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OCT 21 2015

Justice Court

IN THE JUSTICE COURT OF THE STATE OF MONTANA,
IN AND FOR THE COUNTY OF MISSOULA
BEFORE Marie A Andersen, JUSTICE OF THE PEACE

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STATE OF MONTANA
Plaintiff,
-vs-
MATTHEW AARON SMITH
Defendant,

Dept No. 1
Cause No. CR-2015-976

COMPLAINT

JASON MARKS, Chief Deputy County Attorney, deposes and says that on or about the 22nd day of August, 2015, in Missoula County, the Defendant committed the offense of COUNT I: SEXUAL INTERCOURSE WITHOUT CONSENT, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-5-503, punishable by not less than 2 years or more than 100 years or life MSP and \$50,000 fine.

The facts constituting the offense are:

COUNT I: On or about the 22nd day of August, 2015, the above-named Defendant knowingly had sexual intercourse with Jane Doe without consent.

DATED this 21st day of October, 2015.



JASON MARKS
Chief Deputy County Attorney

Subscribed and sworn to before me this 21 day of October, 2015.


JUSTICE OF THE PEACE

COMPLAINT 15-2160

BRAD WALN, Missoula City Police Dept

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

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5 STATE OF MONTANA,
6 Plaintiff,

Cause No. *Cf-2015-976*

7 -vs-

8 MATTHEW AARON SMITH,
9 Defendant.

AFFIDAVIT OF PROBABLE CAUSE

9 STATE OF MONTANA)
10 : ss
11 County of Missoula)

12 JASON MARKS, Chief Deputy County Attorney, Montana, being first duly sworn
13 upon oath, deposes and says:


14 I have read the official law enforcement reports regarding the investigation of
15 MATTHEW AARON SMITH for allegedly committing the offense(s) set forth in the
16 complaint and based upon the information contained in the reports, if true, believe
17 probable cause exists to justify charging the above-named defendant as specified in the
18 accompanying complaint.
19

20 {Jane Doe} reported to Missoula City Police that on August 22, 2015, Matthew
21 Smith had raped her. She reported that she had previously been in an intimate
22 relationship with Smith but broke it off when she became suspicious that Smith was
23 lying to her about being single. She said on August 22 Smith came to her residence in
24 Missoula saying he wanted to talk. She said he kept trying to kiss her and pushed her
25 back into her residence. Once inside he pulled her into her bathroom against her will.
26 She described him then penetrating her vaginally with his penis. She said afterward he
27 apologized and left.
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1 On October 20, 2015, Matthew Smith was interviewed by Detective Waln.
2 Smith confessed that he had sexual intercourse with {Jane Doe} on August 22 and that
3 he had done so knowing that she did not want to have sex with him. He corroborated
4 {Jane Doe's} account of what had occurred except the degree of force he had used in
5 pulling her into her bathroom.
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8 
9 JASON MARKS
10 Chief Deputy County Attorney

11 SUBSCRIBED AND SWORN TO before me this 21 day of October, 2015.

12 
13 JUSTICE OF THE PEACE
14 ORDER

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

18 DATED this 21 day of Oct, 2015 at 1:13 a.m./p.m.

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21 JUSTICE OF THE PEACE
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