SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON, Plaintiff,	)	
v.	)	No. 09-1-07578-2 SEA
DANIEL THOMAS HICKS, Defendant.	)	MOTION AND ORDER DETERMINING THE EXISTENCE OF PROBABLE CAUSE, DIRECTING ISSUANCE OF WARRANT AND NO BAIL

The plaintiff, having informed the court that it is filing herein an Information charging the defendant with the crime of **Aggravated Murder in the First Degree, Count I, and Aggravated Murder in the First Degree, Count II,** now moves the court for an order determining the existence of probable cause and directing the issuance of a warrant for the arrest of the defendant, and further moves the court to make a finding that the crime charged herein is NOT BAILABLE.

In connection with this motion, the plaintiff offers the information on the Suspect Information Report attached to this motion and the affidavit attached to the Information.

DANIEL T. SATTERBERG
Prosecuting Attorney

By: _____
JAMES JUDE KONAT, WSBA #16082
Senior Deputy Prosecuting Attorney

ORDER

The court, having reviewed the affidavit submitted herein, hereby determines that probable cause exists to believe that the above-named defendant committed the crime alleged in the Information herein; and the court having further determined pursuant to RCW 10.77.060 that the defendant is charged with a capital offense, and may flee the state and poses a substantial danger to another and the community;

Daniel T. Satterberg, Prosecuting Attorney
W554 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
(206) 296-9000, FAX (206) 296-0955

IT IS ORDERED that the Clerk of the Superior Court issue a warrant, returnable forthwith, for the arrest of the above-named defendant; and

IT IS FURTHER ORDERED that the defendant be detained WITHOUT BAIL; and

IT IS FURTHER ORDERED that the defendant be advised of his/her detention, and of his/her right to request the setting of bail and to be heard thereon. Service of the warrant by telegraph or teletype is authorized.

DONE IN OPEN COURT this 29th day of December, 2009.

JUDGE

Presented by:

JAMES JUDE KONAT, WSBA #16082
Senior Deputy Prosecuting Attorney

Daniel T. Satterberg, Prosecuting Attorney
W554 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
(206) 296-9000, FAX (206) 296-0955

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON, Plaintiff,	)	
v.	)	No. 09-1-07578-2 SEA
DANIEL THOMAS HICKS,	)	INFORMATION
Defendant.	)	

COUNT I

I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse DANIEL THOMAS HICKS of the crime of **Aggravated Murder in the First Degree**, committed as follows:

That the defendant DANIEL THOMAS HICKS in King County, Washington, on or about December 21, 2009, with premeditated intent to cause the death of another person, did cause the death of Jennifer Jeanine Morgan (dob: 2/8/81), a human being, who died on or about December 21, 2009; that further aggravating circumstances exist, to-wit: there was more than one victim and the murders were part of a common scheme or plan or the result of a single act;

Contrary to RCW 9A.32.030(1)(a) and 10.95.020(10), and against the peace and dignity of the State of Washington.

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington further do accuse the defendant DANIEL THOMAS HICKS at said time of being armed with a handgun, a firearm as defined in RCW 9.41.010, under the authority of RCW 9.94A.533(3).

Daniel T. Satterberg, Prosecuting Attorney
W554 King County Courthouse
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COUNT II

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse DANIEL THOMAS HICKS of the crime of **Aggravated Murder in the First Degree**, a crime of the same or similar character as another crime charged herein, which crimes were part of a common scheme or plan and which crimes were so closely connected in respect to time, place and occasion that it would be difficult to separate proof of one charge from proof of the other, committed as follows:

That the defendant DANIEL THOMAS HICKS in King County, Washington, on or about December 21, 2009, with premeditated intent to cause the death of another person, did cause the death of Emma Lyn Hicks (dob: 9/26/09), a human being, who died on or about December 21, 2009; that further aggravating circumstances exist, to-wit: there was more than one victim and the murders were part of a common scheme or plan or the result of a single act;

Contrary to RCW 9A.32.030(1)(a) and 10.95.020(10), and against the peace and dignity of the State of Washington.

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington further do accuse the defendant DANIEL THOMAS HICKS at said time of being armed with a handgun, a firearm as defined in RCW 9.41.010, under the authority of RCW 9.94A.533(3).

