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DEC 12 2016

Justice Court

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KARLA PAINTER  
Deputy County Attorney  
KIRSTEN H. PABST  
Missoula County Attorney  
Missoula County Courthouse  
Missoula, Montana 59802  
(406) 258-4737  
ATTORNEYS FOR PLAINTIFF

IN THE JUSTICE COURT OF THE STATE OF MONTANA  
IN AND FOR THE COUNTY OF MISSOULA  
BEFORE, Landee N. Holloway, JUSTICE OF THE PEACE

STATE OF MONTANA,  
  
Plaintiff,  
  
-VS-  
  
DAVIS NELSON GIBSON,  
  
Defendant,

Department No. 2  
Cause No. CR-2016-1224  
**COMPLAINT**

KARLA PAINTER, Deputy County Attorney, deposes and says that from approximately March 2, 2016 to December 9, 2016, in Missoula County, the Defendant committed the offenses of COUNT I: ACCOUNTABILITY FOR THEFT BY COMMON SCHEME, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-6-301 (1) [4] and 45-2-302, punishable by 10 years MSP and/or \$50,000 fine; COUNT II: ACCOUNTABILITY FOR FORGERY BY COMMON SCHEME, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-6-325(4) and 45-2-302, punishable by 20 years MSP and/or \$50,000 fine; COUNT III: ACCOUNTABILITY FOR THEFT OF IDENTITY, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-6-332(2)(b) and 45-2-302, punishable by 10 years MSP and/or \$10,000 fine; COUNT IV: ACCOUNTABILITY FOR DECEPTIVE PRACTICES BY COMMON SCHEME, a Felony, in

1 violation of Montana law, namely: Mont. Code Ann. 45-6-317[2] and 45-2-302 punishable  
2 by 10 years MSP and/or \$50,000 fine.

3 The facts constituting the offense are:

4  
5 COUNT I: From approximately March 2, 2016 to December 9, 2016, the above-  
6 named Defendant purposely or knowingly, either before or during the commission of the  
7 thefts, with the purpose to promote or facilitate the commission of those offenses,  
8 solicited, aided, abetted, agreed, or attempted to aid Tammara Smola, Darcy Segal,  
9 Malinda Grafft, Regina Leistiko, Aaron Grafft, Dawn Rupp, or Megan Baughman in  
10 obtaining or exerting unauthorized control over money owned by other individuals with  
11 the purpose of depriving the owners of the property. These thefts were committed as  
12 the purpose of depriving the owners of the property. These thefts were committed as  
13 part of a common scheme and the value of the property taken exceeds \$1,500.00.


14  
15 COUNT II: From approximately March 2, 2016 to December 9, 2016, the above-  
16 named Defendant, with the purpose to defraud, knowingly either before or during the  
17 commission of the forgeries, solicited, aided, abetted, agreed, or attempted to aid  
18 Tammara Smola, Darcy Segal, Malinda Grafft, Regina Leistiko, Aaron Grafft, Dawn  
19 Rupp, or Megan Baughman in without authority making or altering checks apparently  
20 capable of being used to defraud others in the manner that they purported to have been  
21 made by others. These forgeries were committed as part of a common scheme.

22  
23 COUNT III: From approximately March 2, 2016 to December 9, 2016, the above-  
24 named Defendant purposely or knowingly, either before or during the commission of the  
25 theft of identity, with the purpose to promote or facilitate the commission of that offense,  
26 solicited, aided, abetted, agreed, or attempted to aid Tammara Smola, Darcy Segal,  
27 Malinda Grafft, Regina Leistiko, Aaron Grafft, Dawn Rupp, or Megan Baughman in  
28

1 obtaining personal identifying information of other persons and using that information to  
2 obtain or attempt to obtain credit, goods, services, financial information, or medical  
3 information in the name of the other persons without the consent of those other  
4 persons. The economic benefit gained or attempted to be gained exceeded \$1,5000.  
5

