

Bjorn E. Boyer, Deputy County Attorney  
Gallatin County Attorney's Office  
1709 West College Street  
Bozeman, Montana 59715  
(406) 582-3745

JUSTICE COURT GALLATIN  
COUNTY FEB11'20PM2:39

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

\* \* \* \* \*

STATE OF MONTANA, ) Case No.: CR-20-63  
 )  
Plaintiff, ) COMPLAINT  
 )  
vs. )  
 )  
PATRICIA BATTS, )  
 )  
Defendant. )  
\_\_\_\_\_ )

COMES NOW the State of Montana by Bjorn E. Boyer, a Deputy Gallatin County Attorney, being first duly sworn, and accuses the above-named defendant of committing the following crime in Gallatin County, Montana:

Count 1: Deliberate Homicide, a Felony, in violation of § 45-5-102(1)(b), MCA, committed on or between the dates of January 15, 2020 through February 3, 2020, when the defendant, Patricia Batts, was legally accountable for the commission of an aggravated assault committed by [REDACTED] and, in the course of the aggravated assault [REDACTED] caused the death of <sup>J</sup> A.H., another human being, to wit: before or during [REDACTED] committing an aggravated assault against <sup>J</sup> A.H., the above Defendant had the purpose

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to promote or facilitate the commission of the offense, which caused  
J.  
A.H.'s death.

BB

Dated this 11<sup>th</sup> day of February, 2020.

Bjorn Boyer  
Bjorn E. Boyer  
Deputy County Attorney

SUBSCRIBED and SWORN to before me this 11<sup>th</sup> day of Feb, 2020.

Bryan Adam  
Justice of the Peace

JUSTICE COURT GALLATIN  
COUNTY FEB11'20PM2:46

Bjorn E. Boyer, Deputy County Attorney  
Gallatin County Attorney's Office  
1709 West College Street  
Bozeman, Montana 59715  
(406) 582-3745

JUSTICE COURT GALLATIN  
COUNTY FEB11'20PM2:39

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

\* \* \* \* \*

STATE OF MONTANA,	)	Case No.: CR-20- <b>63</b>
	)	
Plaintiff,	)	<u>AFFIDAVIT OF PROBABLE CAUSE AND</u>
	)	<u>MOTION IN SUPPORT OF FILING A</u>
vs.	)	<u>COMPLAINT</u>
	)	
PATRICIA BATTS,	)	
	)	
Defendant.	)	

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COMES NOW the State of Montana by Bjorn E. Boyer, Deputy Gallatin County Attorney, and being first duly sworn upon oath, deposes and says as follows:

1. That your affiant is a Deputy Gallatin County Attorney, and by law one of the attorneys to prosecute criminal matters in the State of Montana.

2. Based upon an investigation by the Gallatin County Sheriff's Office ("GCSO"), your affiant is aware of the following.

3. On February 3, 2020 at approximately 6:35 a.m., GCSO Deputy Matthew Stubblefield was dispatched to 325 Buffalo Drive in West Yellowstone, Gallatin County, Montana for a reported unattended death of a 12 year-old child. Upon arriving on scene, Deputy Stubblefield observed that the circumstances surrounding the death

appeared to be suspicious and he requested assistance from the Detective Division to assist in the investigation. Deputy Stubblefield observed the male victim had multiple wounds and contusions all over his body.

4. GCSO Detective Captain Don Peterson, Detective Sergeant Matthew Boxmeyer, Detective Kelly Sprinkle, and Detective Colter Metcalf responded to West Yellowstone to assist with the investigation. At the beginning of the investigation, the detectives learned the victim, referred to hereafter as J.H., was residing with his grandparents, his 18 year-old aunt, and his six and 14 year-old uncles. Detective Sprinkle identified the grandparents as Patricia Batts ("Batts") and James Sasser Jr. ("Sasser Jr."), the 18 year-old aunt as Madison Sasser ("Madison"), the 14 year-old uncle as [REDACTED], and the six year-old uncle as H.S. GCSO detectives interviewed the above witnesses. During the course of these interviews, the detectives learned the following information.

5. Batts reported J.H. had been residing with them for the past two years after being sent to Montana by his mother to live with his father. J.H.'s father was identified as Tommy Tate. Batts identified Tate as her biological son. Batts reported J.H.'s mother continued to live in Texas. Batts stated that Tate died

approximately two years prior and that was the reason J.H. was living with them. Batts reported that she had three biological children with Sasser Jr., identified as Madison, [REDACTED] and H.S. Although Madison was J.H.'s aunt, and [REDACTED] and H.S. his uncles, they were closer in age to J.H. than is typical and more similar to siblings.

6. Detective Boxmeyer spoke with J.H.'s biological mother, identified as Alicia Davis. Davis reported to Detective Matt Boxmeyer that she had made numerous attempts to contact J.H. via telephone, but those attempts were systematically blocked by Batts.

7. Batts stated J.H.'s behavior had become increasingly problematic in the two years he had been with them after Tate passed away. Batts reported J.H.'s behavior had worsened more so in the last month. Batts stated they witnessed the victim drinking alcohol and becoming visibly drunk on several occasions and that the victim had been stealing items from them and also from stores.

8. Batts, [REDACTED] and Sasser Jr. all stated J.H. complained of hearing voices and had been observed multiple times self-harming and causing injuries to himself. Batts, Sasser Jr., and Sasser III stated J.H. would hit himself repeatedly in the head and would run head-on into walls and steel doors.

9. [REDACTED] stated that, at some time during the last couple

of weeks (January 2020), J.H. ran into the corner of the entertainment center, causing an injury to his head and having a gash on his head that bled greatly. Batts, Madison, and Sasser Jr., also stated that J.H. would scratch himself to the point of bleeding and he would not let his wounds heal, constantly picking at them and having open sores. Batts stated that J.H. had been suicidal in the past and threatened to take pills. Batts, Sasser Jr., and ██████████ stated that, due to the victim's behavior becoming so erratic lately, they had to constantly watch his every move, including someone staying up at night to make sure he was not going to harm himself or someone else. Sasser Jr., ██████████ and Madison stated J.H. told them the voices in his head told him to rape and to kill members of the family.

10. ██████████ reported to Detective Sprinkle that he used his cellular phone to take a digital video consisting of J.H. explaining that he could hear voices, which told him to kill various people. ██████████ reported that he digitally shared this video with his sister, Madison.

11. Batts, Sasser Jr., and ██████████ stated that, approximately one week prior, on or around January 27, 2020, ██████████ woke up during the night and observed J.H. standing over the top of Batts with a knife. ██████████ stated he did not know what

J.H. was planning on doing with the knife and he tackled J.H. to prevent him from harming anyone. [REDACTED] stated he punched J.H. several times on his body and also in the head. Detective Sprinkle observed J.H. to be approximately 103 lbs and 5'3" tall. Detective Sprinkle observed [REDACTED] to be approximately 300 lbs and 6' tall.

12. The Detective division has not been able to locate any record of the family reporting these claimed behaviors to law enforcement or of the family attempting to get medical or psychiatric help for J.H.

13. Batts, Sasser Jr., Madison, and [REDACTED] stated that there were multiple instances of physical violence perpetrated by [REDACTED] against J.H. [REDACTED] stated he made a paddle out of wood with a blue-taped handle and would hit the victim multiple times with it, mostly on the buttocks but sometimes other places. [REDACTED] also stated that Batts would punish the victim with the paddle on multiple occasions. Batts corroborated [REDACTED] statement. A photo of the paddle, which was located on Batts' phone during a later search, is included below:



14. In observing J.H.'s body, Detective Sprinkle observed J.H. had injuries to his buttocks consistent with what could be inflicted by a paddle. Detective Sprinkle and other Detectives observed the bruising appeared to be severe. Detective Sprinkle observed J.H. had multiple other injuries in multiple locations all over his body. In viewing J.H.'s body, the GCSO detectives believe the multiple indications of severe injuries on the victim's body were not consistent with self-inflicted injuries. Detective



Sprinkle observed numerous injuries on J.H.'s posterior, which would be very difficult to self-inflict. Detective Sprinkle observed that one injury, a large gash on the back of J.H.'s head, does not appear to be consistent with running into an entertainment center, but does appear to be consistent with being hit in the back of the head with an object. A photo obtained from Madison's phone pursuant to a search warrant indicates that J.H. had the gash on his head as early as January 23, 2020.

15. On February 4, 2020, J.H.'s body was transported to Missoula for an autopsy at the Montana State Crime Lab. Medical Examiner Dr. Sunil Prashar conducted the autopsy. After the autopsy of the victim was conducted, Dr. Prashar preliminarily told Detective Emens that J.H. died from blunt force trauma to the back of the head. Dr. Prashar indicated that his final opinion would be rendered pending J.H.'s toxicology results.

16. Upon the detectives arriving to West Yellowstone on February 3, 2020, Batts initially granted them consent to enter the house. Detective Peterson, Detective Boxmeyer, Detective Sprinkle, and Detective Metcalf entered the residence. Detective Peterson observed an indentation in the wall consistent with a head being hit into the wall. Detective Peterson observed a trace amount of blood near the indentation and collected a swab of the blood. The

preliminary examination of the residence was completed prior to collecting all witness statements. The house was sealed and deputies with the sheriff's office maintained security at the scene. Later, a search warrant was obtained and a more thorough search was conducted.

17. During the more thorough search, detectives located forensic evidence that very large amounts of blood had been previously cleaned from the floor and various other surfaces from the interior of the residence. The detectives observed that this amount of blood would be consistent with the head wound found on the back of the victim's head. The detectives located the blood evidence in an area of the living room separate from the part of the house where [REDACTED] reported J.H. had run headlong into the entertainment center.

18. During the interviews with the various family members, each one denied a large amount of blood ever existing on the surfaces within the house or drastically minimized the amount of blood that was located within the house. Upon reviewing body camera footage captured of the initial scene by Officer Neal of the West Yellowstone Police Department, a jug of vinegar can be conspicuously seen on the floor in the residence. Detective Metcalf is aware that vinegar is a commonly used floor cleaning agent.

19. Detective Sprinkle and Sergeant Boxmeyer interviewed [REDACTED] reported multiple altercations took place between him and J.H., the last one occurring on Saturday, February 1, 2020 around mid-day. [REDACTED] reported the altercation included him hitting J.H. once. [REDACTED] denied ever hitting J.H. in the head with the paddle. [REDACTED] stated that he and J.H. had a fight on January 27, 2020 that was worse. [REDACTED] claimed that he had walked in on J.H. standing over Batts with a knife. [REDACTED] stated that he attacked J.H. and beat him up pretty good.

