

1 Missoula County Sheriff's Department  
2 200 W Broadway St  
3 Missoula, MT 59802  
4 Tel: (406) 258-4810

FILED SEP 30 2022

SHIRLEY E. FRUST, CLERK  
By Jinger A. Falcon  
Deputy

5 MONTANA FOURTH JUDICIAL DISTRICT COURT

6 IN RE THE SEARCH OF: 7 The Wheel Chair belonging to Monte Field	Case No.: SW- <u>22</u> - <u>521</u> 8 APPLICATION FOR SEARCH WARRANT
--	--

10 I, Stephen Deibert, a duly sworn law enforcement officer of the Missoula County Sheriff's  
11 Department, hereby state under penalty of perjury:

12 THAT I have reason to believe that the following crime has been committed in Missoula  
13 County, Montana:

14 **Deliberate Homicide (§ 45-5-102, MCA);**

15 THAT the evidence, contraband, or persons connected with the aforementioned crime(s)  
16 include:

17 - Deoxyribonucleic acid (DNA) evidence from the person, clothing, or item identified  
18 herein, to include saliva, semen, blood and/or other bodily fluids, transferred during  
19 direct or indirect physical contact.

20 - Examination of the person, clothing, or other items identified herein for evidence of  
21 direct or indirect physical contact.

22 - Blood and/or urine samples from the person, clothing, or items identified herein.

23 - A DNA reference standard from the person, clothing, or item identified herein.

24 -Blood droplets

25 -Photographs of blood droplets

26 -Items used to clean blood droplets

27 THAT I have reason to believe that the evidence, contraband, or persons connected with the  
28 aforementioned crime(s) may be found:

29 **Upon the wheelchair identified as being used by Monte Field**

30 THAT the facts which establish probable cause to believe that the aforementioned crime(s)  
31 have been committed are attached hereto:

32 **On September 25, 2022, Monte Field called 911 to report that his sister (Diane Field) beat  
33 their mother. Monte reported that his mother was badly beaten and bleeding from the**

1 head. Monte also reported that his mother was unconscious.

2 At approximately 1226 hours Deputy Merrill and Deputy Weber arrived at the address  
3 5675 Donovan Creek Road. When Deputy Merrill entered the residence he noted the  
4 victim, Delphine Field laying on the floor with blood on her head and on the floor  
5 underneath her. Deputy Merrill rolled Delphine over and checked for a pulse. He was  
6 unable to locate one. He then attempted CPR and hooked up an AED to her. Shortly  
7 after this medical arrived at the residence. A short time after medical arrived they  
8 announced that Delphine was deceased.

9 While deputies were at the address, they were able to speak with Monte. Monte told  
10 deputies that Diane had beaten their mother with an antler. Deputy Merrill stated that he  
11 noticed an antler in the residence. Prior to deputies' arrival Diane Field left the incident  
12 address and went to her other brother, Shane's, residence. While at that residence she  
13 removed her outer shirt that had blood on it. Deputy Merrill got consent from the people  
14 at Shane's residence to retrieve the bloody garment. It was also reported to deputies that  
15 Diane had a small cut on her forehead. Deputy Merrill relayed to me that Diane does not  
16 communicate well. She communicates a little through ASL but mostly uses writing.

17 Monte Field was brought to the Missoula County Sheriff's Office to be interviewed.  
18 During the interview Detective Larson and Detective Sullivan noted a significant amount  
19 of red liquid consistent with blood on Monte's clothing. Of note there was a red liquid  
20 consistent with blood on his wheelchair and blood on his shoes. The blood on his shoes is  
21 consistent with high velocity blood spatter. Some of the visible red liquid on his  
22 wheelchair was swabbed. With consent from Monte, the clothing he was wearing was  
23 taken as evidence.

24 Detective Deibert applied for and received a search warrant for the residence located  
25 at 5675 Donovan Creek Road. During the search of the residence, blood spatter  
26 consistent with high velocity blood spatter was located in the kitchen, dining room,  
27 hallway and living room.

