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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**

STATE OF MONTANA,)	
Plaintiff,)	No.
)	
-vs-)	INITIAL COMPLAINT,
)	AFFIDAVIT IN SUPPORT, AND
AMANDA LYNN GILBREATH,)	MOTION TO DETERMINE
)	PROBABLE CAUSE AND SET
Defendant.)	BOND
8/17/80)	
)	Citation No.052 C17923
)	
)	

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: OBSTRUCTING JUSTICE, a Felony, in violation of M.C.A. § 45-7-303(2)(a). A person convicted of this offence shall be imprisoned in the state prison for a term not to exceed 10 years, if the offender has been or is liable to be charged with a felony.

STATE OF MONTANA)

: ss.

County of Cascade)

AFFIDAVIT IN SUPPORT

As outlined in the attached probable cause affidavit on December 16, 2019 around 2:00 pm GFPD Officers saw a vehicle belonging to Ricky Gardipee parked in the 400 block of 17th street North. Gardipee was wanted and had been involved in a number of high speed pursuits using the vehicle in the recent past. While waiting for backup, officer saw a car left the residence with two females inside.

Officer Larson stopped the car and identified the women, one of whom was Amanda Gilbreath. Gilbreath was known to be in a relationship with Gardipee. She agreed to allow officers to go back to the residence and look for Gardipee inside. That search was fruitless.

Officers then asked Gilbreath if she knew where Gardipee was and she became very evasive and claimed she had not seen him since Friday December 13. She said she went and got the Tahoe when a mutual friend told her where it was. She denied having any contact with Gardipee recently.

On December 17, 2019 between 140 and 545 Gardipee was involved in a number of criminal acts, including a robbery and triple homicide. Gilbreath was questioned regarding these incidents and during interviews admitted she had seen Gardipee numerous times including twice at her residence. This included the preceding day when she advised officers she had no idea where Gardipee was. Gardipee was with Gilbreath immediately before he left to commit the robbery and triple homicide. She harbored or concealed Gardipee on a number of occasions after being advised he had felony warrants.


Gilbreath had been advised on numerous occasions of Gardipee's warrant and that she could be charged with obstructing justice if she harbored or concealed him.

Gilbreath was convicted of robbery in 2004 (CDC-040271-1).

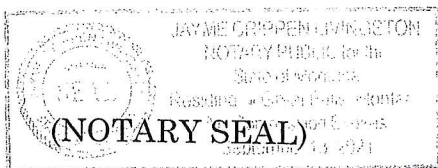
For the foregoing reasons, the State respectfully requests bond in the amount of \$10,000 based on the nature of the offense and her criminal history.

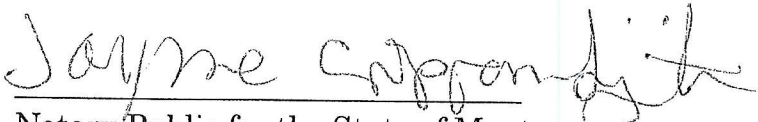
DATED this 18th Day of December, 2019.

JOSHUA A. RACKI
Cascade County Attorney


Deputy County Attorney

SUBSCRIBED AND SWORN TO before me on the 18th 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.

DISTRICT COURT JUDGE

PROBABLE CAUSE AFFIDAVIT



MUNICIPAL/ JUSTICE/ DISTRICT COURT, GREAT FALLS, CASCADE COUNTY, MONTANA

STATE OF MONTANA

Plaintiff

vs.

AMANDA LYNN GILBREATH

Defendant

PROBABLE CAUSE AFFIDAVIT/ HEARING

CFS NUMBER: **19 -- 77356**

INCIDENT DATE: **12 / 17 / 19**

OFFICER AFFIDAVIT:

The undersigned Officer of the Great Falls Police Department, being first duly sworn, states the following:

1. The offense(s) charged in this complaint occurred within the city limits of Great Falls, Montana.

2. I base the probable cause to charge or issue a warrant in this case on the following:

A. On December 16th 2019 at approximately 1400 hours, I (Smith – 323) was patrolling in the 400 Block of 17th Street North when I found a vehicle I recognized to be driven by Ricky Gardipee. Gardipee had recently used the vehicle to flee from Officers multiple times and currently had multiple outstanding warrants. I also knew Gardipee to reside in the 400 block of 17th Street North, namely at 414 17th Street North.