20. Detective Peterson interviewed Madison. Madison reported that she watched the Super Bowl with friends in West Yellowstone. Madison reported that everyone was asleep when she arrived home from the Super Bowl that evening. Madison reported that J.H. was "asleep" on the floor of the living room and that Batts was asleep on the couch. Madison reported that, to her knowledge, no altercations occurred after she arrived home. However, Madison also stated that she had texted her "friends" that she believed her brother (Sasser III) had killed J.H.

21. Detective Sprinkle and Detective Boxmeyer interviewed Sasser Jr. Sasser Jr. reported that he had been sleeping during the Super Bowl (February 2, 2020), but that [REDACTED] and J.H. had gotten into an altercation. Sasser Jr. minimized the seriousness of

the altercation. Sasser Jr. reported that he awoke on the morning of February 3, 2020 and was on his way to work when he learned from Batts of the victim's death.

22. Detective Peterson interviewed Batts. Batts reported that she was also asleep during parts of the Super Bowl, but awoke to [REDACTED] and J.H. having an altercation. Batts reported that [REDACTED] had struck J.H. with the paddle, but denied [REDACTED] hitting him in the head. Batts minimized the fight during the Super Bowl, saying that [REDACTED] had a significant fight with J.H. on January 27, 2020, where [REDACTED] had beat J.H. Batts stated the fight was a "bad fight" and that it was a "blood bath." Batts denied [REDACTED] hit J.H. with a paddle to the head on January 27th, but admitted that [REDACTED] had hit him with fists to the head.

23. Batts reported that J.H. slept on the floor of the living room the night of February 2, 2020. Batts reported that J.H. was mumbling and "moaning" throughout the night. Batts reported finding J.H.'s body on the morning of February 3, 2020 in the living area of the residence and that he was deceased. Batts reported calling 9-1-1 upon finding the body.

24. On February 6, 2020, the detectives conducted a search of the hotel room where the Sasser/Batts were staying in West

Yellowstone. Pursuant to a search warrant, detectives seized cell phones belonging to Batts, Sasser Jr., Madison, [REDACTED] and H.S.

25. In reviewing the various phones, detectives observed videos of what appeared to be the family torturing J.H. The following are instances of such abuse:

- a. On December 12, 2019, a video on Batts' phone shows J.H. doing forced jumping jacks while holding his buttocks area. J.H. is crying in the video and saying that he has to go to the bathroom. A video time stamped approximately 12 minutes later shows J.H. still holding his buttocks saying he has to go to the bathroom. Batts can be heard in the video mocking him.
- b. On January 10, 2020, a video on Batts' phone shows J.H. standing near the garage door, bent over holding his head in his hands. A second video from the same time shows A.H. holding his head and rocking back and forth saying "no" and moaning. Another video, time stamped two minutes later shows J.H. crying and saying, "Ow, it hurts so bad."
- c. Several videos show J.H. being forced to sit against the wall or door to the garage in a squat position.

- d. Several other videos show J.H. being forced to do jumping jacks as punishment.
- e. On January 10, 2020, a video on [REDACTED] phone shows J.H. sitting against the door to the garage crying, "I fucking hate this." A larger male can be seen on the video hitting J.H. with a piece of wood. J.H. is heard screaming about committing suicide. Detective Webb observed that the clothing the male was wearing appeared to match clothing worn in a Facebook profile of one of [REDACTED] friends.
- f. On January 17, 2020, a video on Batts' phone shows J.H. has cuts on his face and wrist.
- g. On January 23, 2020, a video on Batts' phone shows J.H. against the front wall of the residence pinned between the wall and the couch with his arms in the air above his head. J.H. does not have a shirt on in the video. J.H. has red marks and injuries to his shoulder. J.H. can be seen starting to fall asleep against the wall and resting his head on the window trim. Batts can then be heard saying, "Wake up! Get your fucking head off there!" A video from approximately eight minutes later shows J.H. still standing facing the wall by the front

window. Batts can be heard telling J.H. to keep his hands apart and open in the air. The video shows J.H. crying and visibly shaking from having to hold his hands above his head. The video shows J.H. pinned against the wall below the waist by the couch, so he is not able to bend over. J.H. is heard on the video saying that he hurts and that his head hurts. Batts can be heard saying, "Who cares." Approximately 25 minutes after the first video, another video shows J.H. in the same position. Batts is heard telling J.H. the reason she cannot stand him is because she brought him into her home and gave him everything, then J.H. stole her father-in-law's wallet.

h. On January 27, 2020, a video on Batts' phone shows J.H. wearing only underwear being forced to stand in front of fans in the dining room. J.H. has his arms crossed as if he is cold. Batts can be heard confronting J.H. H.S., the six year-old uncle, is seen in the video acting as if it were a normal occurrence. A series of short videos show the same thing for approximately the next half an hour. Throughout the videos, Batts is heard berating J.H. On one video, J.H. states that his mom is

a "drunk" and that she hates him. On one of the videos, J.H. starts to cry and he states he doesn't remember anything and that everything is a blur.

- i. On [REDACTED]'s phone, from January 23, 2020, a video shows Batts holding J.H. against the wall by his neck, strangling J.H. The video is shot several minutes after the last video from Batts' phone, described in (g) above. J.H. is still in his underwear and the fan is still running. J.H. is heard screaming, crying, and yelling, "Ow." Batts can be seen slapping J.H. several times in the face, saying, "That's for screaming." H.S. can be seen spraying J.H. in the face with a clear liquid from a spray bottle. When the liquid hits J.H. in the face, J.H. can be heard saying, "He's burning me." J.H. is seen attempting to defend himself by covering his face with his hands. Batts then twists J.H.'s arms behind his back, bending J.H. over at the waist, saying, "Shut your fucking mouth or I'll break this son of a bitch off on you." Batts can then be seen twisting J.H.'s wrist while his arm is bent behind his back and he is bent completely over at the waist. While J.H. is pinned in this position, Batts states, "You're



gonna stay this way so you don't choke yourself." J.H. states that he was not choking himself. Batts responds, "Yeah, you were, everybody seen it." J.H. did not make any type of aggressive move toward Batts during the video. In watching the video, the detectives recalled seeing several bottles of isopropyl alcohol in the residence, which Madison reported the family put in spray bottles to get rid of bed bugs. The detectives concluded that H.S. was spraying J.H. in the face with the isopropyl alcohol.

j. Another video from January 27, 2020 on [REDACTED] phone shows J.H. standing in front of the fan in his underwear. Batts can be heard telling J.H., "Oh, you're not even a human, you're some kind of thing."

26. Detective Emens located videos of J.H. from approximately two years ago, up until recently. Detective Emens observed that J.H. appeared to be a healthy and well fed boy in those videos. The detectives observed that J.H. appeared to be emaciated at the time of his death. During a search of the residence, Detective Peterson observed that a good portion of the food in the house was locked away and J.H. would not have access to it.

27. Detective Webb observed that, on January 16, 2020, [REDACTED] [REDACTED] texted his dad, Sasser Jr., a video of J.H. walking out to the car in a t-shirt. All of the other family members in the video have coats on. [REDACTED] texted Sasser Jr., in reference to the video, "He ain't limping see I told you."

28. On January 17, 2020, at 12:03 a.m., [REDACTED] texted Batts: "Dad said don't let him pass out from hypothermia."

29. Detective Webb observed that, on January 27, 2020, at approximately 8:07 a.m., a text exchange occurred between [REDACTED] and Sasser Jr. as follows:

[REDACTED] He's worse when your gone way worse.

Sasser Jr.: That's what mom said I don't know what to do.

[REDACTED] I'm gonna end up killing him today.

Sasser Jr.: Don't touch him get the fans away make him sit down but no sleeping.

[REDACTED] Mom said not happening.

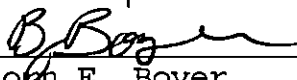
30. A review of the Safari search history on Sasser III's phone shows that, on January 27, 2020, at approximately 7:19 p.m., [REDACTED] searched for "what was the longest coma"? On February 2, 2020, at approximately 8:00 p.m., [REDACTED] searched for "what are the symptoms of brain injury"? Also on February 2, 2020, at approximately 8:17 p.m., [REDACTED] searched for "symptoms of sleep

deprivation." Later on February 2, 2020, at approximately 10:27 p.m., [REDACTED] searched for "concussion symptoms." Finally, on February 2, 2020, at approximately 10:30 p.m., [REDACTED] searched for "how do you tell if someone has a concussion"?

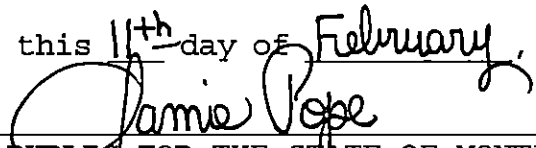
31. From the various interviews, the detectives determined that J.H. was taken out of school in September 2019. Thus far, it appears that very few people have had contact with J.H. in the last several months outside of the family. Batts stated she and Sasser Jr. didn't take J.H. to a doctor to seek medical help for any of his injuries.

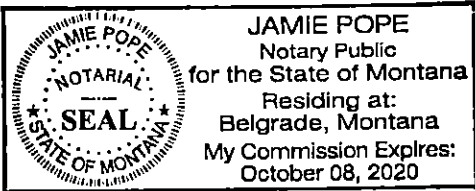
32. Based upon the foregoing facts, the undersigned moves this court to find probable cause exists to file a complaint charging the above-named defendant with the offense of: Deliberate Homicide, a Felony, in violation of § 45-5-102(1)(b), MCA.

DATED this 11<sup>th</sup> day of February, 2020.

  
\_\_\_\_\_  
Bjorn E. Boyer  
Deputy County Attorney

SUBSCRIBED and SWORN to before me this 11<sup>th</sup> day of February, 2020.

  
\_\_\_\_\_  
Jamie Pope



NOTARY PUBLIC FOR THE STATE OF MONTANA  
Residing at: Bozeman, Montana  
My commission expires:

ORDER

Upon reading the foregoing Affidavit:

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

Deliberate Homicide, a Felony, in violation of § 45-5-102(1)(b), MCA.

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

Deliberate Homicide, a Felony, in violation of § 45-5-102(1)(b), MCA.

DATED February 11, 2020 at 1508 a.m./p.m.

