DAWSON COUNTY ATTORNEY'S OFFICE
Mr. Brett J. Irigoin, Dawson County Attorney
Mr. Cody Lensing, Deputy County Attorney
121 South Douglas Avenue
Glendive, MT 59330
Phone: (406) 377-2532
Fax: (406) 377-2531
countyattorney@dcatty.net

MONTANA SEVENTH JUDICIAL DISTRICT COURT, DAWSON COUNTY

STATE OF MONTANA, **Plaintiff,** **v.** **EVA LIPP CROCKETT,** **Defendant.**	**Cause No.: DC-24-__________** **MOTION FOR LEAVE TO FILE AN INFORMATION AND AFFIDAVIT IN SUPPORT THEREOF**

COMES NOW, Brett Irigoin, County Attorney for Dawson County, Montana, and moves the above-entitled Court for an order granting said County County Attorney leave to file an Information charging the Defendant, EVA LIPP CROCKETT, with the following offenses:

COUNT I: **THEFT OF PROPERTY BY EMBEZZLEMENT (PROPERTY VALUE EXCEEDING $10,000)**, **BY COMMON SCHEME,** a felony, in violation of Sections 45-6-301(6) and 45-2-101(8), M.C.A.

COUNT II: **THEFT OF PROPERTY BY EMBEZZLEMENT (PROPERTY VALUE EXCEEDING $1,500 BUT NOT EXCEEDING $5,000)**, **BY COMMON SCHEME,** a felony, in violation of Sections 45-6-301(6) and 45-2-101(8), M.C.A.

This Motion is made pursuant to Section 46-11-201, M.C.A., and is supported by the following Affidavit:

STATE OF MONTANA)
) SS.
COUNTY OF DAWSON)

Brett Irigoin, being first duly sworn upon oath, deposes and says:

1. That I am a duly qualified and acting County Attorney for Dawson County, Montana.

2. That I have received reports of investigation made by the Dawson County Sheriff's Office (DCSO) regarding the facts and circumstances surrounding the above-entitled case and, based thereon, it appears that there is probable cause to believe the above-named Defendant has committed the offenses stated above.

3. That said investigation has revealed the following:

On or about March 19, 2024, DCSO Undersheriff Jake Feist was notified regarding allegations of embezzlement of Glendive Babe Ruth Baseball League (Babe Ruth) funds in Glendive, Dawson County, Montana. Undersheriff Feist met with Olivia Rieger, who had been approached by Babe Ruth board President Brieghton Malarchick regarding the allegations. Rieger explained that Babe Ruth was run by a board but the Board had become somewhat defunct after Board members children aged out of Babe Ruth baseball. The only two (2) remaining Board members were Breighton Malarchick and the Defendant, Eva Lipp Crockett, who was the Treasurer of Babe Ruth. Malarchick brought Rieger a list of the new Board members and the Defendant was still the treasurer. Rieger stated that after the new Board was established, they started looking at the Babe Ruth finances. Rieger stated that Babe Ruth had an account at Bravera Bank in Glendive, Montana, and that the Defendant had opened a new account for Babe Ruth at Stockman Bank in Glendive. The Board members acquired bank records from both accounts and started going through them. The Board members then brought the banking records to Rieger to ask for advice on how to proceed after seeing irregularities on the accounts. Rieger provided Undersheriff Feist with the bank records for Bravera Bank dating back to 2019 as well as the recently opened account at Stockman Bank. Rieger showed Undersheriff Feist several transactions that caused the Board concern, including numerous checks and money transfers that the Defendant made to family members, including her husband Ron Crockett, that amounted to thousands of dollars. Rieger also showed transactions out of the baseball season to vendors such as Hobby Lobby.

On March 21, 2024, Undersheriff Feist met with Breighton Malarchick. Malarchick stated that he is the Babe Ruth President. Malarchick stated that when individual's children age out of Babe Ruth baseball, they usually leave the Board. He stated that after the 2021 season, everyone on the Board moved on except for himself and the Defendant, who was the Treasurer. The Defendant began handling the Babe Ruth finances in April 2021. At the end of the 2022 season, he said that the Defendant asked him to be President. He told her he wanted to think about it as he was not sure he could fulfill the commitment given his he worked long hours out of town each week. He said he got an email from the State of Montana saying he was the President, and indicated that the Defendant made him the President anyway. He said that as it was only the two of them, he agreed to handle the baseball operations and she would handle all of the finances. For the 2022 and 2023 seasons the Board consisted of himself and the Defendant and the rest of the Board positions were not filled until 2024. Malarchick stated that Tauni Zody had been in charge of the concessions stand for the 2022 and 2023 seasons but did not serve as a Board member. He said Zody stepped down and decided not to run the concessions during the 2024 season because of suspicion that the Defendant was embezzling money from the organization.

