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COUNTY CLERK

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2008 MAY 12 PM 3:58

WHATCOM COUNTY
WASHINGTON

BY

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR WHATCOM COUNTY

THE STATE OF WASHINGTON,

No.: 08 1 00619 3

Plaintiff.

vs.

AFFIDAVIT OF PROBABLE CAUSE
DETERMINATION

DEREK CAMERON COLLIER,

Defendant.

STATE OF WASHINGTON)

ss.

COUNTY OF WHATCOM)

David S. McEachran, being first duly sworn on oath, deposes and says: That he is a duly elected and acting Prosecuting Attorney in and for Whatcom County, State of Washington. The following information was received from the BELLINGHAM POLICE DEPARTMENT, Event No. . Your affiant believes that this information establishes probable cause for the detention of **DEREK CAMERON COLLIER**.

Reports received from law enforcement indicate that on May 11, 2008 at approximately 1:07 PM officers of the Bellingham Police Department responded to St. Joseph Hospital concerning a 20 near old male subject, named David L. Datskiy who had arrived at the hospital with a single stab wound to his upper stomach area. Officers met with Aleksandr R. Davidiyuk, who had been with David Datskiy at the time he was injured. Mr. Davidiyuk indicated that he and Mr. Datskiy were driving up to Bellingham from Bow, Washington and left I-5 at the Iowa Street exit. He indicated that they were looking for a friend's house and ended up driving southbound on James Street. Mr. Datskiy's car was having a gas problem and was running roughly and they were driving slowly to look at the houses. He stated that after stopping at stop sign they proceeded south and noticed a white Cadillac behind them. David Datskiy pulled his car over to the side of the road to let the Cadillac pass them. The Cadillac passed them and then suddenly stopped in the middle of the 1500 block of James Street and the driver got out of the vehicle. Mr.

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1 Davidyuk described him as a male in his 20's, approximately 5'9" to 5'10" in height with a
3 muscular build and having a bald or shaved head, wearing a blue button up shirt and black or
blue pants.

5 When the driver approached the car, David Datskiy also got out of his vehicle. Mr.
Davidyuk could hear two men exchange words, but there did not appear to be any yelling. Mr.
7 Davidyuk remained in the car, but could hear the driver of the Cadillac say words to the effect of,
"What is your business? Do you want a problem?" David Datskiy replied that he was just
9 looking for a friend's house and did not want any problems. Shortly after this Mr. Davidyuk saw
the driver of the Cadillac holding a knife in his hand and heard David ask, "What are you going
11 to do with the knife?" The driver replied that he would do whatever he needed to do. At that
point Mr. Davidyuk saw the driver strike David Datskiy in the stomach with the knife. The driver
13 quickly returned to his vehicle and drove away. Mr. Davidyuk got out of the car and helped his
friend into the passenger side and then drove to St. Joseph's Hospital. David was injured
15 severely and was bleeding profusely from a wound in his stomach area. David told Mr.
Davidyuk the license plate number of the Cadillac, but during the chaos of this situation. Mr.
Davidyuk could not remember it.

17 Mr. Datskiy was taken to St. Joseph's Hospital, where the emergency medical personnel
worked on him. However, his wound from this stabbing was so serious that he died at 1:49 PM.


19 Dr. Gary Goldfogel, the Whatcom County medical Examiner conducted an autopsy on
the body of David Datskiy and determined that the cause of death was due to a stab wound in the
21 right upper abdomen. This wound caused a huge blood loss that resulted in David Datskiy's
death.

23 Officers also contacted a number of witnesses who observed the confrontation between
David Datskiy and the driver of the white Cadillac. A number of the witnesses had seen the
25 driver appear to strike David in the stomach area and also observed him go to a knee after being
struck. The driver of the Cadillac then hurried to his vehicle and drove away.

27 Information was broadcast to law enforcement to be on the look out for a white Cadillac
and a male matching the description of the driver. Deputy Karb of the Whatcom County Sheriff's
29 Office indicated that the vehicle and description of the driver matched that of Derek Cameron
Collier. Deputy Karb indicated that he had seen Mr. Collier recently in a white Cadillac and that
31 he had a shaved head. He also stated that Mr. Collier had recently been released from prison.

33 After this information was provided, Detective Glenn Hutchings of the Bellingham Police
Department compiled a photographic lineup containing the photograph of Derek Cameron
35 Collier, along with other people. This was shown to Mr. Davidyuk, who positively identified Mr.
Collier as the person who was driving the white Cadillac and who had stabbed David Datskiy.

37 All of the above events occurred in Whatcom County, Washington.

39 
41 David S. McEachran, #2496
43 Prosecuting Attorney

45 SUBSCRIBED AND SWORN to before me this 12 day of May, 2008.