Bayan Culam  
JUSTICE OF THE PEACE

Bjorn E. Boyer, Deputy County Attorney  
Gallatin County Attorney's Office  
1709 West College Street  
Bozeman, Montana 59715  
(406) 582-3745

JUSTICE COURT GALLATIN  
COUNTY FEB11'20PM2:42

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

\* \* \* \* \*

STATE OF MONTANA, ) Case No.: CR-20-6A  
 )  
Plaintiff, ) COMPLAINT  
 )  
vs. )  
 )  
JAMES SASSER JR., )  
 )  
Defendant. )  
\_\_\_\_\_ )

COMES NOW the State of Montana by Bjorn E. Boyer, a Deputy Gallatin County Attorney, being first duly sworn, and accuses the above-named defendant of committing the following crime in Gallatin County, Montana:

Count 1: Deliberate Homicide, a Felony, in violation of § 45-5-102(1)(b), MCA, committed on or between the dates of January 15, 2020 through February 3, 2020, when the defendant, James Sasser Jr., was legally accountable for the commission of an aggravated assault committed by James Sasser III, and, in the course of the aggravated assault James Sasser III caused the death of J.H., another human being, to wit: before or during James Sasser III committing an aggravated assault against J.H., the above Defendant had the purpose  
J.  
BB

to promote or facilitate the commission of the offense, which caused  
J.  
A.H.'s death.

BB Dated this 11<sup>th</sup> day of February, 2020.

B. Boyer  
Bjorn E. Boyer  
Deputy County Attorney

SUBSCRIBED and SWORN to before me this 11<sup>th</sup> day of Feb, 2020.

Bryan Adams  
Justice of the Peace

JUSTICE COURT GALLATIN  
COUNTY FEB11'20PM2:46

Bjorn E. Boyer, Deputy County Attorney  
Gallatin County Attorney's Office  
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JUSTICE COURT GALLATIN  
COUNTY FEB11'20PM2:42

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

\* \* \* \* \*

STATE OF MONTANA,

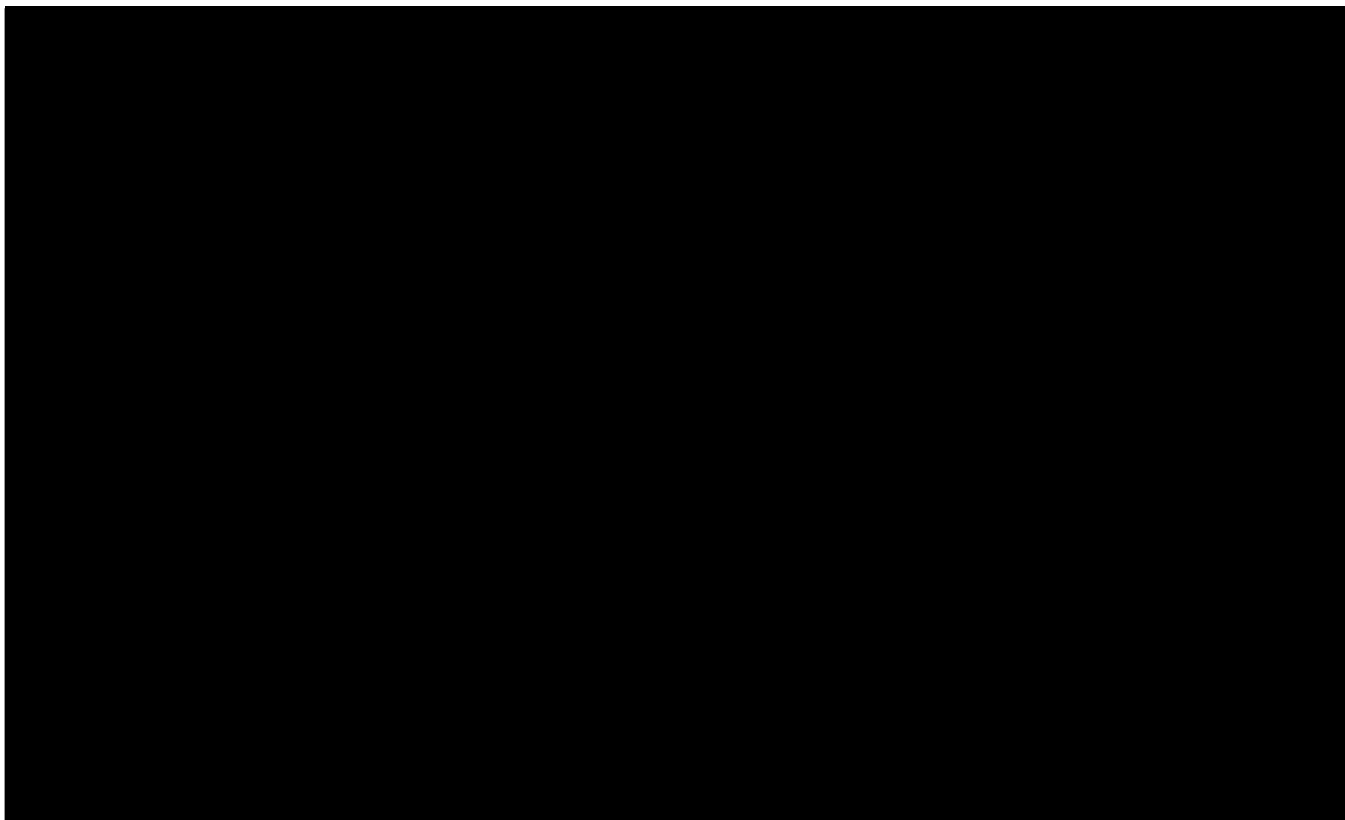
Plaintiff,

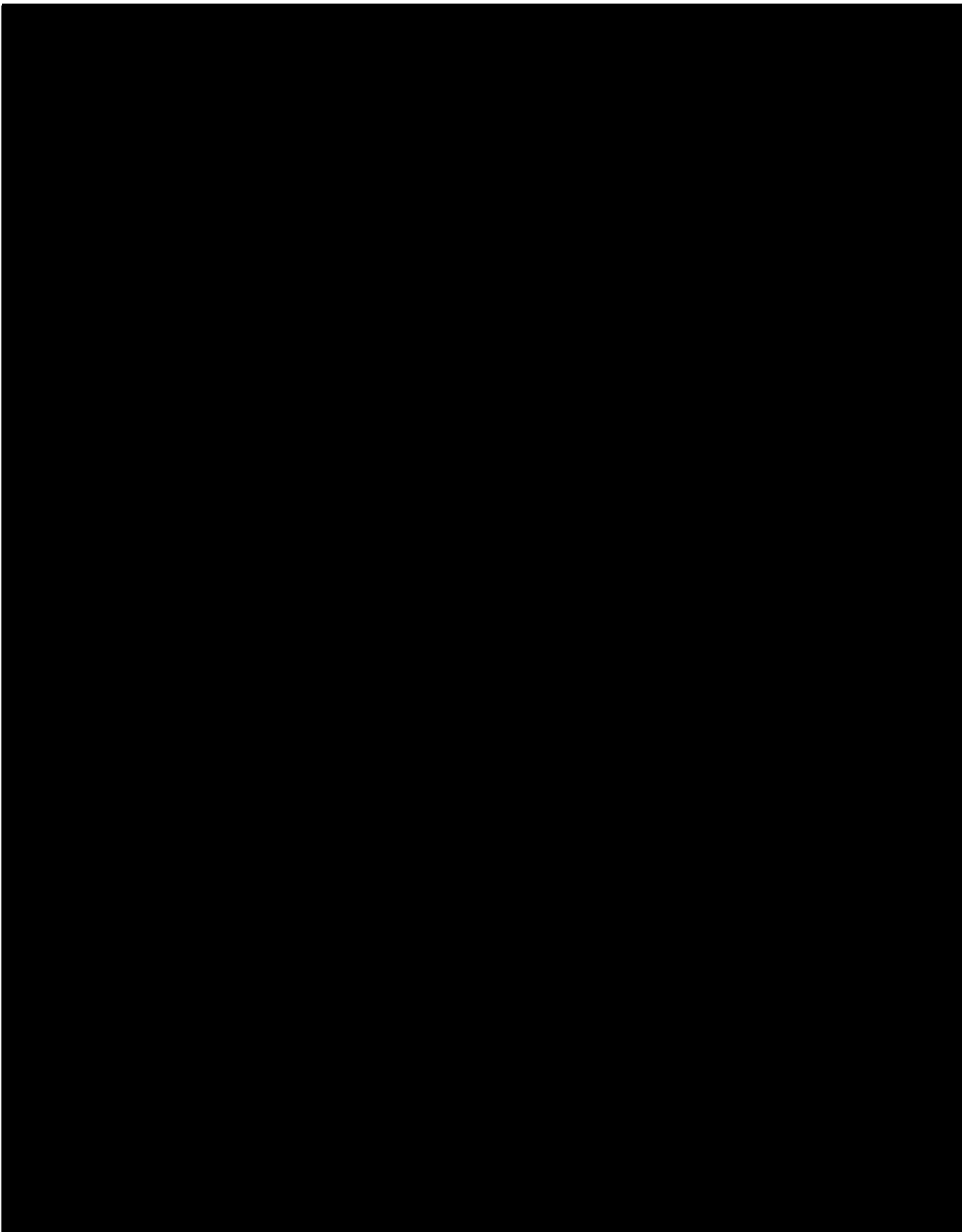
vs.