B. I waited for other units to arrive before making contact. While waiting, a vehicle left the residence with two females inside. Officer Larson (330) conducted a traffic stop on that vehicle and found it to be occupied by Gardipee's known partner Amanda Gilbreath (Self/Booking Photos). During the stop, Gilbreath agreed to return to the residence and allow us to check for Gardipee.

C. During the search, we did not find Gardipee. I then began to ask Gilbreath if she had any knowledge of Gardipee's whereabouts. Gilbreath was extremely evasive and claimed to have not seen him since Friday December 13th. Gilbreath claimed she got the Tahoe back from Gardipee when a "mutual friend" called to tell her where it was. Gilbreath denied any contact with Gardipee.

D. On December 17th 2019 between the hours of 0140 and approximately 0545, Gardipee was involved with extensive criminal activity. Ultimately, Gilbreath was picked up and interviewed as a result of that criminal activity.

E. Gilbreath was interviewed at the GFPD by multiple detectives. During that interview, Gilbreath was advised of her Miranda Rights. Gilbreath agreed to speak with detectives after being advised of her rights.

F. During the interview, Gilbreath admitted that she had seen Gardipee multiple times including at least two hours at their residence. Gilbreath also admitted that Gardipee had continued to use her vehicle. Gilbreath's statement made it apparent that she had knowledge of Gardipee's whereabouts on multiple occasions which could have resulted in his apprehension but instead she harbored, protected and provided aid to Gardipee. One of those incidents, Gilbreath was with Gardipee right before he engaged in extensive criminal activity.

G. It should be noted; Gilbreath had been advised multiple times about obstructing justice. Once by me on December 16th during our contact and previously by Officer Kelsey (325) per CFS # 2019-76758.

3. I know the purpose of this statement is part of the probable cause hearing for the issuance of the below listed charges, and/ or requesting a warrant for the arrest of the defendant named in the complaint.

CHARGES:

- Obstructing Justice (F) / 45-7-303

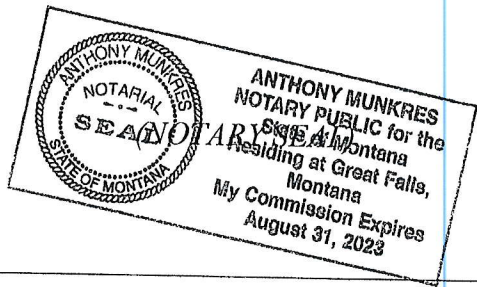
Dated this Tuesday, December 17, 2019

OFFICER SIGNATURE:

X *Jacob Smith*
 TYPED NAME: Jacob Smith
 BADGE NUMBER: 323

NOTARY SIGNATURE:

SUBSCRIBED AND SWORN to before me this 17 day of DEC, 2019.



Anthony Munkres
 Notary Public for the State of Montana,
 Residing at Great Falls, Cascade County, Montana
 My commission expires: 8/31/23

JUDGE ORDER:

The Court/ undersigned Judge hereby finds: *THERE IS* *THERE IS NOT*
SUFFICIENT PROBABLE CAUSE to file the above listed charges, and/ or hold the defendant pending trial
 or hearing, based on the facts outlined herein.

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

JUDGE SIGNATURE:

- _____
 MUNICIPAL COURT JUDGE
 JUSTICE OF THE PEACE
 DISTRICT COURT JUDGE

CITY ATTORNEY <input type="checkbox"/>	COUNTY ATTORNEY <input type="checkbox"/>	COUNTY JAIL <input type="checkbox"/>	SHERIFF'S OFFICE <input type="checkbox"/>	PUB DEF PARALEGAL <input type="checkbox"/>	DEFENDANT <input type="checkbox"/>	DEFENSE COUNSEL <input type="checkbox"/>
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