Undersheriff Feist asked what made him think that funds were missing from the account. Malarchick said that he was speaking with new Board member Dillon Mitchell after their January 9, 2024, meeting and they decided to review the finances. Neither of them had a suspicion at the time but wanted to do their due diligence. Malarchick said that around the end of January, they went to Bravera Bank to get the Executive Board Members on the account. He said that, at that time, the bank told them that they had not filed their annual reports with the Secretary of State for the last four (4) years and the bank could not put them on the account as signees until that was done. Bravera Bank did provide them with the prior five (5) years of bank statements for the account through January 2024. Malarchick said he reached out to the

Defendant who said she was unaware that the annual reports were something that needed to be done. Malarchick said he was out of town when the bank records were ready to be picked up and Dillon Mitchell picked up the records. Malarchick said that Mitchell was the first one to go through the transaction reports and noted some charges that he felt were suspicious. Malarchick said the Babe Ruth season started in the middle of May and ended in the middle of July so the majority of transactions should occur between April and July. Malarchick said he was not able to see the records until after their Board meeting on March 17, 2024.

Malarchick said that on March 18, 2024 he was trying to get the annual reports done and contacted the Defendant to get her debit card number as there was a fee to file the annual reports. The Defendant told him that she did not have the card with her at work. Malarchick said there were two (2) cards for the account and the Defendant and Tauni Zody each had one. Malarchick provided the number for the card that Zody had, which ended in 8591 and said, "Glendive Babe Ruth" on it. He said the card that the Defendant possessed said, "Glendive Babe Ruth/Eva Crockett" on it. Malarchick said that neither card had been returned to Babe Ruth but that both cards had been cancelled. Malarchick said they also put a hold on all checks for the account as the Defendant still had a checkbook as well. Malarchick said that as he went through the banking records, he noticed transactions that caused him concern. He referenced a transaction dated January 16, 2024, that appeared to be a transfer of funds in the amount of $1,200.00 to the Defendant's husband Ron Crockett. Malarchick said he noticed a total of eight (8) money transfers to Ron Crockett. Malarchick said that at the January 9, 2024, Board meeting, the Defendant told the Board that there was a balance of $10,345.75 in the Babe Ruth bank account. When he looked at the bank records, he observed that the balance in the account at the end of January was $1,621.89. Malarchick said he then began going through all of the records and highlighting the transactions that appeared to be suspicious to him and that there were a lot of them.

Malarchick said he met with Board member Jarrod Sampson on March 18, 2024, and showed Sampson some of the transactions he believed to be suspicious. They decided to call an Executive Board meeting at which they would invite Brent Diegle as Diegle had an accounting background. They sent out a message to the Board concerning the organization's financials and the Defendant was included in the message. They then decided to send out individual messages about the details of the meeting to everyone except the Defendant after deciding they wanted to hold the meeting without her present. At the meeting the Board members agreed there were suspicious transactions and they needed to get outside help on how to proceed so they called Rieger. He said they called Rieger as she had helped out with the league and had a child in baseball. Malarchick said they knew she was a District Court Judge and wanted her to provide some guidance. Rieger recommended they call the remaining Board members and have a discussion about what to do with the Defendant's position as Treasurer. They called the rest of the Board, who arrived at the meeting and voted unanimously to remove the Defendant from the Board.

On the morning of March 19, 2024, Malarchick stated that he contacted Bravera Bank and froze the account. He said that Kent Granmoe and Jarrod Sampson went to Stockman Bank and froze that account as well. Malarchick said the Stockman Bank account was fairly new and was not approved by the Board. He said that the Defendant called him approximately two (2) weeks prior and suggested they transfer the league's account to Stockman Bank as Stockman Bank was a team sponsor. He told her that it would need to go to the Board and be voted on before any action was taken. Malarchick said that the Defendant contacted him again before March 18, 2024 concerning the annual reports. He said that she brought up transferring the account to Stockman Bank again and he again told her it would need to go before the Board. Undersheriff Feist noted that the Stockman Bank records show the account was opened on March 5, 2024. After the text message was sent out on March 18, 2024, about the Executive Board meeting, the Defendant texted Jarrod Sampson asking if the meeting was concerning the Stockman Bank Account. The Defendant then texted Sampson stating that she had transferred $11,000.00 in to the Stockman Bank account. Malarchick said this was done without Board approval. When Sampson and Granmoe went to Stockman Bank to freeze the account, they were informed that the account balance was $3,000.00.

