

APR 24 2017

Justice Court

1 JASON MARKS  
 Chief Deputy County Attorney  
 2 KIRSTEN H. PABST  
 Missoula County Attorney  
 3 Missoula County Courthouse  
 4 Missoula, Montana 59802  
 (406) 258-4737  
 5 ATTORNEYS FOR PLAINTIFF

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

9  
 10 STATE OF MONTANA,  
 Plaintiff,  
 11  
 -VS-  
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 13 IAN JAMES FIORINO,  
 Defendant,  
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Department No.  
 Cause No. CR-2017-444

**COMPLAINT**

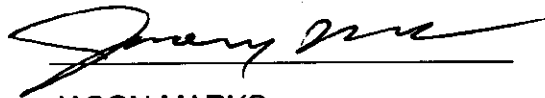
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 17 JASON MARKS, Chief Deputy County Attorney, deposes and says that on or about  
 18 the 12th day of April, 2017, in Missoula County, the Defendant committed the offense of  
 19 COUNT I: ATTEMPTED DELIBERATE HOMICIDE, a Felony, in violation of Montana law,  
 20 namely: Mont. Code Ann. 45-5-102[1] and 45-4-103, punishable life imprisonment, or not  
 21 less than 10 or more than 100 years MSP.  
 22

The facts constituting the offense are:

23  
 24 COUNT I: On or about the 12th day of April, 2017, the above-named Defendant,  
 25 with the purpose to commit the offense of deliberate homicide be committed, fired a .45  
 26 caliber pistol at Leah Morton.  
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DATED this 24th day of April, 2017.

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JASON MARKS  
Chief Deputy County Attorney

Subscribed and sworn to before me this 24<sup>th</sup> day of April, 2017.



JUSTICE OF THE PEACE

COMPLAINT 17-1018

MATT STONESIFER, Missoula City Police Dept

APR 24 2017

Justice Court

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IN AND FOR THE COUNTY OF MISSOULA  
BEFORE, Lancee N. Holloway, JUSTICE OF THE PEACE

STATE OF MONTANA,  
  
Plaintiff,  
  
-vs-  
  
IAN JAMES FIORINO,  
  
Defendant,

Department No.  
Cause No. CR-2017-444

**AFFIDAVIT OF PROBABLE CAUSE**

STATE OF MONTANA     )  
                                      : ss  
County of Missoula     )

JASON MARKS, Chief 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 IAN JAMES FIORINO 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 12<sup>th</sup> day of April, 2017, Missoula City Police responded to calls of a shot fired at the Corso Apartments in the area of 1665 Milwaukee Way in Missoula.

1 Upon arrival officers found a spent .45 caliber shell casing in the parking lot as well as  
2 silver paint flecks.

3 Officers obtained surveillance video from the apartment building which  
4 documented the shooting and interviewed witnesses. They learned that the occupants  
5 of two vehicles in the parking lot, subsequently determined to be a blue Hyundai Elantra  
6 and a silver Dodge Caliber, had been in a verbal dispute. A male with a bandana over  
7 his face who had arrived in another vehicle that was described as a "burnt orange" color  
8 passenger car, subsequently determined to be a Subaru Impreza, approached with a  
9 gun behind his back. He fired one shot at the silver Dodge which then sped away. All  
10 of the vehicles involved had left the scene prior to police arriving.

11 Law enforcement located the silver Dodge at a hotel on Airway Blvd in Missoula.  
12 It had a gouge on the driver's side passenger door, slightly below the window, which  
13 was consistent with a bullet strike. Police made contact with the Leah Morton at the  
14 hotel and she agreed to be interviewed by detectives.

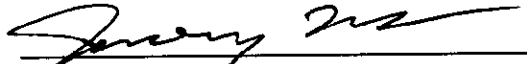
15 Morton told detectives that a few days prior to April 12, 2017, she had arranged  
16 to buy methamphetamine but had instead stolen it. She identified the person she had  
17 stolen it from as {L.M.}, age 17. She said on April 12<sup>th</sup> an unknown man in a blue  
18 passenger car started following her and ramming her vehicle, the silver Dodge Caliber.  
19 Detectives later determined that the male was Cory Kendall with {L.M.} as his  
20 passenger. Morton called a friend for assistance and stopped in the parking area of the  
21 Corso Apartments. She said she was confronting the occupants of the blue car when  
22 an unknown male walked up with a handgun. He fired one round at her after she was  
23 back in her car and she fled.

1 Detectives interviewed Cory Kendall who admitted being the driver of the blue  
2 car involved. He told varying accounts of what happened but said that he knew there  
3 was a dispute over stolen property. He denied knowing who the male was that arrived  
4 and fired the shot. A search was conducted of Kendall's car which revealed, among  
5 other things, a cell phone. A search of the call log on the phone showed a call shortly  
6 before the shooting to Jennifer Hall. There was another call made to Jennifer Hall's  
7 number shortly after the shooting.  
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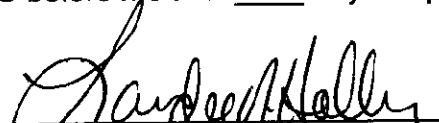
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10 In an unrelated DUI investigation, a Montana Highway Patrol trooper made  
11 contact with Jennifer Hall on April 15, 2017. She was driving a rust colored Subaru  
12 Impreza and Ian Fiorino was a passenger. The trooper noted a holster and an unfired  
13 .45 caliber cartridge were in the car. Upon learning of this encounter, Detective  
14 Stonesifer compared the witness descriptions of the shooter with the information on  
15 Fiorino's driver's license and determined that Fiorino's age, height, weight, and hair  
16 color, were generally consistent with the description of the shooter.  
17

18 On April 20, 2017, detectives interviewed Jennifer Hall after she was located by  
19 patrol officers. She admitted that the orange passenger car in the surveillance footage  
20 of the shooting was her car. She said that prior to the shooting Ian Fiorino was the one  
21 driving her car. She said that {L.M.} called her phone and said that they had "found  
22 somebody they were looking for" and needed "backup." She and Fiorino went to the  
23 location and Fiorino got out with the bandana over his face. He had her get into the  
24 driver's seat and drive. She described a black handgun in his possession. She said  
25 she did not actually see the shooting. After the shooting she took Fiorino to a hotel  
26 where he had been staying. Detectives found what appeared to be illegal drugs, men's  
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1 clothing, and a hotel receipt in Fiorino's name in a search of Hall's car following her  
2 interview.

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5 JASON MARKS  
6 Chief Deputy County Attorney

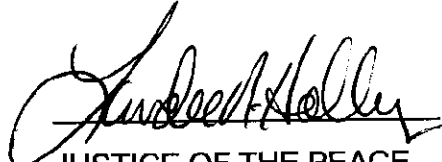
7 SUBSCRIBED AND SWORN TO before me this 29<sup>th</sup> day of April, 2017.

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9 Sandra K. Kelly  
10 JUSTICE OF THE PEACE  
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ORDER

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

5 DATED this 24<sup>th</sup> day of April, 2017 at 4:55 a.m. (p.m.)  
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9 JUSTICE OF THE PEACE

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