

Robert S. Spoja  
**DEPUTY YELLOWSTONE COUNTY ATTORNEY**  
P.O. Box 35025  
Room 701, Courthouse  
Billings, Montana 59107-5025  
Telephone: 406/256-2870  
Attorney For Plaintiff

**MONTANA THIRTEENTH JUDICIAL DISTRICT COURT, YELLOWSTONE COUNTY**

STATE OF MONTANA,  
Plaintiff,

vs.

DARYL CRAIG NORDQUIST,  
Defendant.

CAUSE NO. DC

JUDGE:

**MOTION FOR LEAVE TO FILE  
INFORMATION WITH SUPPORTING  
AFFIDAVIT**

The undersigned Deputy County Attorney of Yellowstone County, Montana, being first duly sworn upon his oath, moves the Court for Leave to File an Information based upon an investigation conducted by law enforcement officers charging the above-named Defendant with the offense of:

**THEFT 1ST OFFENSE (FELONY)**

committed at Yellowstone County, State of Montana, on or about April 29, 2021.

That law enforcement officers have made a full and careful investigation of all the facts and circumstances surrounding the commission of said offense, so far as they are known or ascertainable; that he believes it a proper case for filing of an Information and that for this reason, and none other, the foregoing motion is made.

The Court is informed that the Billings Police Department (BPD) investigation revealed the following:

According to the report of Billings Police Officer Johnson, on or about April 27, 2021 at approximately 2:26 PM he was dispatched to the 2800 block of King Ave. W. for a report of a theft. He reported that he arrived on-scene and met with the victim, J.G. (born in September of 1985), who told him

that he discovered that his cargo trailer, a 2002 white cargo trailer, valued at approximately \$7,000.00, and its contents had been stolen some time over the weekend. He reported that inside the trailer were 4 motorcycles and 2 ATVs. The motorcycles were identified as a 2019 Honda dirt bike, valued at approximately \$2,000.00; a 2005 Honda dirt bike, valued at approximately \$1,500.00; two 2020 Kawasaki ATV valued at approximately \$2,000.00 each; and two 2020 Kawasaki dirt bikes valued at approximately \$3,800.00 and \$4,800.00 each, for a total estimated value of \$23,100.00.

Officer Johnson further reported that on April 29, 2021 he spoke to J.G. again, who advised that he had been in contact with an individual, identified as DARYL CRAIG NORDQUIST (born in August of 1983), the Defendant herein, who told him that he might know where some of his things were. J.G. said that he had spoken to the Defendant and learned that he had two of the dirt bikes and one of the ATVs. J.G. told Officer Johnson that he had arranged to meet the Defendant at approximately 4:45 PM at the Lockwood Town Pump on the 2700 block of N. Frontage Rd. in the Lockwood area of Yellowstone County.

Officer Johnson reported that he contacted Detective Hallam of the Street Crimes Unit and relayed that information. A few hours after speaking to Detective Hallam, he was dispatched to that meeting location and when he arrived, he observed Detective Hallam speaking to the Defendant outside of the Defendant's pickup. He noted that the Defendant was already in handcuffs. He noted that Officers Flammang and Sutton were also on-scene. Officer Sutton reported that after the Defendant had been detained, he checked the VIN numbers of the two motorcycles and the ATV and confirmed that they were, the same as those reported stolen in this matter (2005 Honda dirt bike - \$1,500; 2020 Kawasaki ATV - \$2,000, 2020 Kawasaki dirt bike - \$3,800). Officer Johnson reported that the Defendant told Detective Hallam that he had purchased the two dirt bikes and the ATV from a man named "Josh" the night before. He told Detective Hallam that he bought them without titles and had gotten the feeling that they were probably stolen. Officer Johnson reported that the Defendant did not claim to have ever checked with local law enforcement to see if the vehicles were stolen. The Defendant said that he no longer had "Josh's" phone number but could take them to where he had picked up the motorcycles and the ATV from.

Officer Johnson reported that the Defendant took officers to a location on the 1000 block of S. 48<sup>th</sup> St. W. in Billings, Yellowstone County, Montana. He reported that he then transported the Defendant to the Yellowstone County Detention Facility (YCDF) where he was remanded on the charges herein. Officer Sutton reported that officers attempted to contact the residents of the location, however no one answered their knock at the door. Officer Sutton reported that he observed a large cargo trailer which appeared to be similar to the one reported stolen in this matter, so he checked the VIN of the trailer. He reported that the trailer returned as reported stolen, however it was not the trailer involved in this matter. He reported that he recovered the trailer and cleared from the area.

Officer Sutton reported that he and Detective Hallam responded to YCDF and interviewed JEREMY MALLOY, who told them that he had "facilitated" the sale, giving three motorcycles and one ATV to the Defendant. He further said that JARED MILLER had brought the motorcycles/ATVs to him to sell. He told officers that the money he received for the motorcycles and ATV was given to MILLER. He further reported that he and Detective Hallam then spoke to the Defendant again. He reported that the Defendant admitted that he knew that the motorcycles and ATV were stolen, then denied knowing that. He told officers that he had

brought a flatbed trailer to the address on S. 48<sup>th</sup> St. W. and took the motorcycles and ATV to his home in Hardin, Montana. He claimed that he gave one of the motorcycles to MARTY STITNER and kept the rest.

The investigation continues.

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

DATED: April 30, 2021

/s/ Robert S. Spoja  
Deputy County Attorney