

1 IN THE JUSTICE COURT OF THE STATE OF MONTANA,
2 IN AND FOR THE COUNTY OF MISSOULA
3 BEFORE _____, JUSTICE OF THE PEACE
4

5 STATE OF MONTANA
6 Plaintiff,

7 -VS-

8 SHANE LAWRENCE CHILDRESS
9 Defendant,

Dept. No.
Cause No.

COMPLAINT

10 KIRSTEN H. PABST, Missoula County Attorney, deposes and says that on or
11 about June 29, 2015, in Missoula County, the Defendant committed the offenses of
12
13 COUNT I: ATTEMPT--DELIBERATE HOMICIDE, a Felony, in violation of Montana law,
14 namely: Mont. Code Ann. 45-5-102, punishable by death, life imprisonment, or not less
15 than 10 or more than 100 years MSP; COUNT II: ASSAULT WITH WEAPON, a Felony,
16 in violation of Montana law, namely: Mont. Code Ann. 45-5-213, punishable by 20 years in
17 prison and/or a \$50,000 fine; COUNT III: TAMPERING WITH WITNESSES AND
18 INFORMANTS, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-7-206,
19 punishable by 10 years prison and/or a \$50,000 fine; and COUNT IV: PARTNER OR
20 FAMILY MEMBER ASSAULT - 1ST OFFENSE, a Misdemeanor, in violation of Montana
21 law, namely: Mont. Code Ann. 45-5-206[1st], punishable by not less than 24 hours or more
22 than one year MCDF and/or a fine not less than \$100 or more than \$1000.
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25 The facts constituting the offenses are:

26 COUNT I: On or about June 29, 2015, the above-named Defendant, with the
27 purpose to commit the offense of deliberate homicide of DL, did an act toward the
28 commission of the offense, by strangling DL and/or stabbing her head with a knife.

COUNT II: On or about June 29, 2015, the above-named Defendant purposely or knowingly caused bodily injury and/or reasonable apprehension of bodily injury to DL with a weapon, by striking her multiple times with a large glass Yankee candle.

COUNT III: On or about June 29, 2015, the above-named Defendant believing that an official proceeding or investigation was pending or about to be instituted, purposely or knowingly attempted to induce or otherwise cause a witness or informant, EM, to testify or inform falsely and/or withhold testimony.

COUNT IV: On or about June 29, 2015, the above-named Defendant purposely or knowingly caused bodily injury to DL, a partner, by punching her face with his fist multiple times.

DATED this 30th day of June, 2015.

KIRSTEN H. PABST
Missoula County Attorney

Subscribed and sworn to before me this ____ day of June, 2015.

JUSTICE OF THE PEACE

COMPLAINT 15-1433/BOB FRANKE, Missoula City Police Dept.

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

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5 STATE OF MONTANA,

Cause No.

6 Plaintiff,

7 -VS-

8
9 SHANE LAWRENCE CHILDRESS,
10 Defendant.

AFFIDAVIT OF PROBABLE CAUSE

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

14 KIRSTEN H. PABST, Missoula County Attorney, Montana, being first duly sworn
15 upon oath, deposes and says:

16
17 I have read the official law enforcement reports regarding the investigation of
18 SHANE LAWRENCE CHILDRESS for allegedly committing the offenses set forth in the
19 complaint and based upon the information contained in the reports, if true, believe
20 probable cause exists to justify charging the above-named defendant as specified in the
21 accompanying complaint.

22
23 On June 29, 2015, at 2:24 am, Missoula Police Officer responded to the Citi
24 Lodge on West Broadway to investigate the report of a disturbance involving a 27 year-
25 old female who was involved in a fight with her boyfriend. She was reportedly bleeding
26 from her head. Officer Volinkaty made contact with the victim, DL, who had blood on
27 her face, a swollen lip and a bloody towel wrapped around her head. Once the towel
28 was removed, Volinkaty saw a cut in the middle of her head approximately one inch

1 wide, which was causing significant pain. She was transported to the emergency
2 department of the hospital.

