

IN THE JUSTICE COURT  
IN AND FOR THE COUNTY OF GALLATIN, MONTANA

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THE STATE OF MONTANA,  
Plaintiff,

Cause No.

vs.

**AFFIDAVIT AND ORDER  
RE: PROBABLE CAUSE**

Ryan James Allen,  
Defendant.

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STATE OF MONTANA)

:ss

County of Gallatin)

The undersigned, being duly sworn, states as follows:

1. I am a Deputy Sheriff with the Gallatin County Sheriff's Office, Gallatin County, Montana.
2. On April 3, 2013, the defendant was arrested for the charge(s) of Theft by Embezzlement Exceeding \$1500 (45-6-301) (7).
3. The undersigned believes that there is probable cause to charge the defendant with said charge(s) because:

On April 3, 2013, Your Affiant responded to Casey's Corner Exxon, Four Corner's, in Gallatin County Montana. Your Affiant met with Karla Smith. Smith is a supervisor for Casey's Corner. Smith told Your Affiant that one of their managers Ryan Allen, the defendant, had stolen approximately \$8494.00 over the last two days and suspected the amount would significantly higher. Smith told Your Affiant that the defendant had stolen somewhere between \$30,000-\$40,000 in fraudulent credit card transactions. The accountant was still checking into the amounts. Smith provided Your Affiant with a receipt that had the defendant's signature on it showing the defendant took \$5000.00 from Big Sky Western Bank and was supposed to be deposited in the cash machine at Casey's Corner, Four Corners. Smith stated that the defendant never placed the money in the cash machine. Smith also told Your Affiant that the defendant was supposed to deposit \$3494.00 on 04/02/13, into Big Sky Western account from Casey Corners business transaction. The money was never deposited into the account. The defendant was the last person to have the money. Smith further told Your Affiant that the defendant never deposited the money

from business transactions into the account on 04/01/13.

Smith told Your Affiant that one of the teller's at the bank informed Smith that when the defendant withdrew the \$5000.00 for the cash machine, he told her he was going to have some time off and was going to leave town. Smith informed Your Affiant that she was very concerned that the defendant was going to leave town because he was aware of the investigation, and has no family or immediate ties to the area. Smith told Your Affiant that she believed the defendant's sister was trying to get him to move back to Oregon.

The defendant was located leaving his residence on Lily Drive. The defendant was arrested for theft and transported to the Law and Justice Center. Your Affiant conducted an interview with the defendant. The defendant was read his rights per Miranda and agreed to speak with Your Affiant without an attorney present. The defendant admitted to stealing the money he was supposed to have deposited into the bank. The defendant stated that he spent the money on bills. The defendant admitted to being in possession of checks that were supposed to have been deposited in the bank. The defendant also admitted to being in possession of deposit slips and money bags that were supposed to be taken to the bank. When asked about the \$5000.00 that was supposed to be placed into the cash machine, the defendant asserted his right for an attorney. The interview was ended.

The defendant was taken to the GCDC and held on Theft by Embezzlement in Excess of \$1500. The defendant was held on NO BOND.

DATED this 3rd day of April, 2013.

*[Handwritten Signature]*

Signature of Affiant  
Deputy

SUBSCRIBED AND SWORN to before me this 3<sup>rd</sup> day of April, 2013

	Kevin Larsen	NOTARY PUBLIC FOR MONTANA
	Notary Public for the State of Montana Residing at: Bozeman, Montana	Residing at <u>Bozeman, MT</u>
	My Commission Expires October 14, 2013	My commission expires <u>10-14-13</u>

**ORDER**

Upon reading the foregoing Affidavit:

IT IS HEREBY ORDERED THAT probable cause **is found** to charge the above-named defendant with the following charge(s):

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\_\_\_\_\_ IT IS HEREBY ORDERED THAT probable cause **is not found**  
to charge the above-named defendant with the following  
charge(s):

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DATED this \_\_\_\_ day of \_\_\_\_\_, 2013 at \_\_\_\_ a.m./p.m.

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JUSTICE OF THE PEACE