

RECEIVED

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

OCT 13 2015

Justice Court

STATE OF MONTANA
Plaintiff,
-vs-
BENJAMIN M SNAVELY
Defendant,

Dept No. 1
Cause No. CR-2015-944

COMPLAINT

Mac Bloom, Deputy County Attorney, deposes and says that on or about the 10th day of October, 2015, in Missoula County, the Defendant committed the offenses of
COUNT I: AGGRAVATED BURGLARY, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-6-204(2), punishable by 40 years MSP and/or \$50,000 fine; COUNT II: CRIMINAL MISCHIEF, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-6-101(1)[2], punishable by 10 years MSP and/or \$50,000 fine; COUNT III: ASSAULT WITH WEAPON, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-5-213, punishable by 20 years MSP and/or \$50,000 fine; COUNT IV: DISORDERLY CONDUCT, a Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 45-8-101(2), punishable by 10 days MCDF and/or \$100 fine.

The facts constituting the offense are:

COUNT I: On or about the 10th day of October, 2015, the above-named Defendant knowingly entered or remained unlawfully in an occupied structure with the purpose to commit an offense therein and in effecting entry or in the course of committing the offense or in immediate flight thereafter, the Defendant purposely,

1 knowingly, or negligently inflicted or attempted to inflict bodily injury upon Sheryl Taylor
2 and/or Angela Mitchell.

3 COUNT II: On or about the 10th day of October, 2015, the above-named
4 Defendant committed the offense of criminal mischief by knowingly or purposely
5 injuring, damaging, or destroying the property another without consent. The value of
6 the property exceeds \$1500.
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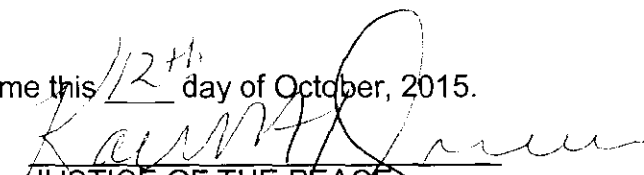
8 COUNT III: On or about the 10th day of October, 2015, the above-named
9 Defendant purposely or knowingly caused reasonable apprehension of serious bodily
10 injury in Sheryl Taylor by use of a weapon or what reasonably appeared to be a
11 weapon, to wit: a knife.
12

13 COUNT IV: On or about the 10th day of October, 2015, the above-named
14 Defendant knowingly disturbed the peace by yelling profanities and/or issuing threats.
15

16 DATED this 11th day of October, 2015.

17 
18 Mac Bloom
19 Deputy County Attorney

20 Subscribed and sworn to before me this 12th day of October, 2015.

21 
22 JUSTICE OF THE PEACE
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24 COMPLAINT 15-2318
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2 IN AND FOR THE COUNTY OF MISSOULA
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4 STATE OF MONTANA,
5 Plaintiff,

Cause No. CR-2015-944

6 -vs-
7 BENJAMIN M SNAVELY,
8 Defendant.

AFFIDAVIT OF PROBABLE CAUSE

9 STATE OF MONTANA)
10 : ss
County of Missoula)

11
12 Mac Bloom, Deputy County Attorney, being first duly sworn upon oath, deposes
13 and says:

14 I have read the official law enforcement reports regarding the investigation of
15 BENJAMIN M SNAVELY for allegedly committing the offense(s) set forth in the complaint
16 and based upon the information contained in the reports, if true, believe probable cause
17 exists to justify charging the above-named defendant as specified in the accompanying
18 complaint.
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20 On or about the 10th day of October, 2015, Officers O'Dell and Colyer, Missoula
21 City Police Department, responded to a residence regarding five separate reports of a
22 physical disturbance. Upon arrival, Officer O'Dell was informed by a neighbor that a male
23 was "trashing" an apartment. Officer O'Dell observed a sobbing female, later identified
24 as Sheryl Taylor, standing in an adjacent alley with several other people. At this point,
25 another female, later identified as Angela Mitchell, ran out of the apartment screaming,
26 "He attacked me." Her face was red and her eyes were squinted closed. She stated
27 that she had been hit with pepper spray.
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1 Officer O'Dell then walked to the open door of the apartment and announced
2 himself. A male who identified himself as Benjamin Snavelly (Defendant) answered and
3 began rambling about drugs. Officer O'Dell entered and noticed that the apartment was in
4 shambles. Almost all of the property in the living room was damaged and the floor was
5 covered with broken furniture, glass, and other items. He noted that the apartment looked
6 as though it had been struck by a tornado. At this time, Defendant was standing in the
7 bathroom, actively kicking the wall. Officers O'Dell and Colyer grabbed him and placed
8 him in handcuffs. Defendant's face was red and he smelled strongly of pepper spray. The
9 Officers escorted Defendant out of the residence and instructed him to sit in front of a
10 patrol vehicle.
11