DANIEL T. SATTERBERG
Prosecuting Attorney

By _____
James Jude Konat, WSBA #16082
Senior Deputy Prosecuting Attorney

Daniel T. Satterberg, Prosecuting Attorney
W554 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
(206) 296-9000, FAX (206) 296-0955

CAUSE NO. _____

SEATTLE POLICE DEPARTMENT

CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE

GENERAL OFFENSE #
09-438761
UNIT FILE NUMBER
H&A 09-394

That E. Ramirez is a Detective with the Seattle Police Department and has reviewed the investigation conducted in Seattle Police Department Case Number 09-438761;

There is probable cause to believe that Daniel Thomas Hicks DOB 12/27/1979 committed the crime(s) of Murder within the City of Seattle, County of King, State of Washington.

This belief is predicated on the following facts and circumstances:

Renee Morgan is a 55 year old woman who, along with her husband Richard, purchased a modest home in south Seattle 30 years ago. She and her husband had two daughters and both of them were raised in the family home located at 1330 S. Ferdinand Street in Seattle, King County, Washington. The older of the two daughters was named Jennifer.

Jennifer has lived in the basement of the home for the last several years along with her boyfriend Daniel Thomas Hicks. Jennifer became pregnant with Hicks'child and on September 16, 2009 she gave birth to Emma Lyn Hicks. Young Emma was Renee's first and only granddaughter. Although the young parents lived downstairs with the new born baby, it was abundantly clear that Renee was thrilled to have a granddaughter as the infant's pictures covered the refrigerator and all available table top space upstairs in the home.

As Renee spent the special time with her daughter Jennifer and helped her with experience of her first child, she also learned that Jennifer was having troubles with the baby's Father. Daniel Hicks has been out of work for well over a year and he spent most of his time in the basement of the home on Ferdinand Street. With the birth of their new baby, Jennifer too, spent the vast majority of her time at home. Jennifer confided in Renee that the defendant, Daniel Hicks, was upset the baby was a girl and not a boy. Most recently he became very jealous and suspicious of Jennifer and expressed reservations about being Emma Lyn's biological father. The couples' troubles continued to grow as the holiday season approached and Jennifer ultimately decided that Daniel should move out of the home.

On Monday, December 21, 2009 Renee Morgan left for work a noon. She did so with the understanding that Jennifer was going to tell the defendant that he needed to move out of the home while Renee was away. When Renee returned to the residence about 9:00pm that night she immediately noticed that the defendant's truck was not parked in front of the house. Renee took solace in the expectation that the defendant had agreed his move was best for the family.

Once inside Renee noticed that all was quiet downstairs. Her hope was that her daughter and granddaughter were sleeping without the distraction of noise from the television or stereo system. Renee heard nothing else from anybody downstairs for the rest of the night.

The next morning Renee was speaking with her other daughter, Britney, who is Jennifer's younger sister. A question came up about a Christmas gift and Renee went downstairs to

inquire of Jennifer. To her horror Renee observed her 28 year old daughter bloodied and obviously dead on the couch. Renee immediately noticed that her daughter had been shot multiple times. Renee ran back upstairs, grabbed a telephone and ran outside to call 911. She had no idea that her granddaughter was also on the couch.

Seattle police officers responded very quickly and found one adult female and sadly, a dead infant in the basement of the residence. Both victims had been shot numerous times about the head and body. There were numerous spent shell casings on the floor near the bodies. Seattle Fire Department Medics also responded and confirmed that both of the individuals were dead.

In her interview with homicide detectives Renee Morgan relayed that Hicks has been verbally abusive towards Jennifer and Emma. Renee stated that the defendant has a brother named Mathew Hicks who is in the armed forces currently deployed in Iraq. Morgan reported that Mathew was in town during the recent Thanksgiving holiday and both she and Jennifer asked Mathew to talk to his brother about the concerns the two of them had about the defendant. Morgan indicated Mathew talked to him about the problems the family had been dealing with but it didn't do any good.

Detectives interviewed Kira Lynn Harris, the defendant's half sister, and learned the following: Harris and Hicks have the same father, Ivory Harris. Kira is 10 years younger than Daniel. Kira believes that Daniel moved in with her family when he was about twelve years old. Daniel had good grades, played sports and graduated from high school. Kira works at Imaging Associates in Seattle where Jennifer Morgan worked for several years.

