

IN THE JUSTICE COURT OF THE STATE OF MONTANA,
IN AND FOR THE COUNTY OF MISSOULA
BEFORE Karen A. Orzech, JUSTICE OF THE PEACE

Cause No. CR-2012-10052-C2

STATE OF MONTANA,

Plaintiff,

-vs-

HARLAND GENE GIBSON,

Defendant.

AFFIDAVIT OF PROBABLE
CAUSE

STATE OF MONTANA)
 : ss
County of Missoula)

M. SHAUN DONOVAN, Deputy County Attorney of Missoula County,
Montana, being first duly sworn upon oath, deposes and says:

I have read the official law enforcement reports regarding the investigation of
HARLAND GENE GIBSON for allegedly committing the offense(s) set forth in the
complaint and based upon the information contained in the reports, if true, believe
probable cause exists to justify charging the above-named defendant as specified
in the accompanying complaint.

----- At approximately 11:30 PM on September 8, 2012 Officers of the Missoula
County Sheriff's Department were called to a report of a disturbance at 7402
Azalea in Grass Valley, Missoula County, Montana. At that location they

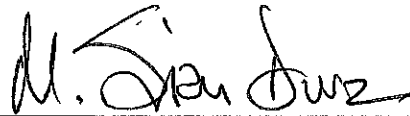
interviewed residents Thomas Thiel and Catherine Thiel who each stated they had been attacked by a houseguest, Harland Gibson, after they separately tried to stop an assault by Gibson against his girlfriend, Tifani Engavo.

According to Mr. and Mrs. Thiel, Harland Gibson and Tifani Engavo were arguing outside their home when Gibson took Ms. Engavo to the ground and began choking her. When Thomas Thiel tried to step in, Gibson hit him in the head with an elbow knocking Thiel unconscious.

When Engavo fled to the house, Catherine Thiel tried to shield the woman and was attacked by Gibson who punched her in the face at least ten times cursing at her in the process. Catherine was later treated at St. Patrick Hospital, where she was reportedly vomiting blood, and had a broken nose, black eyes, a swollen lip and a severe headache. Obvious facial and external head injuries were observed by officers on both Catherine and Thomas.

Tifani Engavo, who fled the scene before officers arrived, was located and interviewed a short time later. She had bruising on the front and sides of her neck, dried blood around her lips and winced when she touched the side of her rib cage. She confirmed the injuries were inflicted by Harland Gibson who she said had choked her to unconsciousness, but declined to be photographed or cooperate further in the investigation.

When Officers spoke to Harland Gibson, and told him he would be arrested for causing serious injury to several people, his initial response was that none of them were going to press charges against him.



M. SHAUN DONOVAN
Deputy Missoula County Attorney

SUBSCRIBED AND SWORN TO before me this 10th day of September,
2012.

JUSTICE OF THE PEACE

ORDER

Upon reading the foregoing Affidavit, the Court finds that there is probable
cause to believe the above-named Defendant committed the crimes charged.

DATED this 10th day of September, 2012 at _____ a.m./p.m.

JUSTICE OF THE PEACE

IN THE JUSTICE COURT OF THE STATE OF MONTANA,
IN AND FOR THE COUNTY OF MISSOULA
BEFORE Karen A. Orzech, JUSTICE OF THE PEACE

Cause No. CR-2012-10052-C2

STATE OF MONTANA,

Plaintiff,

-vs-

HARLAND GENE GIBSON,

Defendant.

COMPLAINT

M. SHAUN DONOVAN, Deputy Missoula County Attorney, being duly sworn, deposes and says that on or about the 8th day of September, 2012, at Missoula County, the above-named Defendant committed the offense(s) of **COUNT I: AGGRAVATED ASSAULT**, a Felony, in violation of Montana law, namely: Mont. Code Ann. §45-5-202, punishable by not to exceed 20 years MSP and a \$50,000 fine; **COUNT II: ASSAULT - BODILY INJURY**, a Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. §45-5-201, punishable by 6 months MCDF and/or \$500 fine and **COUNT III: PARTNER OR FAMILY MEMBER ASSAULT - 1ST OFFENSE**, a Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. §45-5-206[1st], punishable by not less than 24 hours or more than 1 year MCDF and/or \$100-\$1000 fine.

The facts constituting the offense(s) are:

COUNT I: Aggravated Assault

On or about the 8th day of September, 2012, the above-named Defendant purposely or knowingly caused serious bodily injury, and or, with the use of

physical force or contact, reasonable apprehension of serious bodily injury to Catherine Thiel by punching her multiple times in the face with his fists.


COUNT II: Assault

On or about the 8th day of September, 2012, the above-named Defendant purposely or knowingly caused bodily injury to Thomas Thiel by striking him in the head with his elbow or fist.

COUNT III: Partner or Family Member Assault

On or about the 8th day of September, 2012, the above-named Defendant purposely or knowingly causing bodily injury and or reasonable apprehension of bodily injury to Tifani Engavo, a partner, by punching her about her body and strangling her.

DATED this 10th day of September, 2012.



M. SHAUN DONOVAN
Deputy Missoula County Attorney

Subscribed and sworn to before me this 10th day of September, 2012.

JUSTICE OF THE PEACE

COMPLAINT 12-2075
MCSO Officers Sargent, Burt and Dunster