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7 MONTANA FOURTH JUDICIAL DISTRICT COURT, MISSOULA COUNTY

8 STATE OF MONTANA,
Plaintiff,
9 -vs-
10 CHRISTOPHER LANCE NEWRIDER,
Defendant,

Dept. No _____
Cause No. DC-20-

MOTION AND AFFIDAVIT FOR
LEAVE TO FILE INFORMATION

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

14 JORDAN KILBY, 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: DELIBERATE HOMICIDE, a Felony, in violation of Montana law, namely:
18 Mont. Code Ann. 45-5-102[1].

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

MOTION AND AFFIDAVIT FOR LEAVE TO FILE INFORMATION

1 On December 8, 2020, Missoula City Police Officer Griffith responded to the
2 Creekside Apartments in Missoula County for the report of shots fired. When Officer Griffith
3 arrived, he observed Sundance Hernandez laying in the middle of the roadway in the
4 parking lot. Hernandez was on his back and motionless. He was bleeding from the top of
5 his forehead from what appeared to be a gunshot wound. One of the 911 callers was a
6 volunteer firefighter, and he was conducting CPR. A tire thumper was also located at the
7 scene. A firearm has not yet been located. Hernandez was pronounced deceased at the
8 scene.

9 An emotional female, Ty Gardipe, spoke with Officer Griffith at the scene. She
10 stated Christopher Newrider shot Hernandez. She stated Newrider had a gun and he fled
11 south between the apartment buildings. She stated she heard a “pop” and then saw
12 Hernandez on the ground.

13 Officer Griffith also took a statement from Fred Lawrence. Lawrence reported he
14 knew Newrider and Hernandez from prison. Lawrence stated he purchased three large
15 televisions from Walmart the prior week. He stated Newrider’s friend put the televisions in
16 his vehicle. Newrider and his friend did not show up with the televisions where they were
17 supposed to meet with Lawrence. Lawrence called Newrider and Newrider said not to
18 worry about it and that he would keep the televisions at his home until Lawrence had a
19 place to stay. On December 7, 2020, Lawrence called Newrider again. Newrider stated he
20 could not reach his friend who had the televisions. On December 8, 2020, Hernandez
21 called Newrider to tell him they were going to come meet him.

22 Lawrence further reported that he, Gardipe and Hernandez travelled together in

1 Lawrence's truck to the Creekside Apartments. Hernandez exited the truck to speak with
2 Newrider. Hernandez asked Newrider where Lawrence's televisions were. Newrider stated
3 he was not going to talk to Hernandez about it with Lawrence there and then Newrider shot
4 Hernandez.

5 Ty Gardipe was interviewed at the Missoula City Police Station. She stated she was
6 aware Newrider and Hernandez knew each other from prison. She stated she overheard
7 Hernandez on his phone talking to Newrider while Hernandez was in the truck. She
8 described the conversation as friendly and stated there were "no problems." She stated
9 Hernandez arranged to meet Newrider at the Creekside Apartments to get some televisions
10 from Newrider's friend Josh. When they arrived at the apartments Newrider was standing
11 outside alone.

12 Gardipe stated she was sitting in the front passenger side of the truck and when they
13 arrived Hernandez got out of the back seat of the truck and went to speak with Newrider.
14 She stated she could not specifically hear what was being said but stated that the
15 conversation did not sound argumentative or angry. She stated she heard a "pop" and saw
16 Hernandez standing upright for just a second or two before collapsing to the ground.

17 Gardipe stated she jumped out of the truck and saw Hernandez on the ground. She
18 looked at Newrider and said something like "What the fuck did you do?" She stated she
19 clearly saw Newrider with a black handgun in his hand. Newrider then ran through the
20 breezeway of the apartments and headed toward the river.

21 Gardipe stated she has known Newrider for about three months. She stated she has
22 spent time hanging out with Newrider and his wife Jamie.

