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MAR 17 2013

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
5 STATE OF MONTANA
6 Plaintiff,

7 -vs-

8 AUGUSTUS STORM
9 STANDINGROCK
Defendant.

Cause No. CR-2013-10663-C2

COMPLAINT

10 JENNIFER CLARK, Deputy Missoula County Attorney, deposes and
11 says that on or about the 17th day of March, 2013, in Missoula County, the
12 Defendant committed the offenses of COUNT I: AGGRAVATED
13 BURGLARY, a Felony, in violation of Montana law, namely: Mont. Code Ann.
14 45-6-204(2), punishable by 40 years MSP and/or \$50,000 fine; COUNT II:
15 ASSAULT WITH WEAPON, a Felony, in violation of Montana law, namely:
16 Mont. Code Ann. 45-5-213, punishable by 20 years MSP and/or \$50,000
17 fine; COUNT III: ASSAULT - BODILY INJURY, a Misdemeanor, in violation
18 of Montana law, namely: Mont. Code Ann. 45-5-201, punishable by 6 months
19 MCDF and/or \$500 fine; COUNT IV: ATTEMPTED ASSAULT WITH
20 WEAPON, a Felony, in violation of Montana law, namely: Mont. Code Ann.
21 45-5-213 and 45-4-103, punishable by 20 years MSP and/or \$50,000 fine.

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27 The facts constituting the offense are:
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1 COUNT I: On or about the 17th day of March, 2013, the above-
2
3 named Defendant knowingly entered or remained unlawfully in an occupied
4 structure with the purpose to commit an offense therein and in the course
5 of committing the offense, the Defendant purposely or knowingly inflicted
6
7 bodily injury upon Gary Martin by hitting him with a crowbar.

8 COUNT II: On or about the 17th day of March, 2013, the above-
9
10 named Defendant purposely or knowingly caused bodily injury to Gary
11 Martin with a weapon, a crowbar.

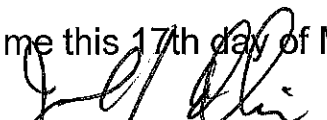
12 COUNT III: On or about the 17th day of March, 2013, the above-
13
14 named Defendant purposely or knowingly caused bodily injury to Gary
15 Martin, by kicking and punching him.

16 COUNT IV: On or about the 17th day of March, 2013, the above-
17
18 named Defendant purposely or knowingly attempted to cause bodily injury
19 to Gary Martin with a weapon, by trying to hit him with a knife.
20

21 DATED this 17th day of March, 2013.

22
23 
24 _____
25 JENNIFER CLARK
26 Deputy Missoula County Attorney

27 Subscribed and sworn to before me this 17th day of March, 2013.

28 
29 _____
30 JUSTICE OF THE PEACE

COMPLAINT 13-645/FISCUS/MANRAKSA

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

4
5 STATE OF MONTANA,
6 Plaintiff,

Cause No. CR-2013-10663-c2

7 -vs-

AFFIDAVIT OF PROBABLE
CAUSE

8
9 AUGUSTUS STORM STANDINGROCK,
10 Defendant.

11 STATE OF MONTANA)
12 : SS
13 County of Missoula)

14 JENNIFER CLARK, Deputy County Attorney of Missoula County,
15 Montana, being first duly sworn upon oath, deposes and says:

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17 I have read the official law enforcement reports regarding the
18 investigation of AUGUSTUS STORM STANDINGROCK for allegedly
19 committing the offense(s) set forth in the complaint and based upon the
20 information contained in the reports, if true, believe probable cause exists to
21 justify charging the above-named defendant as specified in the
22 accompanying complaint.
23

24
25 On or about March 17, 2013, Missoula City Police Officer Fiscus was
26 dispatched to 9419 Highway 200 in Bonner at the request of Missoula
27 County Sheriff Deputies for an assist on a male who had been assaulted
28

1 with a crowbar. She met with Kay Henry and her boyfriend Gary Martin.

2 Martin stated that he was sleeping with Henry on an air mattress on the

3
4 floor. The light came on and he saw Augustus Standingrock standing at his

5 feet. Standingrock said "wake up bitch" and struck Martin in the face with

6 the crowbar. Martin didn't have an explanation why he did that, but did

7 state Standingrock had grabbed him in a choke hold the week prior.


8
9 Standingrock had been couch surfing and Henry told him he was no longer

10
11 welcome at the residence.

12
13 Martin had a hard time standing and was dizzy. He was bleeding
14 from the mouth and lip. Henry stated that she was sleeping, the light came
15 on and she saw Standingrock, her son, hit Martin with the crowbar.

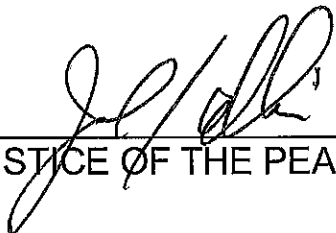
16
17 Henry was taking Martin to the hospital and they stopped at 3625
18 Highway 200, #2. They knew that Standingrock had a friend there and they
19 wanted to see if he was there. When they arrived, Standingrock came out
20 of the apartment and attacked Martin, knocking him to the ground. They
21 wrestled and Standingrock punched him on the left side of his face and
22 kicked him in the stomach. Henry stated that she saw Standingrock
23 repeatedly try to stab Martin with a black-handled steak knife as they
24 wrestled. Martin stated he did not know that Standingrock had a knife and
25 he was not stabbed.
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JENNIFER CLARK
Deputy Missoula County Attorney

SUBSCRIBED AND SWORN TO before me this 17th day of March,
2013.

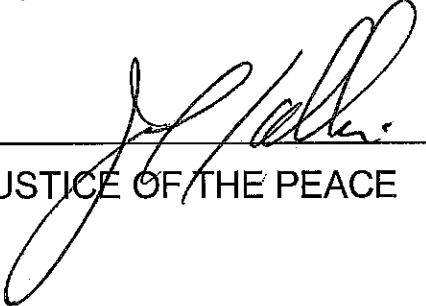


JUSTICE OF THE PEACE

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 17 day of MARCH, 2013 at 11:25 a.m./p.m.



JUSTICE OF THE PEACE