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APR 2 8 2015

Justice Court

THE JUSTICE COURT OF THE STATE OF MONTANA, IN AND FOR THE COUNTY OF MISSOULA BEFORE ______, JUSTICE OF THE PEACE

STATE OF MONTANA

ALLAN ROBERT BUSCAGLIA

-VS-

Plaintiff,

Defendant.

Dept No. Cause No.

COMPLAINT

JENNIFER CLARK, Deputy County Attorney, deposes and says that on or about the 27th day of April, 2015, in Missoula County, the Defendant committed the offenses of COUNT I: PROSTITUTION, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-5-601[4], punishable by not less than 25 years or more than 100 years MSP and a \$50,000 fine; COUNT II: PROSTITUTION, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-5-601[4], punishable by not less than 25 years or more than 100 years MSP and a \$50,000 fine.

The facts constituting the offense are:

COUNT I: On or about the 27th day of April, 2015, the above-named Defendant offered to engage in sexual intercourse for compensation with John Doe, age 16, for compensation. The defendant is over age 18.

COUNT II: On or about the 27th day of April, 2015, the above-named Defendant offered to engage in sexual intercourse for compensation with Jim Doe, age 16. The defendant is over age 18. DATED this 28th day of April, 2015. JENNIFER CLARK Deputy County Attorney Subscribed and sworn to before me this _____ day of April, 2015. JUSTICE OF THE PEACE COMPLAINT 15-895 CHRIS SHERMER, Missoula City Police Dept BOB FRANKE, Missoula City Police Dept ETHAN SMITH, Missoula City Police Dept DEREK EMERSON, Missoula City Police Dept

RECEIVED APR 28 2015 Justice Court

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

STATE OF MONTANA. Plaintiff.

Cause No.

AFFIDAVIT OF PROBABLE CAUSE

-VS-ALLAN ROBERT BUSCAGLIA,

Defendant.

STATE OF MONTANA

: ss

County of Missoula

JENNIFER CLARK, 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 ALLAN ROBERT BUSCAGLIA 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 April 27, 2015, officers were dispatched to Taco Bell at 2320 N. Reserve after a teenager called to report a male had offered him and his friend money for sex acts. The teenager provided a description of the male and his vehicle. Officer Smith located the vehicle and stopped the driver. He was identified as Allan Buscaglia. Officer Smith informed him that he had stopped him regarding an incident at Taco Bell. Buscaglia stated that they were staring at him. Officer Smith asked what happened next and he motioned to a wad of cash in his shirt pocket and said. "Well, I offered them some cash for sex."

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Officer Smith was discussing the incident with Sgt. Hebert and used the phrase "age of consent." Buscaglia overheard him and stated, "But I am 72 years old." Officer Smith recovered just over \$400 from Buscaglia's shirt pocket. Buscaglia admitted that he thought the boys were 14 and 15 years old and he defined "sex" as performing oral sex on both boys.

John Doe, age 16, stated he was at Taco Bell and observed the defendant flashing a wad of cash at him. He became uncomfortable and called a friend, Jim Doe, age 16, to pick him up. The male approached them and asked something along the lines of "\$100 a suck each?"

JENNIFER CLARK
Deputy County Attorney

SUBSCRIBED AND SWORN TO before me this _____ day of April, 2015.

JUSTICE OF THE PEACE

<u>ORDER</u>

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 _____ day of ______, 2015 at _____ a.m./p.m.

JUSTICE OF THE PEACE