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MAR 05 2014

IN THE JUSTICE COURT OF THE STATE OF MONTANA, Justice Court
IN AND FOR THE COUNTY OF MISSOULA
BEFORE Karen A. Orzech JUSTICE OF THE PEACE

STATE OF MONTANA,
Plaintiff,

-vs-

JONATHAN DAVIS
LAMPHERE,
Defendant.

Cause No. CR-2014-11886-C2

COMPLAINT

PATRICIA C. BOWER, Deputy County Attorney, deposes and says
that on or about the 4th day of February, 2014, in Missoula County, the
Defendant committed the offenses of COUNT I: CRUELTY TO ANIMALS, a
Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 45-8-
211(2)(a)[1st], punishable by 1 year MCDF and/or a \$1,000 fine; and COUNT
II: CRUELTY TO ANIMALS - 2ND OR SUBSEQUENT OFFENSE, a Felony,
in violation of Montana law, namely: Mont. Code Ann. 45-8-211(2)(a)[2nd+],
punishable by 2 years MSP and/or a \$2,500 fine.

The facts constituting the offense are as follows:

COUNT I: On or about the 4th day of February, 2014, the above-
named Defendant, without justification, knowingly or negligently subjected

1 an animal, a large yellow Labrador, to mistreatment or neglect by confining
2 the animal in a cruel manner; failing to provide the animal in Defendant's
3 custody with: food and water of sufficient quantity and quality to sustain the
4 animal's normal health; minimum protection for the animal from adverse
5 weather conditions, with consideration given to the species; in cases of
6 immediate, obvious, serious illness or injury, licensed veterinary or other
7 appropriate medical care; and/or abandoning any helpless animal or
8 abandoning any animal on any highway, railroad, or in any other place
9 where it may suffer injury, hunger, or exposure or become a public charge.
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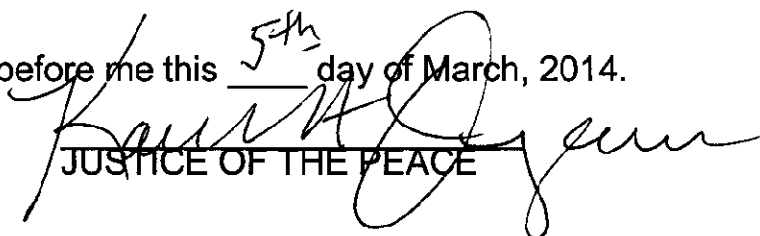
14 COUNT II: On or about the 4th day of February, 2014, the above-
15 named Defendant, without justification, knowingly or negligently subjected
16 an animal, a younger black Labrador, to mistreatment or neglect by
17 confining the animal in a cruel manner; failing to provide the animal in
18 Defendant's custody with: food and water of sufficient quantity and quality
19 to sustain the animal's normal health; minimum protection for the animal
20 from adverse weather conditions, with consideration given to the species;
21 in cases of immediate, obvious, serious illness or injury, licensed veterinary
22 or other appropriate medical care; and/or abandoning any helpless animal
23 or abandoning any animal on any highway, railroad, or in any other place
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1 where it may suffer injury, hunger, or exposure or become a public charge,
2 a second offense.
3

4 DATED this 5th day of March, 2014.

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6 
7 PATRICIA C. BOWER
8 Deputy County Attorney
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10
11 Subscribed and sworn to before me this 5th day of March, 2014.
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14 JUSTICE OF THE PEACE
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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

STATE OF MONTANA,
Plaintiff,

-VS-

JONATHAN DAVIS LAMPHERE,
Defendant.

Cause No. CR-2014-11886-C2

**AFFIDAVIT OF PROBABLE
CAUSE**

STATE OF MONTANA)
 : ss
County of Missoula)

PATRICIA C. BOWER, 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 JONATHAN DAVIS LAMPHERE 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.

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3 On February 4, 2014, Cindy Syrjala K9-7 with Missoula City/County
4 Animal control responded to a report of dogs being kept in a gutted trailer
5 with no heat or water at 6000 Hwy 93 #15 (Blue Mountain Trailer Court) in
6 Missoula County. Syrjala spoke with the complainant, who reported that the
7 dogs have been kept in this trailer for days without proper care, a third dog, a
8 chihuahua, was reported to have recently been removed from the premises.
9

10
11 Syrjala was unable to contact anyone at the residence. Syrjala
12 observed that the dogs, a large yellow Labrador and a younger black
13 Labrador, did not have any water and/or were living in their own waste. She
14 also observed that both dogs were tied on leashes inside the trailer. The
15 yellow lab has a cut and feces on his muzzle. The wood in front of the trailer
16 was bloody from the yellow lab chewing on it frantically.
17
18

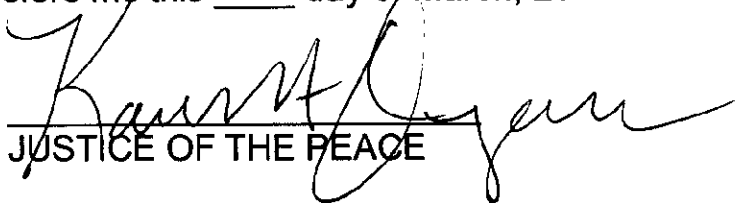
19
20 Given the below freezing temperatures (the wind chill factor was
21 estimated at 20 degrees below zero) and the lack of food, water, and shelter,
22 Syrjala was concerned that the dogs were not being adequately cared for so
23 as to sustain their health.
24

25 After Judge Orzech granted Syrjala's request for a search warrant,
26 Syrjala retrieved the dogs, took them to the veterinarian and brought them to
27 the animal shelter for safe keeping.
28

1
2 Syrjala then spoke to the owner of Blue Mountain Trailer Park to
3
4 determine who owned the dogs. She was given Evelyn Merritt's name.
5
6 After speaking with Evelyn, Syrjala determined that Defendant Jonathan
7
8 Lamphere owns both dogs and currently resides at 6000 Highway 93 #14.
9

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12 PATRICIA C. BOWER
13 Deputy County Attorney

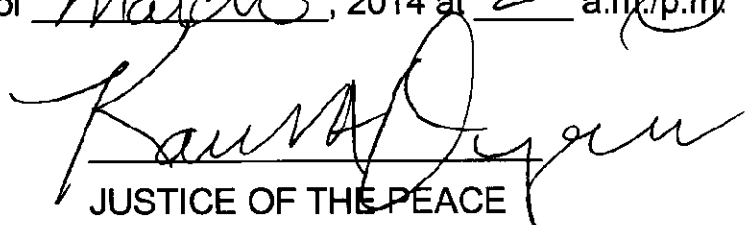
14
15 SUBSCRIBED AND SWORN TO before me this 5th day of March, 2014.
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18 
19 JUSTICE OF THE PEACE

20
21 ORDER

22
23 Upon reading the foregoing Affidavit, the Court finds that there is
24
25 probable cause to believe the above-named Defendant committed the crimes
26
27 charged.
28

DATED this 5th day of March, 2014 at 2²⁰ a.m./p.m.


JUSTICE OF THE PEACE