On March 19, 2024, Malarchick messaged the Defendant and asked her to bring him everything she had that belonged to Babe Ruth. Jarod Sampson and Malarchick met the Defendant outside the Gabert Clinic at the Glendive Medical Center (GMC), where the Defendant worked. She gave them raffle tickets and a check for the amount of $8,000.00 written from her personal account to Babe Ruth baseball. The check was dated February 24, 2024. Undersheriff Feist asked if the Defendant gave an explanation for the check. Malarchick said she told him that her financial adviser told her to remove the money from the Babe Ruth account as Babe Ruth had an outstanding water bill with the City of Glendive. Malarchick said there was an outstanding water bill with the City of Glendive of approximately $3,000.00. Malarchick told the Defendant that due to the suspicious activity on the account, the Board unanimously voted to remove her from the Board. The Defendant said she wished they would have come to her first before removing her from the Board. Malarchick told her they were seeking help from a third party to review the transaction reports. The Defendant asked who the third party was and Malarchick did not answer her. Malarchick asked the Defendant about a $700.00 transaction from 2022 at Runnings in Mandan, North Dakota. The Defendant said it was for a backpack leaf blower. Malarchick said he had not seen a leaf blower at the field. He said that a board member had taken pictures of the equipment at the field the previous day and there was not a leaf blower present.

Malarchick said he messaged the Defendant on March 19, 2024, about two (2) expenditures to Realty Pro Solutions. Malarchick said he believed the Defendant was a real estate agent. One (1) transaction was from March 15, 2022, for $681.00 and another dated July 1, 2022, for $681.00. She said, "…the realty one I didn't realize those were on there. My phone has a card saved. I can write a check for those." He also asked her about a check written to her husband, Ron Crockett, in the amount of $6,500.00 and another check written to Christian Crockett in the amount of $2,000.00. The Defendant did not address the check written to Christian Crockett but said the check to Ron Crockett should have been written in the amount of $650.00. She was unable to tell him what the money was for at the time and did not explain how she could have mistakenly written out the words, "six thousand five hundred dollars" on the check. The Defendant said, “I did not realize that. It was suppose to be $650.00 well I guess I owe you money then, I know you think I might have done this on purpose but I didn’t”. The Defendant asked if she should provide him checks to reimburse Babe Ruth for those transactions. Malarchick said he did not respond to that question but asked her to provide him with all of her receipts and anything else she still had concerning Babe Ruth baseball.

On March 20, 2024, Granmoe and Malarchick deposited the $8,000.00 check that they received from the Defendant into the Bravera Bank account and got the names switched on the post office box and the U.S. Post Office. He said they still have not received the key back from the Defendant. Malarchick texted the Defendant asking if she filed Babe Ruth taxes the last couple of years. The Defendant texted Malarchick, “You don’t have to file taxes for nonprofit if you are under $60,000.00 you just file on line and so that you are less than that”, “I just got some horrible news and can’t deal with some things right now. And I am not sure what you want to do but I will pay the amounts are off. And I will just buy that backpack leaf blower because I am a mess and I am not sure when I can’t you you some receipts. I am sorry I put this on you I guess I need to be more aware of things and not take on so much stuff. I will put checks and mailbox keys and what I have in an envelope thing and get it to Courtney. When I am able to think straight I will figure this out, again I am sorry for my carelessness and never did anything intentional or malicious”.

Undersheriff Feist asked Malarchick how Babe Ruth generated revenue. Malarchick said they conduct a raffle every year and each player is supposed to sell twenty (20) $20.00 tickets. He said the amount generated depends on number of players and how many tickets they sell but could potentially generate between $7,000.00 and $14,000.00 per year. He said the registration fee is $175.00 per player that signs up and parents pay $100.00 as a deposit for working the concession stand. If they do not fulfill the obligation to work the concessions stand then they lose the deposit. They also generate revenue off of sponsor signs at the field with a new sign costing $350.00 and the annual renewal is $100.00. Malarchick said that the Rieger family has donated a trailer that is parked at Albertsons to collect aluminum cans and the cans are taken to Border Steel Recycling with the money generated donated to Babe Ruth. They also generate money from the concessions stand. Malarchick said that the Defendant would get the money from Zody and make the deposits. Malarchick said that business sponsor teams for $500.00 per season.

