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Yellowstone County District Court
STATE OF MONTANA
By: Abrahams, Angela
DC-56-2021-0000773-IN
Judge Donald Harris
8.00

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MONTANA THIRTEENTH JUDICIAL DISTRICT COURT, YELLOWSTONE COUNTY

STATE OF MONTANA, Plaintiff, vs. SEAN ROBERT ROBINSON, Defendant.	CAUSE NO. DC 21-0773 JUDGE: DONALD L. HARRIS **MOTION FOR LEAVE TO FILE AMENDED INFORMATION WITH SUPPORTING AFFIDAVIT**

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

COUNT I: AGGRAVATED ANIMAL CRUELTY (FELONY)
COUNT II: AGGRAVATED ANIMAL CRUELTY (FELONY)
COUNT III: AGGRAVATED ANIMAL CRUELTY (FELONY)
COUNT IV: AGGRAVATED ANIMAL CRUELTY (FELONY)
COUNT V: AGGRAVATED ANIMAL CRUELTY (FELONY)
COUNT VI: THEFT 3RD OR SUBSEQUENT OFFENSE (MISDEMEANOR)
COUNT VII: DRIVING WHILE PRIVILEGE TO DO SO IS SUSPENDED OR REVOKED 3RD OR SUBSEQUENT OFFENSE (MISDEMEANOR)

committed at Yellowstone County, State of Montana, on or about May 16, 2021 through June 1, 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 she believes it a proper case for filing of an Amended Information and that for this reason, and none other, the foregoing motion is made.

The Court is informed that the Laurel Police Department (LPD) and Yellowstone County Sheriff's Office (YCSO) investigations revealed the following:

In approximately April of 2021, YCSO animal control officer Bailey Smith was made aware of cats disappearing either after being given to Sean Robinson, the Defendant herein, or from the neighborhood surrounding his residence located on the 1700 block of Duval Drive, Laurel, Yellowstone County, Montana. ACO Smith initiated an investigation that included with gathering names and information regarding missing

cats and suspected animal cruelty perpetrated by Robinson against both cats and dogs. Individuals with personal knowledge of Robinson supplied several instances where they were aware of Robinson beating and/or killing cats and dogs.

On May 18, 2021, ACO Smith, as part of the ongoing investigation, spoke with B.S. who resides on the 1800 block of Duval Drive. B.S. stated that he and his wife, L.S., moved to Duval Drive in March of 2021 and did not know many of the neighbors yet. B.S. informed ACO Smith that on May 16, 2021 at approximately 7 pm, he was working in his garage when Robinson entered the garage and introduced himself. B.S. stated that Robinson told him that he lived up the road and that his wife's cat had gotten out and he thought it might have run in B.S.'s garage. B.S. stated that he informed Robinson that he had not seen a cat. Robinson then asked B.S. if he could walk behind B.S.'s house to look for the cat and B.S. gave permission.

B.S. stated that a few minutes later his wife came into the garage and asked if Robinson had found the cat and stated that she had watched Robinson act in an extremely scary and strange manner behind their house. B.S. stated that on May 17, 2021, neighbors M.B. and J.B. came to their residence looking for their pet cat. M.B. and J.B. informed B.S. that their cat went missing out of their yard the previous evening. B.S. and M.B's yards are adjacent to each other with an irrigation ditch at the end of the properties that was currently flowing with water.

Also on May 18th, ACO Smith spoke to L.S. who stated that on the 16th at around 7 pm, a male approached her husband and stated his name was Sean and he was looking for his cat. L.S. stated she did not think of anything about the interaction and went back into her residence. A short time later, L.S. stated that her dogs were barking in the backyard, so she went to the sliding door to bring them inside. As she did so, she saw Robinson walking between her fence and M.B.'s yard toward the irrigation ditch.

