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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 RONALD J PAGEL
9 Defendant.

Cause No. CR-2013-11497-C2

COMPLAINT

10 JORDAN KILBY, Deputy County Attorney, deposes and says that on or
11 about the 26th day of October, 2013, in Missoula County, the Defendant
12 committed the offense of COUNT I: ASSAULT - BODILY INJURY, a
13 Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 45-5-
14 201, punishable by 6 months MCDF and/or \$500 fine.
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17 The facts constituting the offense are:

18 COUNT I: On or about the 26th day of October, 2013, the above-
19 named Defendant purposely or knowingly caused bodily injury to another.
20
21

22 DATED this 12th day of November, 2013.

23 Jordan Kilby
24 JORDAN KILBY
25 Deputy County Attorney

26 Subscribed and sworn to before me this 12th day of November, 2013.

27
28 Karen A. Orzech
JUSTICE OF THE PEACE

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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,

Cause No. CR-2013-11497-C2

7 -vs-

**AFFIDAVIT OF PROBABLE
CAUSE**

8
9 RONALD J PAGEL,
10 Defendant.

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

14 JORDAN KILBY, Deputy County Attorney, Montana, being first duly
15 sworn upon oath, deposes and says:

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17 I have read the official law enforcement reports regarding the
18 investigation of RONALD J PAGEL for allegedly committing the offense(s)
19 set forth in the complaint in and based upon the information contained in the
20 reports and statements, if true, believe probable cause exists to justify
21 charging the above-named defendant as specified in the accompanying
22 complaint.
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25 Shenandoah Roath (Roath) stated on or about the 26th day of
26 October, 2013 Roath, was walking her dog in the upper Pattee Canyon
27 recreation area near the Frisbee golf course in Missoula County. Her
28

1 golden retriever was not on a leash. As she approached the picnic area,
2 with her dog out in front of her, she heard a man, later identified as Ronald
3 Pagel, tell her to call her dog. She could not see Pagel at first because he
4 was wearing a green jacket and blended in with the trees.
5

6
7 Roath called for her dog, but he did not respond. When Roath's dog
8 came within five feet of Pagel, Pagel pepper-sprayed the dog in the face.
9 Roath stated she was shocked and yelled, "Did you just pepper spray my
10 dog?" Roath stated that Pagel, who was completely calm, answered, "Yes
11 I did." She then went up to Pagel and asked for his name, telling him she
12 was going to report him and something to the effect of "You can't just spray
13 dogs."
14

15
16 She was walking along beside him when he said, "You're not getting
17 any information from me...you can try to find out, but you won't." Roath
18 stated Pagel then turned towards her and she put her hands up because
19 she was scared of him. Then, Pagel, sprayed Roath in the face with
20 pepper spray, causing her pain. All the while, Roath's dog was about 30
21 feet away, rolling around in the dirt as if he was trying to get the spray off of
22 his face. Roath stated her dog did not approach her or Pagel again.
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1 Roath stated Pagel then left her there and she yelled for help.

2
3 Eventually, what felt like to Roath a long time, someone came running out
4 of the woods to help her.

5 Three days later, Pagel voluntarily came to the Missoula County
6 Sheriff's Office and met with Detective Newell. Pagel stated he has had
7 many bad encounters with dogs throughout his life and therefore carries
8 pepper spray with him in case he is confronted by a dog. On the day in
9 question, he was walking in the Pattee Canyon picnic area when he saw a
10 "big hairy" dog running toward him. He described the dog as possibly a
11 golden retriever. Pagel stated the dog was coming toward him too quickly,
12 so when the dog was ten feet away from him, he sprayed the dog.
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17 Pagel stated the dog's owner was not calling off her dog. He said
18 she became very vocal and demanded to know his name. He said that
19 while he and the female were arguing, her dog came from behind her and
20 approached him again. Pagel went to pepper spray the dog again when
21 the female pushed him and he stumbled backwards. When he stumbled,
22 he said, the pepper spray hit the female along her right arm and on the
23 right side of her face. Pagel said there were people around and he did not
24 want to deal with them, so he left.
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27
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1
2 Jordan Kilby

3 JORDAN KILBY
4 Deputy County Attorney

5 SUBSCRIBED AND SWORN TO before me this 12th day of
6 November, 2013.

7
8 Karen A. Dyer
9 JUSTICE OF THE PEACE

10
11 ORDER

12
13 Upon reading the foregoing Affidavit, the Court finds that there is
14 probable cause to believe the above-named Defendant committed the crimes
15 charged.
16

17 DATED this 12th day of November, 2013 at 11 52
18 a.m./p.m.

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20 Karen A. Dyer
21 JUSTICE OF THE PEACE
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