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AUG 05 2014

Justice Court

1 IN THE JUSTICE COURT OF THE STATE OF MONTANA,
2 IN AND FOR THE COUNTY OF MISSOULA
3 BEFORE Amy L Blixt JUSTICE OF THE PEACE

4
5 STATE OF MONTANA
6 Plaintiff,

7 -vs-
8 DANIEL JAMES FOX
9 Defendant.

Cause No. CR-2014-12413-C1

COMPLAINT

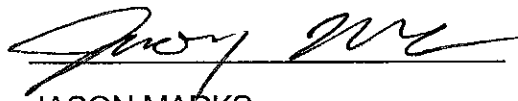
10 JASON MARKS, Assistant Chief Criminal County Attorney, deposes and says that
11 on or about the 4th day of August, 2014, in Missoula County, the Defendant committed
12 the offenses of COUNT I: KIDNAPPING, a Felony, in violation of Montana law, namely:
13 Mont. Code Ann. 45-5-302, punishable by not less than 2 years or more than 10 years
14 MSP and/or \$50,000 fine; COUNT II: ROBBERY, a Felony, in violation of Montana law,
15 namely: Mont. Code Ann. 45-5-401, punishable by not less than 2 or more than 40 years
16 MSP and/or \$50,000 fine.
17

18 The facts constituting the offense are:

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20 COUNT I: On or about the 4th day of August, 2014, the above-named Defendant
21 knowingly or purposely, and without lawful authority, restraining Sergio Graman by
22 threatening the use of physical force

23 COUNT II: On or about the 4th day of August, 2014, the above-named
24 Defendant while in the course of committing a theft, committed the offense of robbery by
25 purposely or knowingly putting Sergio Graman in fear of immediate bodily injury.
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27
28 DATED this 5th day of August, 2014.



JASON MARKS

Assistant Chief Criminal County Attorney

Subscribed and sworn to before me this 5th day of August, 2014.


JUSTICE OF THE PEACE

COMPLAINT 14-1700
Missoula City Police Dept STONESIFER

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Justice Court

IN THE JUSTICE COURT OF THE STATE OF MONTANA,
IN AND FOR THE COUNTY OF MISSOULA
BEFORE Amy L Blixt, JUSTICE OF THE PEACE

STATE OF MONTANA,
Plaintiff,

Cause No. CR-2014-12413-1

-vs-

AFFIDAVIT OF PROBABLE CAUSE

DANIEL JAMES FOX,
Defendant.

STATE OF MONTANA)

: ss

County of Missoula)

JASON MARKS, Assistant Chief Criminal County Attorney, Montana, being first
duly sworn upon oath, deposes and says:

I have read the official law enforcement reports regarding the investigation of
DANIEL JAMES FOX for allegedly committing the offense(s) set forth in the complaint 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 4th day of August, shortly after 2:00 am, Missoula City Police
received a report of a robbery involving stolen cash and a vehicle. Detective Stonesifer
took over the investigation after patrol officers made contact with the victim, Sergio
Graman.

Graman told Detective Stoneifer that he was living with his parents in Helena
while on summer break from college. He said that he and some friends had driven his
mother's car, a 2009 Prius, to Missoula to purchase marijuana from a man he knows as

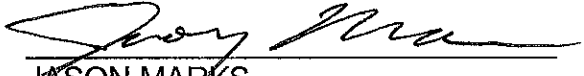
1 "Foxy." He said that he had purchased marijuana from "Foxy" on three prior occasions
2 this summer.

3 He said that on this occasion he contacted "Foxy" by phone and was given
4 directions to a residence on Waverly Street in Missoula. He said that he arrived at the
5 residence around 1:00 am and found "Foxy" inside with some people he did not know.
6 He said they were using methamphetamine and "being crazy." He said that "Foxy"
7 ordered him out to the car. He complied and "Foxy" then ordered Graman's friends out
8 of the car and forced Graman into the front passenger seat. "Foxy" then drove the car
9 away from the residence. Graman said that a gun was held to his head while he was in
10 the car. He was ordered to empty his pockets. After taking his iPhone and \$200 out of
11 his pockets Graman was ordered out of the car. He then walked back to his friends and
12 they called 911. The car belonging to Graman's mother was subsequently located
13 abandoned in the 700 block of S. 6th St West.

14 Graman's friends were interviewed and confirmed his account. Detectives
15 suspected that 'foxy' was Daniel Fox. Graham and his girlfriend were shown photo
16 lineups that contained a photo of Daniel Fox. Both picked Fox's photo as the man they
17 knew as "Foxy."

18 Shortly after 11:00 am on August 4th, Officer Cameron saw Daniel Fox in
19 Sacajawea Park. He attempted to stop Fox but Fox fled on a foot. A foot pursuit took
20 place which ended when a citizen pulled a pick-up in front of Fox and got out. Fox then
21 turned and surrendered to Officer Cameron. In a subsequent jail interview, Fox
22 indicated that if he had not lost his "Glock 9" he would have killed the officer that
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1 arrested him. Graman's description of the gun used in the robbery is consistent with a
2 Glock handgun.

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4 
5 JASON MARKS
6 Assistant Chief Criminal County Attorney

7 SUBSCRIBED AND SWORN TO before me this 5th day of August, 2014.

8
9 
10 JUSTICE OF THE PEACE

11
12 ORDER

13
14 Upon reading the foregoing Affidavit, the Court finds that there is probable cause to
15 believe the above-named Defendant committed the crimes charged.

16 DATED this 5th day of August, 2014 at 12:23 a.m./p.m. (p.m.)

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19 JUSTICE OF THE PEACE
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