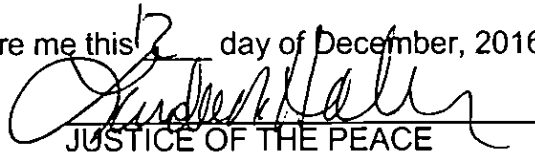
6 COUNT IV: From approximately March 2, 2016 to December 9, 2016, the above-  
7 named Defendant purposely or knowingly, either before or during the commission of the  
8 deceptive practices, with the purpose to promote or facilitate the commission of that  
9 offense, solicited, aided, abetted, agreed, or attempted to aid Tammara Smola, Darcy  
10 Segal, Malinda Grafft, Regina Leistiko, Aaron Grafft, Dawn Rupp, or Megan Baughman  
11 in causing others, by deception to execute documents disposing of property or  
12 documents by which pecuniary obligations were incurred. The deceptive practices were  
13 part of a common scheme.  
14

15 DATED this 12th day of December, 2016.

16  
17 

18 KARLA PAINTER  
19 Deputy County Attorney

20 Subscribed and sworn to before me this 12 day of December, 2016.

21   
22 JUSTICE OF THE PEACE

23 COMPLAINT 16-2974  
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 3 KIRSTEN H. PABST  
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 10 IN THE JUSTICE COURT OF THE STATE OF MONTANA  
 11 IN AND FOR THE COUNTY OF MISSOULA  
 12 BEFORE, Landee N. Holloway, JUSTICE OF THE PEACE

13 STATE OF MONTANA,  
 14  
 15 Plaintiff,  
 16  
 17 -vs-  
 18  
 19 DAVIS NELSON GIBSON,  
 20  
 21 Defendant,

22 Department No. 2  
 23 Cause No. CR-2016-1224  
 24  
 25 AFFIDAVIT OF PROBABLE CAUSE

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

29 KARLA PAINTER, 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 DAVIS NELSON GIBSON for allegedly committing the offenses set forth in the complaint  
 33 and based upon the information contained in the reports, if true, believe probable cause  
 34 exists to justify charging the above-named defendant as specified in the accompanying  
 35 complaint.  
 36

37 The following is taken verbatim from pertinent portions of the most recent  
 38 supplemental case reports of Missoula Police Detective Stacy Lear:

1 On or about March 2, 2016, Joseph Detemple's personal identification was stolen  
2 from a motor vehicle parked at his residence at the 100 block of Tahoe Drive.

3 On or about July 29, 2016, checks belonging to Daniel Divita were stolen from  
4 his vehicle while it was parked in the 4000 block of Yorkshire Place. Nine checks  
5 totaling \$2,340.37 were then passed in the City of Missoula and in Missoula County  
6 between July 31, 2016 and August 3, 2016. One check for \$810.00 was written to  
7 Tammara Smola.  
8

9 Between August 20, 2016 and September 12, 2016, seven stolen, forged checks  
10 belonging to Linzie Norman were passed totaling \$1,876.71. Video surveillance from  
11 the Missoula Gold and Silver Exchange at 2020 Brooks Street showed Darcy Segal  
12 passing one of the checks for \$996.40. Linzie's checks were stolen from her mailbox on  
13 the 1000 block of Holmes Street.  
14

15 On or about August 25, 2016, Jack Lagoni's checkbook was stolen from his  
16 residence on the 400 block of North Surrey Street. Between August 30, 2016 and  
17 September 1, 2016, a male and two females passed four of Jack Lagoni's stolen checks  
18 at Orange Street Food Farm at 701 S. Orange Street totaling \$1,236.39. Store  
19 surveillance showed one of the females was Darcy Segal.  
20

21 On September 27, 2016, Maggie Lea Anderson's driver's license and \$50.00  
22 cash were stolen from her workplace at Freddy's Frozen Custard at 4855 N. Reserve  
23 Street.  
24

25 Between October 1 and October 6, 2016, Tammara Smola gave stolen, forged  
26 checks totaling \$1,961.27 belonging to Michaela Malsch to Dawn Rupp and Meaghan  
27  
28

1 Baughman to cash on Tammara's behalf after Tammara became well-known for  
2 passing stolen, forged checks.

3 In a recorded statement after waiving her Miranda rights, Dawn Rupp admitted  
4 she had cashed several checks for Tammara, who had instructed her to buy items at  
5 the Walmart on Mullan that Tammara could then return for cash. Dawn also saw  
6 Tammara give checks and identification for Jaclynn Neumann to Meaghan Baughman  
7 to perpetrate the same scheme. In exchange, Dawn was to receive methamphetamine.  
8 After some of the checks were declined, Dawn burned the remaining checks. Walmart  
9 provided video surveillance which showed Dawn Rupp and Meaghan Baughman  
10 passing the checks.  
11  
12

