

MAC BLOOM
Deputy County Attorney
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ATTORNEYS FOR PLAINTIFF

IN THE JUSTICE COURT OF RECORD OF MISSOULA COUNTY,
STATE OF MONTANA

STATE OF MONTANA, Plaintiff, -vs- BRADLEY DON NAGEL, Defendant.	Dept. Cause No. AFFIDAVIT OF PROBABLE CAUSE
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STATE OF MONTANA)
 : ss
County of Missoula)

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

I have read the law enforcement reports regarding the investigation of
BRADLEY DON NAGEL for allegedly committing the offenses of:

COUNT I: DELIBERATE HOMICIDE, a felony, in violation of § 45-5-
102[1], MCA;

COUNT II: DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS - 3RD OFFENSE, a misdemeanor, in violation of § 61-8-401(1)(a)[3rd], MCA.

I believe that the facts as set forth in the law enforcement reports, if true, constitute sufficient probable cause to justify the filing of the charges.

Those facts are as follows:

On October 16, 2021, at approximately 8:41 p.m., Dispatch received multiple complaints of a vehicle vs. pedestrian hit and run collision in the parking lot of WinCo Foods. The complainants gave several and varying descriptions of the suspect vehicle. While officers were enroute to the scene, Dispatch advised that the female victim was turning blue, and CPR was in progress to save her.

Corporal Smith arrived on scene with several other officers at approximately 8:45 p.m. Fire and medical were already on scene administering CPR to the victim, later identified as Lucille Synek. Corporal Smith determined that Synek sustained multiple crushing injuries to her body. He believed Synek's injuries were severe.

As Corporal Smith approached Synek, a bystander informed him that the suspect male was still on scene. The bystander directed Corporal Smith's attention to an orange Dodge Dakota parked in the parking lot of

WinCo. Corporal Smith approached the suspect vehicle and spoke with the suspect male, later identified as Bradley Nagel. Nagel admitted that he was involved in the incident. Nagel's eyes were bloodshot and glossy. His movements were slow and deliberate, and his breath smelled of alcohol. Nagel's pupils also appeared unusually dilated.

Corporal Smith informed Nagel of his *Miranda* rights, and Nagel agreed to provide a statement. Nagel stated that he and Synek have been in a relationship for approximately four and a half years. Today (October 16), they were arguing about relationship problems outside his truck in the WinCo parking lot. When Nagel attempted to leave the area to cool off, Synek stood in front of his truck and refused to move. Nagel drove his truck forward in a jerking fashion, hoping that Synek would move out of the way. Nagel explained that at some point Synek fell to the ground, and he ran her over.

Corporal Smith observed the passenger-side headlight of Nagel's truck appeared to have been recently broken. Nagel said that Synek broke the headlight while they were arguing by kicking it. Nagel also stated that he and Synek had been drinking at the Eagle's Lounge (across the street from WinCo) prior to the incident. This is where the argument with Synek started. Nagel stated he drank approximately three beers that evening. He was unsure as to much alcohol Synek had consumed but stated that he believed

she was intoxicated. When asked, Nagel refused to perform the Standardized Field Sobriety Tests.

Corporal Smith told Nagel that due to the severity of the incident, he needed to take Nagel to the police station to be interviewed by detectives. Nagel agreed. Corporal Smith placed Nagel into his patrol car and transported him to the station. There, Officer Berger asked Nagel if he would submit to a DRE evaluation to assess his intoxication. Nagel refused. He also refused consent for a blood draw. He voiced concern multiple times for Synek. While he was speaking, Officer Berger detected the odor of alcohol coming from Nagel.

Officer Berger applied for and was granted a search warrant for a sample of Nagel's blood. Officer Berger transported Nagel to St. Patrick's Hospital. There, ED Tech Craig Lerch withdrew a sample of Nagel's blood for testing. Officer Berger transported Nagel back to the station to speak with detectives.

Meanwhile, law enforcement interviewed witnesses to the incident. Sam Latray stated he was walking on the sidewalk on the north side of WinCo when he observed a male and a female arguing. He witnessed the female kick the taillight of the male's truck. The male then kicked the headlight of the female's vehicle. Next, the male got into his truck and the

female grabbed onto the driver's side of the truck near the rear wheel-well.

Latray hear the female yell, "Stop. I'm stuck," but the male continued to drive forward. Latray did not know how the female ended up on the ground, but he witnessed the male drive over the female with his rear, driver-side tire.

Latray then observed the male get out of his vehicle and get back in a short time later. Latray thought the male was going to drive off but thought better of it after seeing all the witnesses. Latray heard the female say something similar to, "You ran me over." Latray later told detectives that during the initial argument between the male and female, he observed the female hit and push the male several times. He stated it did not look like the male ran over the female on purpose. He said when the male stopped his truck after running over the female, he asked the female, "Are you ok?" and said, "I'm sorry," multiple times. He stated the suspect vehicle was moving at a slow speed during the incident and it appeared the driver was trying to avoid the female.

Latray's wife, Brittany Daniel's, also observed the incident. She provided a somewhat contradictory statement to law enforcement. Daniels stated that the male and female were arguing outside their vehicles. The male eventually got into his truck and the female kicked the front of it, breaking the passenger-side headlight. The male then got out of his truck

and walked over to the female's vehicle, a red Dodge Ram, and kicked the front of it but did not cause any damage. The female made fun of the male for being unable to cause damage. The male walked back to his vehicle and attempted to leave. The female followed and stood in front of the male's vehicle. The male continued trying to leave as the female smacked his driver-side window, attempting to stop him. At some point, the female fell down beside the truck and the male, who had been backing up according to Daniels, drove over the female with the rear, driver-side tire. The male then exited the vehicle and stood by the female, who was lying on the ground, and yelled, "Get up." Daniels stated the male never attempted to help the female and never said he was sorry. At one point the male said, "Get up Lucy. Don't die on me," before moving his vehicle away from the female. Daniels observed the female turning blue and saw blood coming out of her mouth.

