

1 JASON MARKS
2 Chief Deputy County Attorney
3 KIRSTEN H. PABST
4 Missoula County Attorney
5 Missoula County Courthouse
6 Missoula, Montana 59802
7 (406) 258-4737
8 ATTORNEYS FOR PLAINTIFF

9
10 IN THE JUSTICE COURT OF THE STATE OF MONTANA
11 IN AND FOR THE COUNTY OF MISSOULA

12 STATE OF MONTANA,

13 Plaintiff,

14 -VS-

15 JOHNATHAN ALBERT BERTSCH,

16 Defendant,

Department No.
Cause No.

**AFFIDAVIT OF PROBABLE
CAUSE**

17 STATE OF MONTANA)
18 : ss
19 County of Missoula)

20 JASON MARKS, Chief Deputy County Attorney, Montana, being first duly sworn
21 upon oath, deposes and says:

22 I have read the official law enforcement reports regarding the investigation of
23 JOHNATHAN ALBERT BERTSCH for allegedly committing the offenses of COUNT I:
24 DELIBERATE HOMICIDE, a Felony, in violation of Montana law, namely: Mont. Code
25 Ann. 45-5-102[1] COUNT II: ATTEMPTED DELIBERATE HOMICIDE, a Felony, in
26 violation of Montana law, namely: Mont. Code Ann. 45-5-102[1] and 45-4-103 COUNT III:
27 ATTEMPTED DELIBERATE HOMICIDE, a Felony, in violation of Montana law, namely:
28 Mont. Code Ann. 45-5-102[1] and 45-4-103 COUNT IV: ATTEMPTED DELIBERATE

1 HOMICIDE, a Felony, in violation of Montana law, namely: Mont. Code Ann. 45-5-102[1]
2 and 45-4-103.

3 Based upon the following facts which have been obtained from reports of the law
4 enforcement officer which, if true, constitute sufficient probable cause to justify the filing of
5 the charges. The facts from those reports are as follows:
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7 On March 14, 2019 at 10:53pm, Julie Blanchard called 911 from the area of Lithia
8 Chrysler Jeep Dodge of Missoula at 5001 Grizzly Court in Missoula to report that three
9 people had been shot by a suspect in a white Cadillac Escalade.
10

11 Sgt. Matthew Kazinsky of the Missoula City Police Department arrived on scene at
12 10:59 p.m. and found a red pickup truck with apparent bullet holes. Sgt. Kazinsky found
13 Julie Blanchard in the driver's seat. Julie had been shot but was conscious. In the back
14 seat of the pickup was a deceased male, later identified as Shelley Hayes, who also had
15 been shot. Outside the vehicle on the ground was a male later identified as Casey
16 Blanchard. Casey had been shot multiple times but was conscious. Sgt. Kazinsky told
17 dispatch there were multiple "high caliber rounds" and "AR-15 rounds" on the ground in
18 the area and that it appeared that two handguns and one AR-15-style rifle were used
19 based on the casings.
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21

22 Julie Blanchard was interviewed by detectives and stated that her son Casey had
23 called her to pick him and his friend Shelley up from Marvin's Bar at the Wye. She recalled
24 seeing a white Escalade in the parking lot. As they left the parking lot, the Escalade
25 followed them, flashing its headlights. Julie pulled over, thinking the Escalade driver might
26 need help. Casey got out of the pickup to approach the Escalade, and immediately, shots
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28

1 were fired at Julie and the others by the occupant of the Escalade. Surveillance video at
2 Lithia showed the Escalade, and a lone male firing a handgun at the victims.

3 On March 15, 2019, at 12:12 a.m., Montana Highway Patrol Trooper Wade Palmer
4 reported to dispatch that he was under fire at Mile Marker 7 on Hwy 93 N which is near the
5 Evaro Bar. Dispatch was subsequently unable to reach him by radio. Trooper Rob
6 Strauch, Missoula police, and Missoula County sheriff's deputies arrived at Trooper
7 Palmer's location and found he had been shot and was unconscious. He was transported
8 to the hospital with life-threatening injuries.
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10

11 Burton Bertsch was contacted by law enforcement at the Grey Wolf Casino.
12 Burton reported that he had called his son, Johnathan Bertsch, and that Johnathan had
13 told him something to the effect of "I had a road rage incident... I think I might have shot a
14 cop." Burton stated he had been at Marvin's Bar on March 14, 2019, when his son
15 Johnathan showed up there unexpectedly between 9:30 p.m. and 10:00 p.m. Johnathan
16 told him he was going to drive around for a while, and Jonathan was driving a white
17 Escalade. Burton stated that Johnathan usually carries a 45-caliber handgun and a rifle in
18 the vehicle with him.
19

20 Law enforcement used Burton's phone to contact Johnathan. Johnathan admitted
21 his involvement in both shootings. He refused to provide law enforcement with his
22 location.
23

24 At 4:24 a.m., a citizen called 911 to report a white Cadillac Escalade parked at the
25 bottom of a driveway on Grooms Road in Missoula County, which intersects with Hwy 93
26 N near the Evaro Bar. A Missoula County sheriff's deputy made contact with a male with a
27 rifle on Thornburg Road in Missoula County, which is near Grooms Road and Hwy 93 N.
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1 The male was taken into custody and identified as Johnathan Bertsch.
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5 DATED this 15th day of March, 2019.
6

7 /s/ Jason Marks
8 JASON MARKS
9 Chief Deputy County Attorney

10 SUBSCRIBED AND SWORN TO before me, a Justice of the Peace, in and for the
11 State of Montana, County of Missoula.
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