

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

RECEIVED  
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Justice Court

STATE OF MONTANA, ) Cause No. \_\_\_\_\_  
Plaintiff, )  
-vs- ) COMPLAINT  
LEO HENRY GREEN II, )  
Defendant. )

SHAWN THOMAS, Deputy Missoula County Attorney, being duly sworn,  
deposes and says that on or about the 3rd day of November, 2012, at Missoula  
County, the above-named Defendant committed the offense(s) of **COUNT I:**  
SEXUAL INTERCOURSE WITHOUT CONSENT, a Felony, in violation of  
Montana law, namely: Mont. Code Ann. §45-5-503, punishable by no less than 2-4  
years or more than 100 years or life MSP and \$50,000 fine.

The facts constituting the offense(s) are:

**COUNT I:** On or about the 3rd day of November, 2012, the above-  
named Defendant knowingly had sexual intercourse with Jane Doe without  
consent.

DATED this 5th day of November, 2012/

  
\_\_\_\_\_  
SHAWN THOMAS  
Deputy Missoula County Attorney

Subscribed and sworn to before me this 5th day of November, 2012.

\_\_\_\_\_  
JUSTICE OF THE PEACE

COMPLAINT 12-2559

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

Cause No. \_\_\_\_\_

STATE OF MONTANA,

Plaintiff,

-vs-

LEO HENRY GREEN II,

Defendant.

AFFIDAVIT OF PROBABLE  
CAUSE

STATE OF MONTANA     )  
  : ss  
County of Missoula     )

SHAWN THOMAS, Deputy County Attorney of Missoula County, Montana,  
being first duly sworn upon oath, deposes and says:

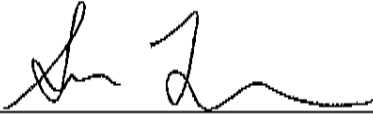
I have read the official law enforcement reports regarding the investigation of  
LEO HENRY GREEN II for allegedly committing the offense(s) set forth in the  
complaint and based upon the information contained in the reports, if true, believe  
probable cause exists to justify charging the above-named defendant as specified  
in the accompanying complaint.

On or about the 3rd day of November, 2012, at approximately 5:00 a.m.,  
Missoula City Police Officers responded to assist University Police Officers at a  
residence on Laurin Court where a disturbance had been reported. Upon arrival,  
City officers could hear a female screaming inside the residence and entered to  
assist University Officer Goodpasture in restraining the female, identified as

Tatyona Northcutt, age 19. She was screaming at Leo Green, her boyfriend, aged 18. Northcutt told officers that she had heard Green kissing and then having sex with Jane Doe. Northcutt stated that when she realized Green was having sex with Doe, she started punching Green and fighting with him. Doe then grabbed the bedspread and left the residence.

Shortly thereafter, Officers found Doe sleeping in the front seat of a car nearby. Doe was naked except for having a bedspread around her. Doe stated that she went over to Northcutt's residence and had been drinking. Doe stated that Northcutt asked her if she would be willing to have a threesome with her and Green. Doe agreed and the three of them went into the bedroom where she (Doe) then performed oral sex on Green, and he eventually started having vaginal intercourse with her. Doe stated that Green alternated having vaginal sex with her and Northcutt, but at one point Northcutt became jealous and angry with Green and started to assault him. Doe tried to separate Green and Northcutt, but was unable to and decided to flee the apartment. Doe stated that Green knew she was 13 years old, as they had met approximately one year ago and she told him she was 12 at the time.

Green was interviewed and admitted he had vaginal sex with Doe, specifically that he had penetrated her vagina with his penis and fingers. Green admitted that the age of consent in Montana was 16 years old, but denied knowing that Doe was 13 years old. Green claimed he thought Doe was 14 or 15 years old, but admitted she was too young to consent to have sex.

  
\_\_\_\_\_  
SHAWN THOMAS  
Deputy Missoula County Attorney

SUBSCRIBED AND SWORN TO before me this 5th day of November,  
2012.

\_\_\_\_\_  
JUSTICE OF THE PEACE

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 5th day of November, 2012 at \_\_\_\_\_ a.m./p.m.

\_\_\_\_\_  
JUSTICE OF THE PEACE