Another witness, Holly Martell informed detectives that she observed the tail-end of the incident while on her break. Martell works at WinCo and was sitting in her car listening to music. Martell stated that, she heard a woman scream, "Get off me." Martell ran over to the woman and observed that she was on the ground trying to cry and speak. The female stopped breathing and had a shallow pulse. Martell knows the involved male because he works with her at WinCo. The male said to her, "I just killed my

old lady,” and appeared frantic and shaken. Martell stated that during the incident, she was parked “far” away from the suspect vehicle. She did not see exactly what happened but could tell the female’s face had been “ran over.” Martell concluded that it was somehow an accident. She also observed, however, that the female did not want to let go of the vehicle and commented, “He wouldn’t stop.”

Another witness, Kirt Wooden, informed law enforcement that the female was standing in front of the truck arguing with the driver. The female was shouting and hitting the front bumper of the truck. She slipped and fell under the truck while standing in front of it. The driver drove over the female and then stopped to check on her.

Sergeant Manraksa attempted to review video surveillance of the incident. He was assisted by WinCo’s loss prevention officer. The surveillance video showed the female arriving at WinCo and parking in the north parking lot in a red Dodge truck. The female exited her vehicle and paced around the area adjacent to it. A short time later the male arrived from the direction of the Eagles’ Lounge. The two began talking, possibly arguing. The female shoved the male multiple times. The male eventually walked away from the female and stood in front his vehicle, a copper-colored Dodge Dakota. The male and female continued to argue, and the female kicked the

front of the male's truck. The male then walked over to the female's truck and kicked the front of it before returning to his own vehicle. The male got into the driver's seat of his truck, and the female stood in front of it. The male started to drive forward, which pushed the female from the front-end of the truck to the driver's side. The male began slowly turning to the left and continued driving with the female standing next to his driver-side window. The truck then accelerated, and the female fell onto her stomach. She landed underneath the truck between the front and rear driver-side tires. Once the female had fallen underneath the truck, the male stopped briefly before accelerating and driving over the female with his rear tire. After driving over the female, the male stopped again and exited his truck.

Detectives later reviewed the same video and noted that Nagel stopped his truck for approximately one and one-half seconds while Synek was lying on the ground. Nagel then drove over Synek's head/shoulder area. After hitting her, Nagel stopped his truck again, got out, and stood over Synek's body. A short time later, he got back into his truck and moved the truck into a parking spot. Bystanders began helping Synek while Nagel stayed in his truck. He later got out again to check on Synek.

At the police station, Detectives McCarthy and Bare interviewed Nagel. Nagel explained that he and Synek were drinking at the Eagles Lounge that

evening when they began arguing. Nagel said that when they drink, they get volatile. He stated that Synek got upset and left the bar. Nagel then walked across the street (to WinCo) to get his truck. At that point, Synek had driven her truck to WinCo as well. After Nagel attempted to calm Synek down, she got in front of Nagel's truck. Nagel said he kept "pushing, pushing forward," and Synek "fell down, and [Nagel] ran her over." Nagel estimated he was travelling approximately five miles per hour. He explained that he "goosed it" and "boom," "I guess I ran her over by the head." Nagel stated he thought Synek would bounce out of the way and that he did not mean to run her over. He explained that he wanted to leave the WinCo parking lot to go home.

When asked how much he had to drink, Nagel stated that he'd had enough and if she dies that will be on me (Nagel). He later admitted that he consumed three Jack Daniel's whiskeys and two or three beers over the course of about three hours at the Eagles' Lounge. When confronted by the fact that he stopped his truck after Synek fell but before running her over, Nagel said that he did not know Synek was under the truck and that he panicked. He persisted in stating that he did not run Synek over on purpose. Nagel, however, agreed with the detectives that both he and Synek were "pissed" at the time of the incident.

Law enforcement made contact with Alex Black, a bartender at the Eagles' Lounge, who stated that Synek entered the bar alone at approximately 5:10 p.m. and had a drink. Black said that Synek's husband (Nagel) came into the bar not long after that and ordered a drink after saying he wasn't going to drink. The two talked for a bit and then Synek's husband (Nagel) saw some coworkers from WinCo and sat with them. Synek walked over to the group and then came back and informed Black that "all drinks are going on his tab." Black observed that Synek was upset and "acting huffy and puffy." Black eventually told Synek to leave and Black's colleague escorted her from the bar. Black then told her husband (Nagel) that he wasn't going to serve him anymore. Nagel closed his tab and left the bar.

Sergeant Manraksa spoke with Synek's treating physician at St. Patrick Hospital, who stated that she was in an unstable, critical condition. Sergeant Manraksa was later informed that Synek sustained severe trauma and was unlikely to survive. At the end of Sergeant Manraksa's shift, he was notified that a Missoula County Deputy Coroner had been asked to respond to the hospital after Synek succumbed to her injuries and was declared deceased. Nagel has two prior DUI/BAC convictions.

DATED this 18th day of October, 2021.

/s/Mac Bloom
MAC BLOOM
Deputy County Attorney

SUBSCRIBED AND SWORN TO before me, a Justice of the Peace, in
and for the State of Montana, County of Missoula.

Electronically Signed By:
Hon. Judge Landee Holloway
Mon, Oct 18 2021 05:39:22 PM