

FILED

NOV 27 2015

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

JUSTICE COURT

4  
5 STATE OF MONTANA  
6 Plaintiff,

7 -vs-

8 CASEY EUGENE HEAVYRUNNER  
Defendant,

Dept No.  
Cause No. *CR-2015-1112*

COMPLAINT

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10  
11 MAC BLOOM, Deputy County Attorney, deposes and says that on or about the  
12 26th day of November, 2015, in Missoula County, the Defendant committed the offenses  
13 of COUNT I: BURGLARY, a Felony, in violation of Montana law, namely: Mont. Code  
14 Ann. 45-6-204(1), punishable by 20 years MSP and/or \$50,000 fine; COUNT II:  
15 TAMPERING WITH OR FABRICATING PHYSICAL EVIDENCE, a Felony, in violation of  
16 Montana law, namely: Mont. Code Ann. 45-7-207, punishable by 10 years MSP and/or  
17 \$50,000 fine.  
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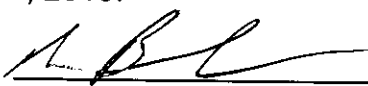
19 The facts constituting the offense are:

20 COUNT I: On or about the 26th day of November, 2015, the above-named  
21 Defendant knowingly entered or remained unlawfully in an occupied structure and  
22 knowingly or purposely committed any offense within that structure, to wit: assault with a  
23 weapon.  
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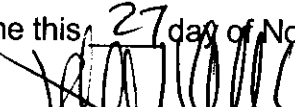
25 COUNT II: On or about the 26th day of November, 2015, the above-named  
26 Defendant, believing that an official proceeding or investigation is pending or about to  
27 be instituted, altered, destroyed, concealed, or removed any record, document, or thing  
28

1 with the purpose to impair its verity or availability in such proceeding or investigation, to  
2 wit: a knife.

3  
4 DATED this 27th day of November, 2015.

5   
6 MAC BLOOM  
7 Deputy County Attorney

8 Subscribed and sworn to before me this 27 day of November, 2015.

9   
10 JUSTICE OF THE PEACE

11 COMPLAINT 15-2718

12 SCOTT (BADGE 422) KING, Missoula County Sheriff's Office  
13 DAVID LAWRENCE WALROD, Missoula County Sheriff's Office  
14 ZACHARY SARGENT, Missoula County Sheriff's Office

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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-2015-1112*

-vs-  
CASEY EUGENE HEAVYRUNNER,  
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  
CASEY EUGENE HEAVYRUNNER 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 26th day of November, 2015, at approximately 5:50 a.m., Deputy  
Leonard, Missoula County Sheriff's Office, responded with backup to a residence on Mars  
Lane in East Missoula to investigate a report of a male who had apparently sustained a  
gun-shot wound to the face. Upon arrival, Deputy Leonard made contact with the owner of  
the residence, Vito Misale, who directed him into the bathroom. There, Deputy Leonard  
observed a male, later identified as Casey Heavyrunner (Defendant), with a severe wound  
around his mouth. Defendant was unable to speak and remained where he was standing  
until medical personnel arrived on scene and transported him to the hospital.

1 Deputy Leonard then spoke with Vito and his wife, Carol, and learned that they had  
2 been awoken by someone "banging" on their door. Vito answered the door and found  
3 Defendant standing on his porch. Carol told Vito to help Defendant, so Vito brought him  
4 into the bathroom and called 911. Vito did not recognize Defendant or observe anyone  
5 else in the area.  
6

7 At approximately 6:03 a.m., 911 Dispatch received a call from William Hanson  
8 (J.R.), who reported that he shot Defendant with a .22 caliber rifle. Deputy Johnston  
9 responded to J.R.'s residence on Highway 200 and spoke with him about the incident.  
10 J.R. stated that he was at a casino near the "Wye" when his wife, Jessica Cadieux, called  
11 him and told him he needed to come home. The phone then went dead. J.R. rushed  
12 home, concerned that Defendant might be up to something. J.R. explained that Defendant  
13 had been threatening him in recent days.  
14

