's financial resources and the likelihood that the defendant's status will change. The court finds that the defendant has the ability or likely future ability to pay the legal financial obligations imposed herein. RCW 9.94A.753.

The following extraordinary circumstances exist that make restitution inappropriate. (RCW 9.94A.753):

2.6 For violent offenses, most serious offenses, or armed offenders recommended sentencing agreements or plea agreements are [] attached [] as follows: _____

III. JUDGEMENT

3.1 The defendant is GUILTY of the Count(s) and Charge(s) listed in Paragraph 2.1 and Appendix 2.1.

IV. SENTENCE AND ORDER

IT IS ORDERED:

4.1 Defendant shall pay to the Clerk of the Court:

3969.54
 JASY CODE \$ ~~250.00~~ Restitution to: Our Community Credit Union
 \$ _____ Restitution to: PO Box 1670
 Shelton, WA 98584
 RTN/RIN \$ _____ Restitution to: (Name and Address - address may be withheld and provided confidentially to Clerk's Office)
 PCV \$ 500.00 Victim assessment RCW 7.68.035
 \$ _____ Domestic Violence Assessment RCW 10.99.080
 FRC \$ 200.00 Court costs, including RCW 9.94A.760, 9.94A.505, 10.01.160, 10.46.190.
 WFR \$ _____ Witness costs
 SPR/SFS/SPW/WRF \$ _____ Sheriff service fees
 JFR \$ _____ Jury demand fee
 EXT \$ _____ Extradition Costs
 \$ _____ Other
 PUB \$ _____ Fees for court appointed attorney RCW 9.94A.760
 WFR \$ _____ Court appointed defense expert and other defense costs RCW 9.94A.760
 FCM/mth \$ _____ Fine RCW 9A.20.021; [] VUCSA chapter 69.50 RCW, [] VUCSA additional fine deferred due to indigency RCW 69.50.430
 CDPA/DMP/CD NTR/SAD/SDI \$ _____ Drug enforcement fund of the: RCW 9.94A.760
 FCD/NTF/SAD/SDI CLF \$ _____ Crime lab fee [] suspended due to indigency RCW 43.43.690
 \$ 100.00 Felony DNA collection fee [] not imposed due to hardship

FELONY JUDGMENT AND SENTENCE (FJS) (Over One Year) (RCW 9.94A.500, .505) (WPF CR 84.0400 (06-2006))

RESTITUTION \$ _____ Emergency response costs (Vehicular Assault, Vehicular Homicide only, \$1000 maximum) RCW 38.52.430

\$ _____ Other costs for: _____

\$ _____ TOTAL RCW 9.94A.760

The above total does not include all restitution or other legal financial obligations, which may be set by later order of the court. An agreed restitution order may be ordered, RCW 9.94A.753.

A restitution hearing

shall be set by the prosecutor

is scheduled for: _____

RESTITUTION. Schedule attached.

The Department of Corrections (DOC) or clerk of the court shall immediately issue a Notice of Payroll Deduction. RCW 9.94A.7602, RCW 9.94A.760(8).

All payments shall be made in accordance with the policies of the clerk of the court and on a schedule established by the DOC or the clerk of the court, commencing immediately, unless the court specifically sets forth the rate here: Not less than \$ _____ per month commencing _____

The defendant shall report as directed by the clerk of the court and provide financial information as requested, RCW 9.94A.760(7)(b).

In addition to the other costs imposed herein, the court finds that the defendant has the means to pay for the cost of incarceration and is ordered to pay such costs at the rate of \$50.00 per day, unless another rate is specified here: \$ _____. (JLR) RCW 9.94A.760.

The financial obligations imposed in this judgment shall bear interest from the date of judgment until payment in full, at the rate applicable to civil judgments. RCW 10.82.090. An award of costs on appeal against the defendant may be added to the total legal financial obligations. RCW 10.73.160

4.2 DNA TESTING. The defendant shall have a biological sample collected for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing. The appropriate agency shall be responsible for obtaining the sample prior to the defendant's release from confinement. RCW 43.43.754.

HIV TESTING. The defendant shall submit to HIV testing. RCW 70.24.340.

4.3 The defendant shall not have contact with **OUR COMMUNITY CREDIT UNION**, including but not limited to, personal, verbal, telephonic, written, or contact through a third party for TEN (10) years (not to exceed the maximum statutory sentence).

Domestic Violence No-Contact Order, Anti-harassment No-Contact Order or Sexual Assault Protection Order is filed with the Judgment and Sentence.

