

1 JORDAN KILBY  
2 Deputy County Attorney  
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4 Missoula County Attorney  
5 Missoula County Courthouse  
6 Missoula, Montana 59802  
7 (406) 258-4737  
8 ATTORNEYS FOR PLAINTIFF

9  
10 IN THE JUSTICE COURT OF THE STATE OF MONTANA  
11 IN AND FOR THE COUNTY OF MISSOULA

12 STATE OF MONTANA,  
13  
14 Plaintiff,  
15  
16 -VS-  
17 PAUL LEWIS EKSTEDT,  
18  
19 Defendant,

20 Department No.1  
21 Cause No. CR-2018-648

22 **AFFIDAVIT OF PROBABLE  
23 CAUSE**

24 STATE OF MONTANA )  
25 : ss  
26 County of Missoula )  
27 JORDAN KILBY, Deputy County Attorney, Montana, being first duly sworn upon  
28 oath, deposes and says:

I have read the official law enforcement reports regarding the investigation of Paul Lewis Ekstedt for allegedly committing the offenses of COUNT I: ASSAULT WITH WEAPON, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-5-213 .

Based upon the following facts which have been obtained from reports of the law enforcement officer which, if true, constitute sufficient probable cause to justify the filing of the charges. The facts from those reports are as follows:

On June 14, 2018 at approximately 6:05 p.m., Missoula City Police Officers responded to the 1500 block of South 7<sup>th</sup> Street in Missoula County for the report of a

1 physical disturbance. Dispatch advised one male hit another in the head with a baseball  
2 bat.

3 Sgt. Hebert responded to the reported residence and made contact with witnesses  
4 and the victim, Gary Fuller. One witness stated she, Gary and another person were  
5 leaving the residence in route to go eat dinner. She stated Paul then struck Gary in the  
6 back of the head with a baseball bat he obtained from the kitchen. She reported there had  
7 not been any argument between Gary and Paul prior to this, but Paul had been acting  
8 strange for the last week and a half. She stated Paul was Paul Ekstedt and that she was  
9 in a relationship with him.  
10  
11

12 Another witness stated she was seated in a chair facing the entrance to the home  
13 and she witnessed the attack. She stated Gary, the above witness and another were  
14 leaving to go eat. She stated the three were walking out the door when Paul grabbed the  
15 bat and struck Gary in the head. This witness stated when Gary was struck he  
16 immediately fell to the floor. Sgt. Hebert observed Gary to be in pain on the couch and  
17 holding his head. He was conscious, but unable to answer any questions. Gary was  
18 transported to St. Patrick Hospital where he has undergone surgery.  
19

20 Paul was apprehended nearby. Officers observed him to be under an unknown  
21 intoxicating substance and acting strangely. He was not cooperative with the  
22 investigation. DATED this 15th day of June, 2018.

23  
24 /s/ Jordan Kilby  
25 JORDAN KILBY  
26 Deputy County Attorney

27 SUBSCRIBED AND SWORN TO before me, a Justice of the Peace, in and for the  
28 State of Montana, County of Missoula.

Electronically Signed By:  
Hon. Judge Marie A. Andersen  
Fri, Jun 15 2018 01:17:34 PM