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D. JAMES MCCUBBIN  
Deputy County Attorney  
KIRSTEN H. PABST  
Missoula County Attorney  
Missoula County Courthouse  
Missoula, Montana 59802  
(406) 258-4737  
ATTORNEYS FOR PLAINTIFF

IN THE JUSTICE COURT OF THE STATE OF MONTANA  
IN AND FOR THE COUNTY OF MISSOULA

STATE OF MONTANA,  
  
Plaintiff,  
  
-VS-  
  
DARREL RAY DAVIS,  
  
Defendant,

Department No.  
Cause No.

**AFFIDAVIT OF PROBABLE  
CAUSE**

STATE OF MONTANA    )  
  : ss  
County of Missoula    )

D. JAMES MCCUBBIN, 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  
DARREL RAY DAVIS for allegedly committing the offenses of COUNT I:  
CRIMINAL POSSESSION WITH INTENT TO DISTRIBUTE OTHER DRUGS, a  
Felony, in violation of Montana law, namely: Mont. Code Ann. 45-9-103(3); COUNT  
II: CRIMINAL POSSESSION OF DANGEROUS DRUGS (ALL OTHER DRUGS), a

1 Felony, in violation of Montana law, namely: Mont. Code Ann. 45-9-102(3); COUNT  
2 III: UNLAWFUL USE/POSSESSION OF PROPERTY SUBJECT TO CRIMINAL  
3 FORFEITURE, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-  
4 9-206(1); COUNT IV: UNLAWFUL USE/POSSESSION OF PROPERTY SUBJECT  
5 TO CRIMINAL FORFEITURE, a Felony, in violation of Montana law, namely: Mont.  
6 Code Ann. 45-9-206(1); COUNT V: UNLAWFUL USE/POSSESSION OF  
7 PROPERTY SUBJECT TO CRIMINAL FORFEITURE, a Felony, in violation of  
8 Montana law, namely: Mont. Code Ann. 45-9-206(1); COUNT VI: UNLAWFUL  
9 USE/POSSESSION OF PROPERTY SUBJECT TO CRIMINAL FORFEITURE, a  
10 Felony, in violation of Montana law, namely: Mont. Code Ann. 45-9-206(1); COUNT  
11 VII: UNLAWFUL USE/POSSESSION OF PROPERTY SUBJECT TO CRIMINAL  
12 FORFEITURE, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-  
13 9-206(1); COUNT VIII: UNLAWFUL USE/POSSESSION OF PROPERTY  
14 SUBJECT TO CRIMINAL FORFEITURE, a Felony, in violation of Montana law,  
15 namely: Mont. Code Ann. 45-9-206(1); COUNT IX: UNLAWFUL  
16 USE/POSSESSION OF PROPERTY SUBJECT TO CRIMINAL FORFEITURE, a  
17 Felony, in violation of Montana law, namely: Mont. Code Ann. 45-9-206(1); COUNT  
18 X: UNLAWFUL USE/POSSESSION OF PROPERTY SUBJECT TO CRIMINAL  
19 FORFEITURE, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-  
20 9-206(1); COUNT XI: UNLAWFUL USE/POSSESSION OF PROPERTY SUBJECT  
21 TO CRIMINAL FORFEITURE, a Felony, in violation of Montana law, namely: Mont.  
22 Code Ann. 45-9-206(1); COUNT XII: UNLAWFUL USE/POSSESSION OF

1 PROPERTY SUBJECT TO CRIMINAL FORFEITURE, a Felony, in violation of  
2 Montana law, namely: Mont. Code Ann. 45-9-206(1).  
3

4 Based upon the following facts which have been obtained from reports of the  
5 law enforcement officer which, if true, constitute sufficient probable cause to justify  
6 the filing of the charges. The facts from those reports are as follows:  
7

8 On August 6, 2019, law enforcement members of the Missoula Drug Task  
9 Force executed a search warrant at a residence located at 1850 Mullan Trail,  
10 Missoula, MT 59808, Legally described as "MULLAN TRAIL - PHASE 2, S14, T13  
11 N, R20 W, BLOCK 2, Lot 26", Geocode: 04-2199-14-1-05-10-0000, owned by  
12 DARREL R. DAVIS and VICTORIA L. DAVIS.  
13