JAMES SASSER JR.,

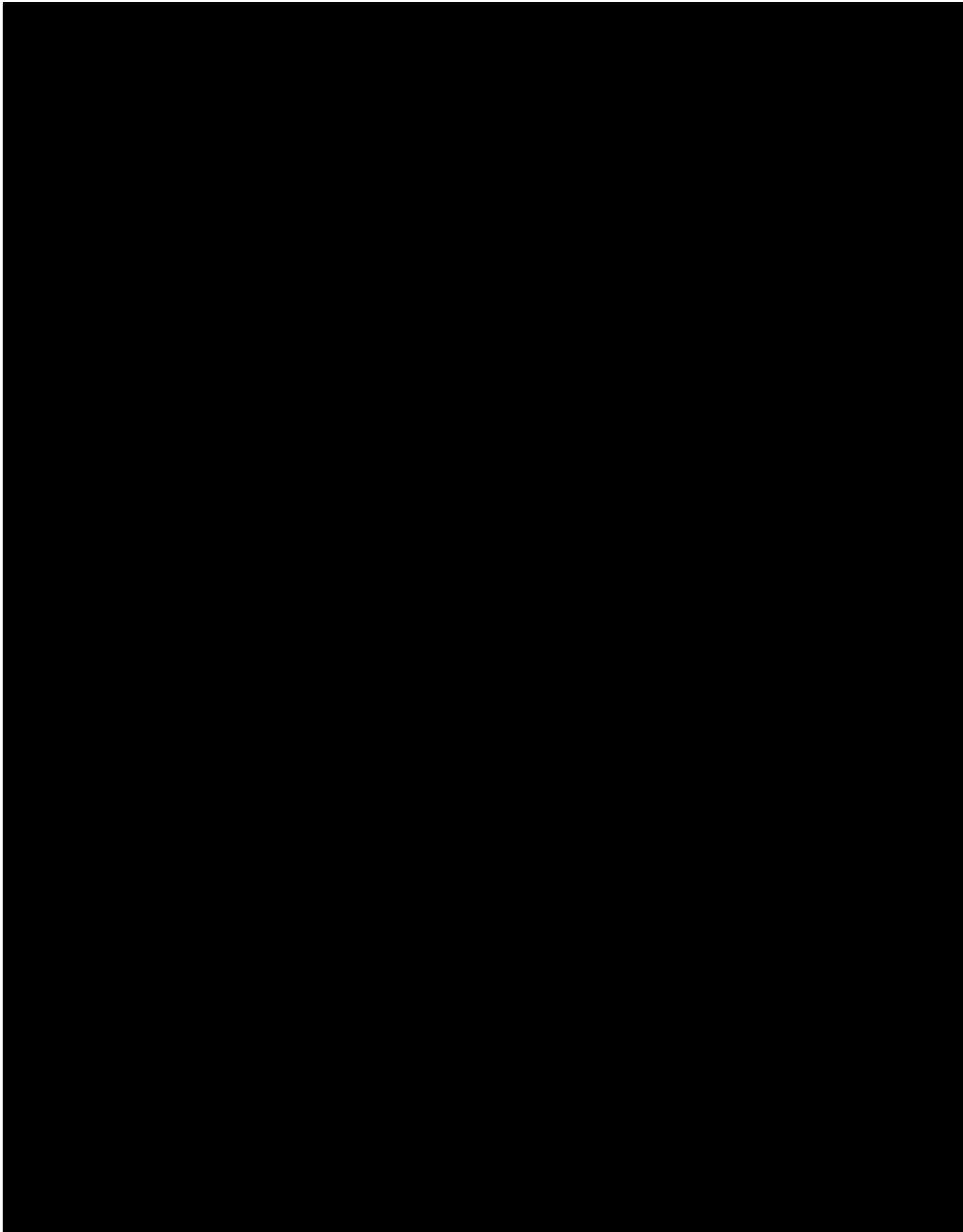
Defendant.

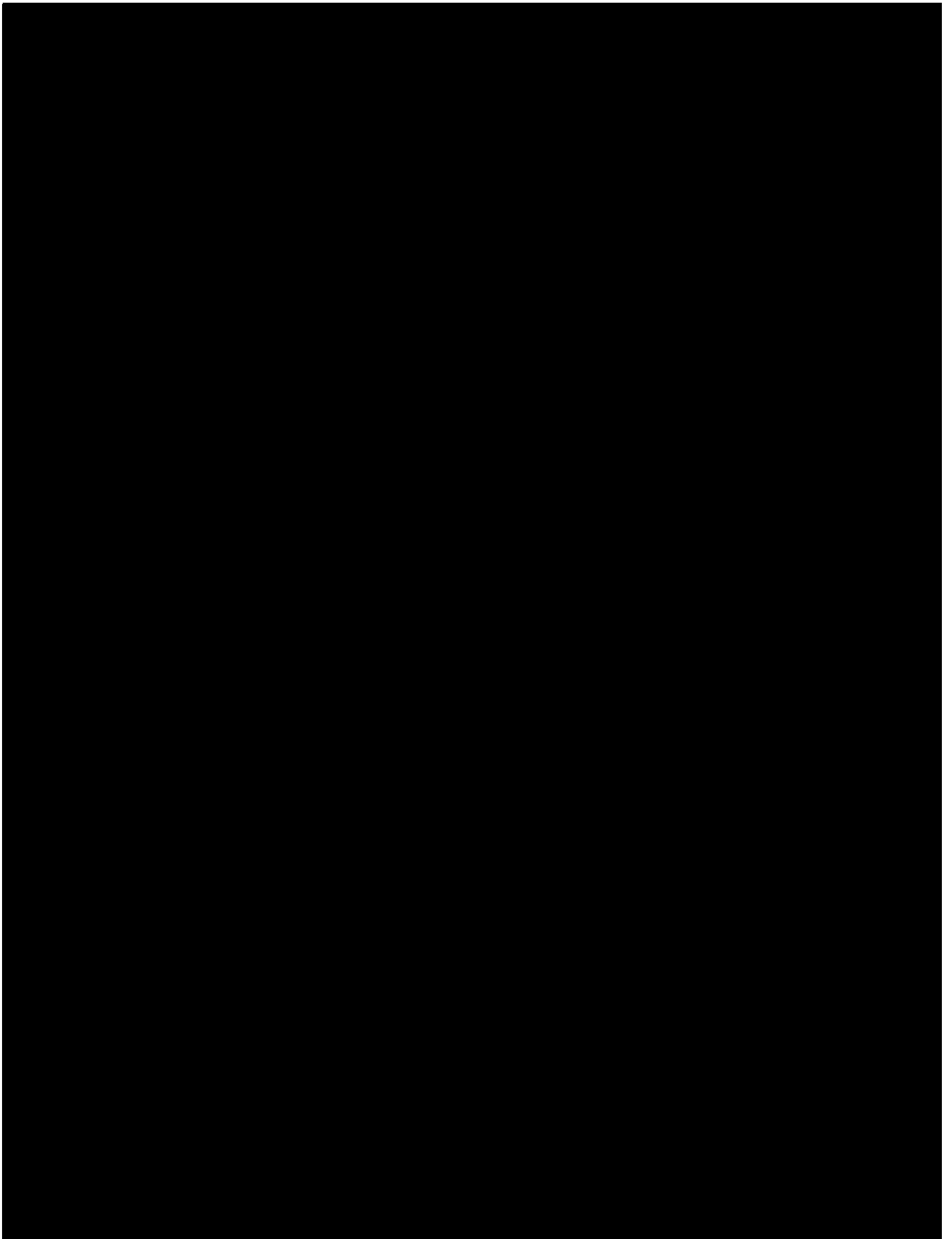
) Case No.: CR-20-64  
)  
) AFFIDAVIT OF PROBABLE CAUSE AND  
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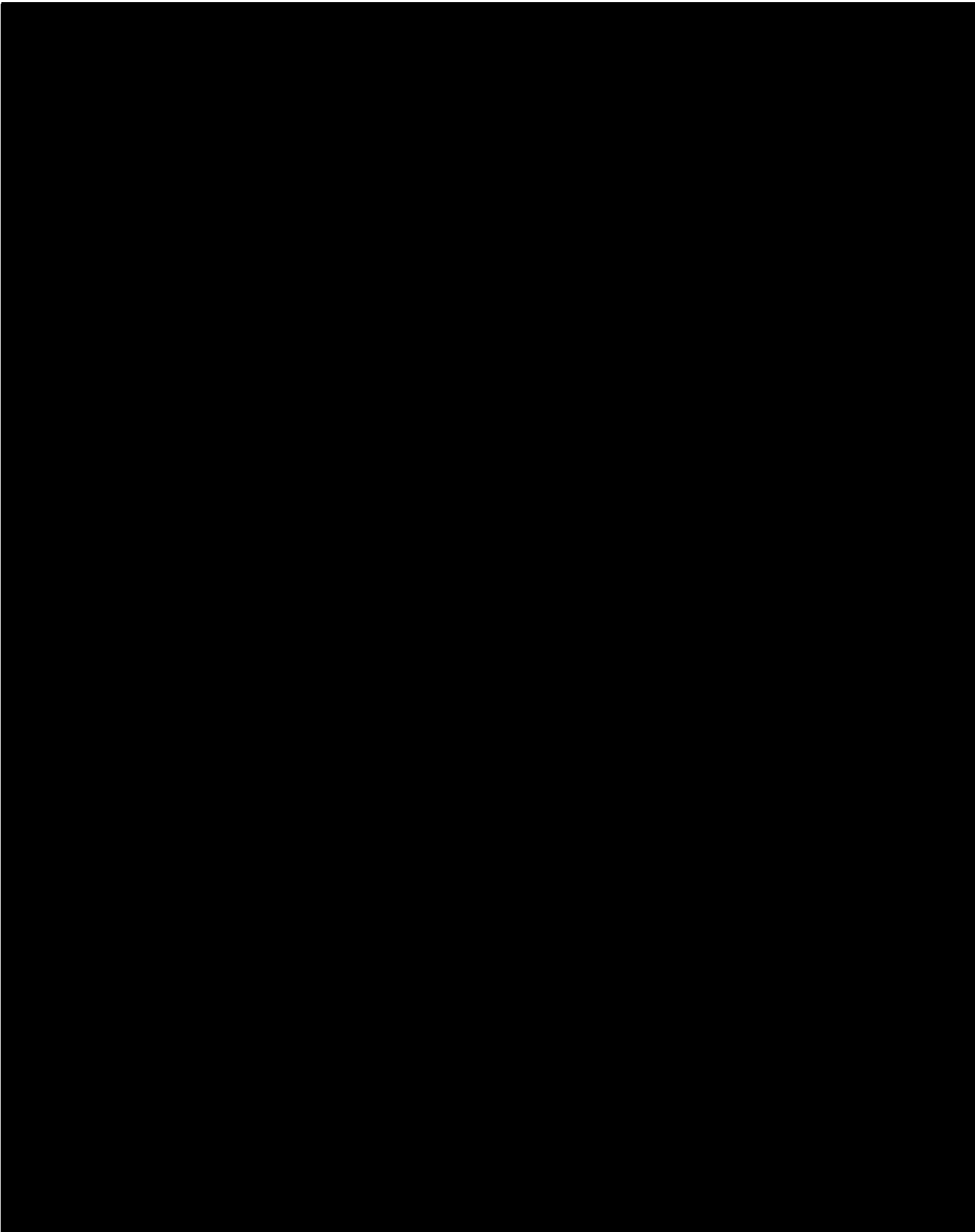


