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7 MONTANA FOURTH JUDICIAL DISTRICT COURT, MISSOULA COUNTY

8 STATE OF MONTANA,
Plaintiff,

9 -vs-

10 BRANDON TYLER WAKEFIELD,
11 Defendant,

Dept. No 2
Cause No. DC-26-120

MOTION AND AFFIDAVIT FOR
LEAVE TO FILE INFORMATION

12 STATE OF MONTANA)
13 :ss
14 County of Missoula)

15 BRITTANY L. WILLIAMS, Deputy County Attorney of Missoula County,
16 Montana, being first duly sworn, moves the Court for leave to file an Information
17 charging the above-named Defendant with allegedly committing the offense(s) in
18 Missoula County of:

19 COUNT I: DELIBERATE HOMICIDE, a felony, in violation of § 45-5-102(1)(a),
20 MCA;

21 OR IN THE ALTERNATIVE:

22 COUNT I: DELIBERATE HOMICIDE (FELONY MURDER RULE), a felony, in
MOTION AND AFFIDAVIT FOR LEAVE TO FILE INFORMATION

1 violation of § 45-5-102(1)(b), MCA.

2 The Motion is based upon the following facts which have been obtained
3 from reports of the law enforcement officers which, if true, I believe, constitute
4 sufficient probable cause to justify the filing of the charges. The facts from those
5 reports are as follows:

6 On or about the 4th day of March, 2026, multiple members of the Missoula
7 Police Department were dispatched to 2210 N Reserve St., commonly known as the
8 Town Pump and Lucky Lil's Casino, in Missoula County, after receiving a report of
9 shots fired. Officer Hansen was among the first officers to arrive on scene. He
10 observed Missoula County Sheriff's Deputy Smith standing with four-armed males,
11 who were each wearing tactical gear. Three of the four males had their arms raised,
12 while the fourth male was performing CPR on the shooting victim.
13

14 Officer Hansen asked the group of males who fired the shots. The three males
15 with their arms raised indicated that the male who was performing CPR was the
16 shooter. The male performing CPR was later identified as Brandon Wakefield ("the
17 Defendant"). Officer Graupmann noted in his report that the four males appeared to
18 be bail bondsmen. They were all wearing body armor and tactical belts with
19 firearms.

20 Officer Hansen escorted the three males away from the scene. After medical
21 personnel took over performing CPR on the victim, the Defendant also walked over
22 to Officer Hansen's location. Officer Hansen noted that the Defendant had a patch

1 on his tactical vest that read, "Fugitive Recovery Agent."

2 Officer Hansen briefly spoke with the Defendant and identified him. Officer
3 Hansen noted the Defendant appeared to be breathing heavily. His hands were
4 covered in blood, and he was visibly trembling. Officer Hansen disarmed the
5 Defendant of his firearm, which was located in the Defendant's right-handed holster.

6 At a later time, Officer Hansen and Detective Erickson logged the Defendant's
7 firearm into evidence. They identified it as a 9mm Sig Sauer P365, SN# 66G633332.
8 The firearm possessed a Holosun Red Dot sight, model Hs507KX2, SN#
9 8202056564. Officer Hansen removed the firearm's magazine. Inside, he found
10 sixteen (16) 9mm Hornady Luger rounds. The magazine holds seventeen (17)
11 rounds total. Officer Hansen learned that two spent shell casings had been
12 recovered at the shooting site, leading Officer Hansen to conclude that the magazine
13 was initially loaded with seventeen (17) rounds, with one (1) additional round
14 chambered (i.e. eighteen (18) rounds prior to the Defendant firing twice).
15

16 Officer Hansen asked Lt. Erbacher to speak with the Defendant. Lt.
17 Erbacher observed the Defendant to be wearing a green tactical plate carrier.
18 Defendant was armed with a taser and had an empty handgun holster. Lt. Erbacher
19 was informed that the victim, later identified as Joshua Wykle, was pronounced
20 deceased by medical personnel on scene. Lt. Erbacher observed that the
21 Defendant was visibly upset and shaking. Lt. Erbacher determined that the four
22 men involved in the shooting were bail bondsmen, who had traveled to Missoula

1 from Billings, MT to apprehend Wykle.

2 Ltn. Erbacher did not ask any questions regarding the shooting, other than
3 those necessary to determine which direction the fired rounds had traveled to ensure
4 no one else had been shot. The Defendant stated that he fired at a downward angle
5 into the Saturn, towards Wykle's center mass, while standing next to the vehicle.

