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Attorneys for the State

IN THE JUSTICE COURT, IN AND FOR THE COUNTY OF CASCADE  
CITY OF GREAT FALLS, STATE OF MONTANA  
BEFORE THE HONORABLE JUSTICE OF THE PEACE

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STATE OF MONTANA,	)	
Plaintiff,	)	No.
-vs-	)	
ANTHONY KEVIN WALL,	)	<b>INITIAL COMPLAINT,</b>
Defendant.	)	<b>AFFIDAVIT IN SUPPORT, AND</b>
	)	<b>MOTION TO DETERMINE</b>
	)	<b>PROBABLE CAUSE AND SET</b>
	)	<b>BOND</b>
	)	
	)	Citation No.C02B 10702
	)	
	)	

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The State of Montana, by and through the Cascade County Attorney, pursuant to M.C.A. §§ 46-11-101(1), 46-11-401(1), 46-1-202(6), and 46-11-401(3), hereby files this complaint against the above-named Defendant in the above-captioned Justice Court for purposes of M.C.A. § 46-10-105(1), pending filing of an Information and Affidavit in District Court pursuant to M.C.A. §§ 46-11-101(3), 46-11-201, and 46-11-203. This complaint consists of this pleading and the attached law enforcement citation form(s) and probable cause affidavit(s) which by this reference are hereby incorporated herein as if set forth in their entirety.

The State further moves the Court for a finding of probable cause and to set bail in this matter pursuant to M.C.A. §§ 46-9-109 and 46-9-301. This Defendant has been charged with the following offense:

COUNT I: DELIBERATE HOMICIDE (ATTEMPT), a Felony, in violation of M.C.A. §§ 45-5-102(1)(a) and 45-4-103. A person convicted of the offense of deliberate homicide shall be punished by death as provided in 46-18-301 through 46-18-310, unless the person is less than 18 years of age at the time of the commission of the offense, by life imprisonment, or by imprisonment in the state prison for a term of not less than 10 years or more than 100 years, except as provided in 46-18-219 and 46-18-222.

STATE OF MONTANA )

: ss.

County of Cascade )

#### AFFIDAVIT IN SUPPORT

As outlined in the attached probable cause affidavit, on December 26, 2019 at approximately 6:45 AM CCSO Deputies responded to 229 15th Street NE, in Black Eagle, Cascade County Montana for a disturbance. Anthony Wall called 911 to report that he just cut his dad's neck. Deputies and medical units arrived and subsequently transported the victim to Benefis Emergency Room with a significant laceration to his throat.

Anthony and his brother Dan were taken to the CCSO for interviews. Anthony said his father was in the bathroom of the residence getting ready for the day. Anthony said they had a conversation about work and the victim attempted to leave the bathroom. Anthony grabbed a knife from the kitchen, which is

immediately adjacent to the bathroom, and used the knife to cause serious bodily injury to the victim's throat.

Anthony said they were face to face when he cut his father's throat. Anthony used his right hand to wield the knife. Anthony gestured using his own neck and hands to show the location of the injury. Anthony pointed to his right ear and then motioned downward to his trachea and continued toward his left ear, stopping just short of his ear.

Anthony's description of the injury matched the injury noted by medical staff and detectives at the hospital. Anthony had blood on his hands and shirt which was also consistent with his description of how the attack occurred. Anthony said after he caused the injury to the victim, he went upstairs to wake his brother and told him to call 9-1-1.

Dan said Anthony woke him up by saying "I did something to Dad". Dan said that he went downstairs and found his father in the bathroom and there was blood everywhere. Dan ran back upstairs to get his phone so he could call 9-1-1. When Dan returned to the lower level, he discovered his father had somehow managed to stand up and walk from the bathroom to the living room where he collapsed on the living room floor. Dan said he was in shock and could do little to help the victim. Dan said Anthony then took his phone and called 9-1-1 to report the incident.

Anthony has several misdemeanor charges convictions, including several for domestic violence related incidents. He has no felony criminal history.

For the foregoing reasons, the State respectfully requests bond in the amount of \$250,000 due to the nature of the charges and the risk to the community if the defendant is released.