28 THAT I have received the following training:

29 I am a Detective for the Missoula County Sheriff's Office In Missoula MT currently  
0 assigned to investigate crimes against persons as well as property crimes. I have been  
1 assigned to the Detective Division for approximately 7 years. I have been a deputy sheriff  
2 since July of 2001. I have successfully completed a Basic Police Academy at the Montana  
3 Law Enforcement Academy and I hold a Montana Basic, Intermediate, Advanced,  
4 Instructor and Supervisory Certifications governed by Montana's Police Officer  
5 Standard's and Training. I have successfully completed additional training throughout  
6 my career to total more than 1000 hours of law enforcement training. I have received  
7 specific training in crime scene processing and crime scene reconstruction, sexual assault  
8 investigations, domestic abuse investigations, digital evidence recovery, drug  
9 investigations as well as numerous other trainings that pertain to my current position in  
10 law enforcement. I have also served as a deputy coroner and had on the job training  
11 related to death investigations.

1 THAT I know from training and experience that:

2 **Deoxyribonucleic Acid (DNA") is the hereditary material in humans**

3 **DNA can be left as evidence at a crime scene in many forms, including in tissue, hair,**  
**blood, saliva, urine, sweat, mucus, ear wax, semen, and from vaginal or rectal cells.**

4 **DNA can be obtained and compared to evidence from the crime scene. The results of the**  
**comparison may establish whether a suspect committed the crime.**

5 **DNA can be obtained and compared to profiles contained in DNA registries and**  
**databases to help identify a perpetrator. DNA can also be used to link together multiple**  
**crime scenes.**

6 **Blood can be transferred from the victim to the suspect during the commission of a crime.**

7 **Blood can be transferred from the victim to items used by or worn by the suspect during**  
**the commission of a crime.**

8 **Chemicals can be used by investigators to identify the presence of blood.**

9 **Chemicals used by investigators to identify the presence of blood react with certain**  
**compounds within the blood and provide a visual indication of the positive presence of the**  
**blood.**

10 WHEREFORE, I respectfully request that the District Court issue a *Search Warrant* as  
11 described herein.

12 DATED this 27 day of September, 2022

13 Electronically signed by Stephen Deibert 09/27/2022 10:07

14 

---

Stephen Deibert  
15 Missoula County Sheriff's Department

16 SUBSCRIBED AND SWORN to before me this 27 day of September, 2022

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
Digitally signed by HON. JASON MARKS  
Date: 2022.09.27 12:05:20 MDT  
Reason: Application for Search Warrant Approval  
Location: MONTANA FOURTH JUDICIAL DISTRICT COURT -- Missoula, MT

Hon. Jason Marks

1 Hon. Jason Marks  
2 Fourth Judicial District Dept. 4  
3 200 W. Broadway  
4 Missoula , MT 59802  
5 Tel: 406-258-4774  
6 Fax: 406-258-4852

7

8

9

10

11 **MONTANA FOURTH JUDICIAL DISTRICT COURT**

12 IN RE THE SEARCH OF: 13 The Wheel Chair belonging to Monte Field	14 Case No.: SW- _____ 15 SEARCH WARRANT
--	---

16 **THE STATE OF MONTANA TO STEPHEN DEIBERT AND MISSOULA COUNTY**

17 **SHERIFF'S DEPARTMENT:**

18 An *Application for Search Warrant* having been made before me, under penalty of perjury,  
19 stating that the Missoula County Sheriff's Department has reason to believe that the following  
20 crime has been committed in Missoula County, Montana:

21 **Deliberate Homicide (§ 45-5-102, MCA);**

22 AND further providing that the evidence, contraband, or persons connected with the  
23 aforementioned crime(s) include:

24 - Deoxyribonucleic acid (DNA) evidence from the person, clothing, or item identified  
25 herein, to include saliva, semen, blood and/or other bodily fluids, transferred during  
26 direct or indirect physical contact.

27 - Examination of the person, clothing, or other items identified herein for evidence of  
28 direct or indirect physical contact.

29 - Blood and/or urine samples from the person, clothing, or items identified herein.  
- A DNA reference standard from the person, clothing, or item identified herein.