1 Fred Lawrence was interviewed at the Missoula Police Department. Lawrence
2 stated "he shot him for no reason." Detective Mattix stated to Lawrence that he, Detective
3 Mattix, believed Lawrence to be a witness and that they were looking for another individual.
4 Lawrence stated they were looking for Christopher Newrider and that Lawrence met
5 Newrider and Hernandez in prison.

6 Lawrence stated he had attempted to purchase a home, but due to issues with the
7 home inspection, he was driving around with a bunch of his belongings in his pickup
8 because he was unable to move them into his house. He stated he purchased three
9 televisions at Walmart a week and a half prior to this incident. He stated Newrider's friend
10 agreed to hold the televisions for him because he did not have any room in the back of his
11 truck. Newrider's friend took possession of two of the televisions.

12 Lawrence stated they found out Newrider was staying at Creekside Apartments, so
13 he drove his truck to Creekside. He stated he was sitting in the driver's seat of his truck
14 when he heard a "pop." He stated Gardipe jumped out of the truck and started "freaking
15 out" and saying "Oh my god, oh my god, he shot him, he shot him." Lawrence stated
16 Newrider ran between Building K and the next apartment building.

17 Lawrence stated Hernandez and Newrider knew each other in prison. He stated
18 Hernandez had a tough reputation, but that there was no bad blood between the two of
19 them. Lawrence stated the two did not have any unsettled debts to Lawrence's knowledge.

20 Officers spoke with Jamie Torres, Newrider's fiancé. She stated she met Hernandez
21 through Newrider a few weeks prior to this incident. She stated Newrider and Hernandez
22 were very friendly with each other.

1 Torres stated earlier in the day she was sleeping. She stated Newrider woke her up
2 and said he had to go outside. She stated she assumed it was to go meet with her father,
3 Fred Lawrence. When asked why Newrider would be going out to meet with Hernandez,
4 she stated she did not know, but that she could see why Newrider would be going to meet
5 with Lawrence because he had several televisions that Newrider's friend was holding.

6 When asked directly what she thought of Newrider and Hernandez's relationship,
7 she stated Newrider was not comfortable with Hernandez. She said it was just two people
8 from Deer Lodge. She stated Newrider was in a good mood before he left the house. She
9 stated she went outside when it appeared that Newrider was taking too long and she saw
10 the parking lot full of police vehicles. Torres stated she had not seen Newrider since he left
11 the apartment and does not know where he is located. She also stated he does not own
12 firearms.

13 Another witness who was in the apartment with Newrider and Torres before
14 Newrider left, stated Newrider is known to carry a knife, but she did not know if he had any
15 additional weapons. She stated Newrider seemed fine when he left the residence, but also
16 described him as edgier than normal. She stated she knows Newrider has been using
17 drugs and stated that before he left he looked as if he had not slept.

18 At the scene, officers located one 22 caliber shell casing. During the autopsy of
19 Hernandez, the medical examiner located a 22-caliber bullet in Hernandez's skull cavity.
20 The medical examiner stated Hernandez did not have any marks on his hands which would
21 indicate a fight.

22 Christopher Newrider has absconded from probation and parole. His location is

1 currently unknown.

2 **This case is being filed directly into District Court. The State respectfully**
3 **requests that bail be set in the amount of \$1,000,000 and that a warrant be issued**
4 **for the Defendant's arrest.**

5 DATED this 9th day of December, 2020.

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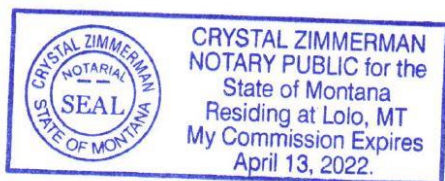
/s/ Jordan Kilby
JORDAN KILBY
Deputy County Attorney

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SUBSCRIBED AND SWORN TO before me this 9th day of December, 2020.

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NOTARY PUBLIC FOR STATE OF MONTANA

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