L.S. described Robinson's demeanor as determined and focused but that he did not appear to be looking for a cat as he was not looking around yards or calling out. L.S. stated that she observed him walk quickly to a spot along the easement of the irrigation ditch and stood there for a few seconds before fallings to his knees in the tall grass with his hands appearing to holding something in front of his chest while moving his arms around. L.S. stated that Robinson's back was to her so she could not see what he was holding. L.S. stated that Robinson moved his arms back and forth violently for a minute or so and then was still while bearing his weight onto the ground while his hands were in front of his chest.

L.S. stated that this went on for three to five minutes before Robinson got very still, stood up quickly, and brushed his shirt off before quickly walking back towards the front of their house. L.S. stated she went out immediately to ask her husband if Robinson had found his cat, but Robinson had walked away so quickly he was out of sight by the time she got to the garage. L.S. stated that she felt she had witnessed something violent and was not right.

L.S. showed ACO Smith the spot besides the irrigation ditch where she had observed Robinson acting strangely. ACO Smith observed a spot in the 20-inch-high grass where the grass was broken down and appeared to have been laid down that approximately covered the amount of space that a grown man on his hands and knees would cover. L.S. also pointed out to ACO Smith what appeared to be tufts of animal fur throughout the bent over grass. ACO Smith took photos of the scene before concluding her interview of L.S.

ACO Smith then proceeded to the residence of M.B and J.B. J.B informed ACO Smith that on May 16th, he and his family were playing volleyball in their front yard from approximately 1 pm to 7 pm. Their pet cat, Hobo, a gray, brown, and white tabby was in their yard with them. J.B. stated that Hobo only really went outside when the family was outside. At approximately 7 pm, the family went inside to eat, and Hobo was observed sitting by the ditch outside by J.B.

At approximately 7:30 pm, J.B.'s family finished eating dinner and went outside again but could not locate Hobo and assumed he was exploring. J.B. stated that when Hobo had not appeared by the following morning, the family became concerned and started asking neighbors if they had seen Hobo. J.B. stated that this is when B.S. informed him of his interaction with Robinson the night before.

J.B. stated that he knew where Robinson lived and went and rang Robinson's doorbell. Robinson answered via his Ring doorbell and J.B. confronted him about having his cat. J.B. stated that Robinson responded noting that he had observed the family out the night before playing volleyball. After exchanging further with Robinson, J.B. stated he got angry and left.

J.B. informed ACO Smith that he had observed Robinson driving around in circles around the neighborhood earlier on the day Hobo went missing and rustling under the porch of a house at the corner of Gold Course Road and Payne's Place. J.B. stated he called the YCSO and a deputy came out but did not find anything.

On May 31, 2021, LPD Officer Booth responded to the 1000 block of 9th Avenue in Laurel on the report of a man stealing a cat. Upon arrival, Officer Booth met with R.S. and her husband. R.S. stated that she had not seen her cat in a couple days so her husband began to review the footage from their security cameras and found footage of man taking their cat on May 30, 2021 at approximately 8:30 pm.

In viewing the surveillance footage, Officer Booth observed a small dark color older styled two door pickup pull up two houses down and a male in a red shirt exit the car. The male approaches the residence and coaxes the cat over to him. The began to pet the cat before grabbing the cat. As the male grabs the cat, it squeals out as if in pain. The male than hunches over and carries the cat to his pickup before driving off southbound on 9th and then turning east on Maryland. R.S. and her husband stated they wished to press charges if the male was identified.

On June 1, 2021 at approximately 4 am, the Eastern Montana High Intensity Drug Trafficking (EMHIDTA) task force executed a "no knock" search warrant on Robinson's residence in relation to an unrelated investigation. As the task force was preparing to execute the warrant, Robinson was observed driving away from his residence in a truck that matched the description of truck involved in the theft of R.S.'s cat. Officer Booth contacted Robinson driving the truck at the on ramp for I90. A check of Robinson's driving record subsequently showed that his license is suspended.

Officer Booth observed that Robinson was wearing the same clothes as the male in the surveillance video Officer Booth placed Robinson under arrest for theft and Detective Joel Sauter with LPD arrived on the scene and took custody of Robinson where he was transported back to his residence where the search warrant was being executed.

