

FILED	<i>Alma Pison</i>
CLERK OF DISTRICT COURT	
FEB 17 2012	
BY	<i>Jennifer Blitt</i>
	DEPUTY

MONTANA SEVENTH JUDICIAL DISTRICT COURT, RICHLAND COUNTY

STATE OF MONTANA,	*	NO. DC-12-9
	*	
Plaintiff,	*	
	*	
-vs-	*	ORDER GRANTING LEAVE
	*	TO FILE INFORMATION
MICHAEL KEITH SPELL,	*	
	*	
Defendant.	*	

Upon reading the motion and affidavit of Mike Weber, County Attorney of Richland County, Montana, on file herein, and it appearing therefrom that an order should be made granting leave to file an Information, charging the Defendant with committing the following offense:

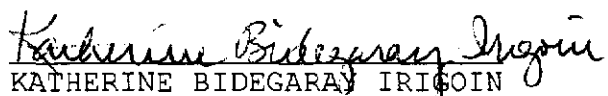
**AGGRAVATED KIDNAPPING, a felony, in violation of
Section 45-5-303, M.C.A.**

when on or about January 7, 2012, the Defendant, MICHAEL KEITH SPELL, knowingly or purposely, and without lawful authority, restrained Sherry Arnold, either by secreting or holding her in a place of isolation, or by using or threatening to use physical force, with the purpose to either inflict bodily injury on or to terrorize her, or to facilitate commission of any felony or flight thereafter, within Richland County, Montana, by grabbing her and forcing her into a green Ford Explorer on or near Holly Street, also known as the "Truck Route" in Sidney, Richland County, Montana, and forcibly kept her in said green Ford Explorer for the purpose of killing her.

Pursuant to Section 45-5-303(2), M.C.A., except as provided in 46-18-219 and 46-18-222, a person convicted of the offense of aggravated kidnapping shall be punished by death or life imprisonment as provided in 46-18-301 through 46-18-310 or be imprisoned in the state prison for a term of not less than 2 years or more than 100 years and may be fined not more than \$50,000, unless the person has voluntarily released the victim alive, in a safe place, and with no serious bodily injury, in which event the person shall be imprisoned in the state prison for a term of not less than 2 years or more than 10 years and may be fined not more than \$50,000.

NOW, THEREFORE, IT IS ORDERED that the County Attorney be and he hereby is granted leave to file an Information herein, charging the above-named Defendant, MICHAEL KEITH SPELL, with the above-named offense.

DATED this 17th day of February, 2012.


KATHERINE BIDEGARAY IRIGOIN
DISTRICT JUDGE