-Blood droplets

-Photographs of blood droplets

-Items used to clean blood droplets

AND further providing that evidence, contraband, or persons connected with the  
aforementioned crimes may be found:

**Upon the wheelchair identified as being used by Monte Field**

IT IS HEREBY FOUND that sufficient probable cause exists to believe that the  
aforementioned crime(s) have been committed in Missoula County, Montana, and that the

1 identified evidence, contraband, or persons connected with the crime(s) may be found at the  
2 location specified herein.  
3

4 THEREFORE you are hereby commanded to serve this Search Warrant and to search the above  
5 described location for the property specified; and if the property is found there, to seize it, give a  
6 receipt for it, prepare a written inventory verified by you of the property seized, and bring the  
7 property before me, all in the manner required by law.  
8

9 IT IS FURTHER ORDERED that all necessary and reasonable force may be used to serve this  
10 Search Warrant or to effect an entry into any building, property, or object to serve this Search  
11 Warrant, but any restraint or detention of the person served must be in the least restrictive manner  
12 that is consistent with the safety of the person serving the warrant and anyone assisting that  
13 person.  
14

15 IT IS FURTHER ORDERED that the Missoula County Sheriff's Department, may reasonably  
16 detain and search any person on the premises being searched at the time of the search, but must do  
17 so in the least restrictive manner that is consistent with the safety of the person serving the warrant  
18 and anyone assisting that person. The search of persons on the premises is: (1) for protection of the  
19 person serving the warrant and anyone assisting that person; or (2) to prevent the disposal or  
20 concealment of any evidence, contraband, or persons particularly described in the warrant.  
21

22 DATED this 27 day of September, 2022  
23

24  
25  
26  
27  
28  
29

Digitally signed by HON. JASON MARKS  
Date: 2022.09.27 12:05:51 MDT  
Reason: Search Warrant Approval  
Location: MONTANA FOURTH JUDICIAL DISTRICT COURT - Missoula, MT

---

Hon. Jason Marks

1 Missoula County Sheriff's Department  
2 200 W Broadway St  
3 Missoula, MT 59802  
4 Tel: (406) 258-4810

5 **MONTANA FOURTH JUDICIAL DISTRICT COURT**

6 **IN RE THE SEARCH OF:**

7 The Wheel Chair belonging to Monte Field

Case No.: SW-\_\_\_\_\_

SEARCH WARRANT RETURN

11 Pursuant to the *Search Warrant*, I searched:

12 **Upon the wheelchair identified as being used by Monte Field**

13 The following is an inventory of the items taken pursuant to the *Search Warrant*.

14 **7- photographs documenting the application of Blu Star to the wheelchair**

15 I verify that I provided a copy of the aforementioned *Search Warrant*, together with a receipt  
16 for the foregoing items seized to the following individual:

17 **Copy of Warrant was left with Monte Field. No receipt was made.**

18 I verify that this inventory is a true and detailed account of all property taken by me pursuant to  
19 the aforementioned *Search Warrant*.

20 DATED this 28 day of September, 2022

21 Electronically signed by Stephen Deibert 09/28/2022 10:28

22  
23 **Stephen Deibert**  
24 Missoula County Sheriff's Department

25 DATED this 28 day of September, 2022

26 Digitally signed by HON. JASON MARKS  
Date: 2022-09-28 10:53:39 MDT  
Reason: Search Warrant Return Approval  
Location: MONTANA FOURTH JUDICIAL DISTRICT COURT -- Missoula, MT

27 **Hon. Jason Marks**

Missoula County Sheriff's Department  
200 W Broadway St  
Missoula, MT 59802  
Tel: (406) 258-4810

# **MONTANA FOURTH JUDICIAL DISTRICT COURT**

**IN RE THE SEARCH OF:**  
**The Wheel Chair belonging to Monte Field**

Case No.: SW- -

**SEARCH WARRANT RECEIPT**

Pursuant to the *Search Warrant*, I searched:

**Upon the wheelchair identified as being used by Monte Field**

The following is an inventory of the items taken pursuant to the *Search Warrant*.

## 7- photographs documenting the application of Blu Star to the wheelchair

I verify that this inventory is a true and detailed account of all property taken by me pursuant to the aforementioned *Search Warrant*.

DATED this 28 day of September, 2022

Electronically signed by Stephen Deibert 09/28/2022 10:27

---

Stephen Deibert  
Missoula County Sheriff's Department

DATED this 28 day of September, 2022

Digitally signed by HON. JASON MARKS  
Date: 2022.09.28 10:54:10 MDT  
Reason: Search Warrant Receipt Approval  
Location: MONTANA FOURTH JUDICIAL DISTRICT COURT - Missoula, MT

**Hon. Jason Marks**