On April 2, 2024, Undersheriff Feist interviewed Dillon Mitchell. Mitchell relayed much of the information provided by Malarchick. Mitchell indicated that after he received the banking records from US Bank, he spent a couple of days going over them. Mitchell said the first thing that stuck out to him were tickets to a Seattle Mariners game. He called Malarchick and asked if there would be any reason that Babe Ruth would pay for the tickets as All-Stars must pay their own way and are not associated with Babe Ruth, of which the Defendant was the Treasurer. Malarchick said he could not think of any reason Babe Ruth would have paid for the tickets for All-Star kids. Undersheriff Feist noted on the Defendant's open Facebook page that there were pictures of the Defendant and her husband Ron Crockett at the Mariners game with several kids from the All-Star team. Mitchell stated that he also noted a lot of fuel charges and ATM transactions as well as numerous checks written to Ron Crockett and other family members. Mitchell asked Malarchick about the checks to family members and Malarchick stated that the City of Glendive mows the field out of baseball season and is usually handled by volunteers during the season. Malarchick stated that Chase Crockett may have mowed once or twice.

Undersheriff Feist determined through his investigation that the Defendant was also the Treasurer and signatory on accounts at the Glendive BN Federal Credit Union for the Celtic Fund.

During further investigation, Investigative Subpoenas were obtained and served on multiple financial and retail institutions including for US Bank, Bravera Bank, Glendive BN Federal Credit Union and Stockman Bank. Records were received from each institution. The Defendant opened the Stockman Bank account on March 5, 2024, and placed $3,000.00 into the account. Banking records were received from US Bank for five (5) accounts on which the Defendant was a signatory, including accounts with her mother, Sandra O. Reiter, her daughter Marenah D. Crockett, her son Christian Crockett, a joint account with her husband Ron Crockett, and her solo account in which she was the only signatory. When the Defendant took over as

Treasurer for Babe Ruth in April, 2021, the balance on the Babe Ruth account at Bravera Bank was $28,736.34. The ending balance on the Babe Ruth account at Bravera Bank at the beginning of March of 2024, when the irregularities in the account were first noticed, was $1,570.56. Forensic Accountant Christine Macinnes was utilized in order to determine what the Defendant did with the money from the Babe Ruth Bravera Bank account. A pattern of use was discovered in which the Defendant used the Babe Ruth Bravera Bank account and Celtic Fund as her own personal slush fund over the course of several years when her own joint account with her husband Ron Crockett would be overdrawn, when she would go on trips, or when she needed extra funds. The Defendant often wrote checks to family members in an apparent attempt to conceal the embezzlement but would then deposit the checks into her own joint US Bank Account.

On June 14, 2021, the Defendant wrote a check from the Babe Ruth Bravera Bank account to her son Christian Crockett in the amount of $200.00, for “field”. On June 20, 2021, the Defendant wrote a check from the Babe Ruth Bravera Bank account to her son Christian Crockett in the amount of $200.00, for “field”. On June 28, 2021, the Defendant wrote a check from the Babe Ruth Bravera Bank account to her son Christian Crockett in the amount of $800.00, for “field maintenance”. On July 1, 2021, the Defendant wrote a check from the Babe Ruth Bravera Bank account to her son Christian Crockett in the amount of $500.00. The Defendant deposited each of the aforementioned checks, written to her son Christian Crockett, into her joint US Bank account, totaling $1,700.00.

On July 22, 2021, the Defendant withdrew $1,750.00 in cash from the Babe Ruth Bravera Bank Account, the description of which was, “Cash-Raffle”. The Defendant did not pay the winners of the raffle in cash, but wrote the winners checks from the Babe Ruth Bravera Bank account totaling $1,750.00. The Defendant also made two (2) other cash withdrawals from the Babe Ruth Bravera Bank account on July 22, 2021 in the amounts of $2,000.00 and $2,550.00, the description of each was “Cash”. On July 22, 2021, the Defendant withdrew a total of $6,300.00 in cash from the Babe Ruth Bravera Bank account.

Four (4) days later, on July 26, 2021, the Babe Ruth All-stars were in Seattle, Washington for a tournament. The Defendant paid for the tickets to the Seattle Mariners from the Babe Ruth Bravera Bank account in the amount of $504.00 and another payment to the Seattle Mariners in the amount of $36.00 despite Babe Ruth Baseball not being associated with the All-Star team. The Defendant also paid for two (2) hotel rooms at the Red Lion Hotel in Seattle, Washington, for a total of $290.64 out of the Babe Ruth Bravera Bank account.

