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JUL 14 2016

JUSTICE COURT

1 KARLA PAINTER
 2 Deputy County Attorney
 3 KIRSTEN H. PABST
 4 Missoula County Attorney
 5 Missoula County Courthouse
 6 Missoula, Montana 59802
 7 (406) 258-4737
 8 ATTORNEYS FOR PLAINTIFF

9 IN THE JUSTICE COURT OF THE STATE OF MONTANA
 10 IN AND FOR THE COUNTY OF MISSOULA
 11 BEFORE, Landee N. Holloway, JUSTICE OF THE PEACE

12 STATE OF MONTANA,
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 14 Plaintiff,
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 16 -vs-
 17 SHAWN LEE EVANS,
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 19 Defendant,

20 Department No. 2
 21 Cause No. CR-2016-656
 22 **COMPLAINT**

23 KARLA PAINTER, Deputy County Attorney, deposes and says that from
 24 approximately May 3, 2016 to May 10, 2016, in Missoula County, the Defendant
 25 committed the offenses of COUNT I: FORGERY BY COMMON SCHEME, a Felony, in
 26 violation of Montana law, namely: Mont. Code Ann. 45-6-325(4), punishable by 20 years
 27 MSP and/or \$50,000 fine; COUNT II: THEFT BY COMMON SCHEME- 1ST OFFENSE, a
 28 Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 45-6-301(1)[1st],
 punishable by 6 months MCDF and/or \$1,500 fine.

The facts constituting the offenses are:

COUNT I: From approximately May 3, 2016 to May 10, 2016 the above-named Defendant when, with the purpose to defraud, knowingly without authority altered

1 checks apparently capable of being used to defraud others in the manner that they
2 purported to have been with different provisions. The forgeries were committed as part
3 of a common scheme.
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5 **COUNT II:** From approximately May 3, 2016 to May 10, 2016, the above-named
6 Defendant purposely or knowingly obtained or exerted unauthorized control over money
7 owned by Bonnie Godbout and Emily Hightower with the purpose of depriving the
8 owners of the property. The thefts were committed as part of a common scheme.
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10 DATED this 13th day of July, 2016.

11 
12 KARLA PAINTER
13 Deputy County Attorney

14 Subscribed and sworn to before me this ____ day of July, 2016.

15 _____
16 JUSTICE OF THE PEACE

17 COMPLAINT 16-1129

18 KENNETH WHITE, Missoula County Sheriff's Office
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 13 BEFORE, Lancee N. Holloway, JUSTICE OF THE PEACE

14 STATE OF MONTANA,
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 16 Plaintiff,
 17
 18 -VS-
 19 SHAWN LEE EVANS,
 20
 21 Defendant,

22 Department No. 2
 23 Cause No. CR-2016-656

AFFIDAVIT OF PROBABLE CAUSE

24 STATE OF MONTANA)
 25 : ss
 26 County of Missoula)

27 KARLA PAINTER, Deputy County Attorney, Montana, being first duly sworn upon
 28 oath, deposes and says:

I have read the official law enforcement reports regarding the investigation of
 SHAWN LEE EVANS for allegedly committing the offenses 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.

1 On or about May 6, 2016, Bonnie Godbout met with Nadene Hegman from the
2 Missoula County Sheriff's Office and reported that she believed checks had been stolen
3 from her mailbox. Godbout provided her checkbook ledger which showed she had
4 written check # 6344 to Northwestern Energy in the amount of \$156.80. Godbout stated
5 she then placed the check in her mailbox on Speedway Avenue. She provided a copy
6 of the check that was cashed at US Bank on May 4, 2016, which reflected an altered
7 amount of \$556.00 and was made out to Anthony Lee. Tiffany Hastings, a manager at
8 US Bank, notified Godbout that a male had attempted to cash a second check on May 5
9 in the amount of \$500.00 but, due to the suspicious circumstances, US Bank declined to
10 honor it. Godbout stated she had written that check (# 6345) in the amount of \$18.00 to
11 McGowan Water. Godbout mailed a third check (# 6346) that day in the amount of
12 \$128.09 to Charter Communications. She contacted Charter days later and learned
13 they had not received her payment. Godbout subsequently closed her account to avoid
14 any further unauthorized transactions. Hegman observed the signature on check #
15 6344 appeared very similar to a signature Anthony Lee had provided on a Property
16 Release Report on January 4, 2016.

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20 On May 9, 2016, Sergeant Robert Kennedy responded to another residence on
21 Speedway Avenue for a reported theft and forgery. Emily Hightower stated that on May
22 2, she had paid two bills with checks numbered 1316 and 1317 and placed them in her
23 mailbox. The first was written to CBM in the amount of \$47.00 and the second was to
24 Missoula Animal Control in the amount of \$21.00. When Hightower reviewed the
25 payments online, she discovered one of the checks was altered to be payable to
26 Anthony Lee in the amount of \$200.00 and the other was made out to Outback
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1 Steakhouse in the amount of \$160.00 on May 3, 2016. Hightower showed Sargent
2 Kennedy the checks which appeared to have been washed. Both Hightower and
3 Sargent Kennedy noted the signatures on the two checks did not appear to match each
4 other.
5

6 On May 10, 2016, Detective Kenneth White interviewed Anthony Lee about the
7 checks. After waiving his Miranda rights, Lee stated a man named Shawn Evans had
8 been stealing checks and "cooking" them: washing and drying them to remove the ink.
9 Lee stated Evans would then rewrite them so they could be cashed. Lee indicated he
10 recognized check # 1316 and confirmed that he had signed it. Lee said Evans gave it
11 to him and he cashed it for \$200.00 but Lee claimed that Evans took most of the money
12 to purchase methamphetamine and marijuana. Lee stated he had no knowledge of
13 Check #1317 which was made out to Outback Steakhouse. As to # 6344, Lee said
14 Evans washed the check, rewrote it, and gave it to Lee and instructed him to cash it,
15 which Lee did for \$556.00. Lee initially stated Shawn let Lee keep the money, however
16 he later claimed Shawn actually took the cash to buy drugs. Lee said Evans had also
17 been using the checkbook and identification card of a deceased male to pass his other
18 checks all around Missoula.
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22 On May 11, Detective White went to Outback Steakhouse and spoke with Eden
23 Roberts, the server that received check # 1317. Roberts stated the check came from a
24 party consisting of a male and female. He described the male as having short almost
25 shaved hair and tattoos. Roberts explained he remembered the man well because he
26 asked for whiskey with six ice cubes and had left him a \$30.00 tip. Roberts said he saw
27 the male pull the checkbook out of his pocket. Detective White provided Roberts with a
28

1 photograph lineup including six males. Roberts immediately identified Evans and stated
2 he was "very confident" that was the male he had served.
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5 KARLA PAINTER
6 Deputy County Attorney

7 SUBSCRIBED AND SWORN TO before me this ____ day of July, 2016.
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11 JUSTICE OF THE PEACE
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