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MAR 17 2015

Justice Court

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

4
5 STATE OF MONTANA
6 Plaintiff,

7 -vs-

8 JESSIP DENNIS AKAU
9 Defendant.

Dept No. 1
Cause No. CR-2015-230

COMPLAINT

COPY

10
11 ANDREW W. PAUL, Deputy County Attorney, deposes and says that on or about
12 the 16th day of March, 2015, in Missoula County, the Defendant committed the offenses
13 of:

14 **COUNT I:** AGGRAVATED BURGLARY, a Felony, in violation of Montana law, namely:
15 Mont. Code Ann. 45-6-204(2), punishable by 40 years MSP and a \$50,000 fine;

16
17 **COUNT II:** ASSAULT WITH WEAPON, a Felony, in violation of Montana law, namely:
18 Mont. Code Ann. 45-5-213, punishable by 20 years MSP and a \$50,000 fine; and

19 **COUNT III:** CRIMINAL MISCHIEF, a Misdemeanor, in violation of Montana law, namely:
20 Mont. Code Ann. 45-6-101(1)[1], punishable by 6 months MCDF and a \$1,500 fine.


21 The facts constituting the offense are:

22
23 **COUNT I:** On or about the 16th day of March, 2015, the above-named Defendant
24 knowingly entered or remained unlawfully in an occupied structure with the purpose to
25 commit an offense therein and in effecting entry or in the course of committing the
26 offense, the Defendant purposely, knowingly, or negligently inflicted bodily injury upon
27 Druard Archer.
28

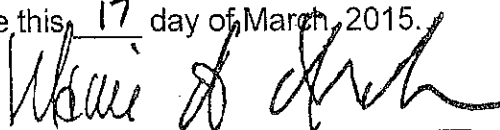
1 **COUNT II:** On or about the 16th day of March, 2015, the above-named Defendant
2 purposely or knowingly caused bodily injury to Druard Archer with a weapon,
3 specifically: the Defendant struck Druard Archer in the head with a tire iron.
4

5 **COUNT III:** On or about the 16th day of March, 2015, the above-named Defendant
6 committed the offense of criminal mischief by knowingly or purposely damaging or
7 destroying a glass door, the property of University of Montana Student Housing, without
8 consent.
9

10 DATED this 17th day of March, 2015.

11 
12 ANDREW W. PAUL
13 Deputy County Attorney

14 Subscribed and sworn to before me this, 17 day of March, 2015.

15 
16 JUSTICE OF THE PEACE

17 COMPLAINT 15-594

18 JAMIE MERIFIELD, Missoula City Police Dept
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MAR 17 2015

Justice Court

IN THE JUSTICE COURT OF THE STATE OF MONTANA,
IN AND FOR THE COUNTY OF MISSOULA
BEFORE Marie A Andersen, JUSTICE OF THE PEACE

STATE OF MONTANA,
Plaintiff,

Cause No. CR-2015-230

-vs-

AFFIDAVIT OF PROBABLE CAUSE

JESSIP DENNIS AKAU,
Defendant.

STATE OF MONTANA)
County of Missoula) : ss

ANDREW W. PAUL, 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 JESSIP DENNIS AKAU 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 16th day of March, 2015, at about 2:10 a.m., UM Police responded to UM Student Housing for a report of broken glass. When officers arrived at the residence they found that the sliding glass back door had been broken out, enough to allow a person ingress or egress. Officers went inside and found Duard Archer at the top of the stairs, moaning and in a great deal of pain. Archer had been struck in the head multiple times, was bleeding profusely and was missing a large piece of his ear. When asked who had attacked him, Archer said, "Jessip." Archer was conscious but was having difficulty explaining what happened. Archer lost consciousness while

1 medical personnel attended to him. Archer was transported to the hospital. There, he
2 was diagnosed with an orbital fracture, broken jaw, partially severed ear and possible
3 brain bleed.
4

5 Detective Merifield and Detective Franke met with Archer at the hospital. He
6 identified his attacker as Jessip Akau (Defendant). Archer remembered that there was
7 a lot of yelling and that he got smashed and stomped. Archer said that Defendant was
8 a friend of Archer's ex-girlfriend Shella. He said that Defendant did not have permission
9 to enter his residence.
10

11 Detectives then went to Defendant's place of work and located Defendant there.
12 Defendant knew why they were and agreed to go with detectives to give a statement.
13 Defendant said that she knew Archer because he used to date Defendant's friend
14 Shella. Defendant said that Archer had been messing with Shella since the break-up,
15 several months ago. On the night of March 15, 2015, Defendant said that Shella called
16 and asked the Defendant to come to a local bar. Defendant went to the bar but did not
17 find Shella. Defendant knew someone at the bar and stayed. Defendant said the
18 bartender told Defendant that Archer had slashed her tire. Defendant went out and
19 found one tire had been slashed. Defendant stayed until bar closing, went home to
20 change clothes, put on black rubber gloves, went back to her car and pulled out the tire
21 iron.
22
23

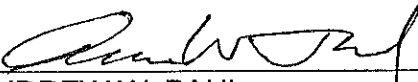
24 Defendant went to Archer's residence and started pounding on the door with the
25 tire iron. Defendant attempted to kick the door in, three times, but was unsuccessful.
26 Defendant said that Archer eventually opened the door and Defendant pushed Archer
27 back inside the residence and got in his face – accusing him of slashing her tires.
28

1 Archer denied slashing the tires and had no knowledge about how the tires had been
2 cut. Defendant said that Archer then turned and went upstairs to his bedroom.
3 Defendant ran up the stairs after him.
4

5 Archer was sitting on his bed and Defendant was standing in front of him with the
6 tire iron in hand. Archer again denied slashing Defendant's tires. This infuriated
7 Defendant because it seemed that Archer wasn't being honest and taking responsibility
8 for what he had done. Defendant said that she hit Archer in the face with the tire iron,
9 twice. Archer said, "Please stop." Defendant stopped and left the room. Defendant
10 couldn't get out the front door because it was jammed. Defendant was freaking out.
11 Defendant then went to the sliding glass back door and smashed out the glass in order
12 to leave the residence.
13

14 When asked why Defendant struck Archer in the head with a tire iron, Defendant
15 said that she was really angry and wanted to get back at him somehow. Defendant said
16 that Archer is always doing "sneaky stuff" and that she wanted him to know that he has
17 to "respect" her.
18

19 The investigation is ongoing.
20
21

22 
23 _____
ANDREW W. PAUL
24 Deputy County Attorney


25 SUBSCRIBED AND SWORN TO before me this 17 day of March, 2015.

26 
27 _____
28 JUSTICE OF THE PEACE

1
2 ORDER
3

4 Upon reading the foregoing Affidavit, the Court finds that there is probable cause to
5 believe the above-named Defendant committed the crimes charged.
6

7 DATED this 17 day of March, 2015 at _____ a.m./p.m.

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10 JUSTICE OF THE PEACE
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