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DEPUTY CHIEF YELLOWSTONE COUNTY ATTORNEY
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Attorney For Plaintiff

IN THE JUSTICE COURT OF RECORD OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

STATE OF MONTANA,	Plaintiff,	CAUSE NO. CR - 2021 - 371
vs.		JUDGE JÉANNE M. WALKER
KRISTY LYNN CHAVEZ,	Defendant.	COMPLAINT

The undersigned Deputy Chief County Attorney of Yellowstone County, Montana, states: before the filing of this Complaint, the above-named Defendant, in Yellowstone County, Montana, on or about April 23, 2021, committed the offense of:

DELIBERATE HOMICIDE BY ACCOUNTABILITY (FELONY)

(Punishable by life imprisonment or by imprisonment in the state prison for a term of not less than 10 years or more than 100 years, and punishable by consecutive imprisonment in the state prison for a term not less than 2 years or more than 10 years for use of a weapon)

The alleged facts constituting the offense are:

That the Defendant, KRISTY LYNN CHAVEZ (born in October 1989), before the commission of an offense and with the purpose to promote or facilitate such commission, solicited, aided, abetted, or attempted to aid another in the planning or commission of the offense of Deliberate Homicide, to-wit: the Defendant and MICHAEL LEE MCCLURE (born May 1984) went to the *Yellowstone River RV Resort & Campground* and both had firearms, as the Defendant obtained a firearm from MCCLURE before, and the two then encountered and confronted D.G., who was sleeping overnight at the campground in his van. Following the contact, the Defendant drove the van away from the campground with D.G. still inside and MCCLURE shot D.G., causing his death, and the Defendant then transported MCCLURE away from the scene with the body of D.G. inside the van with them, at or near Yellowstone County, Montana; all of which is in violation § 45-

5-102(1)(a), Montana Code Annotated, and § 46-18-221, Montana Code Annotated, for use of a firearm, and against the peace and dignity of the State of Montana.

DATED: April 27, 2021

Scott Twito, Yellowstone County Attorney

/s/ Ed Zink

Deputy Chief County Attorney

STATE OF MONTANA)

ss:

County of Yellowstone)

The undersigned, being first duly sworn or affirmed on his oath, deposes and says: That he is qualified and acting on behalf of the Yellowstone County Attorney, and that he has read the foregoing Complaint and attached Affidavit, knows the contents thereof and the matters, facts, and things therein stated are true of his knowledge, except those things stated on information and belief, and that as to those he believes it to be true.

Scott Twito, Yellowstone County Attorney

/s/ Ed Zink

Deputy Chief County Attorney

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IN THE JUSTICE COURT OF RECORD OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

STATE OF MONTANA,	Plaintiff,	CAUSE NO. CR - 2021-371
vs.		JUDGE JEANNE M. WALKER
KRISTY LYNN CHAVEZ,	Defendant.	AFFIDAVIT IN SUPPORT OF COMPLAINT

The undersigned Deputy Chief County Attorney of Yellowstone County, Montana, duly sworn or affirmed on his oath that the information below was provided by sworn law enforcement officers during their investigation as documented evidence in support of the complaint filed in this matter and reviewed to ensure by information and belief that the above-mentioned Defendant, in Yellowstone County, Montana, on or about April 23, 2021, committed the offense of:

DELIBERATE HOMICIDE BY ACCOUNTABILITY (FELONY)

The Court is informed that the Yellowstone County Sheriff's Office (YCSO) investigation revealed the following:

The Court is informed that an investigation by multiple agencies, including the Yellowstone County Sheriff's Office (YCSO), the Billings Police Department (BPD), the Laurel Police Department (LPD), and the Montana Highway Patrol (MHP) revealed the following:

