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JUSTICE COURT

1 RYAN MICKELSON Justice Court
 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, Marie A Andersen, JUSTICE OF THE PEACE

10 STATE OF MONTANA,
 11 Plaintiff,
 12 -vs-
 13 JAMISON DANIEL RICHMOND,
 14 Defendant,

Department No. 1
 Cause No.

AFFIDAVIT OF PROBABLE CAUSE

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

19 RYAN MICKELSON, 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 JAMISON DANIEL RICHMOND for allegedly committing the offense(s) set forth in the
 23 complaint and based upon the information contained in the reports, if true, believe
 24 probable cause exists to justify charging the above-named defendant as specified in the
 25 accompanying complaint.
 26

27 On or about July 5, 2017, at approximately 7:15 a.m., Jane Doe called 911
 28 to report that her estranged husband, Jamison Richmond, had broken into her

1 house and threatened her and her ex-husband, John Doe, with a gun. Jane Doe
2 reported Jamison fired the gun and left the house. Jane Doe advised she last
3 saw Jamison walking up the driveway and had heard one gun shot fired outside
4 of the residence. Jane Doe reported that Jamison may be driving a blue Mercury
5 Marquis passenger car, which still had her name on the title.
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8 Deputy Holchhalter, Sgt. Peterson, Detective Volinkaty, and Detective
9 Johnston, among others, all responded to the call. Upon arrival, Deputy
10 Hochhalter made contact with both Jane Doe and John Doe and took recorded
11 statements from each in turn.
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13 Deputy Holchhalter first spoke with Jane Doe. She advised that her
14 estranged husband, Jamison Richmond, who is also the respondent in an order
15 of protection she has, entered her home and went into her bedroom where she
16 and John Doe were lying in bed. Jane Doe stated Jamison was screaming "you
17 ruined my life." She indicated that she got out of bed and approached Jamison.
18 She said he hit her in the forehead with a revolver he was holding. Jamison then
19 pointed the revolver at Jane Doe's chest and pulled the trigger. The weapon did
20 not fire. At that point in time, Jamison pointed the handgun at John Doe. John
21 Doe pulled the bedsheet up to hide himself. Jane Doe threw her hands up,
22 knocking Jamison's hands up as he was firing the weapon, causing it to
23 discharge into the ceiling above the bed. Jamison then walked out of the house.
24 Jane Doe said the gun, according to John Doe, was a black .38 caliber "long
25 nose" revolver. Deputy Holchhalter asked her if she was afraid of Jamison. She
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1 stated "now I am, he tried to f----- kill me." She said "before, I was like really, but
2 then he fired the gun."
3

4 Deputy Holchalter thereafter interviewed John Doe. John Doe advised that
5 he woke up when Jamison was at the door. He said that Jamison was pointing
6 the gun at him and Jane Doe while screaming. John Doe stated Jane Doe stood
7 up and approached Jamison, and at that point Jamison pointed the pistol at her
8 chest and pulled the trigger. John Doe stated he heard the "click" and believed
9 that the gun was not loaded. John Doe stated as he was starting to get up, Jane
10 Doe grabbed Jamison's arms and pushed his arm up as Jamison fired the gun
11 into the ceiling. John Doe said Jamison left the house. John Doe stated he
12 checked his body for any gunshot wounds and noted he was in shock.
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15 John Doe said he believed Jamison was trying to kill them. John Doe
16 stated he heard the gun click, saw Jamison strike Jane Doe in the forehead with
17 the muzzle and saw Jamison fire the gun into the ceiling. Deputy Hochhalter
18 asked John Doe if he was fearful of Jamison and his actions. John Doe stated
19 "yeah, he tried to kill us both" and "I'm a dead man walking." Deputy Hochhalter
20 ended the interview with John Doe.
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23 At that time, Detectives Voloinkaty and Johnston located an apparent
24 bullet hole in the ceiling just above the bed where the parties had described it. It
25 appeared to be roughly the correct size consistent with a .38 caliber projectile.
26 Detective Johnston located the attic access and he and Detective Volinkaty
27 entered the attic to search for the bullet. In the south east corner of the attic they
28

1 located where the bullet had exited the sheetrock of the ceiling, however, they
2 were unable to locate the bullet. Using trajectory rods they photographed the
3 bullets path from the bed room into the ceiling, through the ceiling and insulation
4 and to where it struck the roof sheathing. This trajectory path appeared to be
5 consistent with being fired at a low angle from the northwest corner of the
6 bedroom between the door and entrance to the master bath. Eventually, law
7 enforcement cleared the scene.
8

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10 On July 10, 2017, John Doe responded to the court house and wished to
11 provide additional information to Detective Johnston. John Doe reported that he
12 was not initially planning on staying at the Appaloosa address. Jane Doe
13 pressed John Doe and convinced him to stay with her in Frenchtown. John Doe
14 said that Jane Doe told him that Jamison had been coming out to the house and
15 had been stealing things and was also abusive towards her. John Doe made the
16 comment to Jane Doe that he would "smoke him" if he showed up aggressively
17 while John Doe was there with his kids.
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20 On the morning of the July 5, around 7 a.m., he indicated that Jamison
21 entered the house. John Doe said that when Jamison entered the house that
22 morning, Jamison walked up to him, pointed the gun at him and asked if John
23 Doe was going to smoke him. He noted that Jamison attempted to shoot both he
24 and Jane Doe. John Doe also noted that Jane Doe was actively trying to push
25 Jamison out of the room when Jamison was looking past her and attempted to
26 shoot him. John Doe pulled the sheet up and over himself attempted to conceal
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1 his location, hoping that Jamison would be unable to hit him. John Doe heard
2 the gun fire, and saw that Jamison's hands were being pushed by Jane Doe in
3 their struggle. When Jamison left, Jane Doe followed him out and he went to
4 check on the children in the house.
5

6 A.T., Jane Doe's child, also met with Detective Johnston on July 10, 2017.
7 He noted that on that on the day prior, Jamison was at his and Jane Doe's house
8 in violation of the order of protection. Around that time, Jane Doe also called and
9 reported that Jamison showed up to the house on the evening of July 9, 2017.
10 Jane Doe advised she subsequently let him into her home in hopes to settle him
11 down. She said that shortly after A.T. arrived. A.T. saw Jamison was present,
12 and got upset and left the residence. She also reported that when Jamison was
13 at the house he advised her that he got rid of the gun. When discussing the
14 restraining order she indicated that it was issued months ago and that Jamison
15 had previously been served with the order.
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22 RYAN MICKELSON
Deputy County Attorney

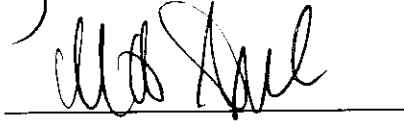
23
24 SUBSCRIBED AND SWORN TO before me this 1 day of ^{Aug} ~~July~~, 2017.

25 
26 JUSTICE OF THE PEACE
27
28

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 1 day of Aug, 2017 at 4:39 a.m./p.m.



JUSTICE OF THE PEACE

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