13 On October 9, 2016, Darcy Segal, accompanied by Tammara Smola, went to  
14 Jumbo Jacks at 3705 Highway 200 East and cashed a stolen, forged check for \$50.00  
15 using Deanna Sharbono's stolen identity. The check was stolen from Steven Johnson  
16 on the 1800 block of Sherwood Street.  
17

18 On October 9, 2016, Tammara Smola and Darcy Segal went to Noon's at 1605  
19 South Russell Street and passed two stolen, forged checks belonging to S. N. Culligan  
20 and K.N. Dotson totaling \$545.94. Both were identified from surveillance footage and  
21 left together in a silver Nissan Versa. The name signed on the check was "Susan  
22 Culligan" and the items purchased included prepaid cards and lottery tickets.  
23

24 On October 18, 2016, Maggie Lea Anderson's stolen identification card was used  
25 to pass a forged check from First Security Bank totaling \$94.98 at Albertson's.  
26

27 On or about October 21, 2016, a theft from a motor vehicle was reported at  
28 Sergey Kirichenko's residence on the 4000 block of Larkspur Drive. A Stihl leaf blower

1 (valued at about \$400.00), a Costco "jumper box (valued at about \$90.00), and several  
2 checks had been taken.

3           On October 26, 2016, John Anderson, manager of the Tina Trailer Court,  
4 contacted 911 to state he had surveillance video showing theft of mail. Officer Jenna  
5 Volinkaty identified Tammara Smola in her silver 2009 Nissan Versa as the person  
6 stealing mail from the mailbox of Michael and Donna Brown at the 3000 block of Tina  
7 Avenue.  
8

9           On October 27, 2016, a female using the Montana Driver's License of Jennifer  
10 Aster went to US Bank at 209 East Spruce Street and attempted to cash a stolen,  
11 forged check belonging to Frank and Jen Oliveira for \$2,565.00. Bank employee Marley  
12 Bicha called the victims and learned the check had been stolen from their mailbox at the  
13 1100 block of Tower Street the same morning. The suspect left leaving the identification  
14 and check behind, both of which were logged into evidence.  
15  
16

17           Between October 28, 2016 and November 16, 2016 seven stolen, forged checks  
18 totaling \$1,175.81 were passed at Noon's at 540 East Broadway by Tammara Smola  
19 and Darcy Segal, who were later identified from store video surveillance and, later, by  
20 their own admissions. Four of the checks were written from Misty Hawkins-Oliver's  
21 account, two were from Sergey Kirichenko's account, and one was from Julian  
22 Dullinger's account. Each time, purchases were for candy, cigarettes, and lottery tickets.  
23 Julian Dullinger reported his checks were stolen in a vehicle break-in while his it was  
24 parked at Westside Lanes. He also reported he has had other stolen, forged checks  
25 passed in Missoula County.  
26  
27  
28

1 On October 30, 2016, two females went to Rosauer's at 2350 S. Reserve Street  
2 and attempted to cash a forged, stolen check belonging to Sergey Kirichenko using a  
3 stolen Texas identification card belonging to Debra Bartlett. Rosauer's surveillance  
4 showed Tammara Smola as one of the female suspects.  
5

6 On October 31, 2016, Malinda Grafft went to First Security Bank at 3010  
7 American Way and attempted to open a new account using two stolen, forged checks  
8 totaling \$1,072.00. Bank employee Crystal White began assisting Grafft but ultimately  
9 refused the transaction. One of the checks Grafft had provided belonged to Annie  
10 Watson and was stolen from her mailbox on the 500 block of Canyon Gate Drive along  
11 with four other checks. The other check Grafft attempted to use was stolen from Misty  
12 Hawkins-Oliver.  
13

14 On November 1, 2016, Davis Gibson went to Missoula Federal Credit Union at  
15 126 West Spruce Street and attempted to pass a stolen, forged check for an unknown  
16 amount using the stolen identity of Joseph Detemple. MFCU notified Joseph, who made  
17 a police report and referenced having reported his identity stolen in March 2016.  
18

