

IN THE JUSTICE COURT OF THE STATE OF MONTANA,
IN AND FOR THE COUNTY OF MISSOULA
BEFORE JOHN E. ODLIN, JUSTICE OF THE PEACE

Cause No. _____

STATE OF MONTANA,

Plaintiff,

-vs-

NICHOLAS NORMAN SCHELIN,

Defendant.

COMPLAINT

RECEIVED
NOV 29 2012
Justice Court

ANDREW W. PAUL, Deputy Missoula County Attorney, being duly sworn,
deposes and says that on or about the 29th day of November, 2012, at Missoula
County, the above-named Defendant committed the offenses of:

COUNT I: CRIMINAL POSSESSION OF DANGEROUS DRUGS - NOT

OTHERWISE PROVIDED FOR, a Felony, in violation of Montana law, namely:
Mont. Code Ann. §45-9-102(6), punishable by 5 years MSP and a \$50,000 fine;

COUNT II: THEFT - 1ST OFFENSE, a Misdemeanor, in violation of Montana law,
namely: Mont. Code Ann. §45-6-301(1)[1st], punishable by 6 months MCDF and a
\$1000 fine.

The facts constituting the offense(s) are:

COUNT I: On or about the 29th day of November, 2012, the above-named
Defendant knowingly possessed Diazepam, a Schedule IV dangerous drug.

COUNT II: On or about the 29th day of November, 2012, the above-named
Defendant purposely or knowingly obtained or exerted unauthorized control over
medication owned by St. Patrick's Hospital with the purpose of depriving the
owner of the property. The value of the property does not exceed \$1,500.00.

DATED this 29th day of November, 2012.



ANDREW W. PAUL
Deputy Missoula County Attorney

Subscribed and sworn to before me this 29th day of November, 2012.

JUSTICE OF THE PEACE

COMPLAINT 12-2772
MCPD Detective Chrestenson

IN THE JUSTICE COURT OF THE STATE OF MONTANA,
IN AND FOR THE COUNTY OF MISSOULA
BEFORE _____, JUSTICE OF THE PEACE

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Cause No. _____

STATE OF MONTANA,

Plaintiff,

-vs-

NICHOLAS NORMAN SCHELIN,

Defendant.

AFFIDAVIT OF PROBABLE
CAUSE

STATE OF MONTANA)
 : ss
County of Missoula)

ANDREW W. PAUL, 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
NICHOLAS NORMAN SCHELIN 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.

On or about the 29th day of November, 2012, at about 3:36 a.m., officers
responded to St. Patrick's Hospital for a report that a male had fled the hospital
after stealing medication from a cart. Hospital security officers advised that they

believed the suspect was hiding somewhere within the block between Orange and Woody and Pine and Spruce. The suspect was described as a white male with a shaved or bald head, tattoos on his neck, wearing a baseball cap, dark top and jeans.

Officer Kazinsky began searching the area on foot. Near the First Baptist Church, Kazinsky saw a person crouched behind a large garbage can located in a fenced off courtyard on the Church property. The person was wearing a white baseball cap, a dark, hooded sweatshirt and dark jeans. Kazinsky radioed his find and drew his Taser. Kazinsky ordered the person to show him his hands. The suspect, later identified as Nicholas Schelin (Defendant), walked out from behind the garbage can and put his hands up. The metal gate was locked, so Kazinsky was unable to advance toward the Defendant. Kazinsky ordered the Defendant to walk towards the gate with his hands up. Instead, the Defendant began to walk backwards looking around for an escape route. Defendant turned and grabbed a rain gutter attached the brick wall that led to the roof. Kazinsky jumped the fence and told the Defendant to get on the ground or Kazinsky would use his Taser. The Defendant complied, slowly.

Officer Williams arrived on scene and the officers were able to handcuff the Defendant. The Defendant claimed he had taken the medications because his daughter was sick. During the search incident to arrest, officers located the following items: 18 nitrile examination gloves, three syringes, one vial of Epinephrine, one red Health Care Logistics security seal with ID, two rolls of tape, a St. Patrick Hospital ID badge and two Diazepam cartridges.

Officer Blakely responded to the emergency room (ER) after dispatch advised that the Defendant's girlfriend was fighting with security officers. On arrival, Blakely observed two security officers standing near the front door to the hospital and a female standing nearby. The female identified herself as Mariah. Mariah said that she and her boyfriend (Defendant) were admitted to the hospital and that she was discharged before he was. She said she was waiting for him in her car. It seemed like she was waiting a long time, so she went back inside the hospital to look for the Defendant and the security officers detained her. Mariah was subsequently released.

Blakely then entered the ER waiting room where several hospital employees had gathered to discuss the incident. One nurse explained that the Defendant and Mariah had been admitted and were in the same hospital room. While the nurses were not attending to them, the Defendant must have left the ER into a back hallway that leads to the rest of the hospital.

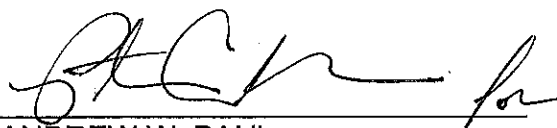
Bridgette Dawson, who works in the Radiology department, reported that she was alone at her work station when she saw movement out of the corner of her eye. When she turned, she saw a male wearing hospital scrubs, a mask over his mouth and she noticed he had a name tag/ID badge. Bridgette thought this was odd because there shouldn't be anyone working in the back area. Bridgette went into the hall and found the male raiding a "crash cart." She saw him removing items from the drawers of the cart, placing them in his pockets. She approached the male and asked him what he was doing. The male shoved the ID badge in her face and made up some reason to be removing the items –

telling her that he needed more supplies. Bridgette recognized the photo and name of the employee (Jeff Marso) and immediately knew that the male was not her co-worker Jeff.

Alone, in the back area of the hospital with a male who was impersonating her co-worker, Bridgette told the male that she could lead him to a place where he could get more supplies. Bridgette escorted the male upstairs to the ICU where she knew there would be more people. Once in the ICU, she whispered to several nurses to call security. One of the nurses asked aloud, "Why do you need security?" Bridgette grabbed the ID badge from the male and said, "Because this is not Jeff Marso!"

The male ran away, down the hall and into a stairwell. Bridgette reported his last known location to security. Security officers began their pursuit. The male was able to exit the hospital and security officers saw him stripping off the scrubs he had stolen as he ran from the hospital towards Orange Street.

While Kazinsky and Officer Williams were waiting for someone from the church to unlock the gate, Kazinsky advised the Defendant of his *Miranda* rights and the Defendant agreed to speak with him. The Defendant said he took the medications for his 2 ½ week-old daughter. He initially said she had leukemia but later claimed she had pneumonia. The Defendant said that his daughter's mother/girlfriend was taking care of their daughter in Spokane. The Defendant said that he got a ride to Missoula on the 28th from a buddy. He came to Missoula to see his other girlfriend, Mariah. He said they initially went to the hospital because he is a heroin and oxycodone user and wanted to get clean.



ANDREW W. PAUL
Deputy Missoula County Attorney

SUBSCRIBED AND SWORN TO before me this 29th day of November,
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 29th day of November, 2012 at _____ a.m./p.m.

JUSTICE OF THE PEACE