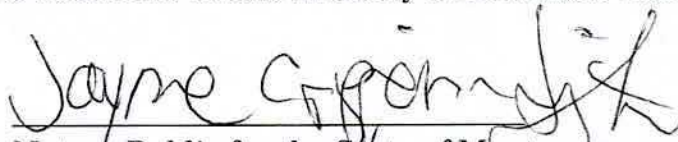
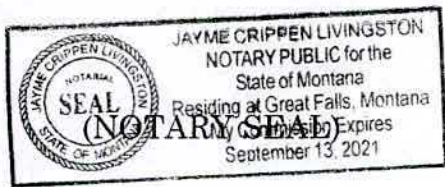
DATED this 27th Day of December 2019.

JOSHUA A. RACKI  
Cascade County Attorney



Deputy County Attorney

SUBSCRIBED AND SWORN TO before me on the 27th day of December 2019.



Notary Public for the State of Montana,  
Residing at Great Falls, Cascade County,  
Montana.

My commission expires 9-13-21

cc: County Attorney/Racki

**O R D E R**

Upon examining the foregoing Motion and Affidavit,

**IT IS THE FINDING OF THIS COURT:**

\_\_\_\_\_ that probable cause exists to charge the Defendant as stated above;

**OR,**

\_\_\_\_\_ that probable cause does not exist to charge the Defendant as stated above.

DATED this \_\_\_\_\_ day of December 2019.

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**DISTRICT COURT JUDGE**



During my interview with the defendant, I was advised that the victim in this matter, was in the bathroom of the residence getting ready for the day. The Defendant said the two had a conversation about work when the victim attempted to leave the bathroom. The Defendant advised that he grabbed a knife from the kitchen, which is immediately adjacent to the bathroom, and used the knife to cause serious bodily injury to the victim's throat. The Defendant described a face to face encounter. The Defendant said that he used his right hand to wield the knife that caused the injury to the victim. The defendant gestured using his own neck and hands to point out the location of the injury he reported causing on the victim. The defendant pointed to his right ear, motioned downward through his trachea, and continued toward his left ear, stopping short of his ear. It is of particular note that information from detectives in the field and Emergency Room Staff that the injury on the victim's throat was consistent with the defendant's description. Also of particular note, I observed blood on the Defendant's hands and shirt, consistent with this rendition of events. The defendant told me that after he caused the injury to the victim, he went upstairs to wake his brother, a witness in this matter, and to call 9-1-1. The two were able to generate a law enforcement/medical response.

I then interviewed Dan regarding the events. Dan advised that the defendant woke him by saying "I did something to Dad". Dan said that he went downstairs to find his father in the bathroom and blood everywhere. Dan said that he ran back upstairs to get his phone so he could call 9-1-1. When Dan returned to the lower level, Dan advised that the victim had managed to stand up, and walk from the bathroom to the living room, then collapsed on the living room floor. Dan reported to be in shock and could do little to help the victim. Dan reported that the defendant took his phone and called 9-1-1 to report the incident.

Based on the above information, the defendant's admissions, the witness account, blood evidence on the defendant, and the collective account of first responders and medical professionals, probable cause exists to arrest the Defendant for Attempted Deliberate Homicide, a felony, for attempting to cause the death of a person by causing a laceration to the victim's throat with a knife. The defendant was remanded to the Cascade County Detention Center and remanded on the above charge. A full custody arrest is necessary due to the felonious nature of the offense, and for the preservation of the peace.

This incident occurred in Cascade County.

DATED this 26th, day of December, 2019.

  
\_\_\_\_\_  
Deputy Sheriff

SUBSCRIBED AND SWORN to before me this 26th, day of December, 2019.

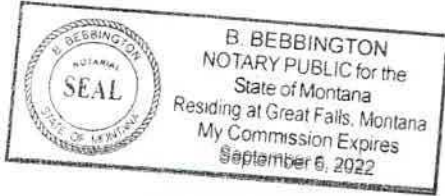
*[Handwritten Signature]*

Notary Public for the State of Montana

Residing at Great Falls, MT

My Commission expires: 09-06-2022.

(NOTARIAL SEAL)



**ORDER**

The undersigned, having reviewed the foregoing Affidavit, and for good cause shown:

**IT IS HEREBY ORDERED** that probable cause **IS** found to charge the above named defendant

with the following charges:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IT IS HEREBY ORDERED** that probable cause is **NOT** found to charge the above named

defendant with the following charges:

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATED this        th, day of        ,        .

\_\_\_\_\_  
REVIEWING JUDGE

Cc: Defendant  
CCSO