

COPY

IN THE JUSTICE COURT OF THE STATE OF MONTANA
IN AND FOR THE COUNTY OF MISSOULA

BEFORE _____, JUSTICE OF THE PEACE

Karen A. Orzech

RECEIVED

OCT 08 2013

Justice Court

Cause No. CR-2013-11376-C2

STATE OF MONTANA,

Plaintiff,

-VS-

ARREST WARRANT

BIRCH DAVID BERGESON
Defendant,

The State of Montana to any Peace Officer of this State:

Complaint, upon oath, having been this day made before me by JASON MARKS, Assistant Chief Deputy County Attorney for Missoula County, that the crime of COUNT I: ARSON, a Felony, has been committed and accusing BIRCH DAVID BERGESON, thereof:

You are therefore ordered, forthwith, to arrest the above-named Defendant and bring him/her before this Court or in the case of my absence or inability to act, before the nearest and most accessible Judge in this County, or if the arrest is made in another county, before a Judge of the County without unnecessary delay. This warrant may be served day or night.

The Defendant is to be admitted to bail in the sum of \$50,000.

DATED this 8th day of October, 2013.

WARRANT CANCELLED
JUSTICE COURT

JAN 06 2014

DEPARTMENT 2
MISSOULA COUNTY, MT

BENCH WARRANT

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JUSTICE OF THE PEACE

I arrested the above-named Defendant by virtue of this warrant on the
_____ day of _____, _____, at _____.

TITLE

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

OCT 08 2013

Justice Court

4
5 STATE OF MONTANA
6 Plaintiff,
7 -vs-
8 BIRCH DAVID BERGESON
9 Defendant.

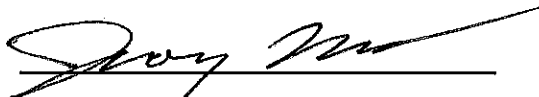
Cause No.
CR-2013-11376-c2
COMPLAINT

10 JASON MARKS, Assistant Chief Deputy County Attorney, deposes
11 and says that on or about the 12th day of April, 2013, in Missoula County,
12 the Defendant committed the offense of COUNT I: ARSON, a Felony, in
13 violation of Montana law, namely: Mont. Code Ann. 45-6-103, punishable by
14 20 years MSP and/or \$50,000 fine.
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17 The facts constituting the offense are:

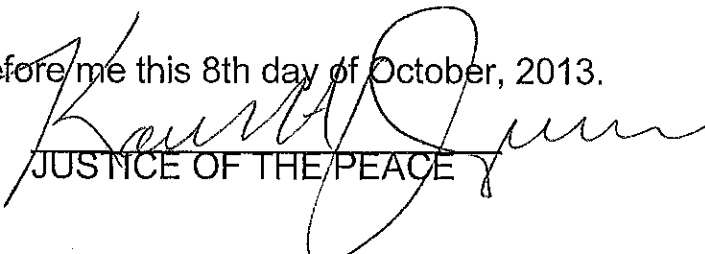
18
19 COUNT I: On or about the 12th day of April, 2013, the above-named
20 Defendant committed the offense of arson when, by means of fire or
21 explosives, he knowingly or purposely damaged the Senior Citizen's Center
22 at 705 S. Higgins. The damage exceeded \$1,500 in value.
23

24 DATED this 8th day of October, 2013.

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27 JASON MARKS
28 Assistant Chief Deputy County Attorney

1 Subscribed and sworn to before me this 8th day of October, 2013.

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JUSTICE OF THE PEACE

4 COMPLAINT 13-2145
5 Missoula City Police Dept DENTON
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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

OCT 08 2013
Justice Court

4
5 STATE OF MONTANA,
6 Plaintiff,

Cause No.

7 -vs-

**AFFIDAVIT OF PROBABLE
CAUSE**

8
9 BIRCH DAVID BERGESON,
10 Defendant.

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

14 JASON MARKS, 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 BIRCH DAVID BERGESON 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 On or about the 12th day of April, 2013, Missoula City Police and Fire
26 Department responded to a structure fire at the Senior Citizen's Center at
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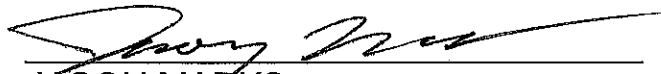
1 705 S. Higgins in Missoula. Before it was extinguished the fire caused
2 approximately \$11,000 in damage.
3

4 Fire inspectors determined that the cause of the fire was non-
5 accidental. Detective Denton was assigned the case for investigation. He
6 obtained surveillance video of three people who had been together in the
7 area around the time the fire started. Through subsequent investigation he
8 identified them as Sarah Washington and Sean Reinhart. Both
9
10 Washington and Reinhart were interviewed and said that they had been
11 with a man named Birch Bergeson. They said that he had been behaving
12 strangely at the time and had gone off by himself in the area of the Senior
13 Citizen's Center. Washington said that Bergeson had subsequently
14 admitted to her that he had started the fire.
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18 Detective Denton went to Bergeson's last known places of
19 employment in an attempt to interview him. Detective Denton learned that
20 Bergeson had abruptly stopped coming to work after the fire. It was
21 believed he had left town for Billings.
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23

24 Detective Denton called Bergeson's last known phone number. A
25 man identifying himself as Birch Bergeson answered the phone. He said
26 that he could not talk at that time. Detective Denton has since left several
27 messages at that number with no return calls.
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JASON MARKS
Assistant Chief Deputy County Attorney

SUBSCRIBED AND SWORN TO before me this 8th day of October,
2013.

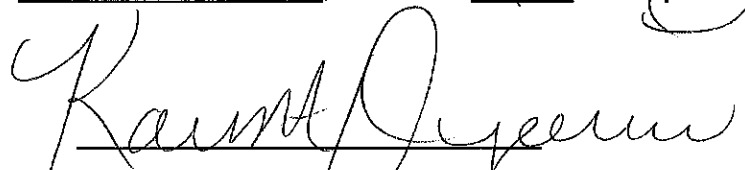


JUSTICE OF THE PEACE

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 8th day of October, 2013 at 4:15 a.m./p.m.



JUSTICE OF THE PEACE