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IN THE JUSTICE COURT OF THE STATE OF MONTANA, SEP 30 2015
IN AND FOR THE COUNTY OF MISSOULA
BEFORE Karen A. Orzech, JUSTICE OF THE PEACE Justice Court

STATE OF MONTANA
Plaintiff,
-vs-
WENDY LYDIA GOTTFRIED
Defendant,

Dept No. 2
Cause No. CR-2015-913

COMPLAINT

KARLA PAINTER, Deputy County Attorney, deposes and says that on or about the 29th day of September, 2015, in Missoula County, the Defendant committed the offenses of COUNT I: CRIMINAL DISTRIBUTION OF IMITATION DANGEROUS DRUGS TO A PERSON OVER AGE 18, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-9-112(2), punishable by 5 years MSP and/or \$50,000 fine; COUNT II: CRIMINAL POSSESSION OF DANGEROUS DRUGS - NOT OTHERWISE PROVIDED FOR, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-9-102(6), punishable by 5 years MSP and/or \$50,000 fine; COUNT III: CRIMINAL POSSESSION OF DANGEROUS DRUGS - MARIJUANA (LESS THAN 60 GRAMS), 1ST OFFENSE, a Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 45-9-102(2)[1st], punishable by 6 months MCDF and a fine of not less than \$100 or more than \$500; COUNT IV: DRIVING WHILE LICENSE SUSPENDED OR REVOKED, a Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 61-5-212(1)(i), punishable by not less than 2 days or more than 6 months MCDF and a \$500 fine; COUNT V: FAILURE TO CARRY PROOF OF LIABILITY INSURANCE - 1ST OFFENSE, a Misdemeanor, in

1 violation of Montana law, namely: Mont. Code Ann. 61-6-302(2)[1st], punishable by 10
2 days MCJ and/or \$250-\$500 fine.

3 The facts constituting the offense are:

4
5 COUNT I: On or about the 29th day of September, 2015, the above-named
6 Defendant knowingly or purposely sold, bartered, exchanged, gave away, or offered to
7 sell, barter, exchange or give away an imitation dangerous drug to a person 18 years or
8 older.

9
10 COUNT II: On or about the 29th day of September, 2015, the above-named
11 Defendant knowingly possessed methamphetamine, a Schedule II dangerous drug.

12 COUNT III: On or about the 29th day of September, 2015, the above-named
13 Defendant knowingly had in his possession a dangerous drug, to wit: marijuana
14 weighing 60 grams or less.

15
16 COUNT IV: On or about the 29th day of September, 2015, the above-named
17 Defendant drove a motor vehicle on Interstate 90 at a time when his privilege to do so
18 was suspended or revoked.

19
20 COUNT V: On or about the 29th day of September, 2015, the above-named
21 Defendant failed to carry proof of liability insurance while operating a motor vehicle, a
22 black Chevrolet Trailblazer on a way of the state open to the public, Interstate 90

23 DATED this 30th day of September, 2015.

24 

25 KARLA PAINTER
26 Deputy County Attorney

27 Subscribed and sworn to before me this ____ day of September, 2015.

28

JUSTICE OF THE PEACE

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Justice Court

1 IN THE JUSTICE COURT OF THE STATE OF MONTANA,
2 IN AND FOR THE COUNTY OF MISSOULA
3 BEFORE Karen A. Orzech, JUSTICE OF THE PEACE

4
5 STATE OF MONTANA,
6 Plaintiff,

Cause No. CR-2015-913

7 -vs-

AFFIDAVIT OF PROBABLE CAUSE

8 WENDY LYDIA GOTTFRIED,
9 Defendant.

10 STATE OF MONTANA)
11 : ss
12 County of Missoula)

13 KARLA PAINTER, Deputy County Attorney, Montana, being first duly sworn upon
14 oath, deposes and says:

15 I have read the official law enforcement reports regarding the investigation of
16 WENDY LYDIA GOTTFRIED for allegedly committing the offenses set forth in the
17 complaint and based upon the information contained in the reports, if true, believe
18 probable cause exists to justify charging the above-named defendant as specified in the
19 accompanying complaint.

20 On or about September 29, 2015, Trooper Shawn Silvan of the Montana
21 Highway Patrol was patrolling on Interstate 90 when he observed a black Chevrolet
22 Trailblazer. Trooper Silvan ran the vehicle registration through his mobile computer
23 terminal and discovered it was suspended for failure to maintain insurance. Trooper
24 Silvan initiated a traffic stop and identified the driver as Wendy Gottfried. Gottfried
25 admitted her insurance had expired on the vehicle. When Trooper Silvan ran Gottfried's
26 name through dispatch, he was advised her driver's license was suspended. Trooper
27 Silvan could smell the odor of marijuana emanating from the vehicle. He requested
28

1 permission to search the vehicle and Gottfried consented. Inside the center console he
2 located 10 small yellow pills stored in a plastic wrap, a Ziploc style bag containing 14 pill
3 capsules filled with a powdery substance, and another Ziploc style bag with a marijuana
4 bud inside of it.
5

6 When asked what the items were, Gottfried claimed the 10 yellow pills were her
7 diet pills and that the capsules contained only flour and baking soda. In regard to the
8 capsules, Gottfried stated she sold the them downtown for \$10 each and told
9 purchasers it was "Molly." Trooper Silvan later field tested the substance in the
10 capsules which yielded a positive result for methamphetamine.
11

12
13 
14 KARLA PAINTER
Deputy County Attorney

15 SUBSCRIBED AND SWORN TO before me this ____ day of September, 2015.
16

17
18 JUSTICE OF THE PEACE

19 ORDER
20

21 Upon reading the foregoing Affidavit, the Court finds that there is probable cause to
22 believe the above-named Defendant committed the crimes charged.
23

24 DATED this ____ day of _____, 2015 at ____ a.m./p.m.
25

26
27 JUSTICE OF THE PEACE
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