On October 2, 2021, the Defendant wrote a check from the Babe Ruth Bravera Bank account to her son Christian Crockett in the amount of $200.00. The Defendant deposited the check into her joint US Bank account. On January 21, 2022, the Defendant wrote a check from the Babe Ruth Bravera Bank account to her son Christian Crockett in the amount of $1,625.00 for "repairs". The Defendant deposited the check into her joint US Bank account.

On May 15, 2022, the Defendant wrote a check to Ron Crockett from the Celtic Fund in the amount of $1,250.00. The Check was deposited in the Defendant's joint US Bank account.

On July 18, 2022, the Defendant wrote a check to Ron Crockett from the Babe Ruth Bravera Bank account in the amount of $1,750.00 for a "rep. parts".

On July 27, 2022, the Defendant went to Costco Wholesale in Billings, Montana. An Investigative Subpoena was obtained, served on Costco Wholesale and records were received which included dates of purchases and items purchased. On July 27, 2024, the Defendant purchased $400.01 of items at Costco Wholesale in Billings, Montana. The Defendant purchased no items that reasonably would have been purchased for Babe Ruth to include: four (4) boxes of Starbucks Mocha Frappachino, Kirkland UltraClean Liquid washing machine pods, kitty litter, Poo Pourri, Downy April Fresh, bath tissue, precooked bacon, Panera mac & cheese, Cerave Moisturizing Cream, Alba Botanica Hawaiian sunscreen, four packs of wire edge ribbon, Splendid ladies joggers, two (2) AK Gauze button up tops, two (2) GV Amanda capris, queen sized bed sheets, muffins, artisan rolls, two rotisserie chickens, and sleep aid tablets. On the same date, July 27, 2022, the Defendant transferred $762.45 from the Babe Ruth Bravera Bank account to her Joint US Bank account. The transfer was listed as, "Bill Paid – RON CROCKETT Conf #1".

The check was deposited in the Defendant's joint US Bank account. On August 22, 2022, the Defendant wrote a check to Ron Crockett from the Babe Ruth Bravera Bank account in the amount of $1,500.00 for a "lawnmower". The check was deposited in the Defendant's joint US Bank account. On September 8, 2022, the Defendant transferred $1,000.00 from the Babe Ruth Bravera Bank account to her joint US Bank account. The transfer was listed as, "Bill Paid – RON CROCKETT Conf #2". On the weekend of September 10-12, 2022, the Defendant was in Las Vegas, Nevada, on vacation, where she went to Allegiant Stadium and had transactions on her joint account throughout Las Vegas. The Defendant's mortgage payment was automatically withdrawn on July 11, 2022 in the amount of $2,100.00. On September 11, 2022, while in Las Vegas, the Defendant wrote a check from the Babe Ruth Bravera Bank account to her son Christian Crockett in the amount of $2,000.00. The Defendant deposited the check into her joint US Bank account. A search of the Allegiant Stadium, showed that there was a Motley Crue and Def Leppard concert at Allegiant Stadium on September 12, 2022. The Defendant's posted on her Facebook page about attending the concert. On September 12, 2022, the Defendant wrote a check to Ron Crockett from the Babe Ruth Bravera Bank account in the amount of $6,500.00. The check was deposited into the Defendant's joint US Bank account. On July 18, 2022, the Defendant wrote a check to Ron Crockett from the Babe Ruth Bravera Bank account in the amount of $1,750.00. The Defendant deposited the check into her joint US Bank account.

On October 19, 2022, the Defendant's joint bank account at US Bank had two (2) overdraft charges. On October 24, 2022, the Defendant's joint bank account at US Bank on October 24, 2022 had another overdraft fee. On October 24, 2022, the Defendant wrote a check in the amount of $950.00 from the Celtic Fund to Ron Crockett and deposited it in her joint US Bank Account. On October 26, 2022, the Defendant transferred $1,000.00 from the Babe Ruth Bravera Bank account to her joint US Bank account. On October 26, 2022, the Defendant transferred $1,000.00 from the Babe Ruth Bravera Bank account to her joint US Bank account. The transfers were listed as, "Bill Paid – RON CROCKETT Conf #3" and "Bill Paid – RON CROCKETT Conf #4".