15 When J.R. arrived home, he observed a dark colored SUV in his driveway occupied  
16 by two females whom he did not know. They informed J.R. that Defendant called them  
17 asking for a ride. They also stated that "something bad was about to happen" and that  
18 Defendant was in J.R.'s house "freaking out." J.R. then ran inside, went downstairs, and  
19 retrieved his .22 from his bedroom. He located Defendant in the "bead room" yelling at  
20 Jessica. Another female was also present. J.R. ordered Defendant to leave, but he  
21 refused to do so. Defendant then said, "You mother [expletive]" and "c[ame] at" J.R. with  
22 an open folding-style knife. In response, J.R. retreated backwards and warned Defendant  
23 to stop. J.R. stated that he was afraid of being stabbed repeatedly. Defendant pursued  
24 J.R. through the living room and into his bedroom. There, J.R. retreated into the far  
25 corner. When Defendant continued towards him, J.R. fired his rifle but it did not go off.  
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1 Defendant then said, "Shoot me mother [expletive]. You're going to get it." J.R.  
2 chambered a fresh round and fired again. This time, the gun went off, hitting Defendant in  
3 the face. After being shot, Defendant fled outside and ran down Highway 200.  
4

5 Jessica relayed a similar story to Deputy Sargent. She stated that she was awoken  
6 around 4:00 a.m. by Brian Parini knocking on her backdoor. When she went to see what  
7 was going on, Brian opened the door and walked inside. Brian told Jessica that Defendant  
8 was outside and wanted to come in. Jessica told Brian that she did not want Defendant to  
9 come in because she knew that he and J.R. had been having problems. Brian then went  
10 outside and began arguing with Defendant. A few minutes later, Defendant and a female,  
11 later identified as Kirsten Hernandez, walked into Jessica's home. Jessica told Defendant  
12 that she would rather he not be there. Defendant, however, did not leave. Jessica stated  
13 that he was acting strangely and kept asking to speak to J.R. Jessica decided to "play  
14 nice" with Defendant and Kirsten in order to avoid problems, so she brought them  
15 downstairs and showed them her bead collection.  
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18 Defendant began pressuring Jessica to tell him where J.R. was. Jessica  
19 continually replied that she did not know. She tried to leave Defendant to call J.R., but  
20 Defendant kept following her around and would not allow her to speak freely with J.R.  
21 Sometime later, J.R. arrived home and grabbed his gun. J.R. then walked toward the  
22 "bead room" and told Defendant to leave. Jessica said that at this point, Defendant pulled  
23 out his knife and charged out of the "bead room" toward J.R. J.R. backed away and  
24 Defendant kept advancing. Defendant eventually backed J.R. into the bedroom and  
25 threatened to kill him. After J.R. fired his gun Defendant fled the residence. Jessica also  
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1 reported that at some point during the altercation, two other females arrived at the  
2 residence. They were gone when police arrived.

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4 Deputies investigated the scene and observed a blood trail leading out of J.R.'s  
5 home and down his driveway. They also discovered a "live" .22 round lying on the floor on  
6 the far side of J.R.'s bedroom and a spent casing lying on the far side of his bed. This  
7 evidence corroborated J.R.'s statement regarding his location when the shots were fired.

8  
9 Later that morning, Vito contacted Deputy Terrill and stated that he found a knife in  
10 his residence. Deputy Dicken responded to Vito's location and learned that Vito had  
11 removed a shaving kit from his bathroom after Defendant was taken to the hospital.  
12 Inside, he discovered a large folding knife and a micro-cassette tape. These items were  
13 collected and logged into evidence.

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17 MAC BLOOM  
18 Deputy County Attorney

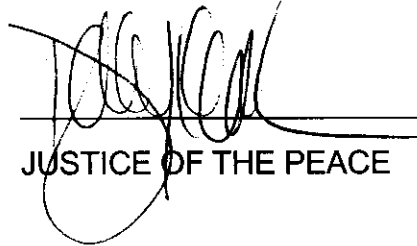
19 SUBSCRIBED AND SWORN TO before me this 27 day of November, 2015.

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22 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 27 day of November, 2015 at 1:30 a.m./p.m.

  
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JUSTICE OF THE PEACE

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