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OCT 29 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,  
-vs-  
SHAWN PATRICK FINBERG  
Defendant,

Dept No. 1  
Cause No. CP-2015-1004

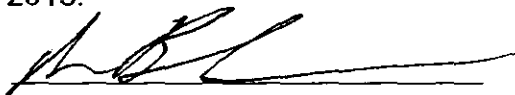
**COMPLAINT**

MAC BLOOM, Deputy County Attorney, deposes and says that on or about the  
27th day of October, 2015, in Missoula County, the Defendant committed the offense of  
COUNT I: CRUELTY TO ANIMALS, a Misdemeanor, in violation of Montana law, namely:  
Mont. Code Ann. 45-8-211(2)(a)[1st], punishable by 1 year MCDF and/or \$1,000 fine.

The facts constituting the offense are:

COUNT I: On or about the 27th day of October, 2015, the above-named  
Defendant, without justification, knowingly or negligently subjected a dog to  
mistreatment or neglect by beating, tormenting, injuring, or killing the animal.

DATED this 28th day of October, 2015.



MAC BLOOM  
Deputy County Attorney

Subscribed and sworn to before me this 29 day of October, 2015.

  
JUSTICE OF THE PEACE

COMPLAINT 15-2489

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

STATE OF MONTANA,  
Plaintiff,

Cause No. CR-2015-1004

-vs-

SHAWN PATRICK FINBERG,  
Defendant.

**AFFIDAVIT OF PROBABLE CAUSE**

STATE OF MONTANA     )  
                                      : ss  
County of Missoula     )

MAC BLOOM, 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  
SHAWN PATRICK FINBERG 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 27th day of October, 2015, Officer Castro, BLM, investigated a  
reported verbal altercation taking place between neighbors in East Missoula. When he  
arrived on scene, he observed a male, later identified as Shawn Finberg (Defendant),  
walking towards his vehicle with his hands held out. Officer Castro made contact with  
Defendant, and Defendant said, "Just take me to jail. I did it." Officer Castro asked  
Defendant what he was talking about. Defendant explained that he had been asked by  
the person who he was living with to get rid of his dogs. He contacted the local animal  
shelter, but they did not have room to take them. Defendant then decided that he had

1 no choice but to kill his dogs. Defendant stated that he initially put his pit bull in a choke  
2 hold and proceeded to strike the dog over the head with a hammer multiple times. The  
3 dog was able to escape and would not allow him to grab hold of it again.  
4

5 Shortly after offering this explanation, Defendant reached into his pocket and  
6 attempted to grab a pocket knife. Officer Castro ordered Defendant to stop and placed  
7 him in handcuffs. Defendant muttered that if he had known the hammer wouldn't work  
8 he would have slit the dog's throat.  
9

10 Missoula County Sheriff's Deputies arrived on scene to assist Officer Castro.  
11 Sergeant Peterson spoke with Defendant who reiterated the same story, adding that he  
12 needed to get rid of his dogs because they were barking too much. He also stated that  
13 he felt terrible about what he had done.  
14


15 Sergeant Peterson observed that Defendant's shirt was covered in blood. He  
16 also could see that the injured pit bull had bloody marks around its neck and a wound  
17 on the top of its head consistent with a hammer blow. Animal Control eventually took  
18 possession of Defendant's three dogs and treated the pit bull's injuries. The pit bull did  
19 not sustain a skull fracture, but had two lacerations on the top of its head and a  
20 hematoma in its right eye.  
21

22 Sergeant Peterson spoke with Natasha Anthony, a neighbor, who stated that she  
23 heard what sounded like an animal "screaming." She looked out her window and  
24 observed Defendant with the pit bull locked between his legs striking its head repeatedly  
25 with a hammer. She believed that he struck the animal approximately eight times.  
26 Anthony shouted at Defendant, and he replied, "I am trying to kill this dog." Anthony  
27  
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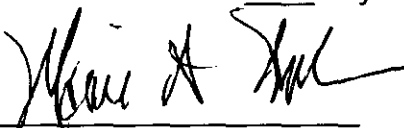
1 then exited her residence and confronted him. At this time, Defendant released the dog  
2 and said, "I can't keep them from barking."

3  
4 Next, Sergeant Peterson spoke with Tracy Parmer, the owner of the residence  
5 where Defendant had been staying. Parmer stated that earlier in day she told  
6 Defendant that his dogs had to go because they were barking too much. She had no  
7 idea that Defendant planned to kill them.

8  
9 Law enforcement photographed Defendant's shirt, seized his hammer, and  
10 transported him to jail.

11  
12   
13 MAC BLOOM  
14 Deputy County Attorney

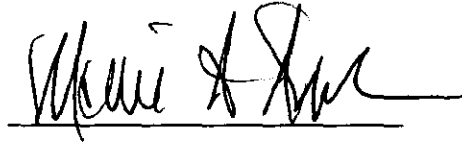
15  
16 SUBSCRIBED AND SWORN TO before me this 29 day of October, 2015.

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18 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 29 day of Oct, 2015 at 1:48 a.m./p.m.



JUSTICE OF THE PEACE