

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

RECEIVED

DEC 29 2013

Justice Court

4 STATE OF MONTANA
5 Plaintiff,
6 -vs-
7 DUSTIN MICHAEL COOK
8 Defendant.

Cause No. CR-2013-11678-C2

COMPLAINT

9 JESSICA FINLEY, Deputy County Attorney, deposes and says that on or about the
10 25th day of December, 2013, in Missoula County, the Defendant committed the offense of
11 **COUNT I: ROBBERY**, a Felony, in violation of Montana law, namely: Mont. Code Ann. §
12 45-5-401, punishable by not less than 2 or more than 40 years MSP and/or \$50,000 fine.

13 The facts constituting the offense are:

14 COUNT I: On or about the 25th day of December, 2013, the above-named
15 Defendant while in the course of committing a theft, committed the offense of robbery by
16 threatening to inflict bodily injury upon or purposely or knowingly put in fear of
17 immediate bodily injury to the Brooks Street Motor Inn front desk attendant.

18 DATED this 28th day of December, 2013.

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22 JESSICA FINLEY
23 Deputy County Attorney

24 Subscribed and sworn to before me this 29 day of December, 2013.

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27 JUSTICE OF THE PEACE *Acting*

28 COMPLAINT 13-3023

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Justice Court

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

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STATE OF MONTANA,
Plaintiff,

-vs-

DUSTIN MICHAEL COOK,
Defendant.

Cause No. CR-2013-11678-C2

AFFIDAVIT OF PROBABLE CAUSE

STATE OF MONTANA)
County of Missoula) : ss

JESSICA FINLEY, Deputy County Attorney, Montana, being first duly sworn upon
oath, deposes and says:

I have read the official law enforcement reports regarding the investigation of
DUSTIN MICHAEL COOK for allegedly committing the offense(s) set forth in the complaint
in 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 25th day of December, 2013, Officer Griesse of the Missoula
Police Department responded to a report of a robbery that had occurred at
approximately 11:57 p.m. at the Brooks Street Motor Inn in Missoula County. Upon
arriving at the scene, Officer Griesse spoke with the front desk attendant who stated he
was on-shift when he heard a loud noise in the back employee area. When he walked
back to see what the noise was he was startled by a male, later identified as the
Defendant Dustin Michael Cook, who pointed a black handgun at him. The front desk
attendant noticed the Defendant had pried open the Inn's lockbox and taken out the

1 money. The Defendant told the front desk attendant that the gun was real and he would
2 shoot him to show him it was real. The Defendant ordered the front desk attendant to
3 empty the cash out of the register. The front desk attendant complied and the
4 Defendant placed the money in his backpack and fled. The front desk attendant
5 described the suspect as a white male dressed in all camouflage print clothing with a
6 black mask and white gloves.
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8 Sergeant McLean of the Missoula Police Department conducted a follow-up
9 investigation of the reported robbery. Sergeant McLean spoke with a second employee
10 of the Inn who stated he recognized the white Suburban vehicle seen in the surveillance
11 video near the time of the incident by its distinctive stickers as the vehicle belonging to
12 the Defendant who had been employed with the Inn for one week in September 2013.
13 The employee stated he had been friends with the Defendant and lived next to him
14 before he moved in with his girlfriend, Melissa Austin an employee at Boomers Bar, on
15 Mount Avenue. The employee stated the suspect in the surveillance recording looked
16 to be the Defendant and he has previously seen the Defendant showing off a .22 caliber
17 pistol and wearing camouflage clothing. Sergeant McLean confirmed with Deals on
18 Wheels that the white Suburban with temporary tag AAEZ7738 belonged to Austin.
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22 On December 27, 2013, Officer Puddy of the Missoula Police Department
23 observed the white Suburban parked at the apartment complex at 1204 Mount Avenue.
24 A female and a male matching the suspect's physical description exited apartment #4 of
25 the apartment complex and drove the identified Suburban towards Russell Street.
26 Officer Puddy initiated a traffic stop of the vehicle and identified the male driver as the
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1 Defendant and the female as Austin. Officer Puddy arrested the Defendant on an
2 outstanding warrant.

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4 At the jail, the Defendant agreed to speak with Detectives concerning the incident
5 at the Inn. The Defendant stated he moved to Missoula with his wife, Austin, and her
6 two kids. He stated the kids wanted Christmas so his intent was to just go into the Inn
7 and get the lock box and the money and leave. The Defendant stated he knew it was
8 wrong and he was sorry. When he saw the front desk attendant he decided it was a
9 good time to pull the gun and got "firm" with him telling him "Don't fucking move, no
10 more." The Defendant added he could see the front desk attendant was "scared" that
11 he had a gun pointed at him. The Defendant stated he knew where the lockbox with
12 money was from when he worked at the Inn previously. The Defendant took the money
13 and confirmed the car he used was Austin's Suburban. A search of the Defendant's
14 home revealed a camouflage print backpack containing a black hooded sweatshirt, a
15 knit cap with eye holes cut out, camouflage print pants, and another camouflage print
16 jacket, a small tote bag containing a small black CO2 BB handgun, and cash.
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21 JESSICA FINLEY
22 Deputy County Attorney

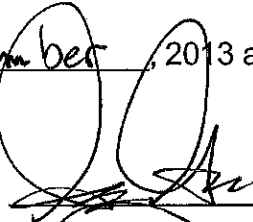
23 SUBSCRIBED AND SWORN TO before me this 29 day of December, 2013.

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26 JUSTICE OF THE PEACE Acting
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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 29 day of December, 2013 at 2:00 a.m./p.m.



JUSTICE OF THE PEACE *Acting*

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