19 Also on November 1, 2016, Davis Gibson went to First Montana Bank at 3309  
20 Brooks Avenue and cashed two stolen, forged checks belonging to Alysha Martin and  
21 totaling \$900.00 using the stolen identity of Joseph Detemple. The checks were stolen  
22 from the 100 block of Turner Court on October 31, 2016.  
23

24 On November 3, 2016, Tammara Smola went to First Interstate Bank at 3502  
25 Brooks Street and used Emily Jensen's stolen passport to attempt to cash a stolen  
26 check belonging to Jonathan Graham and Joy Cooper. The bank refused to cash the  
27 check after calling the victims and learning it had been stolen from their mailbox at the  
28



1 100 block of Takima Drive. Tammara was identified through bank video surveillance  
2 photographs.

3           On November 4, 2016, Davis Gibson went to Park Side Credit Union at 2300  
4 Great Northern Avenue and cashed a stolen, forged check belonging to Michael Metcalf  
5 for \$400.00 using the stolen identity of Joseph Detemple. That check and two others  
6 were stolen from the 1600 block of South 10th Street.  
7

8           On November 5, 2016, Davis Gibson went to two different branches of First  
9 Security Bank. At the first branch he attempted to pass a stolen, forged check  
10 belonging to Paul and Julia Stock but was denied. At the second branch, he  
11 successfully cashed a stolen, forged check belonging to Paul and Julia Stock in the  
12 amount of \$640.00 using the stolen identity of Joseph Detemple.  
13

14           Beginning on November 5, 2016, Malinda Grafft and her estranged husband,  
15 Aaron Grafft, passed or attempted to pass several stolen checks. Kim Bauer, an  
16 employee at First Montana Bank at 3309 Brooks Street, stated that on November 5,  
17 2016, Malinda attempted to cash a check for \$730.00 from Ryder-Missoula, which  
18 turned out to be a closed account. Kim identified Malinda from her driver's license,  
19 which was presented when Malinda tried to open an account. Kim further stated that on  
20 November 7, 2016, Malinda Grafft cashed a check for \$605.00 which was later  
21 determined to have been stolen from Becky and Kevin Stepusin's mailbox on the 6700  
22 block of Gharrett Street. Kim also recalled on that same day, Aaron Grafft came in with  
23 an unidentified female and attempted to open a bank account with a check for \$726.87  
24 which was from a counter check by Malinda Grafft. Aaron was identified from bank  
25 video surveillance. Lastly, on November 9, 2016, Malinda came to the drive-through  
26  
27  
28

1 with another female in a Toyota Camry and attempted to cash a check for \$730.00  
2 which was a forged, stolen check belonging to Misty Hawkins-Oliver.

3  
4 Between October 10, 2016 and November 8, 2016, stolen, forged checks were  
5 cashed through MFCU using stolen identities. MFCU employee Kelsey Gordon  
6 compiled documentation which identified Tammara Smola, Darcy Segal, Malinda Grafft,  
7 Regina Leistiko, and Davis Gibson as suspects in passing 21 checks totaling  
8 \$15,123.84. The stolen identities of Emily Jensen and Joseph Detemple were used in  
9 some cases. Vehicles belonging to Regina Leistiko and Tammara Smola were used in  
10 the commission of the crimes. The majority of the checks (13) were written out directly  
11 to Tammara, Darcy, Malinda, and Regina. One of the forged checks was a stolen  
12 check belonging to Jaclynn Neuman and was cashed by Regina Leistiko for \$925.00.

13  
14 By this time, there had been at least 23 related reports in the city of Missoula for  
15 thefts of mail, thefts of identification, thefts from motor vehicles, forgery, theft, and  
16 identity-theft wherein the total value of stolen property exceeded \$33,000.00.

