

FILED

JUL 06 2011

DEBRA VAN PELT
ISLAND COUNTY CLERK

IN THE SUPERIOR COURT FOR ISLAND COUNTY, WASHINGTON

STATE OF WASHINGTON,
Plaintiff,

NO. **11 1 00109 2**

vs.

INFORMATION CHARGING:

PEGGY SUE THOMAS,
AKA Peggy Sue Allen,
AKA Peggy Sue Stackhouse,
AKA Peggy Sue Harris
Defendant.

COUNT 1 – Murder in the First Degree
With Special Allegation of Being
Armed with a Firearm

COMES NOW GREGORY M. BANKS, Prosecuting Attorney of Island County, State of Washington, or his deputy, and by this Information accuses the above-named defendant of violating the criminal laws of the State of Washington as follows:

COUNT I - Murder in the First Degree

On or about the 26th day of December, 2003, in the County of Island, State of Washington, the above-named Defendant did, with a premeditated intent to cause the death of another person, to-wit: RUSSEL ALBERT DOUGLAS, cause the death of said person; contrary to Revised Code of Washington 9A.32.030(1)(a).

TO COMMIT THIS CRIME, the Defendant acted as a principal and/or as an accomplice of another person; contrary to Revised Code of Washington 9A.08.020(2)(c).

(MAXIMUM PENALTY—Life imprisonment and/or a \$50,000.00 fine pursuant to RCW 9A.32.030(2) and RCW 9A.20.021(1)(a), plus restitution and assessments.)

(If the Defendant has previously been convicted on two separate occasions of a “most serious offense” as defined by RCW 9.94A.030(28), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to RCW 9.94A.030(32) and 9.94A.570)

INFORMATION

COPY
Page 1 of 2

PROSECUTING ATTORNEY
OF ISLAND COUNTY
P.O. Box 5000
Coupeville, Washington 98239
360-679-7363

JIS Code: 9A.32.030 Murder 1

COUNT I - Special Allegation - Armed With Firearm

AND FURTHERMORE, at the time of the commission of the crime, the Defendant or an accomplice was armed with a firearm; contrary to the Revised Code of Washington 9.94A.825.

(MINIMUM PENALTY--If the Defendant is found to have been armed with a firearm at the time of the commission of the crime, an additional sixty (60) months is added to the presumptive range of confinement for a first offense and an additional one-hundred-twenty (120) months is added to the presumptive range of confinement if the Defendant has previously been sentenced for any deadly weapon enhancements after July 23, 1995; pursuant to RCW 9.94A.533(3)(a) and (d).)

DATED: Tuesday, July 5, 2011.

GREGORY M. BANKS
ISLAND COUNTY PROSECUTING ATTORNEY

By:


GREGORY M. BANKS
PROSECUTING ATTORNEY
WSBA # 22926

STANDARD SENTENCE RANGE: Assuming an offender score of 0: 240 -320 months on Count I, and 60 months additional time if firearm special allegation is proven beyond a reasonable doubt.

DEFENDANT INFORMATION

NAME: Peggy Sue Thomas		DOB: 09/02/1965	
ADDRESS: 1448 Highway 511, Unit 31			
CITY, STATE, ZIP: Navajo Dam, NM 87419			
PHONE #(s):		DRIV. LIC. NO. 505302231	DL ST : New Mexico
SEX: F	RACE: W	HGT:	WGT: EYES: HAIR:
OTHER IDENTIFYING INFORMATION			

INFORMATION

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DEBRA VAN PELT
ISLAND COUNTY CLERK

IN THE SUPERIOR COURT FOR ISLAND COUNTY, WASHINGTON

STATE OF WASHINGTON,

Plaintiff,

vs.

PEGGY SUE THOMAS,
AKA PEGGY SUE ALLEN,
AKA PEGGY SUE STACKHOUSE,
AKA PEGGY SUE HARRIS
Defendant.

NO. 11-1-00109-2

CERTIFICATE OF DETECTIVE MARK
PLUMBERG FOR PROBABLE CAUSE FOR
ISSUANCE OF:

SUMMONS

ARREST WARRANT

I, Detective Mark A. Plumberg, am employed with the Island County Sheriff's Office, and offer this information to establish probable cause that the defendant, PEGGY SUE THOMAS is an accomplice to the offense of MURDER IN THE FIRST DEGREE, RCW 9A.32.030, and to support the issuance of a warrant or summons, certify as follows:

I have been a Deputy Sheriff for the Island County Sheriff's Office (ICSO) for more than 14 years assigned to the patrol division. I am currently a Washington State Certified Peace Officer. I completed the state approved 220-hour Basic Reserve Academy certification on May 18, 1996 and also completed the 440-hour State Basic Law Enforcement Academy course on July 29, 1997. I have had many hours of other specialized training covering a wide variety of law enforcement topics.

