

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-
MICHAEL DAVID LEONARDINI,
Defendant,

Department No. 1
Cause No. CR-2016-983

COMPLAINT

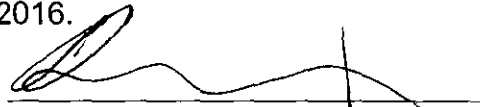
BRIAN LOWNEY, Deputy County Attorney, deposes and says that on or about the 1st day of October, 2016, in Missoula County, the Defendant committed the offense of COUNT I: PARTNER OR FAMILY MEMBER ASSAULT - 3RD OR SUBSEQUENT OFFENSE, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-5-206[3rd+], punishable by not less than 30 days or more than 5 years MSP and/or a fine not less than \$500 or more than \$50,000.

The facts constituting the offense are:


COUNT I: On or about the 1st day of October, 2016, the above-named Defendant purposely or knowingly caused bodily injury to Jane Doe, a partner.

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DATED this 2nd day of October, 2016.


BRIAN LOWNEY
Deputy County Attorney

Subscribed and sworn to before me this 2nd day of October, 2016.


JUSTICE OF THE PEACE

COMPLAINT 16-2353

KURT TROWBRIDGE, Missoula City Police Dept
PETER WOODS, Missoula City Police Dept
J. ERIC WEBER, Missoula City Police Dept

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13 STATE OF MONTANA,
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15 Plaintiff,
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17 -vs-
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19 MICHAEL DAVID LEONARDINI,
20
21 Defendant,

22 Department No. 1
23 Cause No. CR-2016-983
24
25 **AFFIDAVIT OF PROBABLE CAUSE**

26 STATE OF MONTANA)
27 : ss
28 County of Missoula)

29 BRIAN LOWNEY, Deputy County Attorney, Montana, being first duly sworn upon
30 oath, deposes and says:

31 I have read the official law enforcement reports regarding the investigation of
32 MICHAEL DAVID LEONARDINI for allegedly committing the offense(s) set forth in the
33 complaint and based upon the information contained in the reports, if true, believe
34 probable cause exists to justify charging the above-named defendant as specified in the
35 accompanying complaint.
36

37 On or about October 1, 2016, at approximately 9pm, Missoula Police Department
38 officers responded to a report of an assault on the 3700 block of Russell Avenue,

1 Missoula County, MT. Officers were called to the scene by two passersby who
2 observed the Defendant "punching" and "beating on" the victim, Jane Doe, while Doe
3 and the Defendant walked down the street.
4

5 Officers located Doe at her address near the site of the reported assault. Doe
6 indicated that the Defendant was her boyfriend. Doe reported that the Defendant had
7 been drinking earlier in the day and that just before the attack, the Defendant wanted
8 Doe to accompany him to the store to purchase more alcohol. Doe indicated she did so
9 because she believed the Defendant would be upset with her if she didn't go. While
10 Doe was walking with the Defendant, he began to call her vulgar names, and Doe
11 responded that she "didn't want to live like this anymore." The Defendant responded by
12 telling her "that was the wrong thing to say", at which point he pulled Doe's hair, threw
13 her to the cement and threatened to kill her. The Defendant then twisted Doe's neck by
14 pulling violently on her hair, and then began to slap and punch her. Doe indicated the
15 Defendant's blows caused pain, and told officers during the time she spoke with them
16 that she could not "lift her head all the way up" due to the pain in her neck.
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18

19 Officers spoke with two separate witnesses who observed the Defendant hitting
20 Doe, and who called police because of what they saw. One witness was driving by the
21 3700 block of Russell and indicated she saw the Defendant "swinging down" at Doe and
22 believed the Defendant to be hitting Doe. That witness turned around and contacted
23 Doe, who told the witness "I'm not ok, he's coming after me." The witness provided her
24 phone for Doe to call 911.
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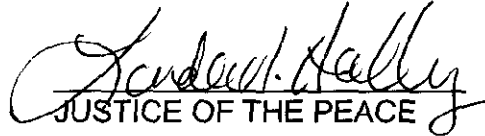
27 The second witness was driving by in a different vehicle and observed the
28 Defendant hit Doe in the face "pretty hard" with an open hand. The second witness

1 observed an unidentified male attempt to help Doe, at which point the Defendant ran
2 away from the scene. The second witness called 911 as well.

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4 Officers contacted the Defendant, who was heavily intoxicated. The Defendant
5 told officers the dispute between he and Doe was a not physical, but only a "verbal
6 assault".

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9 BRIAN LOWNEY
Deputy County Attorney

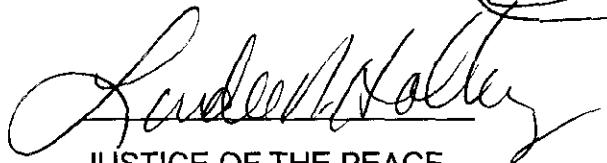
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11 SUBSCRIBED AND SWORN TO before me this 2nd day of October, 2016.

12
13 
14 JUSTICE OF THE PEACE

15 ORDER

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

19 DATED this 2nd day of Oct, 2016 at 3:23 a.m./p.m.

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22 JUSTICE OF THE PEACE
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-VS-
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Defendant,

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Cause No. CR-2016-983

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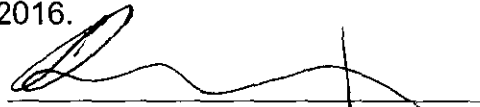
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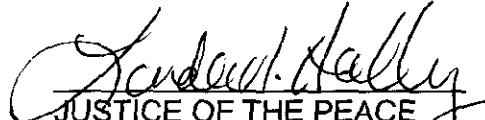
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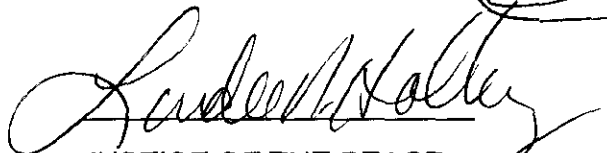
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