

06-1-01559-4 25281300 INFO 04-10-06

FILED
IN COUNTY CLERK'S OFFICE

A.M. APR - 7 2006 P.M.

PIERCE COUNTY, WASHINGTON
KEVIN STOCK, County Clerk
BY _____ DEPUTY

SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. 06-1-01559-4

vs.

LOUIS T STANBACK, JR,

INFORMATION

Defendant.

80A 43850

DOB: 4/4/1953

SEX : MALE

RACE: BLACK

PCN#: 538726851

SID#: UNKNOWN

DOL#: UNKNOWN

COUNT I

I, GERALD A. HORNE, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse LOUIS T STANBACK, JR of the crime of MURDER IN THE SECOND DEGREE, committed as follows:

That LOUIS T STANBACK, JR, in the State of Washington, on or about the 6th day of April, 2006, did unlawfully and feloniously, with intent to cause the death of another person, shoot Robert Luea, thereby causing the death of Robert Luea, a human being, on or about the 6th day of April, 2006, contrary to RCW 9A.32.050(1)(a), and in the commission thereof the defendant, or an accomplice, was armed with a firearm, to-wit: a handgun, that being a firearm as defined in RCW 9.41.010, and invoking the provisions of RCW 9.94A.310/9.94A.510, and adding additional time to the presumptive sentence as provided in RCW 9.94A.370/9.94A.530, and against the peace and dignity of the State of Washington.

IN THE ALTERNATIVE

I, GERALD A. HORNE, Prosecuting Attorney for Pierce County, in the name and by the authority of the State of Washington, do accuse LOUIS T STANBACK, JR of the crime of MURDER IN THE SECOND DEGREE, committed as follows:

That LOUIS T STANBACK, JR, in the State of Washington, on or about the 6th day of April, 2006, did unlawfully and feloniously, while committing or attempting to commit the crime of assault in the second degree, and in the course of and in furtherance of said crime or in immediate flight therefrom,

INFORMATION- 1

ORIGINAL

Office of the Prosecuting Attorney
930 Tacoma Avenue South, Room 946
Tacoma, WA 98402-2171
Main Office (253) 798-7400


1 shoot Robert Luea, and thereby causing the death of Robert Luea, a human being, not a participant in
2 said crime, on or about the 6th day of April, 2006, contrary to RCW 9A.32.050(1)(b), and in the
3 commission thereof the defendant, or an accomplice, was armed with a firearm, to-wit: a handgun, that
4 being a firearm as defined in RCW 9.41.010, and invoking the provisions of RCW 9.94A.310/9.94A.510,
5 and adding additional time to the presumptive sentence as provided in RCW 9.94A.370/9.94A.530, and
6 against the peace and dignity of the State of Washington.

7 DATED this 7th day of April, 2006.

8 TACOMA POLICE DEPARTMENT
9 WA02703

GERALD A. HORNE
Pierce County Prosecuting Attorney

10 gtc

11 By: 
12 _____
13 GERALD T. COSTELLO
14 Deputy Prosecuting Attorney
15 WSB#: 15738

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DEPUTY

NO. 06-1-01559-4
DECLARATION FOR DETERMINATION OF PROBABLE CAUSE

GERALD T. COSTELLO, declares under penalty of perjury:

That I am a deputy prosecuting attorney for Pierce County and I am familiar with the police report and/or investigation conducted by the TACOMA POLICE DEPARTMENT, incident number 060961268;

That Detective David Devault and the police report and/or investigation provided me the following information;

That in Pierce County, Washington, on or about the 6th day of April, 2006, the defendant, LOUIS T STANBACK, JR, did shoot to death his step-son, 21 year-old Robert Luea.

Defendant has been married for approximately 16 years to the victim's natural mother. They have been living at 4010 S. "J" St. in Tacoma. Yesterday a prolonged argument occurred between Defendant and his wife about some accidental damage to a car. They had been arguing in the main living area of the home in the presence of the victim. Defendant and his wife went into their bedroom for more privacy and the victim chose to follow them to stay close to his mother. The victim has been described as very protective of his mother.

Defendant did not want the victim nearby and began arguing with him - trying to get him to leave. The Defendant's wife left the bedroom and went to the living area, adjacent to the kitchen. Defendant and the victim moved into the kitchen area and continued to argue. In general, according to the Defendant's wife, they were arguing about who was going to be the "man of the house." At a point in time during the arguing Defendant obtained a .38 caliber revolver.

While in the kitchen Defendant shot the victim behind his left ear, one time. The bullet caused massive damage and the victim fell to the floor, immediately incapacitated. He was rushed to a hospital emergency room but he died soon afterwards. The autopsy is still pending, but an emergency room physician and an investigator for the Medical Examiner's Office opined that the muzzle of the gun was either contacting the victim's skin or was very close to his skin when the gun discharged.

Defendant's version to the police was significantly different. He acknowledged to police that he had been arguing with his wife and then with his step son. He claimed that he retrieved the handgun from a jacket pocket and raised it toward the victim to scare him. He said that his wife tried to intervene by grabbing his arm and that this caused the gun to accidentally discharge. He described being 10+ feet away from the victim when this occurred.

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1 The Defendant's wife did not confirm Defendant's version. She described that as she was in the
2 living room and while Defendant and her son were in the kitchen arguing she heard the gunshot, rushed
3 into the kitchen, and saw her son on the floor and her husband holding the gun. Both were then extremely
4 distraught and called for emergency aid.

5 Defendant has been described by police as very upset about shooting the victim.

6 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF
7 WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

8 DATED: April 7, 2006

9 PLACE: TACOMA, WA

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GERALD T. COSTELLO, WSB# 15738