The defendant is ordered to reimburse _____ (name of electronic monitoring agency) at _____, for the cost of pretrial electronic monitoring in the amount of \$ _____

4.4 OTHER:

- The defendant shall maintain law abiding behavior.
- The defendant is prohibited from any crimes of dishonesty.
- The defendant shall have no contact with Our Community Credit Union for a period of 10 years.
- Pursuant to statute, the defendant is prohibited from possession, ownership, or control of firearms.
- As an agreed exceptional sentence, the defendant must notify all future employers of this conviction.

4.5 CONFINEMENT OVER ONE YEAR. The defendant is sentenced as follows:

(a) CONFINEMENT. RCW 9.94A.589. Defendant is sentenced to the following term of total confinement in the custody of the Department of Corrections:

18 months on Count 1

Actual number of months of total confinement ordered is: _____
(Add mandatory firearm, deadly weapons, and sexual motivation enhancement time to run consecutively to other counts, see Section 2.3, Sentencing Data above.)

The confinement time on Count(s) _____ contain(s) a mandatory minimum term of _____

All counts shall be served concurrently, except for the portion of those counts for which there is a special finding of a firearm or other deadly weapon, sexual motivation, VUCSA in a protected zone, or manufacture of methamphetamine with juvenile present as set forth above in Section 2.3, and except for the following counts which shall be served consecutively:

The sentence herein shall be run consecutively with the sentence in cause number(s): _____

but concurrently to any other felony cause not referred to in this Judgment. RCW 9.94A.589
Confinement shall commence immediately unless otherwise set forth here: _____

(b) CONFINEMENT. RCW 9.94A.712: The defendant is sentenced to the following term of confinement in the custody of the Department of Corrections:

Count _____ minimum term _____ maximum term _____

(c) The defendant shall receive credit for time served prior to sentencing if that confinement was solely under this cause number. RCW 9.94A.505. The time served shall be computed by the jail unless the credit for time served prior to sentencing is specifically set forth by the court: _____

4.6 COMMUNITY PLACEMENT is ordered as follows:

Count _____ for _____ months;

COMMUNITY CUSTODY for count(s) _____, sentenced under RCW 9.94A.712, is ordered for any period of time the defendant is released from total confinement before expiration of the maximum sentence.

COMMUNITY CUSTODY is ordered as follows:

Count _____ for a range from _____ to _____ months;

or for the period of earned release awarded pursuant to RCW 9.94A.728(1) and (2), whichever is longer, and standard mandatory conditions are ordered. [See RCW 9.94A.700 and .705 for community placement offenses, which include serious violent offenses, second degree assault, any crime against a person with a deadly weapon finding, Chapter 69.50 or 69.52 RCW offenses not sentenced under RCW 9.94A.660 committed before July 1, 2000. See RCW 9.94A.715 for community custody range offenses, which include sex offenses not sentenced under RCW 9.94A.712 and violent offenses committed on or after July 1, 2000. Use paragraph 4.7 to impose community custody following work ethic camp.]

On or after July 1, 2003, DOC shall supervise the defendant if DOC classifies the defendant in the A or B risk categories; or, DOC classifies the defendant in the C or D risk categories and at least one of the following apply:

- (a) The defendant committed a current or prior:
 - (i) Sex offense; (ii) Violent Offense;
 - (iii) Crime against a person (RCW 9.94A.411);
 - (iv) Domestic Violence offense (RCW 10.99.020);
 - (v) Residential burglary offense; (vi) Offense for manufacture, delivery or possession with intent to deliver methamphetamine, including it salts, isomers, and salts of isomers,
 - (vii) Offense for delivery of a controlled substance to a minor; or attempt, solicitation or conspiracy (vi, vii).
- (b) The conditions of community placement or community custody include chemical dependency treatment.
- (c) The defendant is subject to supervision under the interstate compact agreement, RCW 9.94A.745.

While on community placement or community custody, the defendant shall: (1) report to and be available for contact with the assigned community corrections officer as directed; (2) work at Department of Corrections approved education, employment and/or community restitution (service); (3) notify DOC of any change in defendant's address or employment; (4) not consume controlled substances except pursuant to lawfully issued prescriptions; (5) not unlawfully possess controlled substances while in community custody; (6) pay supervision fees as determined by the Department of Corrections; and (7) perform affirmative acts necessary to monitor compliance with the orders of the court as required by the Department of Corrections; and (8) for sex offenses, submit to electronic monitoring if imposed by the Department of Corrections. The residence location and living arrangements are subject to the prior approval of the Department of Corrections while in community placement or community custody. Community custody for sex offenders not sentenced under RCW 9.94A.712 may be extended for up to the statutory maximum term of the sentence. Violation of community custody imposed for a sex offense may result in additional confinement.