17  
18 On November 9, 2016, law enforcement officers located a white Toyota Camry  
19 registered to Alan Smola, (Tammara Smola's ex-husband) parked by room number 604  
20 at the Brooks Street Motor Inn. The room had been rented to Malinda Grafft. Officers  
21 then observed Darcy, Tammara, and Aaron Grafft get into the Toyota and Darcy drive  
22 away. Officers knew Darcy had a suspended driver's license and stopped the Toyota.  
23

24 Darcy was arrested and taken to jail. She refused a consent search of her wallet  
25 and purse which were in the Toyota. Officer Jenna Volinkaty obtained a search warrant  
26 for those items and located and seized the stolen identification of Maggie Anderson and  
27  
28

1 Jaclynn Neumann as well as prepaid cards, credit/debit cards, and stolen checks with a  
2 total value of \$1,483.43.

3  
4 In a recorded statement after waiving her Miranda rights, Darcy admitted she has  
5 been working with Tammara Smola and Malinda Grafft to cash checks which she knew  
6 to be stolen and knew to be forged on six or more occasions. She indicated the checks  
7 were used to purchase food, clothing, and lottery scratch cards. Segal stated she  
8 learned how to do this type of scheme through her acquaintance with Nate Swenson  
9 and Cassandra Megaard, both of whom have been incarcerated at the Missoula County  
10 Detention Facility since October 14, 2016.

11  
12 Tammara Smola gave consent to search the Toyota. Inside, a package with  
13 Malinda's name on it was located which contained stolen identification cards, altered  
14 stolen checks, and bank receipts. A methamphetamine pipe was also located in the  
15 vehicle.

16  
17 Malinda Grafft gave consent to search hotel room 604. During the search,  
18 numerous items of stolen identification, including Bartlett's and Detemple's, were seized  
19 as were stolen checks and MoneyGrams totaling \$12,329.00. Many of the checks  
20 smelled of acetone and were still wet. Grafft told officers she "found" the identification  
21 cards, mail, and checks on the ground or while dumpster diving. Afterwards she did not  
22 respond to requests to provide a formal statement.

23  
24 Between November 13, 2016 and November 28, 2016, a female in a white or  
25 silver vehicle was observed at a private residence on the 6000 block of Miller Creek  
26 Road parked by the mailbox. Subsequently, a female attempted to cash a stolen check  
27 at MFCU that belonged to Douglas Woodahl, the resident of that address, having  
28

1 altered the check's payee and the amount to \$550.00. MFCU refused to cash the check  
2 and provided surveillance and documentation indicating the involvement of Tammara  
3 Smola, Darcy Segal, Malinda Grafft, and Regina Leistiko.

4  
5 On November 16, 2016, Tammara Smola and Regina Leistiko went to Noon's at  
6 540 E Broadway and attempted to use the stolen credit card of Alexander Bear to make  
7 a \$150.00 purchase, but were denied. Tammara and Regina were identified from store  
8 video surveillance.

9  
10 On November 17, 2016, Tammara Smola went to Noon's at 540 E. Broadway  
11 and attempted to purchase clothing, food, and lottery tickets valued at approximately  
12 \$49.93 with a forged, stolen check belonging to Misty Hawkins-Oliver. Video  
13 surveillance was provided and the suspect vehicle matched Tammara's Toyota Camry.

14  
15 On November 17, 2016, Detective Shelagh More took a recorded statement from  
16 Aaron Grafft after he waived his Miranda rights. Aaron stated he and Malinda Grafft are  
17 separated and that she had recently started seeing Davis Gibson, who was involved  
18 with methamphetamine use. Aaron is also a frequent user of meth. Aaron claimed the  
19 stolen, forged checks he had cashed or attempted to cash were given to him by  
20 Malinda. Aaron claimed he had no other involvement or knowledge of the check  
21 scheme and had met Darcy Segal for the first time on November 9, 2016 during the  
22 traffic stop. In a consent search of Aaron's backpack, numerous items of fix kit  
23 paraphernalia were located.

24  
25 On November 20, 2016, Tammara Smola went to Holiday Gas Station at 605 S.  
26 Higgins Avenue and attempted to cash a stolen check belonging to Lou Ann Sharkey.  
27  
28

1 The gas station refused to cash the check, which had been stolen from the victim's  
2 mailbox on the 2100 block of 39th Street on November 19, 2016.

3  
4 On or about November 28, 2016, a check was stolen from the mailbox of Gordon  
5 Friberg on the 3500 block of Southpointe Drive. To date, the check has not been  
6 passed.