I have investigated and assisted in the investigation of numerous criminal cases of various types including homicide, fraud/identity theft, property crimes and burglary, sexual assault cases, multiple death investigations and am familiar with crimes against persons and property and the elements of those crimes. I am currently a Detective.

1 On December 27, 2003 at approximately 1621 hours the body of RUSSEL A.
2 DOUGLAS was found in the front seat of his 2002 Chevrolet Tracker Washington License 128
3 NXQ. The vehicle was parked in the woods adjacent to a driveway at 6665 Wahl Road
4 Freeland, Island County, WA. DOUGLAS had been shot in the head. No firearm was located at
5 the scene though a shell casing from a .380 caliber firearm was recovered from the interior of the
6 vehicle. The front passenger door of the vehicle was open.

7
8 Island County Coroner, Dr. Robert Bishop estimated the date and time of death to be
9 December 26th 2003, at approximately 1300 hours. A bullet was recovered from DOUGLAS'
10 cranium by pathologist Dr. Daniel Selove during an autopsy. The bullet was turned over to
11 police. The cause of death was determined to be a gunshot wound to the head.

12 On May 12, 2004 I contacted PEGGY S. THOMAS because her cell phone number
13 appeared in RUSSEL DOUGLAS' cell phone list of incoming and outgoing calls on December
14 23, 2003. She told me that she was a Limousine Driver in Las Vegas. She said that she was a
15 friend with both RUSSEL DOUGLAS and his wife, BRENNNA DOUGLAS. She explained that
16 she had been in the Whidbey Island area visiting family. She said she had called RUSSEL to
17 arrange to give him a Christmas present for BRENNNA. She said that she met with RUSSEL on
18 December 23, 2003 at around 9:00 p.m. at his apartment in Renton, Washington and gave him a
19 present for him to give to BRENNNA.

20 On July 26, 2004 a person named WILLIAM H. HILL contacted the Island County
21 Sheriff's Office by telephone from his home in Punta Gorda, Florida. During several telephonic
22 and two subsequent face-to-face interviews, HILL told Island County Sheriff's Commander
23 Mike BEECH the following:

24 HILL lives in Punta Gorda, Florida. HILL was then 56 years old, is retired from the Air
25 Force, and has no known criminal history. Around February of 2004, his friend JAMES E.
26 HUDEN confided in him that, while visiting Whidbey Island, Washington over the 2003
27 Christmas Holiday, he had shot a man in the head. JAMES HUDEN told HILL that he used a
28 .380 caliber handgun. HUDEN told HILL that he looked for, but was unable to locate the shell
29 casing after the shooting.

30 According to HILL, JAMES HUDEN was having an extra-marital affair with a woman
named "PEGGY" who lived in the Las Vegas, Nevada area. HILL did not know PEGGY's last

1 name. HILL had once gone to Las Vegas with HUDEN and met "PEGGY." HILL said he
2 understood that "PEGGY" used to work at a hair salon owned by BRENNA DOUGLAS, the
3 murder victim's wife. According to HILL, JAMES HUDEN told him that JAMES and
4 "PEGGY" lured RUSSEL to the scene of the crime by telling him they had a present for him to
5 deliver to RUSSEL DOUGLAS' estranged wife.

6
7 HILL also told me and Commander Beech that he had met with JAMES in the last week
8 of July, 2004, and JAMES told him that he was afraid the police were "nosin' around" and
9 getting close to him, that he could not remember what he was supposed to say, and that he
10 needed to "confer" with PEGGY on their stories.

11 On August 4, 2004 Commander Beech and I contacted JAMES E. HUDEN at his home
12 in Punta Gorda, Florida while ICSO Detectives Wallace and Warwick contacted PEGGY S.
13 THOMAS at her home in Henderson, Nevada.

14 In my interview with JAMES HUDEN on that date he confirmed that he had lived with
15 PEGGY THOMAS in the Las Vegas area for several months, and that he and PEGGY traveled
16 to Whidbey Island from Las Vegas during Christmas time of 2003.

