

COUNTY CLERK OFFICE  
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MAY 17 2018

LISA A. HENDERSON  
SAN JUAN COUNTY, WASHINGTON

8:52 AM

SUPERIOR COURT OF WASHINGTON FOR SAN JUAN COUNTY

STATE OF WASHINGTON,

Plaintiff,

v.

No. 18-1-05020-28

ERIC A. KULP,  
AKA ERIC A. TUBBS

INFORMATION

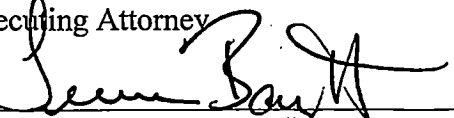
Defendant.

I, Randall K. Gaylord, Prosecuting Attorney for San Juan County in the name and by the authority of the State of Washington, do accuse ERIC A. KULP AKA ERIC A. TUBBS of the following crime[s]: **Murder in the Second Degree (DV)**, committed as follows:

COUNT I: MURDER IN THE SECOND DEGREE (DOMESTIC VIOLENCE)

That the defendant ERIC A. KULP AKA ERIC A. TUBBS in the County of San Juan, State of Washington, on or about November 22-23, 2017, did commit the crime of Murder in the Second Degree: with intent to cause the death of another person, but without premeditation, did assault, thereby causing the death of Abigail Jane Finney, a human being; contrary to RCW 9A.32.050(1)(a), and against the peace and dignity of the State of Washington; and furthermore, the defendant did commit the above crime against a family or household member; contrary to RCW 9A.36.041(4) and against the peace and dignity of the State of Washington.

RANDALL K. GAYLORD  
Prosecuting Attorney

By:   
Teresa Barnett, WSBA #37562  
Deputy Prosecuting Attorney

Dated: 5-17-18

SAN JUAN COUNTY PROSECUTOR  
350 COURT STREET • P.O. BOX 760  
FRIDAY HARBOR WA 98250  
TEL (360) 378-4101 • FAX (360) 378-3180

1 **DEFENDANT INFORMATION**

2 **ERIC A KULP**

3 **ADDRESS per Police Report:** 661 Blind Bay Road, PO Box 125, Shaw Island, WA 98286-0125

4 **ADDRESS per JIS:** 233 Browne St, PO Box 1411, Friday Harbor, WA 98250

5 **ADDRESS per DOL:** 661 Blind Bay Road, PO Box 125, Shaw Island, WA 98286-0125


<b>SEX:</b> Male	<b>RACE:</b> White	<b>DOB:</b> 08/27/1973
<b>HEIGHT:</b> 6'01	<b>WEIGHT:</b> 203	<b>HAIR:</b> Blond Or Strawberry
<b>EYES:</b> Blue	<b>SID:</b>	<b>FBI:</b> 318508HE6
	<b>DOL:</b> KULPEA271N7	<b>DOC:</b>
	<b>STATE:</b> WA	

6

7 I am a Legal Assistant with the San Juan County Prosecutor's Office. On this date, I  
8 checked the Judicial Information System (JIS) database, and the drivers' license and identicard  
9 database maintained by the Department of Licensing and Department of Corrections and  
10 determined that the above information represents the last known address of Defendant with those  
11 agencies.

12 I hereby certify under penalty of perjury under the laws of the State of Washington that  
13 the foregoing is true and correct.

14 Dated: 5.17.18  
15 Friday Harbor, WA

  
16 Heather Smith  
17 Legal Assistant

**APPENDIX B  
PROSECUTOR'S UNDERSTANDING OF DEFENDANT'S CRIMINAL HISTORY  
(SENTENCING REFORM ACT)**

DEFENDANT: ERIC A KULP

No. 18-1-05020-28

FBI No: State ID No.: DOC No.:

This criminal history was compiled on: April 23, 2018

None known. Recommendations and standard range assumes no prior felony convictions.