6 Several officers and detectives reviewed video footage from Lucky Lil's
7 Casino. Detective Hollis described the video in her report. On the video, she
8 observed a male in gray sweats and a black hooded jacket walk across the parking
9 lot and enter a white Saturn. The Saturn is parked in the east lot of the Town Pump,
10 facing eastward. This male was identified as the decedent, Joshua Wykle. The video
11 depicts Wykle entering the Saturn. Shortly thereafter, the taillights of the Saturn
12 illuminate for 5-10 seconds. After approximately 10 seconds, a Honda Pilot pulls
13 behind the Saturn, partially blocking the Saturn into the parking space.
14

15 Det. Hollis then observed two males exit the front and rear passenger doors of
16 the Honda. The male exiting the front passenger door was later identified as Austin
17 Mistretta. The male exiting rear passenger door was later identified as Jorrell Nagel.
18 Both males are wearing exterior tactical vests.

19 Det. Hollis observed that as Austin and Jorrell approach the front end of the
20 Honda, Austin is holding up what appears to be a long gun/rifle. Austin is pointing
21 the rifle at the Saturn, which is still occupied by Wykle. The video then depicts a third
22 male exiting the Honda on the driver's side. This male was later identified as the

1 Defendant. Det. Hollis observed that the Defendant is also wearing an exterior
2 tactical vest. The video depicts the Defendant approaching the driver's side of the
3 Saturn, presenting his firearm, and pointing it at Wykle.

4 The Defendant then appears to grab the driver's-side door handle with his left
5 hand, while holding the firearm in his right hand. The Defendant continues to point
6 the firearm towards the driver's side of the Saturn where Wykle is seated. While this
7 is happening, a fourth male appears at the rear of Saturn, presumably having exited
8 the driver's side of the Honda. This fourth male was later identified as Ryan Smith.
9 Ryan is also wearing an exterior tactical vest. Ryan approaches the driver's side of
10 the Saturn where the Defendant is standing. From the video, it appears as if the
11 Defendant reaches towards the Saturn's door again as Ryan comes into view. Det.
12 Hollis noted that all four bondsmen are visible in the video frame at this time.

14 Det. Hollis observed that as Ryan makes his way from the Saturn's rear to the
15 driver's side of the vehicle, the Defendant checks the Saturn's door handle again
16 with his left hand. The Defendant's right hand is still holding the firearm, which is still
17 pointed at Wykle. The Saturn then begins to reverse as Jorrell walks directly behind
18 it. Det. Hollis observed that Jorrell appears to brace himself against the Saturn as it
19 reversed towards him.

20 The Saturn continues in reverse with Jorrell behind it. Jorrell can be seen
21 attempting to get away from the Saturn as it moves backwards. While this is
22 happening, the Defendant raises his firearm with a more distinct shooters stance

1 (two (2) hands on his firearm with arms extended) still pointing the gun at Wykle. The
2 Saturn continues to reverse and most of the Defendant's person becomes obscured
3 from view by the moving Saturn.

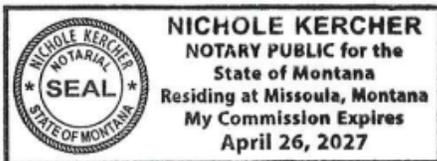
4 The Saturn eventually backs into the Honda, but Jorrell gets away. The Saturn
5 then stops. The Defendant and Ryan are still standing at the driver's side of the
6 Saturn when it stops. Austin appears to walk over to their side of the vehicle, and
7 Jorrell starts to approach as well. As the four bondsmen come together, they
8 momentarily look at each other. Austin then goes to the Honda's front, passenger-
9 side door to retrieve something. Det. Hollis observed that as Austin is doing this,
10 Ryan appears to open the Saturn's driver's-side door. The Defendant extends his
11 arms outward, presenting the firearm as Ryan opens the door. Wykle is then
12 extracted from the vehicle, and the Defendant begins performing CPR on Wykle.
13

14 This case is being filed direct to District Court.

15 DATED this 6th day of March, 2026.

17 /s/ Brittany L. Williams
18 BRITTANY L. WILLIAMS
19 Deputy County Attorney

20 SUBSCRIBED AND SWORN TO before me this 6th day of March, 2026.



Nichole Kercher

NOTARY PUBLIC FOR STATE OF MONTANA