7 On November 29, 2016, MFCU called 911 after known suspect Davis Gibson  
8 came to 2610 N. Reserve Street to apply for a loan. Officers located Tammara Smola's  
9 silver 2009 Nissan Versa in a nearby parking lot and could see what appeared to be  
10 stolen mail and other contraband in the Nissan. The Nissan was seized pending a  
11 warrant search. Officers contacted Davis Gibson, who voluntarily handed over stolen  
12 mail which he stated he had stolen from the Huson area earlier the same day while he  
13 was with Tammara Smola and Malinda Grafft.  
14

15 In a recorded statement after waiving his Miranda rights, Davis admitted to his  
16 involvement in these cases. He stated that together with Malinda Grafft and Tammara  
17 Smola, he had participated in the stealing of mail for the purposes of obtaining checks,  
18 which were then altered and cashed using stolen identities. Davis specifically admitted  
19 to having used Joseph Detemple's identification to cash checks. Davis stated the  
20 motivation was to obtain money for methamphetamine. He indicated a "Sharper Image"  
21 backpack would be found in the Nissan which would be his, and which would likely  
22 contain drugs and paraphernalia. Davis indicated he was also aware of someone who  
23 was making counterfeit cash, but then invoked and would not answer further questions.  
24  
25

26 In a warrant search of the Nissan, a small quantity of methamphetamine (0.3  
27 grams) and numerous items of paraphernalia (including 36 used needles and multiple  
28

1 fix kits) were seized. Also in the vehicle were implements for check washing and stolen  
2 mail. Three backpacks were inside and when searched, each contained stolen mail as  
3 well as drug paraphernalia. The backpacks belonged to Davis Gibson ("Shaper Image"  
4 pack), Malinda Grafft ("Swiss Gear" pack), and Tammara Smola ("Pink/Camo" pack).  
5

6 In a recorded statement after waiving her Miranda rights on November 29, 2016,  
7 Tammara admitted to her involvement in an ongoing scheme over the past several  
8 months which involved stealing mail from mailboxes for the purpose of obtaining  
9 checks, "washing" the checks with acetone, altering the checks, using stolen identities  
10 to cash the checks, and working with other individuals including Davis Gibson to  
11 perpetrate this scheme. She corroborated Davis's statement about the activities of  
12 November 28, 2016 in which she, Davis, and Malinda were stealing mail in Huson and  
13 then took Davis to MFCU in furtherance of the scheme. Tammara claimed she had  
14 "burned" or "ripped up" all remaining evidence in her possession after Davis was  
15 interviewed. Tammara stated she had also worked with Darcy Segal and Regina  
16 Leistiko on this scheme, and recalled giving checks to Dawn Rupp and Meaghan  
17 Baughman to cash for her at Walmart after employees there began recognizing  
18 Tammara. Tammara would not provide any other names, but state, "the ringleaders are  
19 in jail."  
20  
21  
22

23 Tammara specifically recalled using the identities or checks of Misty Hawkins-  
24 Oliver and someone named "Humber" most recently. She indicated the first time she  
25 performed this scheme was at Shopko "a couple of months ago." Tammara said the  
26 purpose of the scheme was to support her meth addiction, where she uses "a b" ("ball")  
27 which is about 3.75 grams, per day. She said that amount of meth costs \$200.00. She  
28

1 also stated she borrowed her ex-husband's Toyota Camry and used that car in some of  
2 the crimes. Tammara added that she tried to write each check for \$600.00 to \$800.00 in  
3 an attempt avoid a felony charge if caught, because she believed the threshold to be  
4 \$1,000.00.  
5

6 On December 3, 2016, Aaron Grafft successfully exchanged a \$100.00  
7 counterfeit bill for five \$20.00 bills at Rowdy's Cabin Casino at 4880 N. Reserve Street.  
8 That same day, Grafft attempted the exact same crime at the Stone of Accord.  
9 Employee Hoa Pham recognized the bill as counterfeit and gave the bill to police.  
10 Aaron admitted to Sergeant Jerry Odlin that he knew the bill was counterfeit and  
11 claimed he got it from Davis Gibson.  
12

13 On December 7, 2016, Davis Gibson went to First Interstate Bank and attempted  
14 to cash a stolen, forged check for \$555.00 which had been stolen from Richard  
15 Schafer's mailbox at the 2400 block of Briggs Street. The bank refused the check.  
16

