

RECEIVED  
APR 28 2014  
Justice Court

IN THE JUSTICE COURT OF THE STATE OF MONTANA,  
IN AND FOR THE COUNTY OF MISSOULA  
BEFORE Karen A. Orzech JUSTICE OF THE PEACE.

STATE OF MONTANA,

Plaintiff,

-vs-

MARKUS KAARMA,

Defendant.


Cause No. CR-2014- 12073-42

COMPLAINT

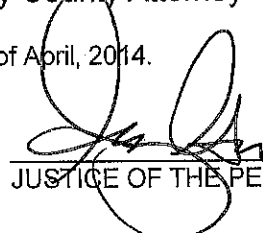
Andrew W. Paul, Deputy County Attorney for Missoula County, being duly sworn, deposes and says: that on or about April 27, 2014, at Missoula County, the above-named Defendant committed the offense of DELIBERATE HOMICIDE, a Felony, in violation of Mont. Code Ann. § 45-5-102. The penalty for this offense is not less than ten (10) years and not more than 100 years or life imprisonment in the Montana State Prison.

The facts constituting the offenses are:

On or about April 27, 2014, the above-named defendant purposely or knowingly caused the death of another human being, Diren Dede, in Missoula County, Montana, by shooting him.

  
Andrew W. Paul  
Deputy County Attorney

Subscribed and sworn to before me this 28 day of April, 2014.

  
JUSTICE OF THE PEACE

Acting

RECEIVED

APR 28 2014

Justice Court

IN THE JUSTICE COURT OF THE STATE OF MONTANA,  
IN AND FOR THE COUNTY OF MISSOULA  
BEFORE Karen A. Orzech JUSTICE OF THE PEACE.

STATE OF MONTANA,

Plaintiff,

-vs-

MARKUS KAARMA,

Defendant.

Cause No. CR-2014-12073-C2

AFFIDAVIT OF PROBABLE CAUSE

STATE OF MONTANA     )  
                                      : ss  
County of Missoula     )

Andrew Paul, Deputy County Attorney of Missoula County, Montana, being first duly sworn upon oath, deposes and says:

I have discussed the case with law enforcement and read the law enforcement reports regarding the investigation of MARKUS KAARMA for allegedly committing the offenses set forth in the complaint and based upon the information contained in the reports, if true, believe probable cause exists to justify charging the above-named defendant as specified in the accompanying complaint.

On or about April 27, 2014, Janelle Pflager and Markus Kaarma were in their home at 2607 Deer Canyon Court, Missoula, Montana. Shortly after midnight, they heard a sensor alert indicating someone was in their driveway and then a sensor alert that someone had entered their garage. Pflager pulled up images from a video monitor with a live stream from the garage and observed a male inside the garage. She took screen shots of the images on her phone. The garage door had been left open

approximately open 5 ½ feet. Kaarma took his shotgun and exited the front door of the house. Pflager followed him. He went around the front of the house and into the driveway between his pickup truck and the car that was parked in the garage with the partially open garage door. He stated he heard a noise that sounded like metal on metal and he was afraid that the intruder would exit the garage and harm him. It was dark and he could not see into the garage. He stated he did not see anyone and did not communicate with anyone prior to shooting. He stated that his wife turned on the exterior lights, which made it more difficult to see. According to Kaarma, he shot four times into the garage. He claimed he shot high to avoid hitting the car in the garage, however the impact points on the garage wall showed three of the four shots were low and a fourth shot was high. The impact marks also indicated that the gun was swept across the garage. Kaarma stated the incident was seven to eight seconds and it took about two seconds to fire all four shots. He yelled to call 911 after he fired the shots. He stated he thought he was going to die and that the guy would try to get out of the garage and described thinking he could act like a caged animal. He assumed that he had a knife or a tool from the garage, however, he could not be sure because the garage was pitch dark and couldn't see anything inside. He stated he didn't want the male to get away and that he wanted him to be caught. He stated that the police can't catch burglars in the act.

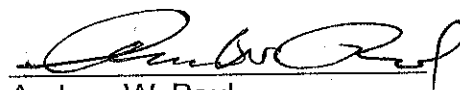
Pflager stated that after Kaarma reached the open garage door, she heard Kaarma say "hey, hey" and heard him chamber a shell into the shotgun. Pflager then heard the male in the garage say "hey" or "wait" and then Kaarma fired two shots into

the dark garage. She realized how dark it was and went to turn on the exterior lights. Before she turned the lights on, he fired two more shots.

Pflager told Missoula City Police Officer Olds that they had been burglarized two times within the last three weeks. She said that she placed a purse with personal belongings that she had cataloged in the garage "so that they would take it." Despite the fact that she had been burglarized, she left the garage door open. She set up a baby monitor in the garage and installed motion sensors.

The male, identified as Diren Dede, was lying on his left side behind the vehicle in the garage. He sustained serious injuries to his head and left arm. His cell phone was on the ground near him. Dede was transported to St. Patrick's Hospital where he was pronounced dead. Dede was 17 years old and a foreign exchange student.

On April 27, 2014, Detective J. Merifield spoke with Felene Sherbondy. Felene called to report that the Defendant was in Great Clips on August 23, 2014. When Felene asked the Defendant how he was doing, the Defendant replied: "I'm just waiting to shoot some fucking kid." He told the stylists that he had been waiting up for three nights with his shotgun to shoot "some fucking kid." He told Felene that he had been burglarized a few times, that was why he was waiting up at night to catch someone and shoot them. Felene reported that the Defendant was being extremely vulgar and belligerent. She asked the Defendant to quit swearing and he said he could say "whatever the fuck" he wanted.

  
Andrew W. Paul  
Deputy County Attorney

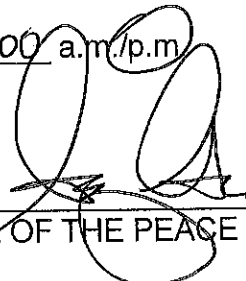
SUBSCRIBED AND SWORN TO before me this 28 day of April, 2014.

  
JUSTICE OF THE PEACE Acting

ORDER

Upon reading the foregoing Affidavit, the Court finds that there is probable cause to believe the above-named Defendant committed the crimes charged.

DATED this 28 day of April, 2014, at 3:00 a.m./p.m.

  
JUSTICE OF THE PEACE Acting