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8  
9 IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE  
10 STATE OF MONTANA, IN AND FOR THE COUNTY OF FLATHEAD

11 **STATE OF MONTANA,** ) Case No.:  
12 )  
13 Plaintiff, )  
14 vs. ) **MOTION FOR LEAVE TO**  
15 ) **FILE AN INFORMATION**  
16 )  
17 **ALAN ROGER CONNOR JR.,** )  
18 )  
19 Defendant )  
20 )  
21 )  
22 )  
23 )  
24 )

25 Pursuant to Section 46-11-201, the State hereby moves for leave  
26 to file an Information charging the Defendant with the offense of  
27 **COUNT I: CRIMINAL MISCHIEF, a Felony and COUNT II: CRIMINAL**  
28 **ENDANGERMENT, a Felony.** In support of this motion, the State has  
attached for this Court's review an affidavit setting forth the facts  
which establish probable cause to believe that the Defendant has  
committed the offenses as alleged.

Dated this 16<sup>th</sup> day of November, 2020.

Office of the County Attorney  
Flathead County Attorney

By: /s/ Alison E. Howard  
Deputy

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8 IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE  
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10 **STATE OF MONTANA,** ) Case No.:  
11 )  
Plaintiff, ) **AFFIDAVIT IN SUPPORT OF**  
12 vs. ) **MOTION FOR LEAVE TO**  
13 **ALAN ROGER CONNOR JR.,** ) **FILE AN INFORMATION**  
14 Defendant )  
15

16 Alison E. Howard is a Deputy County Attorney for Flathead County  
17 Montana. As such she is empowered to initiate and prosecute persons  
18 charged with crimes committed in the State of Montana and to initiate  
19 such prosecutions by Information filed in District Court.  
20

21 Pursuant to Section 46-11-201, MCA, Alison E. Howard seeks leave  
22 to file an information charging the Defendant with the offense of

23 **COUNT I: CRIMINAL MISCHIEF, a Felony and COUNT II: CRIMINAL**  
24 **ENDANGERMENT, a Felony.** More specifically, those charges would  
25 allege the following:  
26

27 **COUNT I: CRIMINAL MISCHIEF, a felony**

28 The Defendant, **ALAN ROGER CONNOR JR.,** on or about November  
12, 2020 in Flathead County, Montana, knowingly or  
purposely injured, damaged or destroyed the property of -

1 Super 1 Foods, without consent, causing a pecuniary loss in  
2 excess of \$1,500.00, all contrary to Section 45-6-  
3 101(1)(a), M.C.A. Because the value of the damage exceeds  
4 \$1,500.00, this offense is punishable under the provisions  
5 of § 45-6-101(3), M.C.A., by a maximum term in the State  
6 Prison of ten (10) years and/or a maximum fine of  
7 \$50,000.00.

8 **COUNT II: CRIMINAL ENDANGERMENT, a felony**

9 The Defendant, **ALAN ROGER CONNOR JR.**, on or about November  
10 12, 2020, in the City of Columbia Falls, Flathead County,  
11 Montana, knowingly engaged in conduct that creates a  
12 substantial risk of death or serious bodily injury to  
13 others, contrary to the provisions of Section 45-5-207(1),  
14 M.C.A., and punishable under the provisions of Section 45-  
15 5-207(2), M.C.A., by a maximum term in the State Prison of  
16 ten (10) years and/or a maximum fine of \$50,000.00.

17 As reported in Columbia Falls Police Department, case  
18 report number 2020-8522 by Detective Denham, Alison E.  
19 Howard presents for this Court's consideration the  
20 following facts establishing probable cause to believe that  
21 the Defendant has committed the foregoing offense:

- 22 1. On or about November 12, 2020, Columbia Falls Police  
23 Department was dispatched to Super 1 Foods for a report of a  
24 vehicle being driven inside the store. Prior to arriving at  
25 the scene, dispatch advised that the subject had driven out of  
26 the store and fled the scene. Officers responded to the scene  
27 and observed extensive damage to the entryway to the store as  
28 well as merchandise strewn from the shelves. Officers spoke  
with several witnesses who reported that the driver of the  
vehicle had entered the store, drove down an aisle to the back  
of the store, then turned around and exited the store.  
Several witnesses reported being scared for their lives and  
stated that they had to move out of the way of the suspect  
vehicle to avoid being struck. Witnesses identified the driver  
as a male in his 40's or 50's, with dark hair and a dark  
mustache and beard.
2. Officers located the suspect vehicle abandoned across the  
street from the store. A short while later, Officers were  
dispatched to the area of Timber Creek Assisted Living for a  
report of nude male running around in the snow, matching the  
description of the male in the store. Officers made contact  
with the male, identified as ALAN ROGER CONNOR, JR. CONNOR

1 was transported to North Valley Hospital due to concerns of  
2 him suffering from being outside in inclement weather for an  
3 unknown period of time and what appeared to be intoxication  
4 from illegal drugs.

5 3. Dispatch also received a call a short while later from a woman  
6 who identified herself as the girlfriend of CONNOR. The woman  
7 reported that CONNOR had come to her residence at Timber Creek  
8 Assisted Living and appeared to be under the influence of  
9 drugs, told her that he had just driven through the grocery  
10 store, then removed his clothing and left.

11 4. CONNOR was subsequently released from the hospital and  
12 interviewed by Detective Denham. CONNOR admitted to consuming  
13 a large quantity of methamphetamine over the days leading up  
14 to his arrest. He also reported hallucinating and believing  
15 people were trying to kill him or hurt him, which led him to  
16 drive through the grocery store in an attempt to buy  
17 cigarettes for his girlfriend.

18 5. Detective Denham spoke with Hope Renfro of Super 1 Foods, who  
19 stated that the preliminary estimate for the damaged store and  
20 lost or damaged merchandise is approximately \$100,000.

21 I declare under penalty of perjury that the foregoing is true  
22 and correct to the best of my knowledge and belief.

23 Dated this 16<sup>th</sup> day of November, 2019.

24 Office of the County Attorney  
25 Flathead County Attorney

26 By: /s/ Alison E. Howard  
27 Deputy  
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