

1 MAC BLOOM  
2 Deputy County Attorney  
3 KIRSTEN H. PABST  
4 Missoula County Attorney  
5 Missoula County Courthouse  
6 Missoula, Montana 59802  
7 (406) 258-4737  
8 ATTORNEYS FOR PLAINTIFF

9  
10 IN THE JUSTICE COURT OF THE STATE OF MONTANA  
11 IN AND FOR THE COUNTY OF MISSOULA  
12 BEFORE, \_\_\_\_\_, JUSTICE OF THE PEACE

13 STATE OF MONTANA,  
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15 Plaintiff,  
16  
17 -vs-  
18 KEVIN SCOTT HAGGARD,  
19 Defendant,

Department No.  
Cause No.

**AFFIDAVIT OF PROBABLE CAUSE**

20 STATE OF MONTANA )  
21 : ss  
22 County of Missoula )

23 MAC BLOOM, Deputy County Attorney, Montana, being first duly sworn upon oath,  
24 deposes and says:

25 I have read the official law enforcement reports regarding the investigation of  
26 KEVIN SCOTT HAGGARD for allegedly committing the offense committed the offense of  
27 COUNT : ASSAULT WITH WEAPON, a Felony, in violation of Montana law, namely:  
28 Mont. Code Ann. 45-5-213 .

Based upon the following facts which have been obtained from reports of the law  
enforcement officer which, if true, constitute sufficient probable cause to justify the filing of  
the charges. The facts from those reports are as follows:

1 On September 10, 2017, at approximately 10:24 a.m., Deputy Larson, Missoula  
2 County Sheriff's Office, responded to a residence regarding a disturbance. Upon arrival,  
3 he met with Theresa Stephens, who had blood on her face and ear and a small abrasion  
4 on her elbow. Stephens stated that she had a confrontation with her neighbor, Kevin  
5 Haggard. Stephens explained that Haggard has a wood pile that leans up against their  
6 shared fence. The wood pile previously knocked the fence down and Haggard repaired it.  
7 However, Haggard began piling wood against the fence again recently. Stephens told  
8 Haggard that that arrangement was not going to work. Haggard responded by saying,  
9 "[Expletive] you, you [expletive] [expletive]."  
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12 Stephens used a rake to begin pushing Haggard's wood pile farther onto Haggard's  
13 side of the property. As she was doing so, Haggard grabbed Stephens's rake and hit her  
14 in the head with it. Stephens reported that Haggard also grabbed a piece of wood and hit  
15 her four or five times in the head with that. Haggard then threw pieces of wood at her,  
16 which hit her. Stephens reported that she saw stars when Haggard struck her, but did not  
17 lose consciousness. She stated that her pain level was a nine on a one-to-ten scale.  
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19 Deputy Larson observed that there were two cut pieces of firewood and a metal  
20 rake-head on Stephens's property. He found the rake's wooden handle on Haggard's  
21 property, on top of his wood pile. Deputy Larson then made contact with Haggard, who  
22 stated that earlier, Stephens came out of her house and began yelling at him about fixing  
23 the fence. Haggard told her to go back inside and may have called her a "crazy  
24 [expletive]." In response, Stephen's said, "I'll show you crazy," and charged at him with  
25 the rake. Haggard explained that he grabbed the rake from Stephens and assumed that it  
26 must have bounced and hit Stephens in the head. Haggard said that the pieces of wood  
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1 in Stephens's yard must have landed there when the fence fell over or when Stephens  
2 was raking the wood pile.

3 Deputy Larson placed Haggard under arrest and read him his rights. When asked  
4 how the rake head ended up on Stephens's property, Haggard stated that it flew off when  
5 Stephens raised the rake over her head. Deputy Larson noted that Haggard contradicted  
6 his earlier statement that the rake head flew off when he grabbed it.  
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10 DATED this \_\_\_\_ day of September, 2017.

11 /s/ Mac Bloom \_\_\_\_\_  
12 MAC BLOOM  
13 Deputy County Attorney

14 SUBSCRIBED AND SWORN TO before me this \_\_\_\_ day of September, 2017.

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17 JUSTICE OF THE PEACE  
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