17 On December 8, 2016, Tammara Smola, Darcy Segal, and Daniel Snider went to  
18 Albertson's at 1003 E. Broadway Street where Tammara attempted to cash a stolen  
19 check belonging to Julian Dullinger for \$392.00 using the stolen identity of Maggie  
20 Anderson. This offense occurred only days after Tammara confessed and was made  
21 aware that charges would be pending.  
22

23 During a routine inventory search of Tammara's purse by detention center staff, a  
24 stolen check belonging to James and Betty Basolo and a deposit ticket under the name  
25 Alva and Dana Sharbono (another known victim) were located and seized by patrol.  
26 Tammara was arrested and cited into municipal court for misdemeanor theft.  
27  
28

1 Darcy Segal was arrested for outstanding warrants and for obstructing after giving a  
2 false name to officers. Daniel Snider was arrested on a no bond PFMA warrant. Daniel  
3 had drugs (0.5 grams) that tested presumptive positive for methamphetamine on his  
4 person and was cited for felony possession of dangerous drugs. Both Segal and Smola  
5 were released from jail on December 8, 2016.  
6

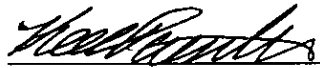
7 On December 9, 2016, Davis Gibson went to First Interstate Bank at 3502  
8 Brooks Street and attempted to cash a forged check belonging to Canary Sound Design  
9 in the amount of \$580.00. The signature line of the check was illegible. Bank employee  
10 Kendall Edwards and others recognized Gibson from prior forgery incidents and called  
11 law enforcement. Sargent Denton arrived on the scene and arrested Gibson. Officer  
12 Potter searched Gibson and discovered a machete with an eleven-inch blade. She also  
13 located several blank checks, check receipts, ledgers, and other financial documents.  
14 Sargent Denton discovered a cigarette box which contained 5 grams of marijuana and a  
15 plastic bindle with white crystalline substances. When Gibson saw Sargent Denton  
16 locate the box, he became very angry and stated someone had sold him \$200 worth of  
17 rock salt that he thought was meth. Sargent Denton performed a NIK test on the  
18 substance but it did not yield a positive result for meth.  
19  
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21

22 Gibson advised officers he was staying next door at the Howard Johnson by  
23 himself. Officers responded to the scene and spoke with an employee who advised  
24 them Gibson and another female had ridden up on two bikes which they had  
25 abandoned at the motel. The employee said that Gibson had already checked out but  
26 consented to a search of the property. Sargent Denton entered Gibson's room and  
27 observed what appeared to be stolen mail as well as several used and uncapped  
28



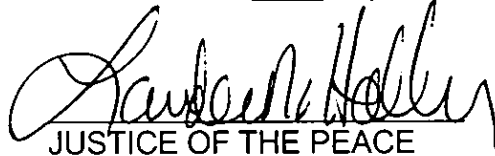
1 needles. The manager at the Howard Johnson stated there had been at least four  
2 people staying in the room.

3  
4 As of December 9, 2016, the value of the property obtained or attempted to be  
5 obtained is at least \$34,719.28 with at least 47 victims across at least 31 individual law  
6 enforcement reports. Additional cases are reported to have occurred in Missoula  
7 County, Ravalli County, and Lake County. The most recent crimes committed in the  
8 City of Missoula were perpetrated on December 7th, 8th, and 9th, 2016 by Davis  
9 Gibson, Tammara Smola, and Darcy Segal after they had been interviewed in this  
10 investigation and while they were fully aware that there were potential pending criminal  
11 charges. It appears new crimes are being perpetrated on a daily basis.  
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16 KARLA PAINTER  
17 Deputy County Attorney

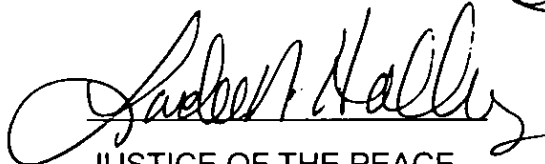
18 SUBSCRIBED AND SWORN TO before me this 12<sup>th</sup> day of December, 2016.

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21 JUSTICE OF THE PEACE  
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3 ORDER

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

6 DATED this 12<sup>th</sup> day of December, 2016 at 1:08 a.m./p.m.

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9 JUSTICE OF THE PEACE

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