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JAN 06 2015

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 DEMIAN MEASURER WHITESHIRT
9 Defendant.

Cause No. CR-2015-17

COMPLAINT

10 SUZY BOYLAN, Assistant Chief Criminal County Attorney, deposes and says that
11 on or about the 5th day of January, 2015, in Missoula County, the Defendant committed
12 the offenses of COUNT I: PARTNER OR FAMILY MEMBER ASSAULT - 1ST OFFENSE,
13 a Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 45-5-206[1st],
14 punishable by not less than 24 hours or more than one year MCDF and/or a fine not less
15 than \$100 or more than \$1000; COUNT II: ASSAULT WITH WEAPON, a Felony, in
16 violation of Montana law, namely: Mont. Code Ann. 45-5-213, punishable by 20 years
17 MSP and/or \$50,000 fine.
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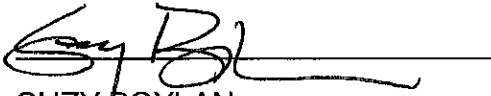
19 The facts constituting the offense are:
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21 COUNT I: On or about the 5th day of January, 2015, the above-named
22 Defendant purposely or knowingly caused reasonable apprehension of bodily injury in
23 Jane Doe, a partner, by throwing her.
24

25 COUNT II: On or about the 5th day of January, 2015, the above-named
26 Defendant purposely or knowingly caused reasonable apprehension of serious bodily
27 injury in Jane Doe by use of a weapon, to wit: by slashing a comforter with a razor knife
28 and telling Jane Doe he was going to kill her.

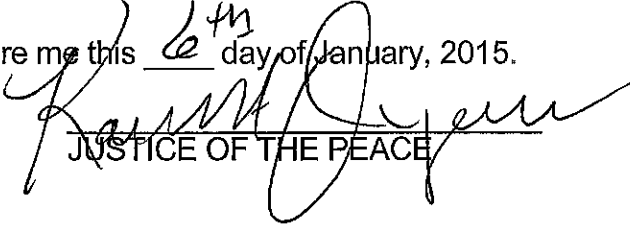
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DATED this 6th day of January, 2015.



SUZY BOYLAN
Assistant Chief Criminal County Attorney

Subscribed and sworn to before me this 6th day of January, 2015.


JUSTICE OF THE PEACE

COMPLAINT 15-25
Missoula City Police Dept SUAZO

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2 IN AND FOR THE COUNTY OF MISSOULA
3 BEFORE Karen A. Orzech, JUSTICE OF THE PEACE

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5 STATE OF MONTANA,
6 Plaintiff,

Cause No. *CR-2015-17*

7 -vs-

AFFIDAVIT OF PROBABLE CAUSE

8 DEMIAN MEASURER WHITESHIRT,
9 Defendant.

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

13 SUZY BOYLAN, Assistant Chief Criminal County Attorney, Montana, being first
14 duly sworn upon oath, deposes and says:

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

20 On or about the 5th day of January, 2015, officers responded to a 911 call about
21 a disturbance in the 500 block of Livingston. A call was made shortly after 10 p.m. which
22 was disconnected after the dispatcher asked the caller if she was all right and was told
23 no. Dispatch was able to recontact the caller at 10:38, at which time she said she could
24 not provide an address and could not speak freely. The above-named Defendant made
25 an additional 911 call saying a woman in his house was breaking things. The female,
26 Jane Doe, is the partner of Defendant.
27
28


1 Upon arrival, officers saw Defendant on the front steps. Defendant was extremely
2 happy and calm. He said he was having a fight with his ex-girlfriend, who was in the
3 residence. Defendant followed officers into the home and stood with his arms crossed
4 looking at Jane Doe. It appeared to officers that Defendant was trying to intimidate her.
5 Jane Doe reported that she had been in a relationship with Defendant for a year, and
6 had lived with him for approximately three months. Defendant started an argument with
7 her. He kicked the door in the bedroom she was in and threw her across the room when
8 she was trying leave to go outside. While she was sitting on the bed, Defendant took an
9 orange-handled disposable razor knife and started slashing the comforter on the bed
10 while yelling that he was going to kill her, and Jane Doe was afraid he would do it.
11 Defendant took the comforter downstairs. Jane Doe believed Defendant had also
12 hidden the knife.
13

14
15 Jane Doe was visibly shaken, crying and shaking uncontrollably, and was having
16 a hard time formulating complete sentences. She reported she had been so scared she
17 had urinated on herself. She said that when Defendant found out she called the police,
18 he told her that he had his story straight and asked what hers would be.
19

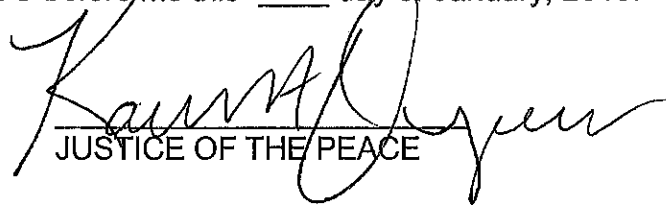
20 Jane Doe showed officers the comforter Defendant had taken downstairs. A
21 razor knife was located under other garbage in the kitchen garbage can. The comforter
22 had a section that had been cut open in several places by what appeared to be a very
23 sharp object.
24

25 Officers spoke to Defendant, who said there had been an argument but it did not
26 become physical. The officers noted that his happy attitude was odd considering the
27 situation. Defendant replies that there were no witnesses to the disturbance. He told the
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1 arresting office that he wanted the record to show that he did not have a knife on him
2 and would see him in court.
3

4 
5 SUZY BOYLAN
6 Assistant Chief Criminal County Attorney

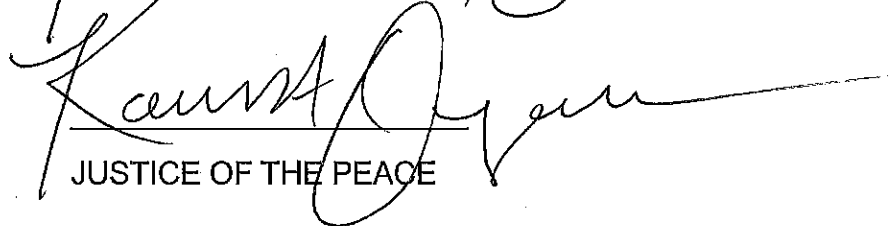
7 SUBSCRIBED AND SWORN TO before me this 6th day of January, 2015.

8 
9 JUSTICE OF THE PEACE
10

11
12 ORDER

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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 6th day of Jan, 2015 at 1⁰⁰ a.m./p.m.

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18 JUSTICE OF THE PEACE
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