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FILED MAR 05 2020

SHIPLEY F. FAUST, CLERK  
BY *[Signature]*

7 MONTANA FOURTH JUDICIAL DISTRICT COURT, MISSOULA COUNTY

8 STATE OF MONTANA,  
Plaintiff,

9 -vs-

10 Robert Charles Nelson,  
Defendant,

*John W. Larson*

Dept. No 3

Cause No. DC-20- 97

MOTION AND AFFIDAVIT FOR  
LEAVE TO FILE INFORMATION

11  
12 STATE OF MONTANA )  
:ss  
13 County of Missoula )

14 MEGHANN PADDOCK, Deputy County Attorney of Missoula County, Montana,  
15 being first duly sworn, moves the Court for leave to file an Information charging the  
16 above-named Defendant with allegedly committing the offense(s) in Missoula County of  
17 COUNT I: FAIL TO REMAIN AT ACCIDENT SCENE WHERE PERSON KILLED OR  
18 SERIOUSLY INJURED, a Felony, in violation of Montana law, namely: Mont. Code Ann.  
19 61-7-103(1)[4];

20 COUNT II: TAMPERING WITH OR FABRICATING PHYSICAL EVIDENCE, a Felony, in  
21 violation of Montana law, namely: Mont. Code Ann. 45-7-207;

22 COUNT III: FAILURE TO CARRY PROOF OF LIABILITY INSURANCE - 1ST

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1 OFFENSE, a Misdemeanor, in violation of Montana law, namely: Mont. Code Ann. 61-6-  
2 302(2)[1st].

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

7 On March 3, 2020 at approximately 6:34 am, Missoula 911 received a report of  
8 CPR in progress near the Franz Bakery at 3120 W. Broadway. It was reported that a  
9 pedestrian had been struck by a vehicle, and that the vehicle, a 90's model white Pontiac,  
10 had fled the scene and was last seen traveling westbound on Highway 10 W from Airway  
11 Blvd. Missoula Police Officer Burton arrived on scene and observed a male victim (John  
12 Doe) laying in the westbound lane of W. Broadway, while firefighters and EMTs  
13 performed CPR. Pieces of a vehicle were located in the road. A witness was present who  
14 had not seen the crash but came across Doe and began CPR until medical assistance  
15 arrived.

16 Another caller to 911 had reported seeing a white 90's model Pontiac with a  
17 caved-in windshield, severe damage to its hood, and a missing mirror traveling  
18 westbound on W. Broadway out by the airport, with a male hanging out the window while  
19 he was driving. The suspect vehicle was located in the parking lot at 5811 Sandpiper  
20 Drive, in a far corner parking space right up against an industrial garbage dumpster,  
21 where it would have been completely concealed from the East. There was a red sleeping  
22 bag spread across the windshield, and the keys were left on the driver's seat. An

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1 employee of the business where the car was parked identified the car as belonging to  
2 Defendant Robert Nelson. Moments later Defendant came out of the business and said "I  
3 f\*\*\*\*d up," and admitted that he had hit a pedestrian in the roadway on his way to work  
4 and panicked, did not stop to check on the pedestrian, and continued to drive to work.

5 In a subsequent mirandized interview, Defendant said he had been driving below  
6 the speed limit, was sober at the time of the crash, and that he was driving westbound on  
7 West Broadway when he hit something. Defendant reported that he realized it was not an  
8 animal, and that he did not stop. Defendant said he was "scared" and he "panicked," and  
9 said he thought the person might have intentionally "jumped out" in front of his car.

10 Defendant said he looked behind him, but it was really dark, and he could not see what  
11 he hit. Defendant also admitted that he does not have a driver's license, nor did he have  
12 insurance, and said that he panicked due to those facts and proceeded to work.

13 Defendant said he usually parks right up front at work, but this time backed in next to a  
14 large dumpster then put a blanket over his windshield to conceal the damage from  
15 people. Defendant said he knows he should have stopped and checked on the person  
16 (Doe).

17 Surveillance camera footage was collected, and depicts Defendant pulling into the  
18 parking lot, going inside and returning to the lot with another individual, then moving the  
19 car and parking it where it was located, then covering the windshield with the red  
20 sleeping bag.

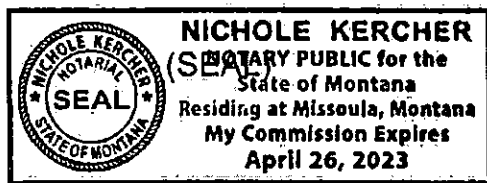
21 This case is being filed direct to District Court. Although the Defendant was initial  
22 released following his interview with law enforcement, it has since been learned that he

1 endeavored to hide his vehicle and obscure the damage. Due to the nature of the  
2 offense, and Defendant's efforts to conceal it, the State is requesting that an arrest  
3 warrant be issued in the amount of \$10,000.

4 DATED this 5th day of March, 2020.

5  
6 /s/ Meghann Paddock  
7 MEGHANN PADDOCK  
8 Deputy County Attorney

9  
10 SUBSCRIBED AND SWORN TO before me this 5th day of March, 2020.



*Nichole Kercher*  
\_\_\_\_\_  
NOTARY PUBLIC FOR STATE OF MONTANA