Officer Booth subsequently did a visual inspection of the truck and observed burnt and crumpled up tinfoil which he knew is often used to contain and ingest illegal drugs. Officer Booth spoke to LPD Officer Rasmussen who was assisting with the execution of the search warrant and was informed that drug paraphernalia had been located in Robinson's home. Based on his observations, the information from Officer Rasmussen, and Robinson's history of drug use, Officer Booth deployed his K9 partner, K9 Colt from his patrol vehicle.

K9 Colt exhibited alert behavior consistent with the odor of illegal drugs along the driver side door's open window and door seam. Officer Booth informed the task force of this indication and they requested that the truck be seized and towed to the Billings Police Department (BPD) impound lot. The BPD was able to send a unit out to follow the tow truck to the impound lot.

At Robinson's residence, he was advised of his *Miranda* Rights and agreed to speak with Detective Harris with the task force regarding drug activity. During this interview, Robinson informed Detective Harris that he "has a thing for killing cats". After completing his interview with Detective Harris, Robinson was transported to LPD where he was advised again of his *Miranda* rights and agreed to speak with Detective Sauter, ACO Smith and Lt. Cunningham with YCSO. During the interview, Robinson likened cats to gophers and stated he kills them so "people do not get hurt" due to his violence and anger issues that, according to him, stem from his military service. Robinson stated that since March of 2021 he had killed approximately 10-12 cats and killing a cat/cats keeps him satisfied for a couple weeks. Robinson stated that two of the cats he killed were cats he got from people looking to rehome their cats on Facebook.

Robinson stated that the first time he had ever killed a cat was approximately in 2007 when he was around the age of 21. Robinson stated that he typically strangles the cats to death with his bare hands and then sometimes decapitates them with tree loppers. Once the cats are dead, he would dispose of their bodies in random garbage cans scattered throughout Laurel and Billings.

When pressed for specific details of his killing of cats, Robinson admitted to manually strangling a gray colored tabby cat near his back yard on May 16th and then disposing of its body in the irrigation ditch that same day which matched the observations of L.S. Lt. Cunningham noted during the interview that Robinson's lower forearms and hands were extensively covered with deep scratches and lacerations in various stages of healing consistent with animal scratches. Robinson subsequently admitted that some of the scratches were from the cats he killed as they vainly struggled for their lives. Lt. Cunningham took photos of the scratches on Robinson's arms and hands. Robinson also stated that he manually strangled and decapitated R.S.'s cat on May 31st in his garage before disposing of the cat's body in an unknown trash bin.

Investigators requested permission to search Robinson's residence for evidence in the ongoing animal cruelty investigation and he agreed to do so and provided written consent. Detective Sauter and ACO Smith returned to Robinson's residence where they located the following evidence:

1. Swab from a silver dollar sized pool of blood found on the floor of the garage under a ladder.
2. A handheld pair of angle tin shears with dried blood and suspected cat hair on the cutting blades which were located approximately two feet from the pool of blood.

3. A second pair of tin shears with blood and suspected cat hair on the cutting blades which was located under a tool bag on the right side of the garage.
4. A navy and silver/gray striped cat collar with a gray bell on it. The collar had dried blood and cat hair on it as well as a white label/tag that had blood on it. Both items were found side by side at the front of the garage.
5. A pair of white Nike slip-on shoes with dried blood in an upward pattern consistent as if blood splattered while stepping on something. The shoes were found besides the steps leading to the house under a workbench.
6. A piece of fresh flesh that was found inches away from the pool of blood referenced in #1. There appeared to be traces of cat hair on the flesh.
7. A small torch lighter with blood and what appeared to be cat hair on the tip and a tuft of what appeared to be burnt cat hair located next to the lighter. The tuft of suspected cat hair smelled like burnt hair. These items were located in the corner of the garage up against the back wall and the freezer.
8. A large metal hammer/mallet with blood and suspected cat hair all over the head was found on the left-hand side of the garage.
9. An intact cat K9 tooth was found under the same ladder as the pool of blood referenced in item #1.
10. A sharp sliver of what appeared to be bond was found under the pair of bloody Nike shoes referenced in #5.
11. A set of vehicle jumper cables with a thick tuft of suspected white cat hair held between the prongs on one end that appeared to have been possibly ripped off a cat due to the dense even tuft nature of the fur.

