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Attorneys for the State

COPY

**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**

STATE OF MONTANA,)	
Plaintiff,)	No.
-vs-)	
SYLVIA RENEE HEAVYRUNNER,)	INITIAL COMPLAINT,
Defendant.)	AFFIDAVIT IN SUPPORT, AND
)	MOTION TO DETERMINE
)	PROBABLE CAUSE AND SET
)	BOND
)	
)	Citation No.C02B 10655
)	

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: AGGRAVATED ASSAULT, a Felony, in violation of M.C.A. § 45-5-202. A person convicted of aggravated assault shall be imprisoned in the state prison for a term not to exceed 20 years and may be fined not more than \$50,000, 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 22 December 2019, at approximately 1619 hours, Deputy Jacob Tri was dispatched to the Cascade County Detention Center for a reported assault. He spoke with the victim, Jane Doe, who reported that the Defendant, Sylvia Rennee HeavyRunner, spoke with her in her cell, G-8. They entered cell G-8 and had a verbal dispute. During the verbal dispute, the Defendant placed both hands around Doe's neck and started to "choke" Doe while pinning her against the table. Doe stated she was confused, dizzy, and felt like she could not breath.

The Defendant then began punching Doe in the face. Doe stated, "she [HeavyRunner] punched me so hard I pissed my pants." Afterwards, Doe's nose began to bleed, and "blood was squirting all over my shirt and my arm from my nose." Doe stated, "I felt scared for my life and I felt like I was going to die." When speaking with Doe, Deputy Tri noticed her nose was swollen and had a scratch.

Doe's neck had what appeared to be ligature marks and scratches on the right side of her neck. Detention Center medical staff told Deputy Tri that Doe had possibly suffered a fractured nose and orbital fracture.

A witness confirmed that she saw the Defendant punch Doe in the face in cell G-8. Surveillance footage confirmed that at approximately 1501 hours, Doe and HeavyRunner entered cell G-8 and secured the cell door. HeavyRunner and two witnesses exited the cell at approximately 1503 and secured the cell door. Doe later rang out to detention staff and requested medical attention.

Detention staff entered the cell block and noticed Doe bleeding from her nose. Detention Officer Skunkcap stated that after the assault, he escorted HeavyRunner from G-Block to H-Block. DO Skunkcap went on to state that while escorting the Defendant, she told him, "I fucked that bitch up and I'm going to keep fucking bitches up."

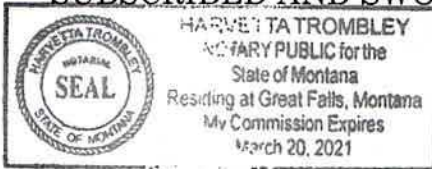
For the foregoing reasons, the State respectfully requests bond in the amount of \$20,000 consecutive. The Defendant is being held on a \$20,000 bond in ADC-19-172 and recently pleaded guilty to Aggravated Kidnapping (Accountability). In ADC-19-172, the Defendant aided Guadalupe Galicia and Brook-lyn Arrowtopknot in kidnapping a female victim and beating her. During that assault, Doe was in possession of a black folding knife. The group discussed a place to bury the female victim after the assault before the victim eventually escaped from the car trunk she was being held in.

DATED this 23rd Day of December, 2019.


JOSHUA A. RACKI
Cascade County Attorney


Deputy County Attorney

SUBSCRIBED AND SWORN TO before me on the 23rd day of December, 2019.



(NOTARY SEAL)


Notary Public for the State of Montana,
Residing at Great Falls, Cascade County,
Montana.
My commission expires March 20, 2021

cc: County Attorney/Racki

ORDER

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.

DISTRICT COURT JUDGE



right side of her neck. I spoke with the Detention Center Medical Staff and they stated the Victim possibly suffered a fractured nose and a possible orbital fracture.

I spoke with Witness A and she told me she was inside cell G-8 during the altercation. Witness A stated she witnessed the Defendant punch the Victim in the face while they were in cell G-8.

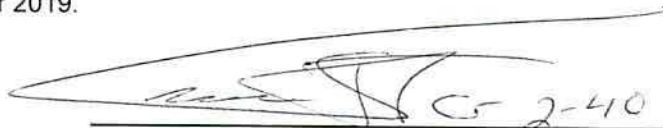
I reviewed surveillance footage and noted the following. On December 22, 2019 at approximately 1501 hours the Victim and Defendant enter cell G-8 and secured the cell door. The Defendant, Witness A and Witness B exit the cell at approximately 1503 hours and secured the cell door. The Victim later rang out to Detention Staff and requested medical attention.

Detention Staff told me they entered the cell block and noticed the Victim was bleeding from her nose. Detention Officer Skunkcap stated, after the assault he escorted the Defendant from G-Block to H-Block. DO Skunkcap went on to state while escorting the Defendant, she stated, "I fucked that bitch up and I'm going to keep fucking bitches up."

Based on the investigation, Probable Cause existed to cite and remand the Defendant into custody of the Cascade County Detention Center for the following offense.

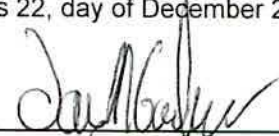
Aggravated Assault MCA 45-5-202, a Felony, for purposely or knowingly caused seriously bodily injury to the Victim, in manner which serious bodily injury occurred specifically a possible fractured nose and a possible orbital fracture.

DATED this 22, day of December 2019.


CG 2-410

Jacob T. Tri (#2-40)
Deputy Sheriff

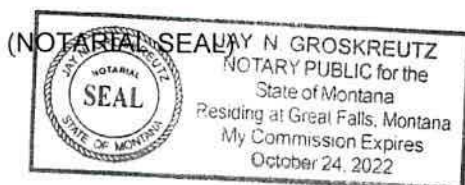
SUBSCRIBED AND SWORN to before me this 22, day of December 2019.



Notary Public for the State of Montana

Residing at Great Falls, MT

My Commission expires: 10-24-2022



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:

DATED this th, day of , .

REVIEWING JUDGE

Cc: Defendant
CCSO