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NOV 26 2013
Justice Court

1 IN THE JUSTICE COURT OF THE STATE OF MONTANA,
2 IN AND FOR THE COUNTY OF MISSOULA
3 BEFORE Karen A. Orzech JUSTICE OF THE PEACE

4
5 STATE OF MONTANA
6 Plaintiff,
7 -vs-
8 RICHARD PAUL STURGEON
9 Defendant.


Cause No. CR-2013-11543-C2
COMPLAINT

10 JASON MARKS, Assistant Chief Deputy County Attorney, deposes
11 and says that on or about the 25th day of November, 2013, in Missoula
12 County, the Defendant committed the offense of COUNT I: ASSAULT WITH
13 WEAPON, a Felony, in violation of Montana law, namely: Mont. Code Ann.
14 45-5-213, punishable by 20 years MSP and/or \$50,000 fine.
15

16
17 The facts constituting the offense are:

18
19 COUNT I: On or about the 25th day of November, 2013, the above-
20 named Defendant purposely or knowingly caused reasonable
21 apprehension of serious bodily injury in Barton Rouns by use of a weapon
22 or what reasonably appeared to be a weapon, to wit: a handgun.
23

24 DATED this 26th day of November, 2013.

25
26 
27 JASON MARKS
28 Assistant Chief Deputy County Attorney

Subscribed and sworn to before me this ____ day of November, 2013.

JUSTICE OF THE PEACE

COMPLAINT 13-2763
Missoula City Police Dept SUAZO

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5 STATE OF MONTANA,
6 Plaintiff,

Cause No. CR-2013-11543-C2

7
8 -VS-

**AFFIDAVIT OF PROBABLE
CAUSE**

9 RICHARD PAUL STURGEON,
10 Defendant.

11 STATE OF MONTANA)
12 : ss
13 County of Missoula)

14 JASON MARKS, Assistant Chief Deputy County Attorney, Montana,
15
16 being first duly sworn upon oath, deposes and says:

17 I have read the official law enforcement reports regarding the
18 investigation of RICHARD PAUL STURGEON for allegedly committing the
19 offense(s) set forth in the complaint in and based upon the information
20 contained in the reports, if true, believe probable cause exists to justify
21 charging the above-named defendant as specified in the accompanying
22 complaint.
23
24

25 On or about the 25th day of November, 2013, Officer Suazo of the
26 Missoula City Police Department went to 3760 N. Reserve in Missoula to
27
28

1 investigate a reported road rage incident involving a handgun. Upon arrival
2 he spoke with Barton Rouns who had made the report to law enforcement.
3

4 Rouns reported that as he was driving northbound on Reserve Street
5 on his way to work he was behind a white pick-up truck. He said that the
6 pick-up applied its brakes suddenly at one point but that he didn't think
7 anything of it. When he arrived at his workplace he went to the lot in the
8 rear. At that point he saw that the white pick-up had also pulled around to
9 the rear. Rouns recognized the pick-up as belonging to an individual that
10 had followed him home at one point in the spring to express unhappiness
11 with his driving.
12
13
14

15 Rouns said he approached the pick-up and, seeing that the driver's
16 side door was open, called out that he was sorry if he had been following
17 too closely. The driver pointed a black gun at Rouns and state "One more
18 time. I'm going to kill you" and then "every God damn day." The driver
19 then got into his pick-up and left. Rouns indicated that he was afraid when
20 the gun was pointed at him. He gave Officer Suazo a general idea of
21 where he thought the driver of the pick-up worked and a license plate
22 number.
23
24
25

26 Officer Jones searched the indicated area and found the pick-up
27 described by Rounds. There was a black handgun on the dashboard.
28

1 Officer Jones made contact with the owner of the pick-up, Richard
2 Sturgeon. Sturgeon admitted that he had followed another driver to a
3 business on North Reserve and confronted him about tailgating. He
4 indicated that the man had tailgated him before and that he was very angry
5 about it. He denied brandishing the handgun and said that the man,
6 Rouns, must have seen it on the dashboard.
7
8

9
10 
11 JASON MARKS
12 Assistant Chief Deputy County Attorney

13 SUBSCRIBED AND SWORN TO before me this ____ day of
14 November, 2013.
15

16
17 _____
18 JUSTICE OF THE PEACE

19 ORDER
20

21 Upon reading the foregoing Affidavit, the Court finds that there is
22 probable cause to believe the above-named Defendant committed the crimes
23 charged.
24

25 DATED this ____ day of _____, 2013 at ____ a.m./p.m.
26

27
28 _____
JUSTICE OF THE PEACE