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JUN 22 2017

JUSTICE COURT

1 JENNIFER S. CLARK
 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

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

| | |
|-----------------------|------------|
| 10 STATE OF MONTANA, | |
| | Plaintiff, |
| 11 | |
| 12 -VS- | |
| 13 SHAWN A MCQUARRIE, | |
| 14 | Defendant, |
| 15 | |

Department No. *2*
 Cause No. *CR-17-706.*

COMPLAINT

16

17 JENNIFER S. CLARK, Deputy County Attorney, deposes and says that on or about

18 the 13th day of June, 2017, in Missoula County, the Defendant committed the offenses of

19 COUNT I: ASSAULT WITH WEAPON, a Felony, in violation of Montana law, namely:

20 Mont. Code Ann. 45-5-213, punishable by 20 years MSP and/or \$50,000 fine; COUNT II:

21 CRIMINAL DESTRUCTION OF OR TAMPERING WITH A COMMUNICATION DEVICE, a

22 Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 45-6-105, punishable

23 by 6 months MCDF and/or \$1000 fine; COUNT III: UNLAWFUL RESTRAINT, a

24 Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 45-5-301, punishable

25 by 6 months MCDF and/or \$500 fine; COUNT IV: AGGRAVATED ASSAULT -

26 REASONABLE APPREHENSION, a Felony, in violation of Montana law, namely: Mont.

27 Code Ann. 45-5-202, punishable by 20 years MSP and \$50,000 fine; COUNT V:

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1 CRIMINAL ENDANGERMENT, a Felony, in violation of Montana law, namely: Mont. Code
2 Ann. 45-5-207, punishable by 10 years MSP and/or \$50,000 fine.

3 The facts constituting the offense are:

4
5 COUNT I: On or about the 20th day of June, 2017, the above-named Defendant
6 purposely or knowingly caused reasonable apprehension of bodily injury and/or bodily
7 injury to Jane Doe, with a weapon, a knife, an orange mallet and a broom.

8
9 COUNT II: On or about the 20th day of June, 2017, the above-named Defendant
10 purposely or knowingly destroys or tampers with a telephone or other communication
11 device to obstruct, prevent, or interfere with the report to any law enforcement agency of
12 any actual criminal offense by smashing the screen on Jane Doe's cell phone.

13
14 COUNT III: On or about the 20th day of June, 2017, the above-named Defendant
15 knowingly or purposely and without lawful authority restrained the victim so as to
16 interfere substantially with the victim's liberty by not letting Jane Doe leave his
17 apartment.

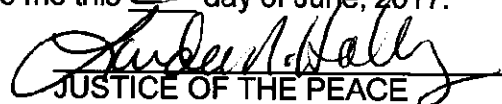
18
19 COUNT IV: On or about and between June 12, 2017, and June 20, 2017, the
20 above-named Defendant purposely or knowingly, with the use of physical force or
21 contact, caused reasonable apprehension of serious bodily injury or death in another by
22 using a rope around Jane Doe's neck and strangling her.

23
24 COUNT V: On or about and between June 12, 2017, and June 20, 2017, the
25 above-named Defendant knowingly engaged in conduct that created a substantial risk
26 of death or serious bodily injury to Jane Doe, by using a rope and strangling her until
27 she lost consciousness.
28

1 DATED this 21st day of June, 2017.

2
3 
4 JENNIFER S. CLARK
Deputy County Attorney

5
6 Subscribed and sworn to before me this 22 day of June, 2017.

7 
8 JUSTICE OF THE PEACE

9 COMPLAINT 17-1668

10 J.C. DENTON, Missoula City Police Dept
11 CONNIE BRUECKNER, Missoula City Police Dept
12 GARTH CRAIGEN, Missoula City Police Dept
13 J. ERIC WEBER, Missoula City Police Dept
14 LYDIA R HESS, Missoula City Police Dept
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IN THE JUSTICE COURT OF THE STATE OF MONTANA
IN AND FOR THE COUNTY OF MISSOULA
BEFORE, Landee N. Holloway, JUSTICE OF THE PEACE

10 STATE OF MONTANA,
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13 -vs-
14 SHAWN A MCQUARRIE,
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Plaintiff,
Defendant,