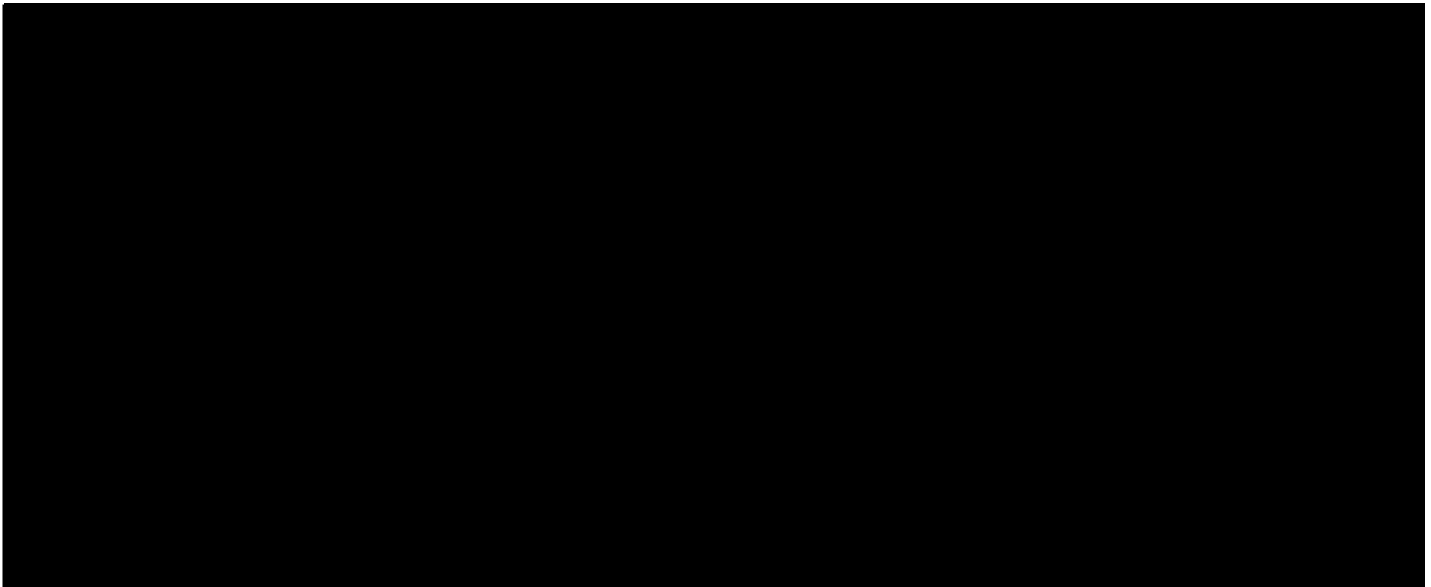


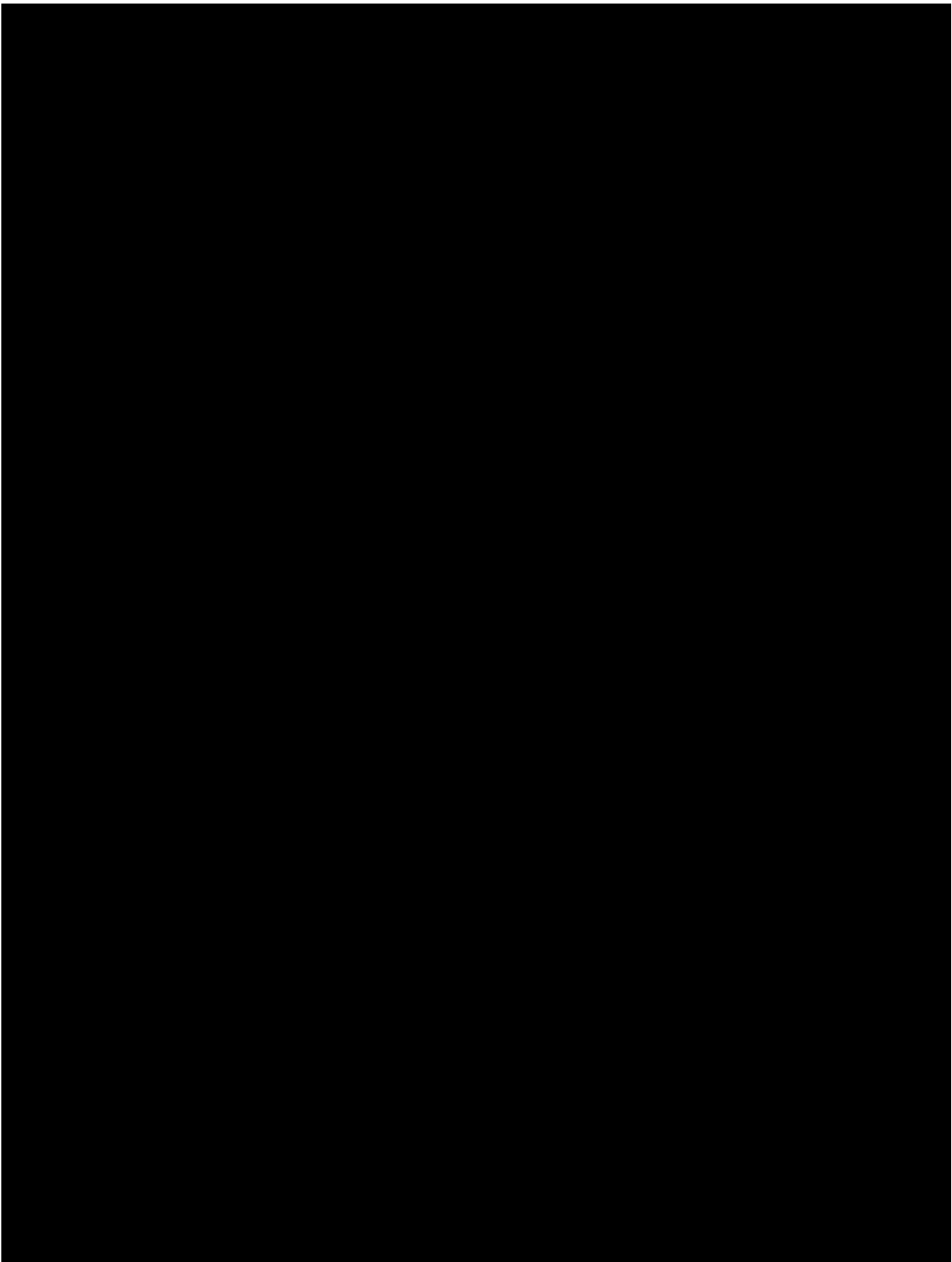


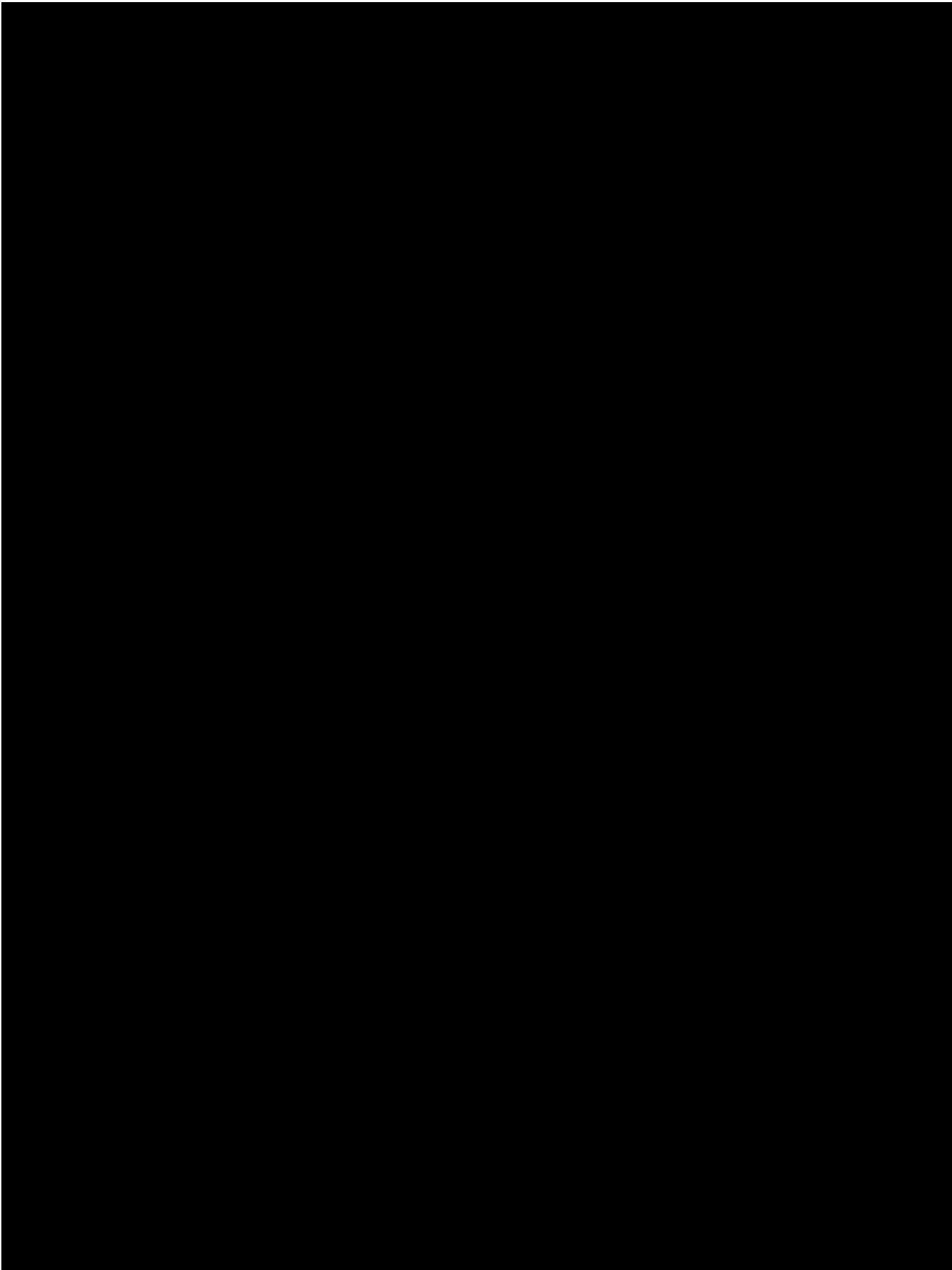


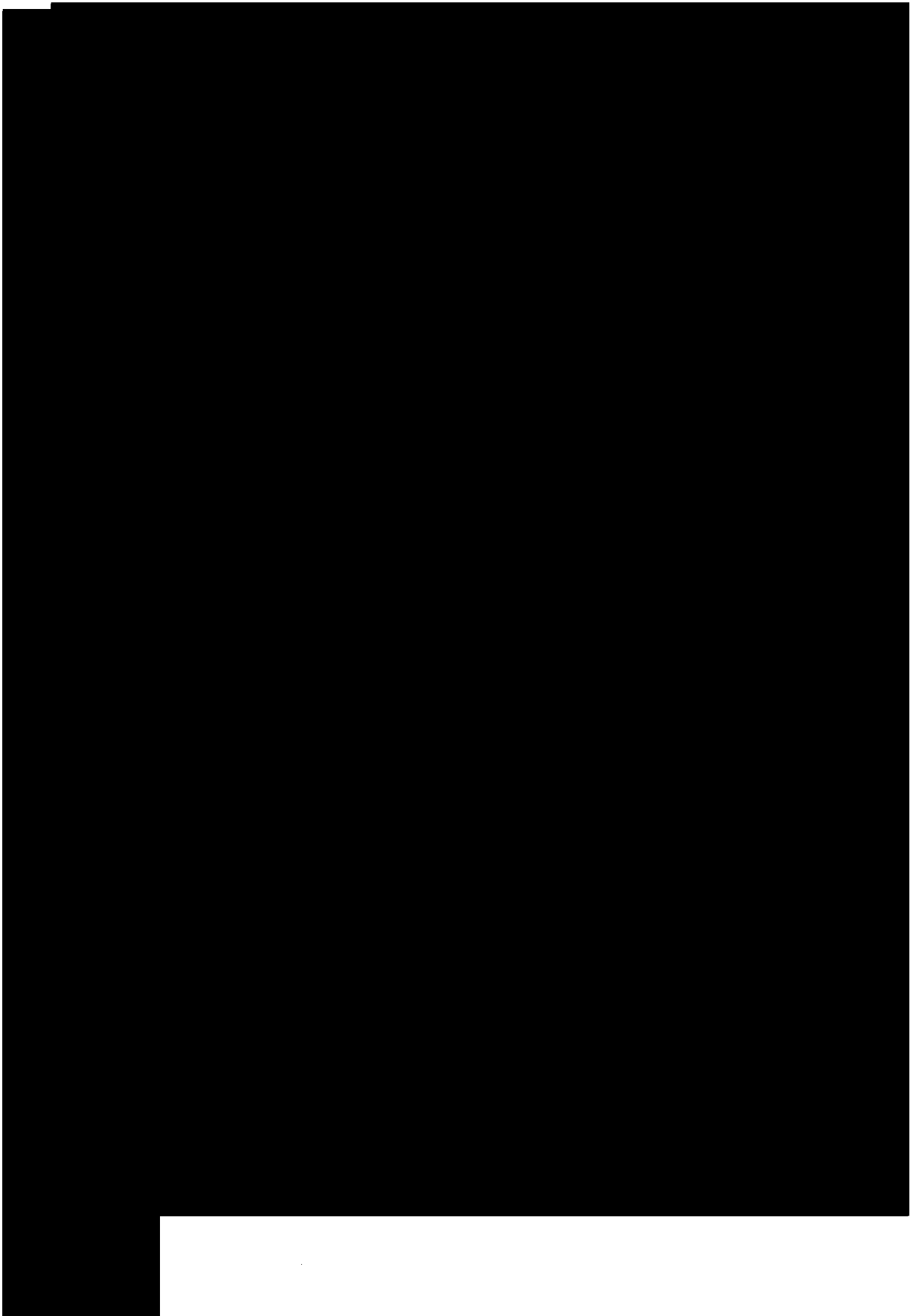


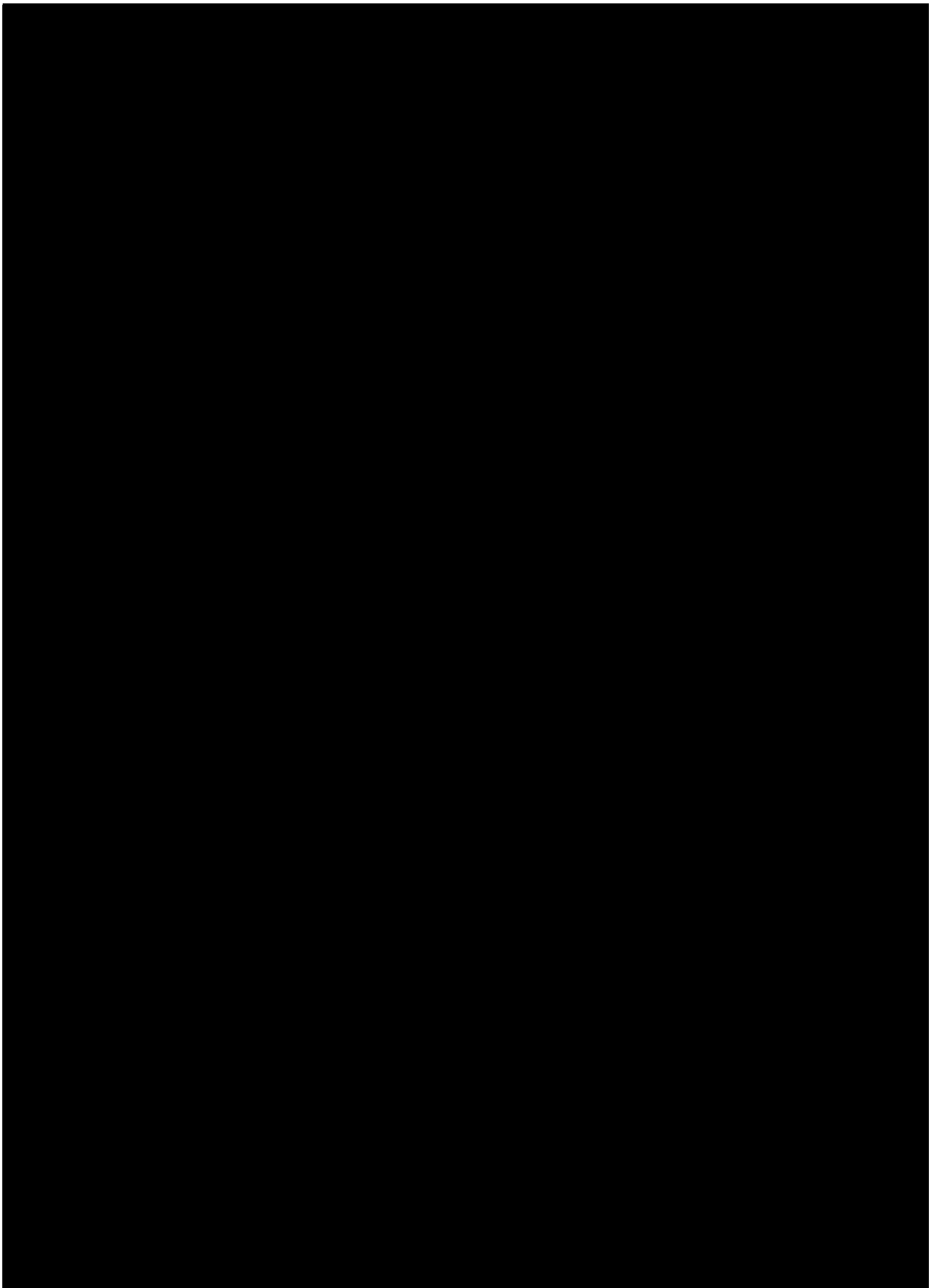




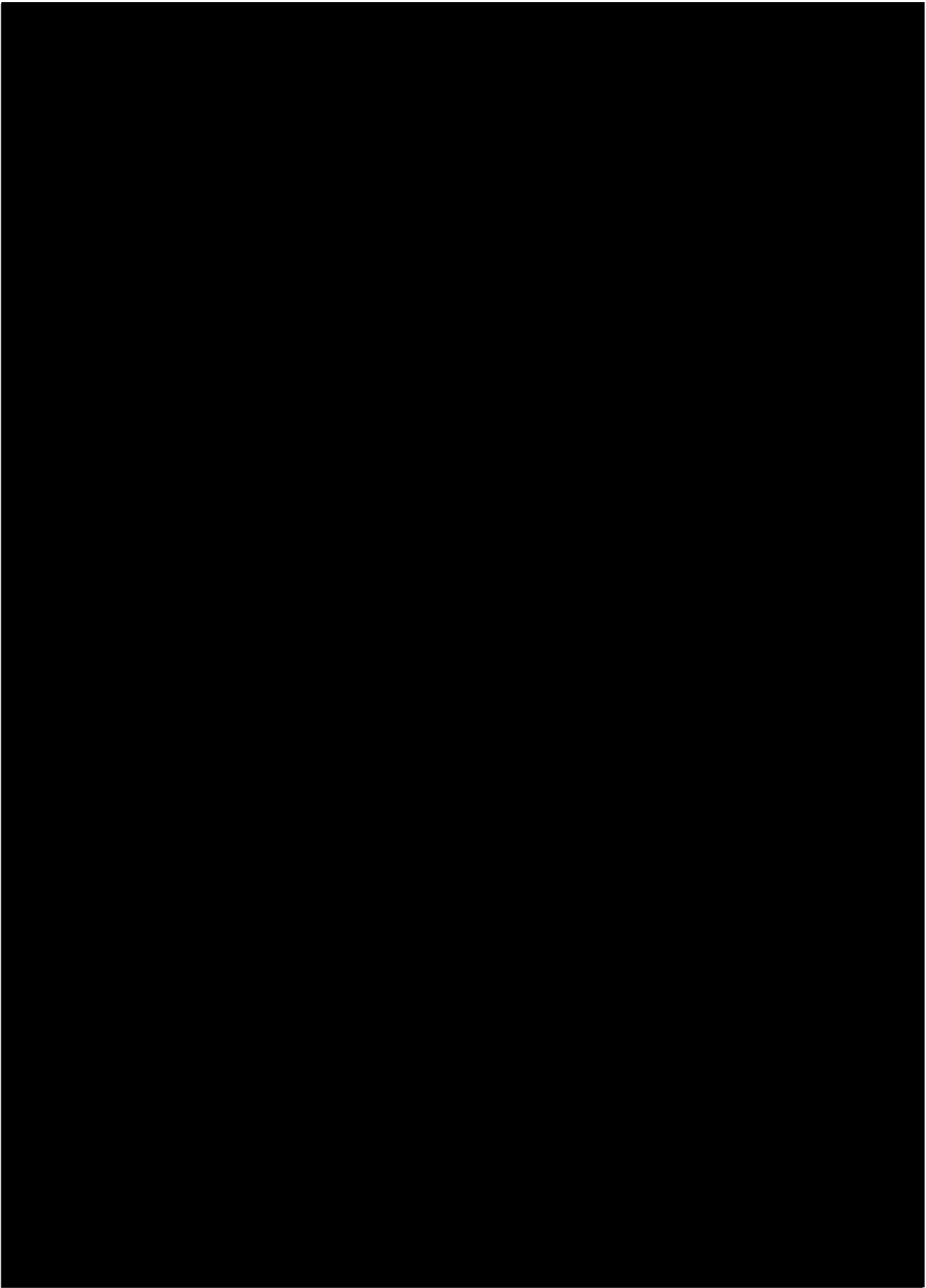


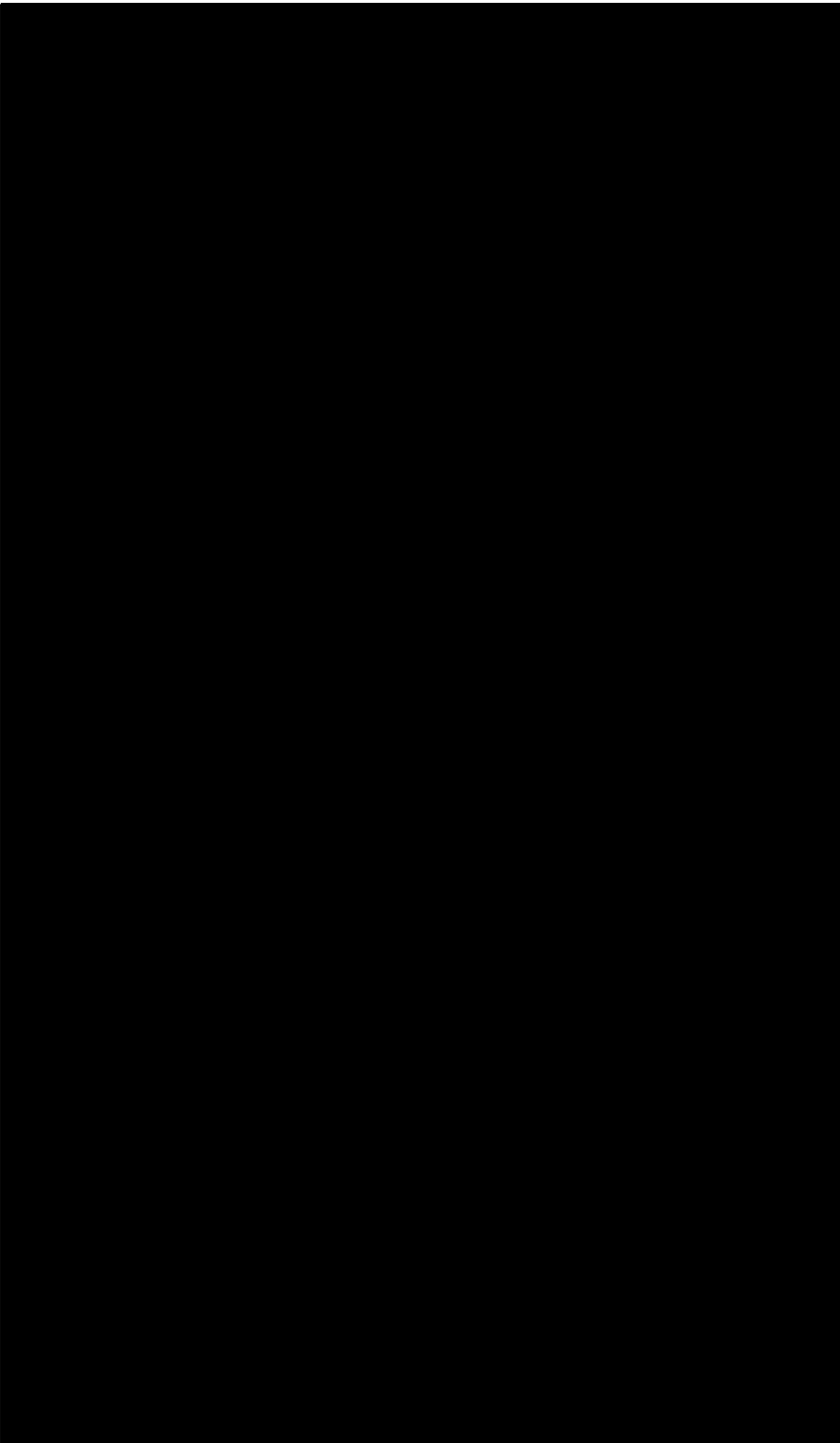












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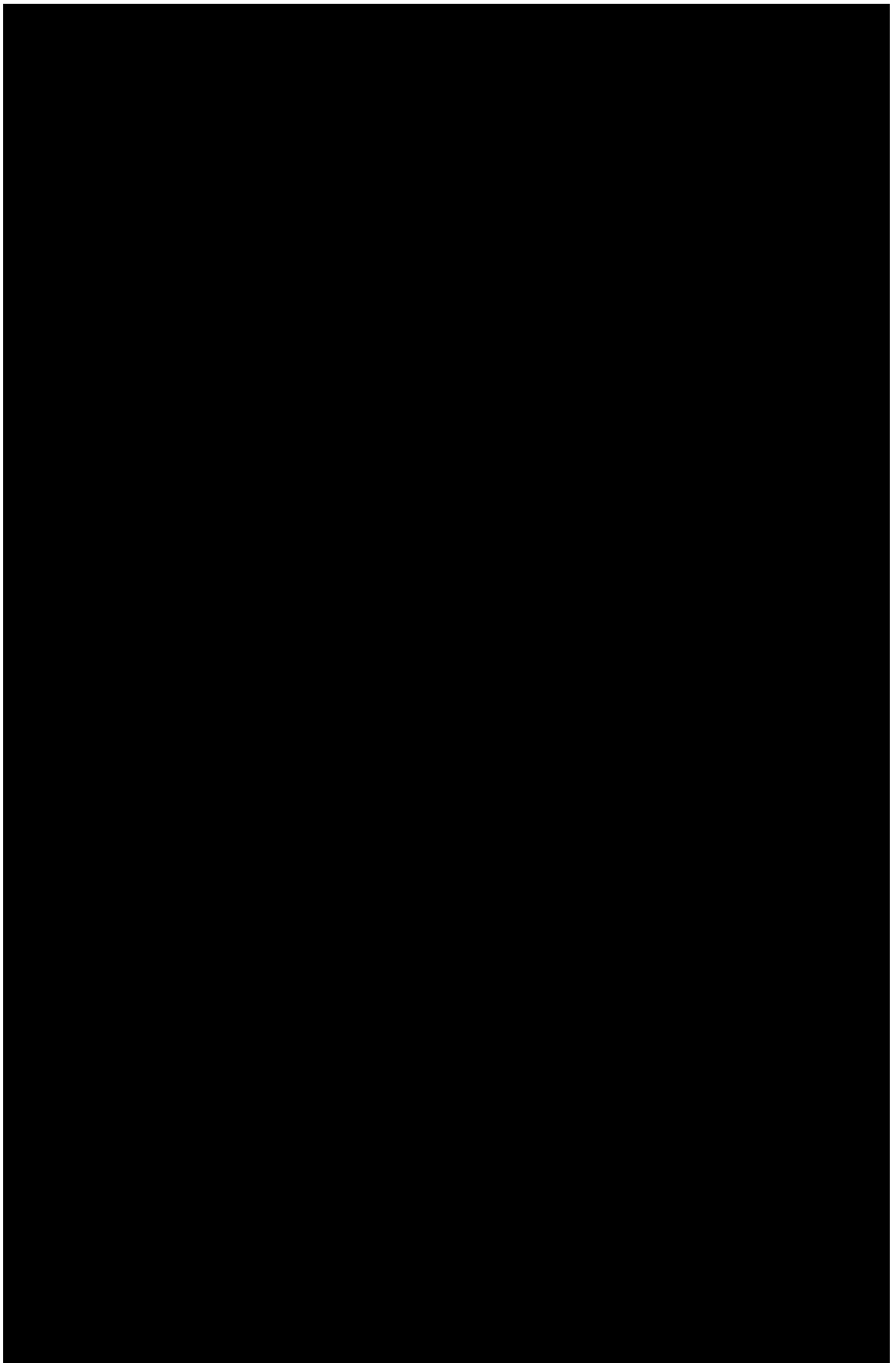
