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NOV 06 2014

Justice Court

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

4  
5 STATE OF MONTANA  
6 Plaintiff,  
7 -vs-  
8 MICHAEL WICKWIRE  
Defendant.

Cause No. CR-2014-12718-C2

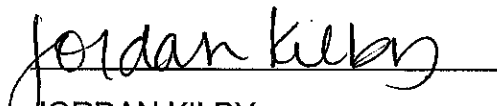
COMPLAINT

9  
10 JORDAN KILBY, Deputy County Attorney, deposes and says that on or about the  
11 2nd day of November, 2014, in Missoula County, the Defendant committed the offense of  
12 COUNT I: SEXUAL INTERCOURSE WITHOUT CONSENT, a Felony, in violation of  
13 Montana law, namely: Mont. Code Ann. 45-5-503, punishable by not less than 2-5 years or  
14 more than 100 years or life MSP and \$50,000 fine.  
15

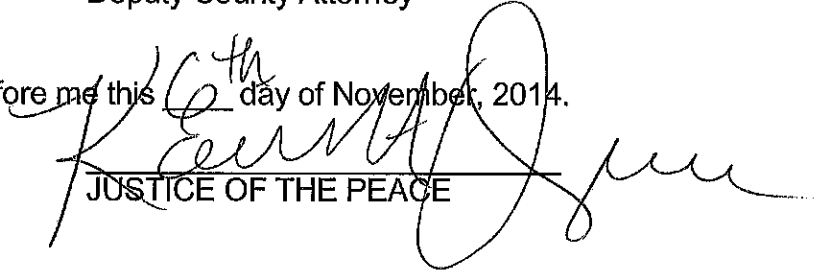
16 The facts constituting the offense are:

17 COUNT I: On or about the 2nd day of November, 2014, the above-named  
18 Defendant knowingly had sexual intercourse with Jane Doe without consent.  
19

20 DATED this 5th day of November, 2014.

21   
22 JORDAN KILBY  
23 Deputy County Attorney

24 Subscribed and sworn to before me this 6th day of November, 2014.

25   
26 JUSTICE OF THE PEACE

27 COMPLAINT 14-2401  
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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,

Cause No. CR-2014-12718-12

-vs-  
MICHAEL WICKWIRE,  
Defendant.

**AFFIDAVIT OF PROBABLE CAUSE**

STATE OF MONTANA       )  
  : ss  
County of Missoula       )

JORDAN KILBY, 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  
MICHAEL WICKWIRE 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 3<sup>rd</sup> day of November, 2014, Missoula City Police Sergeant  
Pastian took a statement from Jane Doe regarding a rape that occurred the day of  
November 2, 2014. Jane Doe reported around 2 pm on the 2<sup>nd</sup>, she received a  
message from her friend WW, a minor. Michael Wickwire is WW's father. WW invited  
Jane Doe over to WW's home and asked Jane Doe if she wanted to get drunk.

Around dinner-time on the 2<sup>nd</sup>, WW and Michael Wickwire picked up Jane Doe.  
They drove to Magic Diamond Casino where Wickwire purchased a bottle of Everclear  
alcohol for the girls. They went back to Wickwire's home located on the 1100 block of

1 Cedar Street in Missoula County. There, WW and Jane Doe drank the Everclear  
2 vodka and became extremely intoxicated.

3  
4 At some point during the evening, WW told Jane Doe, "My dad wants to fuck  
5 you." Jane Doe told WW, Jane Doe did not want to have sex with WW's father. Jane  
6 Doe stated she was falling over drunk and the next thing she knew, she was on  
7 Wickwire's bed with her clothes off. Wickwire was on top of her. He penetrated her  
8 vagina with his penis. She told him to get off, which he eventually did. She had no idea  
9 if he was wearing a condom or if he had ejaculated. She did not know how she got to  
10 the bed or who took her clothes off of her. She stated when Wickwire got up, he stayed  
11 in the room and started using his computer. Jane Doe stated after Wickwire finished  
12 raping her, Wickwire's friend, later identified as Erik Larson, did the same thing to her.  
13 Jane Doe had a difficult time remembering the entire evening and stated she was  
14 extremely intoxicated at the time of the rapes.  
15


16  
17 Jane Doe stated WW's younger brother ,JW, stated to Jane Doe as she was  
18 leaving the house, "Did they really do that to you?"

19 Erik Larson was interviewed. He initially stated he did not have sex with Jane  
20 Doe. He later stated he had consensual sex with her. Larson stated he had sex with  
21 Jane Doe right after Wickwire did. Larson stated he was completely sober. He  
22 described WW as very intoxicated and assumed Jane Doe was as well.  
23

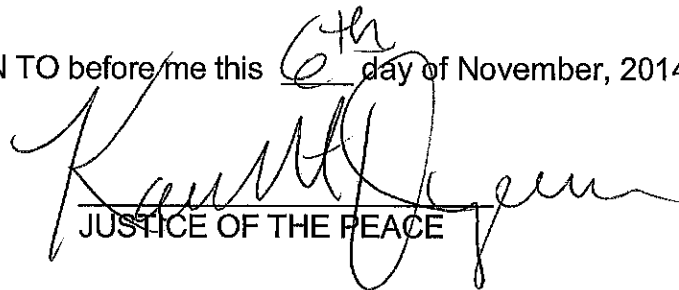
24 Michael Wickwire was also interviewed. He too claimed the act was consensual.  
25 However, his statement conflicted greatly with Erik Larson's statement. Wickwire stated  
26 Jane Doe came into the room and began talking to him provocatively. Wickmire claimed  
27 Jane Doe removed her own pants. He stated he had sex with her. When asked if Jane  
28

1 Doe performed oral sex on him, Wickwire stated that Jane Doe could not because she  
2 was too intoxicated and he thought she would vomit. He stated she did vomit after he  
3 had sex with her. In contrast to Larson's statement, Wickwire stated Larson was not  
4 there for an hour and Larson did not have sex with Jane Doe.  
5

6 Jane Doe stated she left her underwear, pants and a shoe at Wickwire's  
7 residence. Detectives later recovered these items at the residence.  
8

9   
10 JORDAN KILBY  
11 Deputy County Attorney

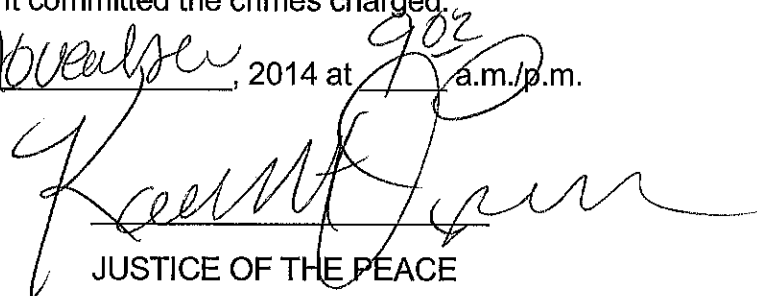
12 SUBSCRIBED AND SWORN TO before me this 6<sup>th</sup> day of November, 2014.

13   
14 JUSTICE OF THE PEACE  
15  
16

17 ORDER  
18

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

21 DATED this 6<sup>th</sup> day of November, 2014 at 902 a.m./p.m.  
22

23   
24 JUSTICE OF THE PEACE  
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27  
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