Kira describes Daniel and Jennifer's relationship as rocky and abusive. She indicated their relationship got much worse when Jennifer became pregnant. Daniel wanted Jennifer to get an abortion and claimed that Jennifer was just trying to trap him with the pregnancy. Kira stated that the relationship between Jennifer and the defendant was, for all practical purposes, over when Emma Lyn was born. She indicated the defendant was paranoid and refused any help. Kira heard that Daniel was making threats to kill Jennifer and himself. Kira made it clear she doesn't have any direct knowledge of the threats, and indicated all of the information about the defendant's threats came from a co-worker named LeAnn White. Kira wanted the detectives to know that the defendant's grandfather killed his grandmother and then himself when Daniel was a baby.

Detectives interviewed Jennifer's other co-worker LeAnn White. Ms White told the detectives that Jennifer confided to her numerous times that the defendant was depressed and suicidal. LeAnn stated Jennifer said that the defendant's condition got even worse when he learned that Jennifer was having his baby. In particular, LeAnn recalls an occasion this past summer when Jennifer Morgan told her that the defendant had threatened to kill her and then himself. Jennifer indicated it was while she was pregnant with Emma Lyn and that the defendant had two loaded weapons on his person while he was making these threats.

In a discussion with the defendant's brother from Iraq, detectives confirmed that the defendant had numerous weapons and a cache of ammunition in the house where he lived with the two victims. Mathew Hicks indicated that the defendant had a number of handguns and that

they were registered in the defendant's name. Mathew told the detectives that the defendant has just one .45 caliber handgun.

CSI detectives processed the crime scene and collected physical evidence under authority of a warrant issued by King County Superior Court Judge Jim Rogers. There were no signs of forced entry into the residence. Nor were there any signs of ransacking or a physical altercation. To the contrary, it was apparent to all law enforcement involved in the investigation that Jennifer was an extremely tidy person and that the basement where these two murders were committed was clean and organized, but for the bloodshed caused by the many bullets fired there. These same detectives observed ten .45 caliber cartridge casings on the floor of the room where the two victims were murdered. They found another eleven cartridge casings in a garbage can nearby.

In the room where all of the weapons and ammunition were stored, detectives found a bag of personal affects that appear to belong to Mathew Hicks. Inside this bag, placed neatly on top and in the form of two pages the following words were written.

> "I'm sorry Matt. I hope your stuff is not stolen by the police. I am sick, like Grandpa. Sorry cannot fix life. Please live for yourself and not others. Do not cry."

Homicide detectives have confirmed that in 1983 Dean L. Hicks, the defendant's grandfather did indeed kill his wife Lona L. Hicks, and then himself.

The King County Medical Examiner's office took possession of the bodies and autopsies are being conducted at the time of this writing. Preliminary observations by the pathologists there indicate that Jennifer Morgan was shot at least 12 times. Her infant daughter was also shot at least seven times. Both victims suffered multiple gunshots to the face and/or head and these injuries were obviously the cause of their deaths.

Detectives have confirmed that the defendant owns a .45 caliber handgun that is manufactured by Kimber. The particular model the defendant purchased in April of 2008 is indeed registered in his name. Seattle police detectives are familiar with the model owned by the defendant. These same detectives, one of whom has this same model on his person at the time of this report, indicates that the weapon holds an absolute maximum of eight rounds.

The defendant has not been seen since Monday the 21st of December at about 6:00pm. At that time, a neighbor, who was familiar enough with the defendant to know that he rarely left the house, observed him leave in his pick-up truck.

On Wednesday, December 23rd, the defendant's father, Ivory Hicks, called Seattle homicide detectives. Ivory reported that his son, the defendant in this case, placed a collect call to him from San Jose, California. Ivory Hicks did not speak with the defendant at that time and detectives have not been able to locate him.

SEATTLE
POLICE
DEPARTMENT

CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE

INCIDENT NUMBER
09-438761
UNIT FILE NUMBER
H&A 09-394

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct to best of my knowledge and belief. Signed and dated by me this 29 day of DECEMBER, 2009, at Seattle, Washington.

CAUSE NO. 09-1-07578-2 SEA

PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR CONDITIONS OF RELEASE

The State incorporates by reference the attached Certification for Determination of Probable Cause prepared by Detective Eugene Ramirez of the Seattle Police Department for incident number 09-438761.

REQUEST FOR BAIL

This case has an undeniable component of domestic violence. After murdering his thirteen-week-old infant and the infant's mother, the defendant left their bullet-ridden bodies to be discovered by the mother and grandmother of the victims. The defendant is armed and obviously dangerous. He is charged with two capitol offenses and bail should not be allowed.

Signed this 24th day of December, 2009.