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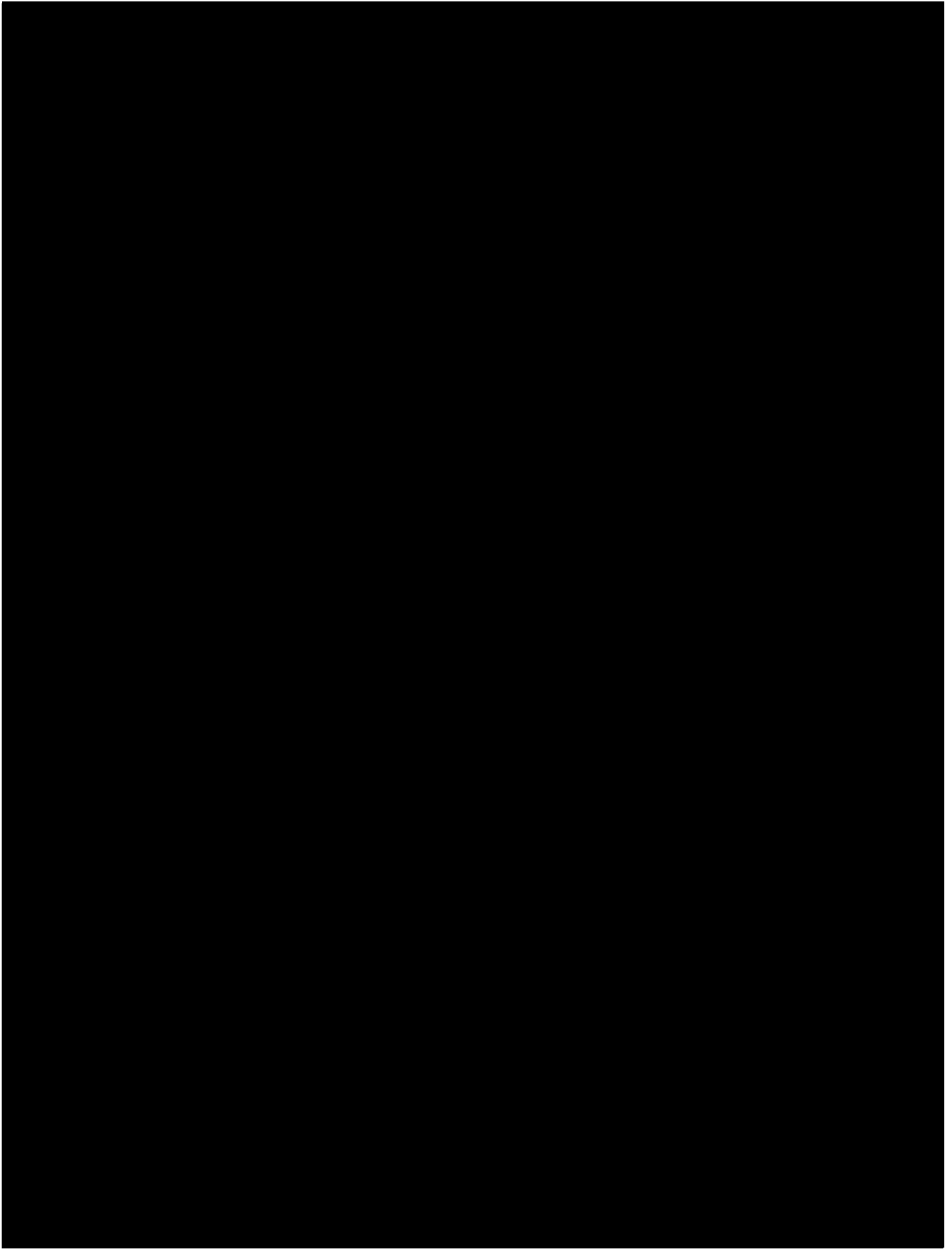
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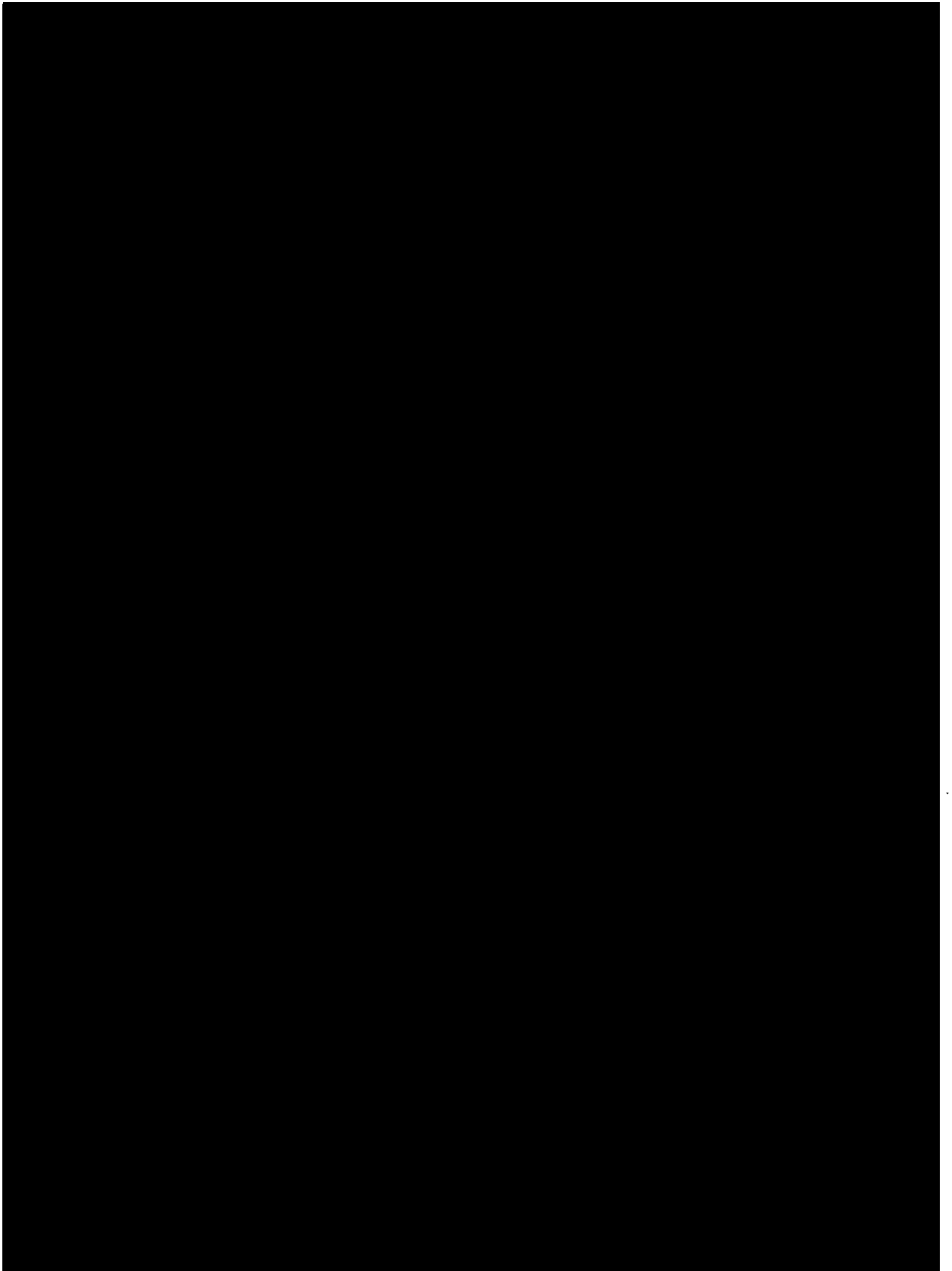
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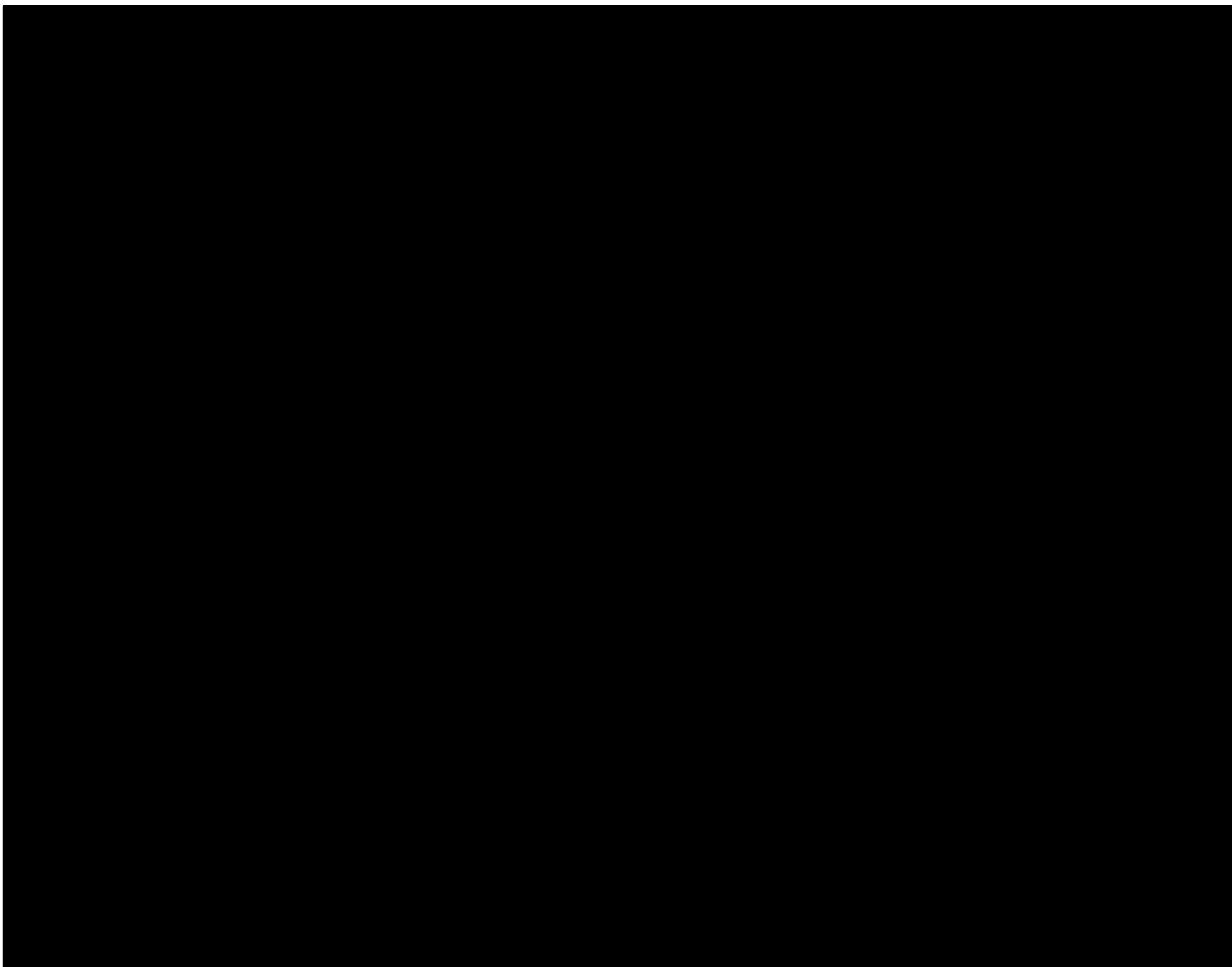
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b







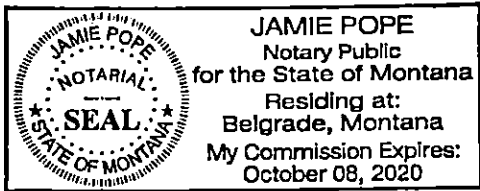


DATED this 11<sup>th</sup> day of February, 2020.

B. Boyer  
Bjorn E. Boyer  
Deputy County Attorney

SUBSCRIBED and SWORN to before me this 11<sup>th</sup> day of February, 2020.

Jamie Pope  
NOTARY PUBLIC FOR THE STATE OF MONTANA  
Residing at: Bozeman, Montana  
My commission expires:



ORDER

Upon reading the foregoing Affidavit:

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

Deliberate Homicide, a Felony, in violation of § 45-5-102(1)(b), MCA.

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

Deliberate Homicide, a Felony, in violation of § 45-5-102(1)(b), MCA.

DATED February 11, 2020 at 1507 ~~a.m./p.m.~~  
Bryan Adams  
JUSTICE OF THE PEACE