On April 23, 2021, a van was located at Woods Power Grip, a business at 908 West Main Street, in Laurel, Montana and called in at about 1225 hours as a suspicious vehicle because it was not supposed to be at the business and was covered with a tarp. LPD officers responded and made contact with a male near the van. LPD Officer Baumgartner spoke with the male, who identified himself as MICHAEL MCCLURE (born in May 1994). After conversing about the male's presence there, Officer Baumgartner observed a female in the front passenger seat of the van. McClure said the female was his girlfriend. As the officer explained that they needed to leave, and while he was still trying to confirm the identity of the male, McClure got back into

the van and started it. The officer tried to get McClure to turn it off, but McClure suddenly drove away. This started a pursuit in Laurel that continued east toward Billings, and eventually involving numerous law enforcement agencies in the Laurel and Billings, Montana areas.

The pursuit concluded when the van crashed near the 1900 block of 43rd Street West, a residential neighborhood in west Billings. As officers approached the van, they observed one male and one female ran from the van. An LPD officer drew his firearm and commanded the female to get on the ground. The female, eventually identified as KRISTY LYNN CHAVEZ (born in October 1989), the Defendant here, did not comply. The Defendant continued to flee the area. Troopers with the MHP eventually apprehended the Defendant and were forced to use a Taser to get her into custody. She told the troopers that McClure had a gun.

McClure continued to run and attempted entry into multiple residences in the neighborhood. McClure ultimately barricaded himself in a residence in Billings. Following a standoff with law enforcement that lasted several hours, McClure is now deceased.

LPD Officer Bryant and MHP troopers went to clear the van. Inside, they discovered the body of a deceased male. That male is identified here as D.G. Investigators believe the van belonged to D.G. Further investigation showed the Defendant and McClure approached the same van at around 0630 hours on April 23, 2021 at the *Yellowstone River RV Resort & Campground* near Billings, in Yellowstone County, Montana. Investigation showed they approached the van, had some sort of struggle with D.G. and then the van left the campground.

The Defendant was taken into custody and an attempt was made to interview her on Friday, April 23. On April 26, YCSO detectives again attempted to interview the Defendant. In this interview, the Defendant said she was with Michael McClure at the campground. She admitted to getting a gun from McClure before they approached the decedent's van. She described the firearm to detectives and a gun matching her description was recovered during a search of the van. She said the male suspect also had a gun. She said she made first contact with D.G. inside his van and asked him for smokes and a ride. She said the male told her he did not smoke and did not give rides. The Defendant said an altercation began with McClure and D.G. She said she went around and got into the van's driver seat. Somehow, they obtained the keys to D.G.'s van and while the altercation continued inside the van, she began to drive it away from the campground. She said she still had the gun McClure suspect gave her. She said she heard gunshots shortly after she began driving away. She thought she recalled five shots. She said she and McClure later switched and he took over driving. She said she tripped over D.G.'s arm as she moved within the van. The Defendant told detectives she thought the man was dead after she heard the gunshots.

Investigation later showed that before LPD officers encountered McClure and the Defendant at the van at the Woods Power Grip business, they made other stops. Review of video evidence at one of these previous stops shows McClure left the Defendant alone in the van while he went inside. with the body of D.G. The Defendant remained with the van until McClure came back to it.

An autopsy on D.G. was conducted on April 26, 2021. Investigators noted D.G. sustained multiple gunshot wounds and had injuries consistent with blunt force trauma.

The investigation continues.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: April 27, 2021

/s/ Ed Zink
Deputy Chief County Attorney

WITNESS LIST

Billings Police Department

Det. Robinson

Det. Dennler

Yellowstone County Sheriff's Office

Det. Sgt. Fritz

Det. Richter

Det. Charbonneau

Det. Captain Paris

Laurel Police Department

Baumgartner

Booth

Bryant

Anglin

Billings Fire Department Personnel

AMR Personnel

Billings Clinic personnel

St. Vincent Healthcare personnel

Medical Examiner

911 dispatch personnel

City/County Dispatch, Billings, MT

Yellowstone County Detention Facility, Billings, MT

Any witness disclosed in discovery, including reciprocal

Any witness disclosed by Defendant