James Jude Konat, WSBA #16082

Daniel T. Satterberg, Prosecuting Attorney
W554 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
(206) 296-9000, FAX (206) 296-0955

AGENCY:	CASE NUMBER	FILE NUMBER	PCN NUMBER
Seattle PD WASPD0000	09-438761		

SUPERFORM

ARREST INFORMATION

DATE & TIME OF VIOLATION	CRIMINAL TRAFFIC CITATION ATTACHED?	ACCOMPLICES
12/21/2009 1:08 PM	☐ YES ☐ NO	
DATE OF ARREST/TIME	ARREST LOCATION	
	,	

SUSPECT INFORMATION

NAME (LAST, FIRST, MIDDLE/JR, SR, 1st, 2nd)	DOB	ALIAS, NICKNAMES
HICKS, DANIEL THOMAS	12/27/1979	

ARMED/DANGEROUS	IDENTITY IN DOUBT?	CITIZENSHIP
[X] YES ☐ NO	☐ YES [X] NO	US

PHYSICAL DETAILS

SEX	HEIGHT	WEIGHT	SKIN TONE	RACE	EYE	HAIR	SCARS, MARKS, TATTOOS, DEFORMITIES
M	604	160	FAR	B	BRO	BLK	

IDENTIFICATION DETAILS

CCN	PRIOR BA #	AFIS #	FBI #	STATE ID #	DRIVER'S LICENSE #	STATE	SSN
1749814	202006244	00289170	737204NB1	WA19987899		WA	

RESIDENCE

LAST KNOWN ADDRESS	RESIDENCE PHONE
4511 51 AV S SEATTLE, WA 98118	

EMPLOYMENT / SCHOOL

EMPLOYER, SCHOOL (ADDRESS, SHOP/UNION NUMBER	BUSINESS PHONE	OCCUPATION
: ,		

EMERGENCY CONTACT

PERSON TO BE CONTACTED IN CASE OF EMERGENCY	RELATIONSHIP	Address	PHONE
,		,	

CHARGE INFORMATION

OFFENSE	RCW / ORD#	COURT / CAUSE #	CITATION #
[X] DV ☐ FUGITIVE I - MURDER		SUPERIOR /	
☐ DV ☐ FUGITIVE			

WARRANT / OTHER

WARRANT DATE	WARRANT NUMBER	OFFENSE	AMOUNT OF BAIL	WARRANT TYPE

ORIGINATING POLICE AGENCY	ISSUING AGENCY	WARRANT RELEASED TO: (SERIAL # / UNIT / DATE / TIME)

PROPERTY INFORMATION

LIST VALUABLE ITEMS OR PROPERTY LEFT FOR ARRESTEE AT JAIL

LIST VALUABLE ITEMS OR PROPERTY ENTERED INTO EVIDENCE (SIMPLE DESCRIPTION, IDENTIFYING MARKS, SERIAL #)

LIST ITEMS ENTERED INTO SAFEKEEPING

TOTAL CASH OF ARRESTEE	WAS CASH TAKEN INTO EVIDENCE?	SIGNATURE OF JAIL STAFF RECEIVING ITEMS / SERIAL #
$0.00	☐ YES [X] NO AMOUNT: $0.00	

OFFICER INFORMATION

ARRESTING OFFICER / SERIAL #	TRANSPORTING OFFICER / SERIAL #	SUPERVISOR SIGNATURE / SERIAL #
Cooper, James L 5339	,	,

SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #)	CONTACT PERSONFOR ADDITIONAL INFORMATION (NAME/SERIAL#/PHONE)
Cooper, James	RAMIREZ, GENE 4484 2066845556

COURT FILE

SUPERIOR COURT FILING INFO	COURT CAUSE (STAMP OR WRITE)
☐ IN CUSTODY ☐ AT LARGE ☐ OUT ON BOND	

COURT/DIST. CT.NO.	DIST. CT. BOND $	SUP. CT. DATE

EXTRADITE

PERSON APPROVING EXTRADITION	SEAKING-LOCAL ONLY WACIC-STATE WIDE	NCIC-WILL EXTRADITE FROM ID & OR ONLY	NCIC-WILL EXTRADITE FROM OR, ID, MT, WY, CA, NV, UT, CO, AZ, NM, HI, AK	NCIC-WILL EXTRADITE FROM FROM ALL 50 STATES
	☐	☐	☐	☐

ENTRY			CLEARANCE	
CCN	DOE		DOC	
WAC	TOE		TOC	
NCIC	OP		OP	

PROBABLE CAUSE INFORMATION

STATEMENT OF PROBABLE CAUSE: NON-VUCSA

CONCISELY SET FORTH FACTS SHOWING PROBABLE CAUSE FOR EACH ELEMENT OF THE OFFENSE AND THAT THE SUSPECT COMMITTED THE OFFENSE. IF NOT PROVIDED, THE SUSPECT WILL BE AUTOMATICALLY RELEASED. INDICATE ANY WEAPONS INVOLVED. (DRUG CRIME CERTIFICATE BELOW.)

