

1 MAC BLOOM  
Deputy County Attorney  
2 KIRSTEN H. PABST  
Missoula County Attorney  
3 Missoula County Courthouse  
Missoula, Montana 59802  
4 (406) 258-4737  
Attorneys for Plaintiff  
5  
6

7 MONTANA FOURTH JUDICIAL DISTRICT COURT, MISSOULA COUNTY

8 STATE OF MONTANA,  
Plaintiff,  
9 -vs-  
10 CHASE JAMES MUNSON,  
Defendant,

Dept. No \_\_\_\_\_  
Cause No. DC-18-

MOTION AND AFFIDAVIT FOR  
LEAVE TO FILE INFORMATION

11  
12 STATE OF MONTANA )  
:ss  
13 County of Missoula )

14 MAC BLOOM, Deputy County Attorney of Missoula County, Montana, being first  
15 duly sworn, moves the Court for leave to file an Information charging the above-named  
16 Defendant with allegedly committing the offense(s) in Missoula County of

17 COUNT I: BURGLARY, a Felony, in violation of Montana law, namely: Mont. Code Ann.  
18 45-6-204(1);

19 COUNT II: THEFT - OVER \$5,000, a Felony, in violation of Montana law, namely: Mont.  
20 Code Ann. 45-6-301(1);

21 COUNT III: CRIMINAL MISCHIEF, a Felony, in violation of Montana law, namely: Mont.  
22 Code Ann. 45-6-101(1)[2];

MOTION AND AFFIDAVIT FOR LEAVE TO FILE INFORMATION

1 COUNT IV: CRIMINAL MISCHIEF, a Felony, in violation of Montana law, namely: Mont.  
2 Code Ann. 45-6-101(1)[2];

3 COUNT V: BURGLARY, a Felony, in violation of Montana law, namely: Mont. Code Ann.  
4 45-6-204(1);

5 COUNT VI: THEFT - 2ND OFFENSE \$1,500-\$5,000, a Felony, in violation of Montana  
6 law, namely: Mont. Code Ann. 45-6-301(1)[2nd];

7 COUNT VII: CRIMINAL MISCHIEF, a Felony, in violation of Montana law, namely: Mont.  
8 Code Ann. 45-6-101(1)[2];

9 COUNT VIII: THEFT - 3RD OR SUBSEQUENT OFFENSE \$1,500-\$5,000, a Felony, in  
10 violation of Montana law, namely: Mont. Code Ann. 45-6-301(1)[3rd+].

11 The Motion is based upon the following facts which have been obtained from  
12 reports of the law enforcement officers which, if true, I believe, constitute sufficient  
13 probable cause to justify the filing of the charges. The facts from those reports are as  
14 follows:

15 On January 30, 2018, at approximately 3:26 a.m., Officers from the Missoula City  
16 Police Department responded to The Cure (a medical marijuana dispensary) regarding a  
17 reported burglary. Upon arrival, they made contact with the complainant, Jacob Noah, who  
18 stated that he recently observed a suspect male carrying a marijuana plant and running  
19 away from the business. As Officers investigated the scene, they observed that the male  
20 suspect had gained entry into The Cure by crashing a Toyota 4-Runner through the front  
21 garage door of the business. Officers located the 4-Runner parked along the street. They  
22 observed scrape marks on the front bumper, hood, and roof. The bug deflector shield was

1 also damaged, and the rear spoiler of the vehicle was lying in a nearby snow pile.

2           Officer Geissel made contact with the registered owner of the 4-Runner, Nathaniel  
3 Freeman. Freeman stated that he last saw his vehicle at 9:00 p.m. the prior evening. He  
4 explained that he did not lock his vehicle and left his keys in the center console. Freeman  
5 did not give anyone permission to use his 4-Runner. Officers determined that the vehicle is  
6 worth \$8000.00.

7           Freeman responded to The Cure and located a cellular phone, among other items,  
8 inside of his 4-Runner that he said did not belong to him. Officers seized the cellular phone.  
9 Detective Slater later obtained and served a search warrant on T-Mobile (the cellular carrier  
10 associated with that cellular phone) and learned that the phone number associated with that  
11 phone is registered to Chase Munson.

12           Officers contacted the owner of The Cure, Kylea Rusch, who responded to that  
13 location. Rusch surveyed the scene and reported that two marijuana plants were missing  
14 from her business. Officers located a single marijuana plant that the suspect had dropped  
15 outside the business and returned it to Rusch. Rusch stated that there are surveillance  
16 cameras inside and outside of her business. Rusch and her former husband, Jason, later  
17 reviewed the surveillance video and thought they could identify the suspect as former  
18 employee, D.S. Detective Slater, however, determined through subsequent investigation  
19 that Munson was responsible.