17 According to JAMES, the couple stayed near Freeland on Whidbey Island during the
18 week before Christmas, at the vacation home of their friend DICK DEPOSIT. JAMES said he
19 and PEGGY left Whidbey Island on December 22, or December 23, 2003, and stayed at a hotel
20 near Seatac Airport until December 26, 2003.

21
22 JAMES also told me that he had met RUSSEL DOUGLAS when he dropped off a
23 Christmas present at RUSSEL'S apartment in Renton, Washington on the night of December 23,
24 2003. The present was from PEGGY and was to be delivered by RUSSEL to his estranged wife
25 BRENNA. JAMES said he went to RUSSEL's apartment by himself. JAMES said he had never
26 met RUSSEL before that encounter.

27 On August 4, 2004, detectives from Island County served a search warrant on the
28 residence of PEGGY THOMAS in Henderson, NV. After service of the search warrant, Island
29 County detective Shawn Warwick interviewed PEGGY THOMAS. PEGGY told Detective
30 Warwick that she had worked for BRENNA DOUGLAS at BRENNA's Langley hair salon, "Just

1 B," in early 2003. In addition, PEGGY said that she owned the Langley home that BRENN
2 and RUSSEL DOUGLAS moved into in February, 2003, before the couple had separated.

3
4 PEGGY told Detective Warwick that she flew to Seattle from Las Vegas on December
5 18, 2003, with a return ticket for December 27, 2003. JAMES HUDEN was living with PEGGY
6 in Nevada at that time, and he drove her Lexus to Seattle arriving sometime before December 19.

7 During her August 4, 2004 interview, PEGGY denied knowing that JAMES had killed
8 RUSSEL DOUGLAS.

9 PEGGY stated that she and JAMES had stayed at DICK DEPOSIT's Freeland area
10 vacation home from December 19, 2003 through December 23, 2003. She said that they left
11 Whidbey Island on December 23, and stayed at the Seatac Marriot Hotel from December 23
12 through December 26.

13 PEGGY told Detective Warwick that on December 23, 2003 at about 9:00 p.m. she and
14 JAMES HUDEN drove to RUSSEL's apartment in Renton and gave him a present to deliver to
15 BRENNA on Christmas.

16
17 PEGGY told detective Warwick that after checking out of the Marriot on December 26,
18 she and JAMES returned to Whidbey Island to drop off the keys at DICK DEPOSIT's home.
19 PEGGY said that, while there, she realized the bed linens had been left in the washing machine
20 and the beds were not made up. She placed the linens in the clothes dryer. While the laundry
21 was being done, PEGGY said that JAMES left the house for about 30 to 40 minutes to buy
22 cigarettes. She said that JAMES returned with cigarettes. The Island County Coroner
23 determined that RUSSEL DOUGLAS was killed on December 26, 2003.

24 On August 19, 2004 Investigator BOEGLIN of the Doña Ana County, New Mexico
25 Sheriff's Office contacted Island County Sheriff's Commander Mike BEECH and advised that a
26 subject named Keith OGDEN had just turned in a .380 caliber Bersa pistol that OGDEN believed
27 may be the weapon that was used to murder RUSSEL DOUGLAS.

28 On August 20, 2004 Commander BEECH and Detective WALLACE arrived in Las
29 Cruces, New Mexico and took custody of the weapon, a two-tone Bersa "Thunder" .380 caliber
30 pistol, serial number 573168 from the Doña Ana County Sheriff's Office.

1 On August 21, 2004 BEECH and WALLACE met the OGDENs at their residence in
2 Radium Springs, New Mexico. The OGDENs provided a tape-recorded statement attesting to
3 the following information:
4

5 Keith and Donna OGDEN stated that they met JAMES HUDEN and PEGGY THOMAS
6 while the OGDENs lived in Las Vegas. In the fall of 2003, JAMES contacted KEITH OGDEN
7 and asked if he had any guns he was willing to sell because he was looking for a weapon.
8 OGDEN told him that he did not have any guns to sell. JAMES showed up at the OGDEN's
9 some days later with a Bersa .380 pistol that JAMES said he purchased through a newspaper
10 advertisement. Keith OGDEN taught JAMES how to clean and operate the pistol.

