

COPY

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

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APR 01 2013
Justice Court

STATE OF MONTANA
Plaintiff,

-vs-
ERIC DEAN VANZOMEREN
Defendant.

Cause No. CR-2013-10714-C1

COMPLAINT

JASON MARKS, Deputy Missoula County Attorney, deposes and says
that on or about the 31st day of March, 2013, in Missoula County, the
Defendant committed the offenses of COUNT I: ASSAULT ON A PEACE
OR JUDICIAL OFFICER, a Felony, in violation of Montana law, namely:
Mont. Code Ann. 45-5-210, punishable by not less than 2 years or more than
10 years MSP and a \$50,000 fine; COUNT II: CRIMINAL TRESPASS TO
PROPERTY, a Misdemeanor, in violation of Montana law, namely: Mont.
Code Ann. 45-6-203, punishable by 6 months MCDF and/or \$500 fine.

The facts constituting the offense are:

COUNT I: On or about the 31st day of March, 2013, the above-
named Defendant purposely or knowingly causing bodily injury to Cammie
Fiscus, a peace officer.

COUNT II: On or about the 31st day of March, 2013, the above-
named Defendant committed the offense of criminal trespass to property by

1 knowingly entering or remaining unlawfully in or upon the premises of
2 Walmart.
3

4
5 DATED this 1st day of April, 2013.
6

7 Jordan Kelly for
8 JASON MARKS
9 Deputy Missoula County Attorney

10 Subscribed and sworn to before me this 1st day of April, 2013.
11

12 JUSTICE OF THE PEACE

13 COMPLAINT 13-778
14 Missoula City Police Dept FISCUS
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1 IN THE JUSTICE COURT OF THE STATE OF MONTANA,
2 IN AND FOR THE COUNTY OF MISSOULA
3 BEFORE John E. Oehl, JUSTICE OF THE PEACE

4
5 STATE OF MONTANA,
6 Plaintiff,

Cause No. CR-2013-10714-C1

7 -vs-

AFFIDAVIT OF PROBABLE
CAUSE

8
9 ERIC DEAN VANZOMEREN,
10 Defendant.

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

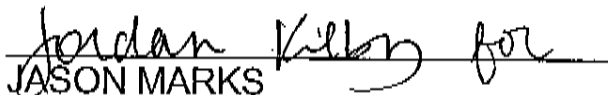
14 JASON MARKS, Deputy County Attorney of Missoula County,
15 Montana, being first duly sworn upon oath, deposes and says:

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17 I have read the official law enforcement reports regarding the
18 investigation of ERIC DEAN VANZOMEREN for allegedly committing the
19 offense(s) set forth in the complaint in and based upon the information
20 contained in the reports, if true, believe probable cause exists to justify
21 charging the above-named defendant as specified in the accompanying
22 complaint.
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24

25 On or about the 31st day of March, 2013, Missoula City Police Officer
26 Cammie Fiscus was in Walmart, 4000 Hwy 93 South in Missoula County,
27 for a report of a shoplifter in custody. She was informed by Walmart
28

1 employees that there was a male outside the business harassing
2 customers and refusing to leave. Officer Fiscus approached the male, later
3 identified as Eric Van Zomeren, and told him he needed to leave the
4 property. He refused and said it was public property. Officer Fiscus
5 informed him that the store management had requested he leave and he
6 needed to go.
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10 She then took ahold of the male's left sleeve and again told him to
11 leave. At this point, he pulled back and she pushed him to the side of her
12 patrol car and stated he was under arrest. Van Zomeren swung his right
13 arm around and struck her on the right side of her head and face with his
14 elbow. This caused pain to her face. Officer Fiscus grabbed her pepper
15 spray and Van Zomeren grabbed her wrist and would not let go.
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19 
20 JASON MARKS
21 Deputy Missoula County Attorney

22 SUBSCRIBED AND SWORN TO before me this 1st day of April,
23 2013.

24
25
26 _____
27 JUSTICE OF THE PEACE

28
ORDER

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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 _____, 2013 at _____ a.m./p.m.

JUSTICE OF THE PEACE