- The defendant shall not consume any alcohol.
- Defendant shall have no contact with: _____
- Defendant shall remain within outside of a specified geographical boundary, to wit: _____
- Defendant shall not reside in a community protection zone (within 880 feet of the facilities or grounds of a public or private school). (RCW 9.94A.030(8)).
- The defendant shall participate in the following crime-related treatment or counseling services: _____
- The defendant shall undergo an evaluation for treatment for domestic violence substance abuse mental health anger management and fully comply with all recommended treatment.
- The defendant shall comply with the following crime-related prohibitions: _____

Other conditions:

- The defendant shall maintain law abiding behavior.
- The defendant is prohibited from any crimes of dishonesty.
- The defendant shall have no contact with Our Community Credit Union for a period of 10 years.

- Pursuant to statute, the defendant is prohibited from possession, ownership, or control of firearms.
 - The defendant must notify all future employers of this conviction.
- [] For sentences imposed under RCW 9.94A.712, other conditions, including electronic monitoring, may be imposed during community custody by the Indeterminate Sentence Review Board, or in an emergency by the Department of Corrections. Emergency conditions imposed by the Department of Corrections shall not remain in effect longer than seven (7) working days.
- 4.7 [] WORK ETHIC CAMP. RCW 9.94A.690, RCW 72.09.410. The court finds that the defendant is eligible and is likely to qualify for work ethic camp and the court recommends that the defendant serve the sentence at a work ethic camp. Upon completion of work ethic camp, the defendant shall be released on community custody for any remaining time of total confinement, subject to the conditions below. Violation of the conditions of community custody may result in a return to total confinement for the balance of the defendant's remaining time of total confinement. The conditions of community custody are stated above in Section 4.6.
- 4.8 [] OFF LIMITS ORDER (known drug trafficker) RCW 10.66.020. The following areas are off limits to the defendant while under the supervision of the County Jail or Department of Corrections: _____

V. NOTICES AND SIGNATURE

- 5.1 COLLATERAL ATTACK ON JUDGMENT. Any petition or motion for collateral attack on this judgment and sentence, including but not limited to any personal restraint petition, state habeas corpus petition, motion to vacate judgment, motion to withdraw guilty plea, motion for new trial or motion to arrest judgment, must be filed within one year of the final judgment in this matter, except as provided for in RCW 10.73.100. RCW 10.73.090
- 5.2 LENGTH OF SUPERVISION. For an offense committed prior to July 1, 2000, the defendant shall remain under the court's jurisdiction and the supervision of the Department of Corrections for a period up to 10 years from the date of sentence or release from confinement, whichever is longer, to assure payment of all legal financial obligations unless the court extends the criminal judgment an additional 10 years. For an offense committed on or after July 1, 2000, the court shall retain jurisdiction over the offender, for the purposes of the offender's compliance with payment of the legal financial obligations, until the obligation is completely satisfied, regardless of the statutory maximum for the crime. RCW 9.94A.760 and RCW 9.94A.505(5). The clerk of the court is authorized to collect unpaid legal financial obligations at any time the offender remains under the jurisdiction of the court for purposes of his or her legal financial obligations. RCW 9.94A.760(4) and RCW 9.94A.753(4).
- 5.3 NOTICE OF INCOME-WITHHOLDING ACTION. If the court has not ordered an immediate notice of payroll deduction in paragraph 4.1, you are notified that the Department of Corrections or the clerk of the court may issue a notice of payroll deduction without notice to you if you are more than 30 days past due in monthly payments in an amount equal to or greater than the amount payable for one month. RCW 9.94A.7602. Other income-withholding action under RCW 9.94A.760 may be taken without further notice. RCW 9.94A.7606.
- 5.4 RESTITUTION HEARING.
[] Defendant waives any right to be present at any restitution hearing (sign initials): _____
- 5.5 Any violation of this Judgment and Sentence is punishable by up to 60 days of confinement per violation. RCW 9.94A.634.
- 5.6 FIREARMS. You must immediately surrender any concealed pistol license and you may not own, use or possess any firearm unless your right to do so is restored by a court of record. (The court clerk shall forward a copy of the defendant's driver's license, identicard, or comparable identification, to the Department of Licensing along with the date of conviction or commitment). RCW 9.41.040, 9.41.047.

