

FILED  
JUL 20 2016  
DISTRICT COURT

1 BRIAN LOWNEY  
2 Deputy County Attorney  
3 KIRSTEN H. PABST  
4 Missoula County Attorney  
5 Missoula County Courthouse  
6 Missoula, Montana 59802  
7 (406) 258-4737  
8 ATTORNEYS FOR PLAINTIFF

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

STATE OF MONTANA,  
Plaintiff,  
-vs-  
PATRICK PAUL POWELL,  
Defendant,

Department No. 1  
Cause No. CR-2016-680

**COMPLAINT**

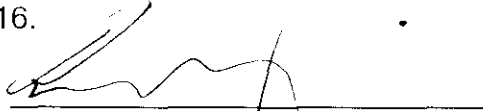
BRIAN LOWNEY, Deputy County Attorney, deposes and says that on or about the 15th day of July, 2016, in Missoula County, the Defendant committed the offense of COUNT I: STALKING - VICTIM UNDER PROTECTION OF RESTRAINING ORDER, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-5-220(3)[2nd], punishable by 5 years MSP and/or \$10,000 fine.

The facts constituting the offense are:

COUNT I: On or between the 19th day of May, 2016, and the 22nd day of July, 2016, the above-named Defendant purposely or knowingly caused Jane Doe substantial emotional distress and/or reasonable apprehension of bodily injury or death by repeatedly harassing, threatening, or intimidating Jane Doe, in person, by phone, by mail, by electronic communication or by any other action, device, or method. At the

1 time of the above offense, Jane Doe was under the protection of a restraining order  
2 directed at the Defendant.

3 DATED this 22nd day of July, 2016.

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6 BRIAN LOWNEY  
7 Deputy County Attorney

8 Subscribed and sworn to before me this 22<sup>nd</sup> day of July, 2016.

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10 \_\_\_\_\_  
11 JUSTICE OF THE PEACE

11 COMPLAINT 16-1760

12 JAMIE MERIFIELD, Missoula City Police Dept  
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1 Case DR-16-86. The *OOP* prohibits the Defendant from having any contact with Jane  
2 Doe, except for during designated times to set up Skype contact between the Defendant  
3 and the parties' minor child. The *OOP* also prohibits in-person contact between the  
4 Defendant and the parties' minor child, except for supervised visitation at Planet Kids.  
5

6 On May 19, 2016, Doe reported to police that the Defendant was continually  
7 communicating with her outside the bounds of the *OOP*, during times that were  
8 unauthorized by the *OOP*. Police responded and informed the Defendant of the  
9 strictures of the *OOP*, and that he was not to contact Doe outside of the designated  
10 times in the *OOP*.  
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12 On July 1, 2016, Doe reported to the police that, despite their warning, the  
13 Defendant continued to contact her in violation of the terms of the *OOP*. Police viewed  
14 text messages from the Defendant to Doe between June 27, 2016 and July 1, 2016,  
15 that occurred outside the bounds of the allowances made by the *OOP*, in a similar  
16 fashion to communications Doe reported in May 2016. Doe indicated her belief that the  
17 Defendant was harassing her, given the prior warning of the police.  
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19 On July 13, 2016, Doe called the police and reported that she had arrived home  
20 to discover a note tucked in between the boards of her gate, which had the word  
21 "DEAD" written on it. Additionally, carved into the wood of Doe's gate was the word  
22 "DEAD". On the same date, the Defendant posted a message to his Facebook page  
23 that read "Dead by the gate. I love that poem by the Bard of Thomond."  
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25 While interacting with Doe, police noted that her lower lip was quivering, that  
26 Doe's eyes were watering, her face and neck were red and that she appeared to be in  
27 disbelief. Doe stated that "this is serious, right? I'm right to be frightened?" Doe  
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1 indicated that she believed the Defendant's behavior was becoming increasingly out of  
2 touch with reality. Doe believed the Defendant's heavy alcohol consumption was  
3 playing a part in his harassment of her. Doe indicated that the Defendant has an  
4 "obsession" with firearms and war, and expressed that she was afraid of ending up like  
5 Charlie Wyrick, a woman who was murdered by her boyfriend in 2015. Doe indicated  
6 that the Defendant had continued to contact her outside the bounds of the OOP,  
7 subsequent to her last report on July 1, 2016.  
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10 On July 15, 2016, Doe again called the police again regarding the Defendant's  
11 harassment. Doe indicated that earlier that day, the Defendant had participated in his  
12 scheduled visitation with the parties' minor child at Planet Kids. At the end of the visit,  
13 the minor child presented two figurines to Doe that he had painted with the Defendant  
14 during the visit. On the bottom of one of the figurines was the word "DEAD". Doe  
15 expressed her fear of the Defendant was substantial enough for her to move out of her  
16 residence with their minor child at that point, and move to an undisclosed location.  
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20 BRIAN LOWNEY  
21 Deputy County Attorney

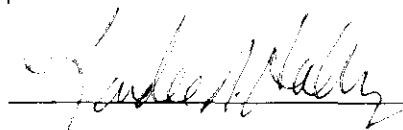
22 SUBSCRIBED AND SWORN TO before me this 22<sup>nd</sup> day of July, 2016.

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25 JUSTICE OF THE PEACE  
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ORDER

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

DATED this 27<sup>th</sup> day of July, 2016 at 1410 a.m./p.m.



JUSTICE OF THE PEACE

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