



Pierce County

Office of the Assessor-Treasurer

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Room 946
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OCT 12 2010

PIERCE COUNTY
PROSECUTING ATTORNEY

October 12, 2010

Mr. Mark Lindquist
Pierce County Prosecuting Attorney
930 Tacoma Avenue South, Room 946
Tacoma, WA 98402-2171

Mr. Lindquist:

As the appointed Pierce County Prosecuting Attorney, it is your duty to serve your community by pursuing justice and safeguarding the public's trust, as your office's mission statement so appropriately maintains. We can both agree that public corruption poses an insidious threat to justice and to the public trust, and that it must be taken seriously. Its corrosive influence constitutes an obstacle to civilized society and the Rule of Law.

In a letter dated October 26, 2009 Pierce County Sheriff Paul A. Pastor informed this office he would not invest resources in the investigation of a matter that may not ultimately be prosecuted by your office. He referred to your offices' opinion that a Recall Petition hearing held in 2005 against former Assessor-Treasurer Ken Madsen, had somehow *litigated* the allegations of massive forgeries and other violations of law that took place in the Pierce County Assessor-Treasurer office from 2001 through 2008, as brought forth in the Pierce County Assessor-Treasurer Investigative Report dated September 2, 2009.

It is not necessary to be an attorney Sir, to understand that a Recall Petition pursuant to RCW 29A.56.140 does not constitute a proper *litigation* of criminal charges, but rather is merely a process to determine the adequacy of a ballot synopsis. As you must know, RCW 29A.56.140 does not even require the recall charges to be truthful. The fact of the matter is, there are no parties to a Recall Petition hearing, nor is there a burden of proof requirement. With all due respect Sir, you have been just plain wrong in your unsupportable decision to waver and condone these violations of law, by claiming the court found them to be legally justifiable.

As set forth in my sworn affidavit dated March 24, 2010 and in my criminal complaint dated October 4, 2010, both attached hereto, I can personally attest to the serious violations of law that took place in the Assessor-Treasurer office from 2001 through 2008, and to the significant harm inflicted upon our taxpayers by the damage done to the Pierce County property tax levy rates. It is an undeniable fact there has never been a law enforcement investigation into these aforementioned criminal acts.

Mr. Lindquist, I hereby urge you to stand up for our taxpayers and uphold the Rule of Law, by initiating a criminal investigation into the allegations set forth in my criminal complaint. The citizens of Pierce County await your decision.

Respectfully,

Alberto Ugas
Pierce County
Deputy Assessor-Treasurer
253-798-4061
augas@co.pierce.wa.us

WE WORK FOR YOU, THE TAXPAYER.