Later, on June 1st, ACO Smith was informed by an employee of the Yellowstone Valley Animal Shelter that one of their volunteers had brought in a deceased black and white cat whose body was wrapped in a partial red tow strap. The volunteer had found the cat in the vicinity of the Canyon Creek Bridge and Shiloh overpass. The cat appeared to have been drug behind a vehicle based on the injuries to the cat's body. ACO Smith suspected that this cat may be related to Robinson and requested that the cat's body be placed in freezer at the animal shelter.

On June 3, 2021, Detective Harris executed a signed search warrant on Robinson's truck in relation to K9 Colt's alert on the truck on June 1, 2021. During the execution of that warrant, Detective Harris located deceased cats in trash bags and other indicia of animal cruelty. In an effort to preserve the evidence due to the heat, Detective Harris placed the bags containing the cat bodies in a freezer and left the other evidence in the truck so that a warrant specific to the animal cruelty investigation could be obtained.

On June 4, 2021, Detective Fritz with the Yellowstone County Sheriff's Office applied for and was granted a search warrant for Robinson's truck by the Honorable Judge Fehr. Detective Fritz and ACO Smith executed the search warrant. During the search of the truck, the officers located a several pouches of cat treats, a bag of cat nip, as well as blood splatter on the steering column, driver's side door, and a blood smear on the plastic molding in the floorboard area of the driver's seat. Also located in the truck/truck bed were a pair of branch pruners that appeared to have dried blood and cat hair on them. Also located on the passenger seat was a partial tow strap that was a match to the partial tow strap that had been found wrapped around the black and white cat that appeared to have been dragged behind a vehicle.

Detective Fritz and ACO Smith retrieved the black garbage from the freezer where it had been placed by Detective Harris and inside, they located a white trash bag. Inside the white trash bag was a deceased cat that appeared to be a Siamese that had white paws. The cat's back legs had been cut or broken in half at the knee joint with one completely detached and one hanging on by a piece of flesh. This cat's front paws had also been cut or broken off at the wrist joint and the front paws were separate from the body inside the white trash bag. The cat's ears and tongue appeared to have been cut off as well due to the clean nature of the wounds where the body parts were removed from the body. Both ears and the tongue were also found inside the bag with the cat. It is undetermined at this time if the mutilation occurred pre-mortem or post-mortem. Also found in the white trash bag was a stick of butter.

Also, inside the black garbage bag was the body of a dead tabby cat that had a black/brown tail, a gray head, and a large white patch that covered the cat's snout, cheeks, forehead, and left eye. All four of the cat's legs appeared to be cut or broken in half at the halfway point between the shoulder and ankle/wrist. The tail was also detached from the body and the cat's head was detached from the body at the base of the head. The head appeared to have been cut off due to the clean nature of the cut. The black trash bag also contained numerous pieces of household trash as well as several used bullet casings.

The investigation continues.

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

DATED: June 10, 2021

/s/ Ingrid A. Rosenquist
Deputy County Attorney

CERTIFICATE OF SERVICE

I, Ingrid A. Rosenquist, hereby certify that I have served true and accurate copies of the foregoing Motion - Motion to Amend to the following on 06-10-2021:

Kathryn Leigh Durdy (Attorney)
207 North Broadway
Suite 201
Billings MT 59101
Representing: Sean Robert Robinson
Service Method: eService

Electronically signed by Mariah Cerkoney on behalf of Ingrid A. Rosenquist
Dated: 06-10-2021