20           Approximately two weeks later, on February 14, 2018, at 4:28 a.m., Officers  
21 responded again to the Cure and an adjacent business, We Connect, regarding a possible  
22 double burglary. Upon arrival, they determined that the suspect had stolen another vehicle,

1 this time a Chevrolet Silverado valued at \$4000, and crashed it through the garage doors of  
2 the Cure and We Connect. The suspect abandoned the Silverado inside the Cure, leaving  
3 the vehicle running. The registered owner of the Silverado, Mathew Clegg, reported that he  
4 last saw his Silverado parked in his driveway at 11:00 p.m. on February 13, 2018. Clegg  
5 stated that he left his Silverado unlocked with the keys inside.

6 Detective Shermer spoke with the 911 complainant, Matthew Guffey, who stated that  
7 he awoke to a loud crash. Guffey walked outside and observed that a vehicle had crashed  
8 into We Connect. He then observed the vehicle reverse out of sight. The vehicle eventually  
9 reappeared and crashed into the Cure. A male suspect exited the business and fled on  
10 foot. He was quickly joined by another male who had been crouched nearby.

11 The owner of We Connect, Kevin Haggart, responded to the scene. Haggart stated  
12 that he secured his business at 5:30 p.m. the prior evening. He reported that the damage to  
13 his garage door would cost around \$2500 to repair. Haggart then entered his business and  
14 observed that his Dodge work van had been damaged as well. He estimated that it would  
15 cost approximately \$6000.00 to repair. Haggart did not notice anything missing from his  
16 business.

17 The owner of The Cure, Kylea Rusch, arrived on scene. She did not initially observe  
18 anything missing from her business. She stated that the damaged garage door would cost  
19 approximately \$2500.00 to replace. Later that day, Detective Slate and Rusch watched the  
20 video surveillance of the incident recorded from inside The Cure. The video shows a male  
21 suspect with long hair wearing a ball cap enter the business and steal plastic bags. Officers  
22 located numerous zip-lock bags dropped by the suspect as he was fleeing the scene.

1 Detective Slater later determined that the suspect matched the build and hairstyle of Chase  
2 Munson. Additionally, while executing a search warrant for an unrelated matter, Detective  
3 Slater located a ball cap matching that worn by the suspect in the surveillance video. The  
4 ball cap was located in a dorm room at the University of Montana. Chase Munson is known  
5 to have stayed in that dorm room on occasion.

6 On February 19, 2018, at approximately 5:48 a.m., Officers responded to an alarm at  
7 Mellow Mood on Higgins Ave. Upon arrival they determined that a stolen Honda Odyssey  
8 minivan had been driven through the wall of that business. After the crash, the suspect  
9 abandoned the minivan.

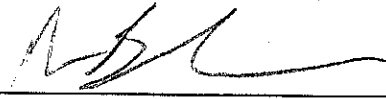
10 Officer Volinkaty contacted the registered owner of the minivan, Morghan Thomas,  
11 who stated that she last saw her vehicle at 10:00 p.m. the prior evening. She explained that  
12 she left her vehicle unlocked in the driveway with her keys in the ignition. She did not know  
13 of any suspects who would steal it. The value of the Odyssey is \$2000.00. Officer Crass  
14 determined that the damage to Mellow Mood was approximately \$3000.00.

15 On March 12, 2018, Detective Slater made contact with Gordy Scott regarding an  
16 unrelated incident involving Chase Munson. Scott reported that Munson previously  
17 admitted to stealing a car and crashing it into Mellow Mood during a conversation in a dorm  
18 room. Scott also stated that Munson mentioned stealing a car and crashing into a  
19 dispensary. Scott explained that Munson, at one point, possessed large bags of  
20 marijuana—"large enough to warrant that he had stolen them from the dispensary."  
21 Another witness, Ivory Brien, confirmed that Munson had "hit" a dispensary and Mellow  
22 Mood. A third witness, John Bullen, stated that Munson had told him that he (Munson) hit


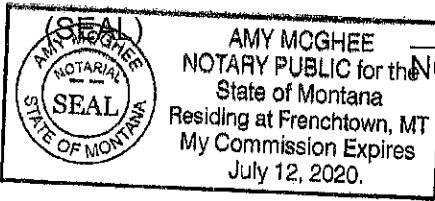
1 the back of a "weed shop" with a car. A fourth witness, Drake Grace, stated that Munson  
2 told him (Grace) the he (Munson) had committed "grand theft auto" and broke into a  
3 dispensary.

