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OCT 07 2014

Justice Court

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

STATE OF MONTANA
Plaintiff,
-vs-
SHAWN MICHAEL KAESTNER
Defendant.

Cause No. CR-2014-12633-C2

COMPLAINT

JASON MARKS, Assistant Chief Criminal County Attorney, deposes and says that on or about the 6th day of October, 2014, in Missoula County, the Defendant committed the offenses of COUNT I: ASSAULT WITH WEAPON, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-5-213, punishable by 20 years MSP and/or a \$50,000 fine; and COUNT II: ASSAULT WITH WEAPON, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-5-213, punishable by 20 years MSP and/or a \$50,000 fine.

The facts constituting the offense are:

COUNT I: On or about the 6th day of October, 2014, the above-named Defendant purposely or knowingly caused reasonable apprehension of serious bodily injury in Jessa Llewellyn by use of a weapon or what reasonably appeared to be a weapon, a knife.

COUNT II: On or about the 6th day of October, 2014, the above-named Defendant purposely or knowingly caused bodily injury to Andrew Portzen with a weapon, a knife, and/or reasonable apprehension of serious bodily injury in Andrew Portzen by use of a weapon or what reasonably appeared to be a weapon, a knife.

DATED this 7th day of October, 2014.




JASON MARKS

Assistant Chief Criminal County Attorney

COMPLAINT 14-2192; Missoula City Police Dept CRASS

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3 Subscribed and sworn to before me this 7th day of October, 2014.

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6 JUSTICE OF THE PEACE
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5 STATE OF MONTANA,
6 Plaintiff,

Cause No. CR-2014-12633-C2

7 -vs-

AFFIDAVIT OF PROBABLE CAUSE

8 SHAWN MICHAEL KAESTNER,
9 Defendant.

10 STATE OF MONTANA)

: ss

11 County of Missoula)

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

14 I have read the official law enforcement reports regarding the investigation of
15 SHAWN MICHAEL KAESTNER for allegedly committing the offense(s) set forth in the
16 complaint and based upon the information contained in the reports, if true, believe
17 probable cause exists to justify charging the above-named defendant as specified in the
18 accompanying complaint.
19

20 On or about the 6th day of October, 2014, Officer Crass of the Missoula City
21 Police Department received a walk up complaint from Jessa Llewellyn in the parking lot
22 of the Poverello Center. Llewellyn was visibly upset and crying.
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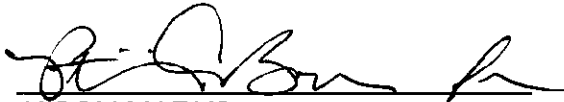
24 Llewellyn stated she was a victim of an assault by her ex-boyfriend, Defendant
25 Shawn Kaestner, when she standing outside of 118 W. Alder with her current boyfriend
26 Andrew Eugene Portzen. This address is located in Missoula County. According to
27 Llewellyn, Kaestner exited the apartment complex and fell down in the street. Kaestner
28

1 was visible intoxicated and was calling to her to help him up. Llewellyn walked over to
2 Kaestner and helped him stand up.

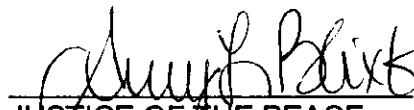
3 Kaestner then began to tell her he still loved her and wanted her back.
4 She told him that she did not want anything to do with him anymore. That statement
5 made Kaestner angry and he started to yell at her and call her names. Llewellyn
6 backed up away from Kaestner and stood by Portzen. Portzen put his arm around her
7 which made Kaestner even more furious. Kaestner reached into his pocket and pulled
8 out a knife, opened the knife, held it up in their direction and threatened to kill her as he
9 began walking towards them.
10

11 Portzen stood in front of Llewellyn in an attempt to defend her. Kaestner yelled
12 to Portzen that he would kill him too. Portzen and Kaestner started to fight. Kaestner
13 stabbed Portzen in his right thumb.
14

15 Llewellyn stated she was afraid that Kaestner was going to kill her. She stated if
16 Portzen was not there, she did not know what Kaestner would have done to her.
17 Portzen spoke with Officer Crass as well and relayed a similar version as outlined
18 above. Not only was Portzen afraid for his life, he was afraid for Llewellyn's life too.
19

20
21 
22 JASON MARKS
23 Assistant Chief Criminal County Attorney

24 SUBSCRIBED AND SWORN TO before me this 7th day of October, 2014.

25
26 
27 JUSTICE OF THE PEACE
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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 7th day of October, 2014 at 1:20 a.m./p.m.

[Signature]
JUSTICE OF THE PEACE