3 DL told Volinkaty she had been dating the defendant for two years and that the
4 relationship had been abusive. She said he broke her ribs in the past. Earlier in the
5 evening, DL was hanging out with the defendant and the defendant's cousin, EM. The
6 defendant later told officers that EM told him that DL had cheated on him. According to
7 DL, the defendant became enraged when DL and EM were discussing his ex-wife. She
8 said he became upset and started punching her face. EM witnessed the attacks. DL
9 thought he punched her about 6 times.
10
11

12 The defendant yelled at her to be out of "his room" at 6 in the morning or he
13 would slit her throat.

14 The defendant then grabbed a large glass Yankee Candle and started hitting her
15 with it, causing a swollen left elbow, a cut on her leg requiring stitches and various
16 bruises all over her body. DL said she kicked at him while he was hitting her with the
17 candle.
18

19 After he hit her with the candle, the defendant climbed on top of DL. He used his
20 left forearm to cover her mouth stating, "It's time to go night night botch." DL said she
21 could not breathe and could feel his watch cutting her lip. While continuing to hold her
22 neck with his arm, the defendant pulled out a pocket knife and stabbed her head. She
23 tried to push him off. DL felt faint and her head was gushing blood. The defendant
24 kept yelling at her, "You are f- - - ing faking it."
25
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1 EM undressed DL and put her in the shower. When DL got out, she stood in the
2 doorway between the bedroom and bathroom and the defendant reached around EM
3 and punched DL in the face again.
4

5 EM and the defendant left the room. The defendant took DL's phone and threw it
6 outside in the alley, causing it to break. DL ran away down the alley as fast as she
7 could run. She made it to her manager, Tim Bodner, who called 911.

8 EM called the ER while DL was being treated. Officer Mattix responded to meet
9 with and talk to EM. She was upset and frightened because the defendant had been
10 texting and calling her asking her to take the fall for him. She verified DL's account of
11 the attacks and saw most of what the defendant had done to DL.
12

13 At 5:42 am, officers made contact with the defendant and took him into custody.
14 In his car, Officers located a folding knife inside his vehicle. He later told Detective Bob
15 Franke that he did not know how any of the blood got in the room and suggested that
16 Franke have the knife tested for DNA. DL and EM later told Franke that the knife that
17 was recovered was not the knife the defendant used to stab DL. They both described
18 the weapon used in the assault in fair and similar detail.
19

20 Detectives Franke and Shermer interview the defendant who said they had all
21 been drinking whiskey that day. He became really upset upon hearing that DL had
22 been unfaithful, saying it caused him to punch a wall. He said DL had been smacking
23 him around and he just couldn't take it so he was packing his car and leaving. The
24 defendant did say he smacked DL "back" and pushed her to the bed, just to get away
25 from her, prior to leaving in his car.
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1 The defendant said that DL kicked his knee and hit him but when EM got
2 involved he just left. Shane denied hurting DL or causing any bleeding. He said he had
3 no knowledge of how her head got cut. He said he never used a knife on her and the
4 only knife he owns should be in the one in his vehicle, which was later located. He was
5 very adamant that he never used a knife and the DL instigated all of the violence.
6

7 The defendant showed detectives text messages, asking EM if she would take
8 the "charge" for him. When asked why he wanted her to take the charge, the defendant
9 said that he was out on bond for a different charge in Butte, involving exposing his
10 young children to meth. The defendant blamed DL for turning him in to DFS.
11

12 In the room where the defendant attacked DL, officers noted spots of blood in
13 several areas.
14

15 The investigation continues.
16

17 _____
KIRSTEN H. PABST
Missoula County Attorney
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19 SUBSCRIBED AND SWORN TO before me this ____ day of June, 2015.
20

21 _____
JUSTICE OF THE PEACE
22

23 ORDER
24

25 Upon reading the foregoing Affidavit, the Court finds that there is probable cause to
26 believe the above-named Defendant committed the crimes charged.
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28 DATED this ____ day of _____, 2015 at ____ a.m./p.m.

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JUSTICE OF THE PEACE