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DEC 11 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 MAX EDWARD SAYER
9 Defendant.

Cause No. *CR-2013-11608-C2*

COMPLAINT

11 SUZY BOYLAN, Assistant Chief Deputy County Attorney, deposes and
12 says that on or about the 7th day of June, 2013, in Missoula County, the
13 Defendant committed the offense of COUNT I: BURGLARY, a Felony, in
14 violation of Montana law, namely: Mont. Code Ann. 45-6-204(1), punishable
15 by 20 years MSP and/or \$50,000 fine.
16
17

18 The facts constituting the offense are:

19
20 COUNT I: On or about the 7th day of June, 2013, the above-named
21 Defendant knowingly entered or remained unlawfully in an occupied
22 structure and knowingly or purposely committed any offense within that
23 structure, to wit: THEFT.
24

25 DATED this 11th day of December, 2013.
26

27 
28 SUZY BOYLAN

Assistant Chief Deputy County Attorney

1
2 Subscribed and sworn to before me this 12th day of December, 2013.

3
4 JUSTICE OF THE PEACE

5 COMPLAINT 13-1550
6 Missoula City Police Dept MERIFIELD
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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

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5 STATE OF MONTANA,
6 Plaintiff,

Cause No. CR-2013-11608-C2

7 -VS-

**AFFIDAVIT OF PROBABLE
CAUSE**

8
9 MAX EDWARD SAYER,
10 Defendant.

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

14 SUZY BOYLAN, Assistant Chief Deputy County Attorney, Montana,
15 being first duly sworn upon oath, deposes and says:

16
17 I have read the official law enforcement reports regarding the
18 investigation of MAX EDWARD SAYER 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.
23
24

25 On or about the 7th day of June, 2013, Matthew Hagedal and Phoebe
26
27 Fortunate reported a burglary at their residence on Stephens Avenue. They
28 were in the process of moving to a new home. At one point, Hagedal left

1 the front door open while taking belongings to his car. When he re-entered
2 his apartment, he saw someone trying to hide under a bed. The person
3 eventually came out, and Hagedal recognized him as his neighbor named
4 "Max," later identified as the above-named Defendant. Hagedal told
5 Defendant to leave, and he did.
6
7

8 Later, after returning from taking a load of belongings to his new
9 residence, Hagedal found his home had been burglarized. Items missing
10 included two televisions and two laptop computers.
11

12 Defendant was contacted by police and admitted being in the home
13 when Hagedal caught him, but denied committing the burglary. Later, he
14 told Hagedal that he unlatched the downstairs window but did not come in
15 to steal the items. He stated he was paid by someone to do this, but
16 refused to identify who allegedly paid him.
17
18


19 Later, Hagedal and Fortunate discovered that a DVD player,
20 universal remote, SanDisk MP3 player, and miscellaneous remote controls
21 were also missing.
22
23

24 Detective Merifield, Detective More, and Officer Corbett went to
25 Defendant's house and made contact with him. Defendant said again that
26 he unlatched a window in Hagedal and Fornate's apartment but did not
27 steal any items. He said he could get the stolen items back. AS he was
28

1 about to sign an authorization for police to search his residence, he said he
2 did have some of the stolen items in his apartment. He had both televisions
3 and both computers. He said he would continue looking for the other items.
4

5 Defendant later contacted Detective Merifield and stated he wanted
6 to make a statement. He came to the police station, where he was advised
7 of his Miranda rights and agreed to speak to Detective Merifield.
8

9 Defendant admitted that he committed the burglary. He said he was
10 extremely intoxicated at the time. He remembered taking the televisions
11 and laptops and putting the smaller items outside the window.
12
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16 SUZY BOYDAN
17 Assistant Chief Deputy County Attorney

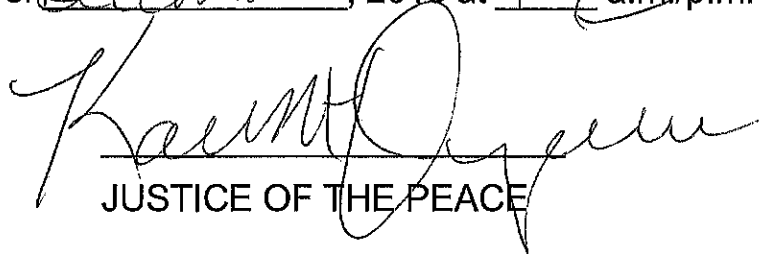
18 SUBSCRIBED AND SWORN TO before me this 12th day of
19 December, 2013.

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22 JUSTICE OF THE PEACE
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3 ORDER

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

7 DATED this 12th day of December, 2013 at 9⁰⁰ a.m. p.m.

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11 JUSTICE OF THE PEACE
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