

RECEIVED

1 IN THE JUSTICE COURT OF THE STATE OF MONTANA,
2 IN AND FOR THE COUNTY OF MISSOULA
3 BEFORE John E. Olin JUSTICE OF THE PEACE

JAN 15 2014
Justice Court

4
5 STATE OF MONTANA

6 Plaintiff,

7 -VS-

8 BERNARD ANTHONY FRANK

9 Defendant.

Cause No.

COMPLAINT

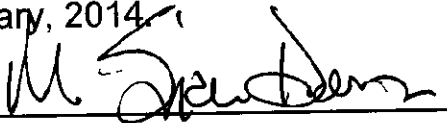
10 M. SHAUN DONOVAN, Deputy County Attorney, deposes and says
11 that on or about the 14th day of January, 2014, in Missoula County, the
12 Defendant committed the offenses of COUNT I: BURGLARY, a Felony, in
13 violation of Montana law, namely: Mont. Code Ann. 45-6-204(1), punishable
14 by 20 years MSP and/or \$50,000 fine and COUNT II: CRIMINAL
15 MISCHIEF, a Felony, in violation of Montana law, namely: Mont. Code Ann.
16 45-6-101(1)[2], punishable by 10 years MSP and/or \$50,000 fine.
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20 The facts constituting the offenses are:

21 COUNT I: On or about January 14, 2014, the above-named
22 Defendant knowingly entered or remained unlawfully in an occupied
23 structure, Murdoch's Home and Ranch Supply at 2801 W. Broadway, and
24 knowingly or purposely committed the offense of theft within that structure.
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1 COUNT II: On or about January 14, 2014, the above-named
2 Defendant knowingly or purposely injured, damaged or destroyed an
3 entrance door and glass inside a hallway leading into Murdoch's Home and
4 Ranch Supply, without consent, causing pecuniary loss of more than
5 \$1,500.
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7
8 DATED this 15th day of January, 2014.

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10

11 M. SHAUN DONOVAN
12 Deputy County Attorney

13 Subscribed and sworn to before me this ____ day of January, 2014.
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16 JUSTICE OF THE PEACE
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18 COMPLAINT 14-99
19 Missoula City Police Dept VOLINKATY and KRASTEL
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JAN 15 2014

Justice Court

1 IN THE JUSTICE COURT OF THE STATE OF MONTANA,
2 IN AND FOR THE COUNTY OF MISSOULA
3 BEFORE John E. Ozlin, JUSTICE OF THE PEACE

4
5 STATE OF MONTANA,
6 Plaintiff,

Cause No.

7 -vs-

**AFFIDAVIT OF PROBABLE
CAUSE**

8
9 BERNARD ANTHONY FRANK,
10 Defendant.

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

14 M. SHAUN DONOVAN, Deputy County Attorney, Montana, being first
15 duly sworn upon oath, deposes and says:


16
17 I have read the official law enforcement reports regarding the
18 investigation of BERNARD ANTHONY FRANK 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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25 During the early morning hours of January 14, 2014, officers of the
26 Missoula Police Department were alerted by an alarm to a possible burglary
27 at Murdoch's Home and Ranch Supply on West Broadway. At the scene a
28

1 witness delivering newspapers in the area reported that a short time before,
2 at about the same time he observed glass in the front door of the store was
3 shattered, he had seen a man walk from Murdoch's to a convenience store
4 and gas station across the street.
5

6 The subject, who was still at that location, was approached by officers
7 and observed to be wearing a new leather jacket with the white store
8 security tag still attached to the collar as well as a new western style belt
9 which also had the security tag in place. The man was identified as Bernard
10 Anthony Frank. He told officers he had been handed the jacket by a "long
11 haired hippy that walked by on the sidewalk."
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15 Inspection of the premises of Murdoch's revealed the front window in
16 the main entrance door was shattered along with the glass inside a
17 walkway. Store video showed an older bearded male individual, matching
18 the physical characteristics of Bernard Frank, smash out the front window
19 with an object taken from the trash, enter the store and leave in a brown
20 coat with the price tag still on the collar. Inside the store a belt hanger for a
21 Tony Lama size 36 belt was found on the floor and retrieved.
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26 M. SHAUN DONOVAN
27 Deputy County Attorney
28

1 SUBSCRIBED AND SWORN TO before me this ____ day of January,
2 2014.

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4 _____
5 JUSTICE OF THE PEACE
6

7 ORDER
8

9 Upon reading the foregoing Affidavit, the Court finds that there is
10 probable cause to believe the above-named Defendant committed the crimes
11 charged.
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13 DATED this ____ day of _____, 2014 at ____ a.m./p.m.
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16 _____
17 JUSTICE OF THE PEACE
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