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DEC 24 2012

Justice Court

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

4 Cause No. CR-2012-10424-C2

5
6 STATE OF MONTANA
7 Plaintiff,

8 -vs-

9 THOMAS PHILIP MENTZER
10 Defendant.

COMPLAINT

11 SUZY BOYLAN, Deputy Missoula County Attorney, deposes and says
12 that on or about the 24th day of December, 2012, the above-named

13 Defendant committed the offense(s) of COUNT I: CRIMINAL

14 ENDANGERMENT, a Felony, in violation of Montana law, namely: Mont.

15 Code Ann. 45-5-207, punishable by 10 years MSP and/or \$50,000 fine; and

16 COUNT II: AGGRAVATED DRIVING UNDER THE INFLUENCE, a


17 Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 61-8-

18 465, punishable by 1 year MCDF and a \$1,000 fine.

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22 COUNT I: On or about December 24, 2012, the above-named
23 Defendant knowingly engaged in conduct that created a substantial risk of
24 death or serious bodily injury to another, motorists on Interstate 90, by driving
25 the wrong way down the interstate after consuming alcohol.
26
27
28

1 COUNT II: On or about December 24, 2012, the above-named
2
3 Defendant operated a motor vehicle on a way of the state open to the
4 public, Interstate 90, while under the influence of alcohol with a blood
5 alcohol concentration of .16 or higher.
6

7 DATED this 24th day of December, 2012.

8
9 
10 SUZY BOYLAN
11 Deputy Missoula County Attorney

12 Subscribed and sworn to before me this 24th day of December, 2012.

13 _____
14 JUSTICE OF THE PEACE

15 COMPLAINT 12-3026
16 Missoula County Sheriff's Office PETERSEN
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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-2012-10424-C2

STATE OF MONTANA,
Plaintiff,

-vs-

AFFIDAVIT OF PROBABLE
CAUSE

THOMAS PHILIP MENTZER,
Defendant.

STATE OF MONTANA)
 : ss
County of Missoula)

SUZY BOYLAN, 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 THOMAS PHILIP MENTZER 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 24th day of December, 2012, Sheriff's deputies responded to five reports of a motorist driving the wrong way on Interstate 90. Deputy Rebecca Birket, observed the car driving the wrong way on

1 Interstate 90. She attempted to get the driver's attention by turning her
2 spotlight on the car, but the vehicle continued at approximately 40 mph.
3
4 After several miles, the vehicle began to slow down and eventually stopped
5 on the side of the road. Deputy Birket observed several vehicles that had to
6 maneuver to avoid being hit by the suspect vehicle.
7

8 The driver, identified as the above-named Defendant, admitted he
9 had been drinking. He had difficulty completing field sobriety maneuvers.
10 He admitted he was "intoxicated." His BAC, measured at the jail, was a
11 .202. He exhibited 13 out of 18 clues on the field sobriety maneuvers when
12 he performed them at the jail.
13
14

15 A witness who saw the vehicle coming at him reported there were at
16 least two other cars driving in the correct lane when the defendant was
17 driving the wrong way. Investigation is continuing and may lead to
18 additional charges.
19
20

21
22 
23 SUZY BOYDAN
24 Deputy Missoula County Attorney

25 SUBSCRIBED AND SWORN TO before me this. 24th day of
26 December, 2012.

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JUSTICE OF THE PEACE

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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 _____ day of _____, 2012 at _____ a.m./p.m.

JUSTICE OF THE PEACE