12 Officer Mulligan, Missoula City Police Department, arrived on scene and noted the
13 extensive damage to the apartment. He observed that the door frame was splintered and
14 appeared to have been kicked in. He also noticed a large hole in the bathroom wall. He
15 exited the apartment and spoke with Taylor about what had transpired. Taylor was visibly
16 shaking and had difficulty explaining what happened. She eventually told Officer Mulligan
17 that she had been in her bedroom when she heard a loud pounding at the door. Before
18 she could figure out what was going on, Defendant rushed into her bedroom and threw her
19 to the ground multiple times. When asked to further describe this process, Taylor stated
20 that she could not do so because it was too traumatic.
21

22 Several other witnesses, Suzanne Holy, Ryan Holy, and Linsey Kucherry, reported
23 seeing Defendant running towards the side entrance of Taylor's apartment and pounding
24 on the door after being involved in a brief physical scuffle with an unidentified male. Yet
25 another witness, Michelle Montgomery, observed Defendant smash out Taylor's bedroom
26 door.
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1 window with his elbow. Montgomery could hear Talyor inside the apartment yelling, "Help,
2 me. Help me. Help me." Montgomery informed Defendant that she was calling 911.
3 Defendant responded, "Stay out of this you [expletive]." He then yelled, "I'm going to burn
4 the house down" and "I'm going to kill you."

5
6 Officer Mulligan later spoke with Taylor a second time. Taylor stated that she now
7 remembered that Defendant entered her bedroom with a large kitchen knife. Taylor took
8 Officer Mulligan into the apartment and showed him a broken knife blade between her bed
9 and the window. She explained that at some point during the assault, Defendant was
10 holding the knife in a downward fashion approximately three feet away from her. She
11 demonstrated to Officer Mulligan that Defendant had been holding the knife at head level.
12 She also stated that when Defendant entered her bedroom, he closed and locked the door
13 before throwing her against the closet door. Officer Mulligan observed that the closet door
14 had been dislodged from its tracks. Taylor stated that she believed Defendant was going
15 to kill her. She eventually managed to unlock the door and flee the apartment. Taylor also
16 mentioned that she and Defendant had been involved in an on-again off-again
17 relationship.

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20 Officer Colyer interviewed Mitchell about the incident. Mitchell stated that she had
21 been hanging out with Taylor in the apartment and got up to use the restroom. While
22 there, she heard a loud crash and a man say, "Alright ladies." She then locked the
23 bathroom door and hid in the shower. She could hear screaming and breaking glass
24 outside. Sometime later, Defendant began kicking in the restroom door. He entered and
25 observed Mitchell in the shower. Mitchell reacted to Defendant's presence by spraying
26 him with pepper spray. Defendant then grabbed her by the shoulders and said, "You're
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1 dead." He also struck Mitchell with a closed fist. The pepper spray eventually took effect
2 and Mitchell escaped. Mitchell was later transported to the hospital to obtain treatment for
3 pepper spray burns and multiple cuts to her feet from the struggle and flight thereafter.
4

5 Medical personnel eventually arrived and treated Defendant. While he was being
6 treated, Defendant mentioned that he had committed murder and was "guilty."

7 Defendant also admitted to "breaking up the house and harassing women." Defendant's
8 father later approached the scene and asked Defendant whether he was "back on meth."

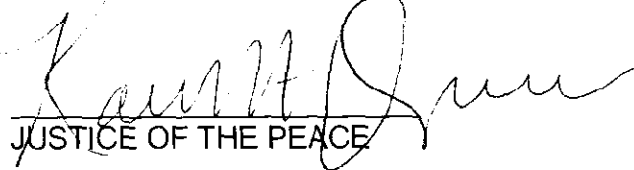
9 Defendant responded, "Yeah Dad, what do you [expletive] think?" Defendant continued to
10 shout profanities until he was placed in the back of the patrol car and transported to jail.
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12 The value of the property damaged by Defendant exceeds \$1500.
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16 MAC BLOOM
17 Deputy County Attorney

18 SUBSCRIBED AND SWORN TO before me this 12th day of October, 2015.
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21 JUSTICE OF THE PEACE
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3 ORDER

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 DATED this 12th day of October, 2015 at 1¹⁰ a.m./p.m.

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9 JUSTICE OF THE PEACE
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