4  
5 Bail has not been set in this case as it is being filed direct into District Court.

6  
7 DATED this 9th day of May, 2018.

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9 \_\_\_\_\_  
MAC BLOOM  
Deputy County Attorney

10  
11 SUBSCRIBED AND SWORN TO before me this 9th day of May, 2018.

12   
13 \_\_\_\_\_  
14 NOTARY PUBLIC FOR STATE OF MONTANA  
15 

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6 MONTANA FOURTH JUDICIAL DISTRICT COURT, MISSOULA COUNTY

7 STATE OF MONTANA,  
Plaintiff,  
8 -vs-  
9 CHASE JAMES MUNSON,  
Defendant,

Dept. No. 4  
Cause No. DC-18- 279  
INFORMATION  
Total Possible MSP: **90 years**  
Total Possible MCDF: **n/a**  
Total Possible Fine: **\$266,500**

12 MAC BLOOM, Deputy County Attorney, deposes and says that on or about or  
13 between the 30th day of January, 2018 and the 19th day of February, 2018, in Missoula  
14 County, the Defendant committed the offenses of  
15 COUNT I: BURGLARY, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-  
16 6-204(1), punishable by 20 years MSP and/or \$50,000 fine;  
17 COUNT II: THEFT - OVER \$5,000, a Felony, in violation of Montana law, namely: Mont.  
18 Code Ann. 45-6-301(1), punishable by 10 years MSP and/or a \$10,000 fine;  
19 COUNT III: CRIMINAL MISCHIEF, a Felony, in violation of Montana law, namely: Mont.  
20 Code Ann. 45-6-101(1)[2], punishable by 10 years MSP and/or \$50,000 fine;  
21 COUNT IV: CRIMINAL MISCHIEF, a Felony, in violation of Montana law, namely: Mont.  
22 Code Ann. 45-6-101(1)[2], punishable by 10 years MSP and/or \$50,000 fine;  
COUNT V: BURGLARY, a Felony, in violation of Montana law, namely: Mont. Code Ann.  
INFORMATION

1 45-6-204(1), punishable by 20 years MSP and/or \$50,000 fine;

2 COUNT VI: THEFT - 2ND OFFENSE \$1,500-\$5,000, a Felony, in violation of Montana law,  
3 namely: Mont. Code Ann. 45-6-301(1)[2nd], punishable by 5 years MSP and/or a \$1,500  
4 fine;

5 COUNT VII: CRIMINAL MISCHIEF, a Felony, in violation of Montana law, namely: Mont.  
6 Code Ann. 45-6-101(1)[2], punishable by 10 years MSP and/or \$50,000 fine;

7 COUNT VIII: THEFT - 3RD OR SUBSEQUENT OFFENSE \$1,500-\$5,000, a Felony, in  
8 violation of Montana law, namely: Mont. Code Ann. 45-6-301(1)[3rd+], punishable by Not  
9 less than 2 years or more than 5 years MSP and a \$5,000 fine.

10 The facts constituting the offense are:

11 COUNT I: On or about the 30th day of January, 2018, the above-named  
12 Defendant knowingly entered or remained unlawfully in an occupied structure with the  
13 purpose to commit an offense therein, to wit: Defendant entered The Cure and stole a  
14 marijuana plant.

15 COUNT II: On or about the 30th day of January, 2018, the above-named  
16 Defendant purposely or knowingly obtained or exerted unauthorized control over a  
17 Toyota 4-Runner owned by Nathaniel Freeman with the purpose of depriving the owner  
18 of the property. The value of the property exceeds \$5,000.

19 COUNT III: On or about the 14th day of February, 2018, the above-named  
20 Defendant committed the offense of criminal mischief by knowingly or purposely injuring,  
21 damaging, or destroying a garage door, the property of We Connect, without consent.  
22 The pecuniary loss exceeds \$1500.00.

COUNT IV: On or about the 14th day of February, 2018, the above-named  
INFORMATION



1 Defendant committed the offense of criminal mischief by knowingly or purposely injuring,  
2 damaging, or destroying a Dodge van, the property of Kevin Haggart and/or We Connect,  
3 without consent. The pecuniary loss exceeds \$1500.00.

4 COUNT V: On or about the 14th day of February, 2018, the above-named  
5 Defendant knowingly entered or remained unlawfully in an occupied structure with the  
6 purpose to commit an offense therein, to wit: Defendant entered The Cure and stole  
7 plastic bags.

8 COUNT VI: On or about the 14th day of February, 2018, the above-named  
9 Defendant purposely or knowingly obtained or exerted unauthorized control over a  
10 Chevrolet Silverado owned by Mathew Clegg with the purpose of depriving the owner of  
11 the property, a second offense. The value of the property exceeds \$1,500 and does not  
12 exceed \$5,000.

