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Justice Court

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

STATE OF MONTANA  
Plaintiff,  
-vs-  
FRANK BELMAREZ  
Defendant,

Dept No. 2  
Cause No. CR-2015-494

COMPLAINT

JORDAN KILBY, Deputy County Attorney, deposes and says that on or about the 6th day of June, 2015, in Missoula County, the Defendant committed the offenses of

COUNT I: ASSAULT WITH WEAPON, a Felony, in violation of Montana law, namely:

Mont. Code Ann. 45-5-213, punishable by 20 years MSP and/or \$50,000 fine; COUNT II:

ASSAULT WITH WEAPON, a Felony, in violation of Montana law, namely: Mont. Code

Ann. 45-5-213, punishable by 20 years MSP and/or \$50,000 fine.

The facts constituting the offense are:

COUNT I: On or about the 6th day of June, 2015, the above-named Defendant purposely or knowingly caused reasonable apprehension of serious bodily injury in Jane Doe, by use of a weapon, to wit: a knife.

COUNT II: On or about the 6th day of June, 2015, the above-named Defendant purposely or knowingly caused reasonable apprehension of serious bodily injury in John Doe, by use of a weapon, to wit: a knife.

DATED this 7th day of June, 2015.

  
JORDAN KILBY  
Deputy County Attorney

Subscribed and sworn to before me this 7 day of June, 2015

Mani A. [Signature]  
JUSTICE OF THE PEACE

COMPLAINT 15-1233

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BEFORE Karen A. Orzech, JUSTICE OF THE PEACE

STATE OF MONTANA,  
Plaintiff,

Cause No. CR-2015-494

-vs-  
FRANK BELMAREZ,  
Defendant.

AFFIDAVIT OF PROBABLE CAUSE

STATE OF MONTANA )  
: ss  
County of Missoula )

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


I have read the official law enforcement reports regarding the investigation of  
FRANK BELMAREZ 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 6<sup>th</sup> day of June, 2015, John Doe called 911 from his residence at  
the 2100 block of Kennsington in Missoula County. Officers responded to a reported  
disturbance involving a knife and spoke with Jane Doe who had been in her bedroom  
during the assault. Jane Doe stated her boyfriend of 2 years, Frank Belmarez, came  
home drunk and began to pester her to drink with him. She refused and Frank became  
angry. Jane Doe was lying in bed when she heard what she believed to be the sound of  
Frank's folding knife open. Frank said to her, "I am going to stick you, then gut your  
son." Jane Doe was scared and, with the knowledge that Frank is a convicted

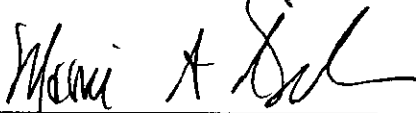
1 murderer, thought Frank would do exactly as he said he would. Jane Doe quickly exited  
2 the bedroom and went into the living room, where her son, John Doe, was sitting in a  
3 chair.

4  
5 John Doe stated he could hear arguing in Frank and Jane Doe's bedroom. He  
6 specifically heard Frank say, "I'll kill you," and "Go get your son, I'll kill him too." Jane  
7 Doe came out of the bedroom. John Doe did not notice a knife in Frank's hand so John  
8 Doe stepped toward Frank to separate Frank from Jane Doe. As John Doe neared  
9 Frank, Frank swung his right hand toward John Doe. Frank was holding a knife in his  
10 right hand and pointing it outward. John Doe stood back to avoid the knife and Frank  
11 continued with his swing, puncturing the door. Officers observed a puncture consistent  
12 with the profile of a knife blade. John Doe stated had he not stepped backwards, Frank  
13 would have stabbed him with the knife.  
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15  
16 Frank was interviewed, but was unable to provide a coherent statement. Officers  
17 noted his eyes were glassy, his speech was slurred and he appeared to be unsteady on  
18 his feet. Frank denied knowledge of a knife. Officers were unable to locate the knife in  
19 the bedroom of the home.  
20


21   
22 JORDAN KILBY  
23 Deputy County Attorney

24 SUBSCRIBED AND SWORN TO before me this 4 day of June, 2015.

25   
26 JUSTICE OF THE PEACE  
27 ORDER  
28

1 Upon reading the foregoing Affidavit, the Court finds that there is probable cause to  
2 believe the above-named Defendant committed the crimes charged.

3 DATED this 7 day of June, 2015 at 2:33 ~~a.m.~~ p.m.  
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7 JUSTICE OF THE PEACE  
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