

JUSTICE COURT/CITY COURT/DISTRICT COURT

STATE OF MONTANA

\*

Incident No.: LC15212

vs.

\*

**Tasia Teree Pogatchnik**  
**Defendant**  
**D.O.B.:**

\*

**AFFIDAVIT AND OR**  
**RE: PROBABLE CAU**

\*

me of arrest: 0757 hours

te of arrest: September 20, 2015

E OF MONTANA)

: ss.

y of Lewis and Clark)

ndersigned, being duly sworn, states as follows:

am the officer who arrested the Defendant, **Tasia Teree Pogatchnik**, for the charge o

**Driving while suspended, listed as a habitual offender, a misdemeanor in viol**  
**of MCA 61-11-213**

**Possession of drug paraphernalia, a misdemeanor in violation of MCA 45-10-10**

**Unauthorized use of a motor vehicle, a misdemeanor in violation of MCA**  
**308(1)**

**Possession of Dangerous Drugs ( Felony) , MCA 45-9-102(1)**

**Possession of Dangerous Drugs ( Misdemeanor) MCA 45-9-102(1)**

believe that there is probable cause to charge said Defendant with said charge because

1. Sunday, September 20, 2015 at approximately 0950 hours, the deputy was dispatched to a motor vehicle theft. The victim stated his wife was in the driveway of their residence when she had an argument with the suspect. The deputy arrived and located the suspect, who identified himself as the defendant, in the driveway of the victim's residence.

2. The deputy searched the defendant for weapons and located two pipes. The deputy located a blue metal pipe in the front right pocket of the defendant's jacket. The pipe had a hole inside it, which smelled of burnt marijuana. The deputy observed based on his training and experience this type of pipe is commonly used to smoke marijuana. The deputy located a glass pipe wrapped in tissue paper in the front left pocket of the defendant's jacket. The defendant was wearing a large gray backpack when approached by the deputy. The deputy



Lane (unknown last name), in the van. The defendant stayed the night at a friend's house and when she woke up, Lane asked her to return the vehicle. The defendant stated she knew the vehicle did not belong to Lane. The defendant returned the vehicle to the proper owner shortly before being arrested. The defendant was aware she did not have the vehicle owner's permission to operate it. The defendant admitted to smoking marijuana in the blue metal pipe and methamphetamine in the clear glass pipe. The defendant refused to give the deputy consent to search the back pack.

4. When the deputy requested the defendant's driving status from dispatch, he was informed the defendant had a suspended driver's license and was listed as a habitual traffic offender by the State of Montana.

5. The deputy spoke to the Victims. They requested to pursue charges against the defendant for unauthorized use of a motor vehicle.

6. A detention officer searched the defendant's backpack for an inventory search. The defendant located several small plastic baggies. One of the baggies contained a white powdery substance. The deputy tested a sample of the white powdery substance, which tested presumptive positive for Methamphetamine. The detention officer also located a small plastic container which contained a black and green leafy substance. Based on his training and experience the deputy suspected the substance to be marijuana. The deputy conducted a test on the substance, which tested presumptive positive for marijuana.

Attested to by Sergeant Kevin Wright, this 20th day of September, 2015.

Signature of Deputy: \_\_\_\_\_

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2015

THIS COMPLAINT WAS PRESENTED TO ME AND THE OFFICER,

The undersigned, having reviewed the foregoing and for good cause shown:

\_\_\_\_\_ IT IS HEREBY ORDERED that probable cause is found to charge the above named  
Defendant with the following charges:

\_\_\_\_\_

\_\_\_\_\_ IT IS HEREBY ORDERED that probable cause is not found to charge the above  
Defendant with the following charges:

\_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
DISTRICT COURT JUDGE  
JUSTICE OF THE PEACE  
CITY COURT JUDGE

cc: Lewis and Clark County Jail  
Lewis and Clark County Sheriff  
Lewis and Clark County Attorney