11 Shortly after returning to Nevada from his Christmas trip to Washington, JAMES asked
12 Keith OGDEN if he would take possession of the .380 handgun for him, because JAMES did not
13 want it around PEGGY THOMAS' house with PEGGY's young daughters there. This exchange
14 took place in PEGGY's home. OGDEN, a retired police officer, told detectives that PEGGY
15 was present when JAMES gave him the gun. OGDEN agreed to keep the gun. OGDEN had
16 retained the gun and the operating manual until he turned it over to Doña Ana police.

17 On August 24, 2004 the Washington State crime lab provided a written report that the test
18 round fired out of the recovered Bersa .380 pistol matched both the spent casing and bullet
19 recovered from the body of RUSSEL DOUGLAS, identifying it as the weapon used to murder
20 him.

21 PEGGY, in a written statement given on September 1, 2004, stated that JAMES
22 confessed to her over the phone on August 31, 2004 that he had killed RUSSEL when he "went
23 for smokes." By that time, JAMES HUDEN had fled and his whereabouts remained unknown
24 until his apprehension on June 9, 2011.
25

26 On March 3, 2005, the WSP Crime Lab identified a latent finger print impression
27 recovered from page 14 of the handgun operating manual as being the right index finger of
28 PEGGY THOMAS. During her August 4, 2004 interview with Detective Warwick, PEGGY
29 denied knowing that JAMES had a gun when they came to Whidbey Island in December, 2003,
30 or for that matter, at any time before February, 2004.

1 The whereabouts of JAMES HUDEN had been unknown from about August 13, 2004
2 until June 9, 2011 when he was arrested in Veracruz, Mexico. I was told by officers working
3 with the United States Marshal Service that JEAN HUDEN, the wife of JAMES HUDEN, had
4 provided information to local authorities in Punta Gorda, Florida about the location of JAMES in
5 Mexico. Based on her tip, JAMES HUDEN was located and apprehended after being a fugitive
6 for nearly 7 years.

7
8 On June 20, 2011 and June 21, 2011, I interviewed JEAN E. HUDEN at her home
9 address of 3481 Peacemaker Drive, Punta Gorda, FL.

10 JEAN told me that shortly before hurricane Charlie hit the Gulf Coast of Florida on
11 August 13, 2004, detectives from Washington had come to the house and taken JAMES in for
12 questioning, but did not have enough evidence to arrest him and he was released. She said that
13 JAMES came back to the house and told her that he had killed RUSSEL DOUGLAS.

14 She said that JAMES used the arrival of the hurricane to get out of town and eventually
15 make his way to Mexico. JEAN subsequently supported him by transferring funds to JAMES
16 via a Mexican friend of JAMES'. JEAN visited him personally in Mexico on several occasions.
17 She had, at one time, planned on moving there to be with him. JEAN was aware of the fact that
18 JAMES had been having an affair with PEGGY while the HUDENS were married. JEAN and
19 PEGGY THOMAS had developed a friendly relationship, which continued after JAMES fled the
20 United States.

21 JEAN told me that JAMES had told her that he and PEGGY together planned to kill
22 RUSSEL DOUGLAS. JEAN said that JAMES believed RUSSEL was abusive toward his wife
23 BRENNNA and their children. JEAN also told me that she had spoken to PEGGY THOMAS on a
24 number of occasions after JAMES disappeared. JEAN even visited PEGGY at her home near
25 Las Vegas on more than one occasion. During one visit, PEGGY provided JEAN a copy of the
26 search warrant and the coroner's report that PEGGY had obtained when police searched her
27 house. JEAN showed me her copy of the search warrant, which was, indeed, what she said it
28 was.
29

30 JEAN told me that PEGGY admitted to her that she was part of the murder plot to kill
RUSSEL DOUGLAS and that her job was to lure RUSSEL DOUGLAS to the murder location
with a Christmas present. JEAN said that PEGGY told her they stayed at DICK DEPOSIT'S

1 house on Whidbey Island while they were plotting "how to get RUSSEL to where they needed
2 him to be and take care of it." JEAN said that JAMES did not know RUSSEL. JAMES had told
3 me, during the August 4, 2004 interview, that he had never met RUSSEL other than the time he
4 went to his Renton apartment. JEAN said PEGGY told her she had called RUSSEL and lured
5 him out to the murder location with the story about delivering a Christmas present. JEAN said
6 that PEGGY told her that while JAMES went to the murder location to kill RUSSEL, PEGGY
7 went to the store to buy cigarettes so she would have a receipt as an alibi for the time of the
8 murder. PEGGY made this disclosure to JEAN after JAMES had become a fugitive.