13 COUNT VII: On or about the 19th day of February, 2018, the above-named  
14 Defendant committed the offense of criminal mischief by knowingly or purposely injuring,  
15 damaging, or destroying a wall owned by Mellow Mood, without consent. The pecuniary  
16 loss exceeds \$1500.00.

17 COUNT VIII: On or about the 19th day of February, 2018, the above-named Defendant  
18 purposely or knowingly obtained or exerted unauthorized control over a Honda Odyssey  
19 owned by Morghan Thomas with the purpose of depriving the owner of the property, a  
20 third or subsequent offense. The value of the property exceeds \$1,500 and does not  
21 exceed \$5,000.

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INFORMATION

1 A list of possible witnesses for the state now known to the prosecution is as  
2 follows:

3 KAYLEA RUSCH, MISSOULA, MT.,  
4 NATHANIEL HAYES FREEMAN, MISSOULA, MT.,  
5 EMILY FREEMAN, MISSOULA, MT.,  
6 JACOB NOAH, MISSOULA, MT.,  
7 KEVIN GEORGE HAGGART, MISSOULA, MT.,  
8 JASON RUSCH, MISSOULA, MT.,  
9 MATTHEW CLEGG, MISSOULA, MT.,  
10 CHRIS BACON, MISSOULA, MT.,  
11 WADE CROWLEY, MISSOULA, MT.,  
12 R.C. MISSOULA, MT.,  
13 WILLIAM JOHN MCMANUS, MISSOULA, MT.,  
14 MATTHEW DOUGLAS GUFFEY, MISSOULA, MT.,  
15 DRAKE GRACE, MISSOULA, MT.,  
16 TRISTAN REDEARTH, MISSOULA, MT.,  
17 JENNIFER ANN ROLS, MISSOULA, MT.,  
18 MORGHAN THOMAS, MISSOULA, MT.,  
19 GEORGE THOMAS, MISSOULA, MT.,  
20 STEVE CRASS, MISSOULA CITY POLICE DEPT.,  
21 RICO SUAZO, MISSOULA CITY POLICE DEPT.,  
22 BEN SLATER, MISSOULA CITY POLICE DEPT.,  
STEVE CRASS, MISSOULA CITY POLICE DEPT.,  
RICO SUAZO, MISSOULA CITY POLICE DEPT.,  
BEN SLATER, MISSOULA CITY POLICE DEPT.,  
RYAN KAMURA, MISSOULA CITY POLICE DEPT.,  
KATE FARO, MISSOULA CITY POLICE DEPT.,  
MITCH LANG, MISSOULA CITY POLICE DEPT.,  
JOSHUA GEISSEL, MISSOULA CITY POLICE DEPT.,  
DEVON ERICKSON, MISSOULA CITY POLICE DEPT.,  
RACHAEL HOFFMAN, MISSOULA CITY POLICE DEPT.,  
ALEXIS BERGER, MISSOULA CITY POLICE DEPT.,  
BRANDON GEHER, MISSOULA CITY POLICE DEPT.,  
MEGAN BILBREY, MISSOULA CITY POLICE DEPT.,  
MATT STONESIFER, MISSOULA CITY POLICE DEPT.,  
SALISHA TENNISON, MISSOULA CITY POLICE DEPT.,  
CHRIS SHERMER, MISSOULA CITY POLICE DEPT.,  
BOB FRANKE, MISSOULA CITY POLICE DEPT.,  
RICKY STEVENSON, MISSOULA CITY POLICE DEPT.,  
JOHN GRIFFITH, MISSOULA CITY POLICE DEPT.,  
JENNA VOLINKATY, MISSOULA CITY POLICE DEPT.,  
SGT. WEBER, UMPD,  
REPRESENTATIVE (S), PRO TOWING, TBD  
REPRESENTATIVE (S), THE CURE, TBD  
REPRESENTATIVE (S), WE CONNECT, TBD  
REPRESENTATIVE (S), T-MOBILE, TBD  
REPRESENTATIVE (S), MELLOW MOOD, TBD  
EXPERT (S), CELLEBRITE, TBD  
EXPERT (S), CELL DATA LOCATION, TBD  
EXPERT (S), FINGERPRINT, TBD  
EXPERT (S), SHOEPRINT, TBD

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Any witness listed by Defendant  
Any witness necessary for foundation, rebuttal, impeachment and/or  
chain of custody.

Dated this 9th day of May, 2018.

  
MAC BLOOM  
Deputy County Attorney

INFORMATION