On August 16 and 17, 2023, the Defendant's joint US Bank account was overdrawn as noted by two (2) returned withdrawals. On August 17, 2023, the Defendant transferred $1,950.00 from the Babe Ruth Bravera Bank account to her joint US Bank account. The transfer was listed as, "Bill Paid – RON CROCKETT Conf #5".

On December 7, 2023, the Defendant's joint US Bank account had two (2) overdraft charges. On December 8, 2023, the Defendant's joint US Bank account had an overdraft charge. On December 13, 2023, the Defendant's joint US Bank account had two (2) overdraft charges. On that same date, December 13, 2023, the Defendant transferred funds in the amounts of $2,000.00 and $1,500.00. The transfers were listed as, "Bill Paid – RON CROCKETT Conf #6" and "Bill Paid – RON CROCKETT Conf #7".

On January 12, 2023, the Defendant's joint US Bank account had two (2) overdraft charges. On January 16, 2023, the Defendant transferred $1,000.00 from the Babe Ruth Bravera Bank account to her joint US Bank account. The transfer was listed as, "Bill Paid – RON CROCKETT Conf #8".

The amount either transferred or written in checks and deposited into the Defendant's account or otherwise misappropriated from the Babe Ruth Bravera account totals approximately $31,224.09.

The amount in checks written and deposited in the Defendant's account from the Celtic Fund totaled approximately $2,200.00.

An Investigative Subpoena was obtained and served on Costco Wholesale regarding transactions made by the Defendant using Babe Ruth Baseball funds. The majority of transactions were not for items that would in any way reasonably be utilized by Babe Ruth and were made at Costco Wholesale locations in Billings, Montana, Bozeman, Montana, Kalispel, Montana, and Bismarck, North Dakota, between April 21, 2021, and May 27, 2023. The total amount of items purchased from Costco Wholesale by the Defendant using Babe Ruth funds is approximately $4,846.65.

The State is awaiting returns on Investigative Subpoena's from multiple retail establishments in order to verify suspicious purchases to include Walmart, Sam's Club, Albertsons, and Amazon.

On December 6, 2024, Undersheriff Jake Feist attempted to contact the Defendant several times, in order to conduct an interview. On December 10, 2024, Undersheriff Jake Feist again attempted to contact the Defendant several times by telephone and left a message, asking the Defendant to contact him. Undersheriff Feist did not receive a return call from the Defendant. On December 10, 2024, Deputy Matthew Cornell made contact with the Defendant at her residence and relayed a message from Undersheriff Feist to call him the following day. The Defendant told Deputy Cornell that she was unaware of any messages from Undersheriff Feist. On December 11, 2024, the Defendant contacted Undersheriff Feist by telephone. Undersheriff Feist told the Defendant he was hoping to set up an interview with her in order to discuss what had happened with Babe Ruth. The Defendant replied, "You're kidding me!" Undersheriff Feist informed the Defendant that he was not kidding and had been conducting an investigation into the matter since March of 2024. Undersheriff Feist indicated that he would like to hear her side of the story and she agreed to meet with Undersheriff Feist on December 13, 2024.

Undersheriff Feist was unable to keep the appointment on December 13, 2024, and the interview was rescheduled for December 18, 2024, at 3:00 PM. On December 18, 2024, at 12:05 PM, the Defendant left a voice message on Undersheriff Feist's office phone explaining that she had to take her mother to Bismarck, North Dakota, for a medical appointment and would not be able to make the interview. Undersheriff Feist called the Defendant back and spoke with her on the telephone. She explained that she was travelling at the time and works the next two days from 8:00 AM to 6:00 PM. The Defendant said she would call Undersheriff Feist at a later date to reschedule. The Defendant posted on her Facebook page on that she was taking her mother to an appointment on December 17, 2024, and posted a comment on the original post stating that they would be returning the morning of December 18, 2024. The Defendant's mother, Sandy Reiter, posted on her open Facebook page that she and the Defendant, "Made it home (Glendive) from Bismarck." at approximately 2:30 PM on December 18, 2024, approximately thirty (30) minutes prior to the scheduled interview.

WHEREFORE, Affiant requests permission and leave of this Court to file an Information in the above-entitled Court against the Defendant charging her with the aforesaid crimes.

DATED this 18th day of December, 2024.

Brett Irigoin

____

Brett Irigoin
Dawson County Attorney

Subscribed and sworn to me this __________ day of ________________________, 2024.

____

CLERK OF COURT

(COURT SEAL)

By: ____

DEPUTY CLERK OF COURT