9
10 JEAN said that PEGGY told her that JAMES had used PEGGY's car to get to the
11 murder location and they left the island together after the murder.

12 I asked JEAN how the conversations about the murder came up with PEGGY. She said
13 she flew out to Nevada several times to meet with her and talk to her while JAMES was on the
14 run. JEAN said they didn't want to talk on the phone because they believed their phones were
15 tapped by police. JEAN said that she did not think PEGGY knew where JAMES was while he
16 was hiding in Mexico. JEAN also said that PEGGY told her that the murder location was in
17 some remote part of Whidbey Island.

18 I asked JEAN if PEGGY ever mentioned having knowledge of JAMES owning or having
19 a gun in his possession. She said that PEGGY told her about the man from whom JAMES got
20 the weapon and that the man took JAMES out to show him how to shoot the firearm.

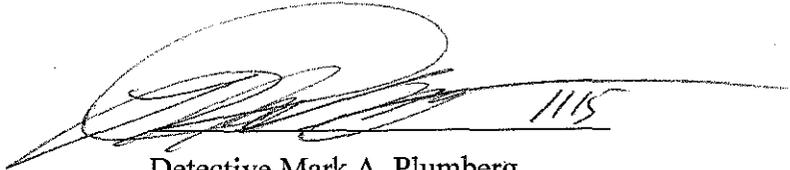
21 PEGGY SUE THOMAS has no known felony criminal history.

22
23 PEGGY THOMAS is believed to be living in the Navajo Dam, New Mexico area based
24 on electronic and postal records searches. A public records search using the LexisNexis system
25 shows that PEGGY THOMAS was married to a Mark J. Allen in Roswell, New Mexico. It is
26 believed that they are separated or divorced at this time. LexisNexis records show that a 2006
27 Lakeview 62-foot aluminum houseboat was previously registered to Mark Allen, and is now
28 registered to PEGGY THOMAS. The boat was recently renamed "Off the Hook." An internet
29 search of used houseboats shows comparable vessels for sale in excess of \$150,000. LexisNexis
30 records also show PEGGY is the possible owner of Clark County, Nevada parcel number 176-
21-811-066, with a purchase price of \$325,000 on July 8, 2010. LexisNexis Records show she is
a possible owner of Chaves County, New Mexico parcel number 11-12001, which has an

1 assessed value of \$83,780. She appears to have assets that could be converted to cash should she
2 decide to flee. Given the nature of the charges, and the potential 20-year minimum sentence that
3 she faces if convicted, and the fact that she now lives in New Mexico and has apparently lived in
4 four different states in the past ten years (Washington, Nevada, New Mexico, and Florida), she
5 presents a significant flight risk. I recommend that the Court issue an arrest warrant for PEGGY
6 S. THOMAS with bail set in the amount of \$5 million.
7

8 I certify (declare) under penalty of perjury under the laws of the State of Washington that the
9 foregoing is true and correct. (RCW 9A.72.085)
10

11 Signed on 07/05/11 at Coupeville, Washington
12

13  1115

14 Detective Mark A. Plumberg
15 Island County Sheriff's Office
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DEBRA VAN PELT
ISLAND COUNTY CLERK

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Plaintiff,

NO. 11-1-00109-2

vs.

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Defendant.

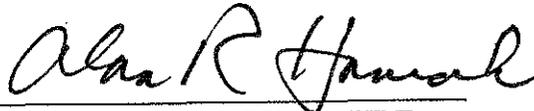
ORDER FOR ISSUANCE OF WARRANT OF
ARREST

The court, having examined the Information and plaintiff's motion including Probable Cause Certificate, finds probable cause that the defendant committed the offense charged, NOW, THEREFORE,

IT IS HEREBY ORDERED that the Island County Clerk shall issue a warrant for the apprehension of the above-named defendant.

IT IS FURTHER ORDERED that the conditions of release of the defendant shall be as follows: Bail is set at \$ 5,000,000.00 (5 million dollars)

Dated: 7/6/11



JUDGE OF THE SUPERIOR COURT

Presented by:
GREGORY M. BANKS
ISLAND COUNTY PROSECUTING ATTORNEY

By: 
GREGORY M. BANKS
PROSECUTING ATTORNEY
WSBA # 22926