- 5.8 The court finds that Court _____ is a felony in the commission of which a motor vehicle was used. The clerk of the court is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must revoke the defendant's driver's license. RCW 46.20.285.
- 5.9 If the defendant becomes subject to court-ordered mental health or chemical dependency treatment, the defendant must notify the Department of Corrections and the defendant's treatment information must be shared with the Department of Corrections for the duration of the defendant's incarceration and supervision. RCW 9.94A.562.
- 5.10 OTHER: _____

DONE in Open Court and in the presence of the defendant this date: 8/13/07

F. Mark McCauley
 JUDGE: David S. Foscoe / Gordon L. Godfrey / F. Mark McCauley

Katherine L. Svoboda
 Deputy Prosecuting Attorney
 WSBA #34097
 Print name: KATHERINE L. SVOBODA

Curtis M. Janhunen
 Attorney for Defendant
 WSBA #4168
 Print name: CURTIS M. JANHUNEN

Donna Morrey
 Defendant

VOTING RIGHTS STATEMENT: I acknowledge that my right to vote has been lost due to a felony conviction. If I am registered to vote, my voter registration will be cancelled. My right to vote may be restored by: (a) A certificate of discharge issued by the sentencing court, RCW 9.94A.637; (b) A court order issued by the sentencing court restoring the right, RCW 9.92.066; (c) A final order of discharge issued by the indeterminate sentence review board, RCW 9.96.050; or (d) A certificate of restoration issued by the governor, RCW 9.96.020. Voting before the right is restored is a class C felony, RCW 92A.84.660.

Defendant's signature: _____

I, _____, Clerk of this Court, certify that the foregoing is a full, true and correct copy of the Judgment and Sentence in the above-entitled action, now on record in this office.

WITNESS my hand and seal of the said Superior Court affixed this date: _____

Clerk of said County and State, by _____, Deputy Clerk.

IDENTIFICATION OF DEFENDANT

SID No. _____ Date of Birth 12/15/64
(If no SID take fingerprint card for State Patrol)

FBI No. _____ Local ID No. _____

PCN No. _____ Other DOC # _____

Alias Name, SSN, DOB: _____

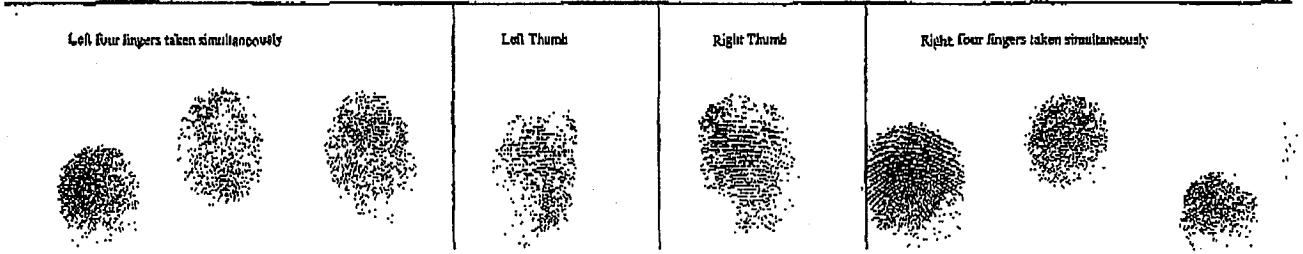
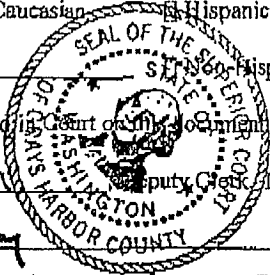
Race: Asian/Pacific Islander Black/African-American Caucasian Native American Other: _____
Ethnicity: Hispanic Non-Hispanic Other: _____
Sex: Male Female

FINGERPRINTS: I attest that I saw the same defendant who appeared in Court on this document affix his or her fingerprints and signature thereto. Clrk of the Court: J. P. O'Brien Deputy Clerk Dated: Aug. 13, 2007

DEFENDANT'S SIGNATURE: Gemma Morrey

ADDRESS: 107 E Cedar St McClary Wa 92557

PHONE NUMBER: 206-498-2177



FELONY JUDGMENT AND SENTENCE (FJS) (Over One Year)
(RCW 9.94A.500, .505) (WSP CR 84.0400 (06-2006))