

APR 15 2016

Justice Court

1 D. JAMES MCCUBBIN
 2 Deputy County Attorney
 3 KIRSTEN H. PABST
 4 Missoula County Attorney
 5 Missoula County Courthouse
 6 Missoula, Montana 59802
 7 (406) 258-4737
 8 ATTORNEYS FOR PLAINTIFF

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

STATE OF MONTANA,
 Plaintiff,
 -vs-
 JAMARRIOUS DESHAWN
 ANDERSON,
 Defendant,

Department No. 2
 Cause No. CR-2016-377

COMPLAINT

D. JAMES MCCUBBIN, Deputy County Attorney, deposes and says that on or about the 15th day of April, 2016, in Missoula County, the Defendant committed the offenses of COUNT I: CRIMINAL POSSESSION OF DANGEROUS DRUGS WITH INTENT TO DISTRIBUTE - ANY DRUG OTHER THAN AN OPIATE, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-9-103(3), punishable by 20 years MSP and/or \$50,000 fine; COUNT II: CRIMINAL POSSESSION OF DRUG PARAPHERNALIA, a Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 45-10-103, punishable by 6 months MCDF and/or \$500 fine; COUNT III: OBSTRUCTING PEACE OFFICER OR OTHER PUBLIC SERVANT, a Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 45-7-302(1), punishable by 6 months MCDF and/or \$500 fine; COUNT IV: THEFT OF IDENTITY, a Misdemeanor, in violation of Montana law, namely:

1 Mont. Code Ann. 45-6-332(2)(a), punishable by 6 months MCDP and/or \$1,000 fine;
2 COUNT V: POSSESSING INTOXICATING SUBSTANCES WHILE UNDER AGE 21 -
3 OVER AGE 18 - 1ST OFFENSE, a Misdemeanor, in violation of Montana law, namely:
4 Mont. Code Ann. 45-5-624(3)(a), punishable by \$100-300 fine; 20 hours community
5 service; loss of D/L for 30 days.
6

7 The facts constituting the offense are:

8 COUNT I: On or about the 15th day of April, 2016, the above-named Defendant
9 knowingly possessed METHAMPHETAMINE, a dangerous drug, as defined in 50-32-
10 101, with intent to distribute.
11

12 COUNT II: On or about the 15th day of April, 2016, the above-named Defendant
13 knowingly possessed with intent to use drug paraphernalia to process, prepare, test,
14 analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce
15 into the human body a dangerous drug, to wit: digital scale, glass pipe with residue, and/or
16 plastic baggies.
17

18 COUNT III: On or about the 15th day of April, 2016, the above-named Defendant
19 knowingly obstructed, impaired, or hindered the enforcement of the criminal law, the
20 preservation of the peace, or the performance of a governmental function, including
21 service of process by providing police officers with a false identity.
22

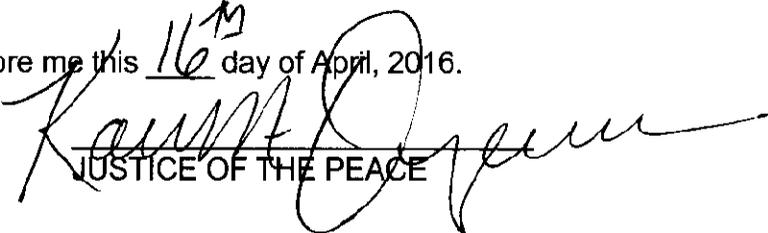
23 COUNT IV: On or about the 15th day of April, 2016, the above-named Defendant
24 purposely or knowingly obtained personal identifying information of another person and
25 used that information in misrepresenting his identity to police officers.
26
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28

1 COUNT V: On or about the 15th day of April, 2016, the above-named Defendant,
2 a person under the age of 21, knowingly possessed an intoxicating substance, to wit:
3 beer.
4

5 DATED this 15th day of April, 2016

6 
7 D. JAMES MCCUBBIN
8 Deputy County Attorney

9 Subscribed and sworn to before me this 16th day of April, 2016.

10 
11 JUSTICE OF THE PEACE

12 COMPLAINT 16-894

13 MARK BLOOD, Missoula City Police Dept
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 12 IN AND FOR THE COUNTY OF MISSOULA
 13 BEFORE, Karen A. Orzech, JUSTICE OF THE PEACE

14 STATE OF MONTANA,
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 16
 17 Plaintiff,
 18
 19 -vs-
 20
 21 JAMARRIOUS DESHAWN
 22 ANDERSON,
 23
 24 Defendant,

Department No. 2
 Cause No. CR-2010-377

AFFIDAVIT OF PROBABLE CAUSE

25 STATE OF MONTANA)
 26 : ss
 27 County of Missoula)

28
 29 D. JAMES MCCUBBIN, Deputy County Attorney, Montana, being first duly sworn
 30 upon oath, deposes and says:

31
 32 I have received law enforcement reports regarding the investigation of
 33 JAMARRIOUS DESHAWN ANDERSON for allegedly committing the offense(s) set forth
 34 in the complaint and based upon the information contained in the reports, if true, believe
 35 probable cause exists to justify charging the above-named defendant as specified in the
 36 accompanying complaint.
 37
 38

1 On or about the 15th day of April, 2016, Missoula Police Officer Freudenberg
2 conducted a traffic stop after identifying the driver and confirming with dispatch that the
3 driver's license to drive was suspended. The traffic stop occurred in the vicinity of the
4 intersection of Broadway and Pattee St. in Missoula, Montana.
5

6 The front passenger in the vehicle presented a Montana ID card for D.L. and
7 claimed to be the person named on the card. Officer Harrington subsequently identified
8 the passenger's true identity to be Defendant JAMARRIOUS DESHAWN ANDERSON,
9 which the officer confirmed from viewing a prior booking photo of Anderson.
10

11 Both officers observed Anderson to be holding a six pack of beer. Anderson
12 claimed ownership of the beer to Officer Harrington. Anderson was under 21 years of
13 age on the date of the stop.
14

15 Anderson was placed under arrest. An initial search incident to arrest revealed a
16 small black zippered container in Anderson's left jacket pocket. A digital scale was also
17 located in one of Anderson's pockets.
18

19 At the jail, an inventory search was conducted of Anderson's belongings. The
20 small black zippered container was found to contain a baggie holding a white crystalline
21 substance consistent with the appearance of methamphetamine. The substance was
22 subsequently tested with a NIK test kit, which returned a presumptive positive result for
23 methamphetamine. The packaged weight of the substance was 4.8 grams, which is
24 greater than the amount typically possessed by a methamphetamine user who does not
25 intend to distribute the substance, per the training and experience of the officers
26 involved.
27
28

1 Also found in the small black zippered container were 10 small plastic baggies of
2 the type commonly used to package methamphetamine for distribution, and a glass pipe
3 containing white burnt residue.
4

5 Police Detective Blood later interviewed Anderson. Anderson was advised of his
6 Miranda rights, which he waived and agreed to speak with Det. Blood. Anderson
7 admitted that the substance in his possession was methamphetamine. Anderson
8 further stated that he had purchased the methamphetamine shortly prior to the traffic
9 stop, and that he intended to re-package the methamphetamine and sell it.
10

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12 _____
13 D. JAMES MCCUBBIN
14 Deputy County Attorney

15 SUBSCRIBED AND SWORN TO before me this 16th day of April, 2016.

16 
17 _____
18 JUSTICE OF THE PEACE

19 ORDER

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

22 DATED this 16th day of April, 2016 at 402 a.m./p.m.
23

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25 _____
26 JUSTICE OF THE PEACE
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