

LACEY LINCOLN
Deputy County Attorney
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Missoula County Attorney
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ATTORNEYS FOR PLAINTIFF

IN THE JUSTICE COURT OF RECORD OF MISSOULA COUNTY,
STATE OF MONTANA

STATE OF MONTANA, Plaintiff, -vs- ESSENCE RENEE RAMIREZ, Defendant.	Dept. Cause No. AFFIDAVIT OF PROBABLE CAUSE
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STATE OF MONTANA)
 : ss
County of Missoula)

LACEY LINCOLN, Deputy County Attorney, Montana, being first duly sworn upon oath, deposes and says:

I have read the law enforcement reports regarding the investigation of ESSENCE RENEE RAMIREZ for allegedly committing the offenses of:

COUNT I: CHILD CRIMINAL ENDANGERMENT, a felony, in violation of § 45-5-628(1)(e), MCA;

COUNT II: DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS - 2ND OFFENSE, a misdemeanor, in violation of § 61-8-401(1)(a)[2nd], MCA.

I believe that the facts as set forth in the law enforcement reports, if true, constitute sufficient probable cause to justify the filing of the charges.

Those facts are as follows:

On September 25th, 2020 law enforcement officers responded to a report of an injury vehicle collision in the 3600 block of Stephens in Missoula, Montana. Dispatch advised a female driver struck a parked vehicle. The driver appeared to be “passed out” and delirious. Upon arrival officers noticed the front end of a Toyota Corolla was under a Dodge truck. Officer Harvey contacted the female in the driver’s seat who was identified as Essence Ramirez by her driver’s license. The officer noted the strong odor of intoxicants emanating from her person. He also observed she had red, watery, droopy eyes, that her speech was slow and slurred. She also appeared disoriented and confused, as well as cycling through emotions rapidly. Officer Harvey also noted there was damage to the windshield consistent with Ms. Ramirez striking it with her head. He noticed Ms. Ramirez had fresh blood on her forehead, face and hands. Officer Harvey asked where she was going and she said home. She stated at one point she

had four drinks and that her alcohol tolerance was diminished because she has not drunk in a long time. Officer Harvey also noted there was a small child unrestrained in the back seat of the vehicle. The child was under the age of fourteen. Due to Ms. Ramirez's injuries she was transported to the hospital. At the hospital Ms. Ramirez consented to a blood draw, which was taken and the results are pending.

Once cleared, Ms. Ramirez was transported from the hospital to the Missoula County Detention Facility. A check of her criminal history revealed a prior DUI conviction. The above acts are alleged to have occurred in Missoula County, Montana.

DATED this 27th day of September, 2020.

/s/ Lacey Lincoln
LACEY LINCOLN
Deputy County Attorney

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