Department No. 2
Cause No. CR-2017-706
AFFIDAVIT OF PROBABLE CAUSE

16 STATE OF MONTANA)
17 : ss
18 County of Missoula)

19 JENNIFER S. CLARK, Deputy County Attorney, Montana, being first duly sworn
20 upon oath, deposes and says:

21 I have read the official law enforcement reports regarding the investigation of
22 SHAWN A MCQUARRIE for allegedly committing the offense(s) set forth in the complaint
23 and based upon the information contained in the reports, if true, believe probable cause
24 exists to justify charging the above-named defendant as specified in the accompanying
25 complaint.
26

27 On June 20, 2017, Missoula 911 received a call about an assault at 119 South
28 Higgins, Apartment 3, in Missoula. The initial call stated that Shawn was "beating

1 everyone up." The phone disconnected. 911 received another call that mentioned a
2 male having a hammer. Officers arrived and heard a male yell from an open window,
3 "They aren't going to come." Officers then contacted the resident, Shawn McQuarrie.
4 They noticed food on a dish outside the door on the ground. Officers entered the
5 residence to ensure everyone was safe. They saw an orange rubber mallet on the
6 couch and a knife was found inside the back bedroom. Officers didn't locate anyone in
7 the apartment. Officer Weber went back on the porch and talked to McQuarrie.
8 McQuarrie appeared to be under the influence of some type of drug or alcohol.
9 McQuarrie stated that Jane Doe had left the apartment after he told her to leave.
10
11

12 Officer Cragien and Officer Weber located Doe nearby. Her bottom lip was cut
13 and she had bruising next to and above her right eye. There was blood on her scalp
14 which was visible through her hair. She sustained her injuries to her face when she was
15 trying to leave. She stated she made McQuarrie food and he didn't like it so he put it
16 outside. She stated that McQuarrie was accusing her of stealing his phone and tattoo
17 guns. She started to pack up her stuff. When she would try to leave, he would say to
18 her, "going to the door." and he would swing the hammer around. This was later
19 identified as the orange mallet. She stated that several times when she tried to leave,
20 McQuarrie would grab an 8" butcher knife and try to poke at her and thrust the knife
21 toward her and would ask if she felt invincible. She said he did cut her hand with the
22 knife. She reported that he hit her with a broom until it broke and that is how she
23 sustained the cut on her head. Officer Craigen located a broken broom in the
24 apartment and the metal handle was bent.
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1 She got her phone out and he shoved her down. She said her pain level was a 6
2 when he was holding her down. She stated that he had hit her and smashed her cell
3 phone with his orange hammer when she tried to call 911. She crawled to the door and
4 got out. McQuarrie was yelling out the door, "If anyone says anything for her, I'll kill you
5 all."
6

7 Doe discussed an incident that happened within the week where he strangled her
8 to unconsciousness with a rope. She said he didn't strangle her this night, but he had
9 the rope with him and kept reminding her how nice it was to breathe on her own.
10

11 Officers returned and spoke to McQuarrie. He confirmed that she made him food
12 and he put it outside, saying it was poisoned and tainted. He stated that she received
13 injuries to her face and head by having several seizures in the apartment. He was
14 unable to tell officers where those occurred in the apartment. McQuarrie showed
15 Officer Weber his hands and said if he had been hitting her, his hands would be
16 bruised. Officer Weber asked if there was a stick involved and McQuarrie replied, "I
17 didn't hit her with a stick." When asked what happened to her phone, he responded that
18 she stole his phone.
19

20 McQuarrie was arrested. He was uncooperative and at one point said something
21 to the effect of, "That chick in the house is dead."
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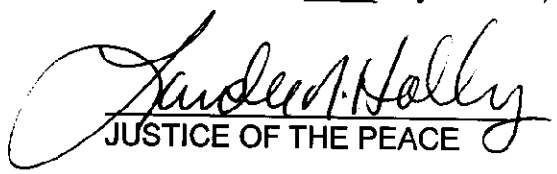
23 One of the neighbors stated that he didn't see the fight but could hear McQuarrie
24 yelling at Doe about a stolen tattoo gun. He stated that McQuarrie yells at Doe often.
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JENNIFER S. CLARK
Deputy County Attorney

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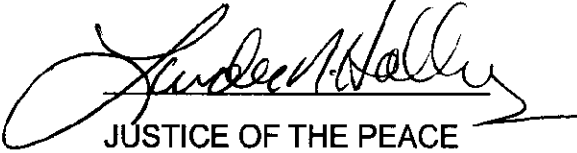
SUBSCRIBED AND SWORN TO before me this 22 day of June, 2017.


JUSTICE OF THE PEACE

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 22 day of June, 2017 at 12:40 a.m./p.m.


JUSTICE OF THE PEACE

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