

BRIAN LOWNEY
Deputy County Attorney
KIRSTEN H. PABST
Missoula County Attorney
Missoula County Courthouse
Missoula, Montana 59802
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ATTORNEYS FOR PLAINTIFF

IN THE JUSTICE COURT OF RECORD OF MISSOULA COUNTY,
STATE OF MONTANA

STATE OF MONTANA, Plaintiff, -vs- NASEEM I GASKIN, Defendant.	Dept. Cause No. AFFIDAVIT OF PROBABLE CAUSE
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STATE OF MONTANA)
 : ss
County of Missoula)

BRIAN LOWNEY, Deputy County Attorney, Montana, being first duly
sworn upon oath, deposes and says:

I have read the law enforcement reports regarding the investigation of
Naseem I Gaskin for allegedly committing the offenses of:

COUNT I: STRANGULATION OF PARTNER OR FAMILY MEMBER -
1ST OFFENSE, a felony, in violation of Mont. Code Ann. § 45-5-215;

COUNT II: PARTNER OR FAMILY MEMBER ASSAULT - 1ST

OFFENSE, a misdemeanor, in violation of Mont. Code Ann. § 45-5-206.

I believe that the facts as set forth in the law enforcement reports, if true, constitute sufficient probable cause to justify the filing of the charges.

Those facts are as follows:

On August 19, 2020, Missoula Police Department officers responded to a report of domestic abuse that occurred that night at the 300 block of Front Street, Missoula County, MT. Upon arrival, they spoke with Jane Doe, the Defendant's girlfriend. Doe reported that earlier in the evening, she and the Defendant were in an argument regarding the Defendant's text communication with another person. During the argument, Doe reported that she and the Defendant were on his bed. The Defendant used his feet to kick Doe out of the bed and Doe fell to the ground, causing her pain and leaving bruising on her legs. Doe stood up, got back on the bed and took the Defendant's phone, at which point the Defendant pinned her to the bed and put Doe in a chokehold, using the inside of his elbow to strangle her. Doe attempted to bite the Defendant and pull his hair, at which point the Defendant grabbed Doe's neck with one hand and continued strangling her. Doe described herself as gasping for air while she was being strangled and

felt her airway was closed. Doe recalled thinking that she did not want to die while the Defendant was strangling her.

The Defendant retrieved his phone from Doe and ceased strangling her, at which point Doe left the residence and called the police.

Officers observed significant bruising to Doe's neck consistent with finger marks. Doe had several scratches on her neck, bruises on her left wrist and bruises under her bicep. Officers also observed bruises on Doe's leg that she attributed to her fall from the bed. When Doe spoke, officers noted her voice was hoarse. Doe indicated her neck "really hurt" and that her throat was sore.

The Defendant was subsequently arrested.

DATED this 21st day of August, 2020.

/s/ Brian Lowney
BRIAN LOWNEY
Deputy County Attorney

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

Electronically Signed By:
Hon. Judge Alex Beal
On Behalf Of:
Hon. Judge Landee N. Holloway
Fri, Aug 21 2020 11:20 AM