

JORDAN KILBY
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ATTORNEYS FOR PLAINTIFF

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

<p>STATE OF MONTANA, Plaintiff, -vs- SEAN ALAN SHRINER, Defendant.</p>	<p>Dept. Cause No. AFFIDAVIT OF PROBABLE CAUSE</p>
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STATE OF MONTANA)
 : ss
County of Missoula)

JORDAN KILBY, Deputy County Attorney, Montana, being first duly sworn upon oath, deposes and says:

I have read the law enforcement reports and received information from law enforcement regarding the investigation of SEAN ALAN SHRINER for allegedly committing the offenses of:

COUNT I: ATTEMPTED DELIBERATE HOMICIDE, a felony, in violation of § 45-5-102[1], MCA;45-4-103;

COUNT II: ASSAULT ON A MINOR, a felony, in violation of § 45-5-212, MCA;

COUNT III: ASSAULT WITH WEAPON, a felony, in violation of § 45-5-213, MCA;

COUNT IV: TAMPERING WITH WITNESSES AND INFORMANTS, a felony, in violation of § 45-7-206, 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 July 24, 2020 Missoula County Sheriffs' Deputies responded to the 1900 block of Blue Bird drive within Missoula County. Jane Doe called 911 to report she had been shot in the left shoulder. She initially stated she had been shot when a gun misfired as it was being cleaned. The 911 dispatcher reported the above-named Defendant, Sean Shriner, was heard yelling in the background. Shriner was saying "the intruder is here, I'm trying to shoot him." The 911 call recorded further gunfire. Shriner said he panicked and might have hit his wife.

Missoula County Sherriff's Officers arrived and found Jane Doe bleeding from the shoulder. She was transported to St. Patrick Hospital. They also found a three year-old, Jane Doe's son, John Doe. Deputies arrested Sean Shriner, the above-named Defendant, at the residence.

Jane Doe was interviewed at the hospital on the evening of the incident. She said Defendant, her husband, had been drinking. She stated she was making dinner at the stove when Defendant saw someone outside the window peeking in. She stated she did not see anyone outside the window. She said Defendant had a gun on him and shot at the perceived intruder. Jane Doe stated Defendant has PTSD from his military experience.

Missoula County Sheriff's Detectives obtained a search warrant and searched the home. There was a broken window in the kitchen area and thirteen 9 mm shell casings were recovered outside the window as if Shriner had put his hand and the gun outside as he was shooting. Blood was located on the floor. Deputies seized firearms from the residence.

On July 25, 2020, Jane Doe contacted the Missoula County Sheriff's Office to report she had not told the correct story when she initially reported. She stated she thought Defendant would get out of jail and kill her if she told what happened.

On July 26, 2020, Jane Doe was interviewed by Missoula County Sheriff's Department Detective Mike Sunderland. Jane Doe stated the following: On the day of the incident, she and Defendant had been working. He got off work at 2pm. She was scheduled to work until 10 pm. At her break at 4:30, she spoke with Defendant and learned he had gone to Fred's Lounge, a strip club, and was drinking. He was supposed to pick up their 3-year-old son, John Doe. Defendant picked up their son and Jane Doe got off work early because she was concerned.

Jane Doe returned home around 6:16 pm and she and Defendant got into an argument. Jane Doe's son, John Doe, was acting up and was being needy. Jane told John Doe to sit at the table and eat. Defendant then said he would take care of this right now and stated he was going to kill John Doe. Defendant grabbed John Doe by the neck with both hands and began to twist John's head in a motion like Defendant was going to break John's neck.

Jane Doe was able to get John Doe away from Defendant. Defendant then went into the bedroom and retrieved a 22-revolver handgun. Defendant came back into the living room. Jane Doe is familiar with guns and stated she saw the gun was not loaded. Defendant then pointed the gun at 3-year-old John Doe and dry fired it. Defendant then pointed the gun at Jane Doe and began dry firing the gun at her.

Jane Doe and Defendant continued to argue. Jane Doe stated Defendant will usually calm down after some time and she thought he would calm down this time. Jane Doe took the revolver from Defendant and put it away in the bedroom. She grabbed John Doe and the two got in her car to leave. As she pulled out of the driveway, Defendant came outside with the revolver. He showed her that it was not loaded, placed it on top of the garbage can and went back in the house. Jane Doe pulled back down the driveway, grabbed the gun off the garbage can and took it inside. She took John Doe with her.

Jane Doe and Defendant continued to exchange words. Defendant went to the bedroom and came out with the 22 revolver in his right hand and a 9 mm handgun in his left hand. He again pointed the revolver at Jane Doe and dry fired the gun. She told him she knew there were no bullets in the gun. Defendant immediately lifted his left hand and shot Jane Doe with the 9 mm handgun. Jane Doe was shot in the shoulder; the bullet went through her and she fell to the floor. John Doe was only steps from his mother when this happened.

Defendant then immediately began planning his story and said he was going to go to jail for this. He began putting more ammunition in the 9 mm gun. He told Jane Doe to tell 911 that Defendant saw an intruder. Jane Doe

called 911. Defendant then broke out the window of the kitchen with the handgun and shot several times.

Jane Doe reported the bullet went through her shoulder and was lodged in the wall of her residence. Detectives will obtain a search warrant to return to the residence to obtain the bullet.

Jane Doe relayed a history of violence to Detective Sunderland. She stated this was not the first time Defendant pointed a gun at her or her son. Defendant was 42 years-old at the time of this incident.

DATED this 27th day of July, 2020.

/s/ Jordan Kilby _____
JORDAN KILBY
Deputy County Attorney

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