Criminal history not known and not received at this time. WASIS/NCIC last received on:

Crime	Date of Crime	Date of Sentence	Sentencing Court (County & State)	<u>A or J</u> Adult, Juv.	Type of Crime	DV* Yes
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Comments:

Prepared by: Heather Smith  
Heather Smith

\*AF – Adult Felony  
AM – Adult Misdemeanor  
JF – Juvenile Felony  
JM – Juvenile Misdemeanor



## Murder Second Degree

**RCW 9A.32.050**  
**CLASS A – SERIOUS VIOLENT/CRIMES AGAINST PERSONS**  
**ATTEMPT/SOLICITATION = CLASS A**  
**CONSPIRACY = CLASS B**  
**OFFENDER SCORING RCW 9.94A.525(9)**

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Serious Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 259.*

**ADULT HISTORY:**

Enter number of serious violent felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)..... \_\_\_\_\_

### SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XIV</b>	171.5m 123 - 220	184m 134 - 234	194m 144 - 244	204m 154 - 254	215m 165 - 265	225m 175 - 275	245m 195 - 295	266m 216 - 316	307m 257 - 357	347.5m 298 - 397

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 66 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 245 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 253.
- ✓ For sentencing alternatives, see page 235.
- ✓ For community custody eligibility, see page 247.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 242.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).

### **Certification for Determination of Probable Cause**

That Lachlan Buchanan is a Detective with the San Juan County Sheriff's Office and am familiar with the facts and circumstances of this investigation in San Juan County case number 18-540;

There is probable cause to believe that Eric A. Kulp (DOB: 8/27/1973) committed the crime of Murder 2<sup>nd</sup> Degree (RCW 9A.32.050) within San Juan County in the State of Washington.

This belief is predicated on the following facts and circumstances:

On 11/29/17, Abigail Finney's family called San Juan County Sheriff's Office (SJCSO) dispatch and requested a welfare check of Finney, who resided with her husband at 661 Blind Bay Road, Shaw Island. Finney was scheduled to join her family for Thanksgiving on 11/23/17 but did not appear.

Family members received several text messages after the missed holiday dinner from Finney's phone, however, they were skeptical that Finney had sent them due to the content and the fact that she normally had daily contact with her mother which abruptly ended after 11/22/17.

SJCSO sent Special Deputy John Shannon to check on Finney at the residence on 11/29/17. Finney's husband, Eric Kulp, AKA Eric Tubbs was home and told Shannon she had gone to an unknown rehab facility. He was unconcerned with her whereabouts.

On 1/22/18, Finney's family requested an additional welfare check due to the continued lack of contact. SJCSO Deputy Ray Harvey contacted Shannon and learned Finney's family had reported a history of domestic violence incidents between Finney and Kulp, none of which were reported to law enforcement.

On 1/23/18, SJCSO Deputy Harvey and Sgt. Herb Crowe went to the Blind Bay property. They met Finney's brother at the property who told them that Kulp had threatened to harm Finney in the past. The brother also reported that Kulp recently told him that he had not heard from his wife. Deputies walked through the house but found no one home.

On 3/21/18, I spoke with Kulp's step-father, who resides in Arizona. He told me that he was speaking with Finney on 11/22/17 when their conversation was cut short. He heard Finney arguing with someone and the phone went dead. He has not heard from her since. They routinely talked 4-5 times per day.

On 3/23/18, I spoke with the owner of the property where Kulp and Finney resided. She told me that Kulp sent her a text message on 3/13/18 stating he had recently had a brief conversation with Finney and she was doing well.


On 3/27/18, I spoke with Kulp's most recent known employer, Roasario Assisted Living in Anacortes. The administrator showed me a text message from Kulp's phone from 11/23/17 at 12:13 PM in which he stated his wife killed herself earlier in the day.

On 4/5/2018, SJCSO executed a search warrant at 661 Blind Bay Road, Shaw Island. Deputies located a body in a vehicle registered to Kulp. An autopsy on 4/6/18 confirmed the remains were those of Abigail Finney.

Based on the preceding information there is probable cause to believe that Eric A. Kulp (DOB: 8/27/1973) committed the crime of Murder 2<sup>nd</sup> Degree in violation of RCW 9A.32.050.

This declaration is being prepared and submitted to a court, a prosecutor or a magistrate from an electronic device that is owned, issued or maintained by the San Juan County Sheriff's Office.

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct to the best of my knowledge and belief. Signed and dated by me this 11<sup>th</sup> day of April, 2018, at Friday Harbor, Washington.

A handwritten signature in black ink, appearing to read "L. Buchanan - D-1", is written over a horizontal line.

Detective Lachlan Buchanan – D1