14 VICTORIA L. DAVIS was present in the residence. Officers announced their  
15 presence, but VICTORIA did not open the door. Officers forced entry and located  
16 VICTORIA. VICTORIA was detained as the search proceeded.  
17

18 Within the residence, officers located small quantities of methamphetamine  
19 in various locations in the house, firearms and ammunition throughout the house,  
20 and a large quantity of methamphetamine together with a large quantity of cash  
21 and other valuables in a safe.  
22

23 The following items are among the items seized from the residence:  
24

- 25 • Approximately 1.4 lbs / 635 g of methamphetamine, located in a large safe  
26 from downstairs office. The substance NIK tested presumptively positive for  
27 methamphetamine.  
28

- 1 • Approximately 2.9 grams methamphetamine, located on desk in garage with  
2 predominantly female crafting items. The substance NIK tested  
3 presumptively positive for methamphetamine.  
4
- 5 • Approximately 1 gram methamphetamine, located in upstairs bathroom,  
6 which was filled with numerous female items. The substance NIK tested  
7 presumptively positive for methamphetamine.  
8
- 9 • Approximately 1 gram methamphetamine, located in garage drawer of desk  
10 that held computer and predominantly male hobby items. The substance  
11 NIK tested presumptively positive for methamphetamine.  
12
- 13 • 3 hydromorphone pills, located in a large safe from downstairs office,  
14 identified by imprints, size, and color through drug identifier on drugs.com.  
15
- 16 • 52 firearms found throughout the house with thousands of rounds of  
17 ammunition, including the following:
  - 18 ○ Smith and Wesson M&P 15 AR s/n SY46411
  - 19 ○ DTI-15 5.56 rifle s/n S131733
  - 20 ○ Ruger Mini-14 .223 rifle s/n 196-167-25
  - 21 ○ Remington 770 rifle s/n M72103745
  - 22 ○ Remington 770 rifle s/n M72103745
  - 23 ○ Rock Island Armory 1911 handgun s/n RIA1832092
  - 24 ○ Rock Island Armory 1911 handgun s/n RIA1832092
  - 25 ○ Colt Python .357 Revolver s/n Y79432
  - 26 ○ Smith and Wesson 360PD .357 revolver s/n CJY4178
  - 27 ○ Smith and Wesson 360PD .357 revolver s/n CJY4178
- 28 • Digital scales with white residue.

- Hundreds of distribution-size plastic baggies.

Missoula Police Detective Manraksa knows, from training and experience, the following:

- The quantity of methamphetamine located in the Davis residence greatly exceeds the amount that would be possessed for personal consumption for one or two drug users.
- Drug distributors commonly use weapons in furtherance of the distribution of dangerous drugs, and purchase weapons with the proceeds from drug sales.
- Drug distributors commonly possess large quantities of cash, and other valuables such as precious metals and coins, that are used in furtherance of drug sales to purchase drugs as a supply for resale, and/or as proceeds of drug sales.
- The presence of digital scales and distribution-size baggies together with dangerous drugs indicate an intention to sell the drugs, because these items are used for packaging the drugs in smaller quantities for sale.
- The presence of the items noted above together in the same residence indicate that Darrel and Victoria Davis possessed methamphetamine in their residence with the intention to distribute the dangerous drug, and further that the residence, weapons, cash, silver, and other valuables in the residence were all used in furtherance of the possession with intent to distribute

1 methamphetamine and/or were the proceeds of distribution of dangerous  
2 drugs.  
3

4  
5 Following the discovery of methamphetamine in the residence, VICTORIA L.  
6 DAVIS was placed under arrest. The location of DARREL R. DAVIS is unknown at  
7 this time.  
8

9  
10 DATED this 9th day of August, 2019.  
11

12 /s/ D. James McCubbin  
13 D. JAMES MCCUBBIN  
14 Deputy County Attorney

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