ON (date) 12/21/2009 AT (time) 1:08 PM, WITHIN THE (city/unincorporated area of county) City of Seattle, COUNTY OF KING, STATE OF WASHINGTON, THE FOLLOWING DID OCCUR:

"SEE THE CERTIFICATION OF PROBABLE CAUSE"

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

REQUEST 72-HR RUSH FILE? ☐ YES ☐ NO

ANTICIPATED FILING DATE

DATE AND PLACE: 12/24/2009 SEATTLE

SIGNATURE / AGENCY: james.cooper@seattle.gov / WASPD0000

This printout is from the King County Booking and Referral System (BARS), where the above officer signed and transmitted this eSuperform as permitted by GR 30 and LCrRLJ 2.6.

DRUG CRIME INFORMATION

DRUG CRIME CERTIFICATE

Part I: ON (date) _____ THE SUSPECT (suspect"s name) _____

☐ DELIVERED ☐ POSSESSED WITH INTENT TO DELIVER/MANUFACTURE ☐ POSSESSED WHAT THE UNDERSIGNED OFFICER (officer's name) _____ BASED ON TRAINING AND EXPERIENCE, BELIEVES TO BE (approximate quantity and type of controlled substance) _____. APPROXIMATE STREET VALUE OF THE CONTROLLED SUBSTANCE IS (value of drugs) _____.

Part II: FACTS INDICATING THE SUSPECT ☐ DELIVERED ☐ POSSESSED WITH INTENT TO DELIVER/MANUFACTURE ☐ POSSESSED THE CONTROLLED SUBSTANCE:

ON (date) _____ AT (time) _____, WITHIN THE (city/unincorporated area of county) _____ COUNTY OF KING, STATE OF WASHINGTON, THE FOLLOWING DID OCCUR:

MY SOURCE OF INFORMATION ABOUT THIS CRIME (e.g., myself, other person with firsthand knowledge)

OTHER FACTS

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

REQUEST 72-HR RUSH FILE? ☐ YES ☐ NO

ANTICIPATED FILING DATE

DATE AND PLACE

SIGNATURE / AGENCY

ZONE DETAILS

LAB WORK

SODA ZONE ☐ YES ☐ NO

DRUG FREE ZONE? EXACT LOCATION IS REQUIRED. ☐ YES ☐ NO

LAB WORK REQUESTED? (DATE / TYPE)

OBJECT TO RELEASE INFORMATION

LAW ENFORCEMENT OBJECT TO RELEASE? [X] YES ☐ NO

IF YES, EXPLAIN WHY SAFETY OF INDIVIDUAL OR PUBLIC WILL BE THREATENED IF SUSPECT IS RELEASED ON BAIL OR RECOGNIZANCE (CONSIDER HISTORY OF VIOLENCE, MENTAL ILLNESS, DRUG DEPENDENCY, DRUG DEALING, DOCUMENTED GANG MEMBER, FAILURE TO APPEAR, LACK OF TIES TO COMMUNITY). INCLUDE FARR GUIDLINES. DESCRIBE TYPE OF WEAPON. BE SPECIFIC.

SUSPECT IS BELIEVED TO HAVE TO KILLED HIS GIRLFRIEND AND 13 WEEK OLD CHILD ON 12-21-09. HE FLED THE STATE AFTER COMMITTING THE CRIME AND IF RELEASED POSSIBLY WILL FLEE AGAIN.

TIES TO COMMUNITY (MARITAL STATUS, TIME IN COUNTY, ETC.)

NONE

CONVICTION RECORD

UNKNOWN

[X] SUBJECT ARMED/DANGEROUS ☐ SUSPECT IDENTITY IN QUESTION? ☐ WARRANT(S) FOR FTA

☐ HISTORY OF FTA'S (LIST) UNKNOWN