

Case Number Result Page

ADA

1 Cases Found.

State of Idaho vs. Martin Raphael Palasch						
No hearings scheduled						
Case:	CR-MD-2001-0013104	Magistrate Judge:	Kevin Swain	Amount due:	\$0.00	Closed
	Old Case: M0113104					
Charges:	Violation Date	Charge	Citation	Disposition		
	11/14/2001	I18-705 Officers-resisting Or Obstructing Officers	917639	Finding: Guilty		
		Arresting Officer: zzBCPD,, BO		Disposition date: 02/22/2002		
				Fines/fees: \$213.50		
Register of actions:	Date					
	11/20/2001	Charge number 1: Case Opened				
	11/20/2001	Arraignment - 12/05/2001				
	11/26/2001	LOA/NG/JT - /Richardson				
	11/26/2001	Jury Trial Set - 03/25/2002				
	11/26/2001	Event Scheduled - Pre-Trial Conference - 02/22/2002				
	12/05/2001	State/City Request for Discovery				
	12/05/2001	State/City Response to Disc. Req.				
	02/22/2002	Pre-Trial Conference				
	02/22/2002	Charge number 1: Guilty Plea				
	02/22/2002	Charge number 1: Final Judgment, Order or Decree				
	02/22/2002	Charge number 1: Sentenced to Fine & Costs - \$213.50				
	02/25/2002	Charge number 1: Final Payment - A1415425 \$213.50				

Connection: Public

BOISE POLICE DEPT.

917639

IDAHO UNIFORM CITATION

156
11/16/01

IN THE DISTRICT COURT OF THE 4TH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA
STATE OF IDAHO

917639

PALASCH
LAST NAME

MARTIN
FIRST NAME

RAPHAEL
MIDDLE INITIAL

COMPLAINT AND SUMMONS

Infraction Citation

Misdemeanor Citation

Accident Involved

DR# 139-950

DR# 51

DR# 52

VIN # _____ USDOT TK Census # _____

Operator Class A Class B Class C Class D Other _____

GVWR 26001+ 16+ Person Placard Hazardous Materials IPUC # _____

Home Address 3201 W. Kipling Rd. Boise Id. (06)

Business Address _____ Ph # _____

THE UNDERSIGNED OFFICER (PARTY) HEREBY CERTIFIES AND SAYS:

DL ID V I certify I have reasonable grounds, and believe the above-named Defendant,

DL or SS # _____ State ID Sex M F

Ht. 6'1" Wt. 210 Hair BRO Eyes BRO DOB -70

Veh. Lic. # _____ State —

Yr. of vehicle — Make — Model — Color —

Did commit the following act(s) on 11-14 20 01 at 2257 o'clock P M.

VIO.#1 R:O 18-705

(Resisting or obstructing)

CODE SECTION

VIO.#2 _____

CODE SECTION

Location 2801 Fletcher (Symposium BAR)

Hwy. _____ Mp. _____ ADA County, Idaho

Date 11-14-01 Orton 574 Audio Video Y N Y N BOISE POLICE DEPT.

Date 11-14-01 Beuser 555 AYUN BPD DEPT.

THE STATE OF IDAHO TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned to appear before the Clerk of the Magistrate's Court of the
District Court of ADA County, BOISE Idaho,
located at 7180 BARRISTER DR. on or after 11-20, 20 01,
but on or before 12-5, 20 01, 8 A.M.-4 o'clock P M.
I acknowledge receipt of this summons and I promise to appear at the time indicated.

Seard
Defendant's Signature

I hereby certify service upon the defendant personally on 11-14, 20 01
B. Orton # 574
Officer

NOTICE: See reverse side of your copy for PENALTY and COMPLIANCE instructions.

COURT COPY VIOLATION #1 M0113104

BCA 11/16

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, ADA COUNTY, MAGISTRATE DIVISION

STATE OF IDAHO,

Plaintiff,

Case No. MO113104

vs.

PRE-TRIAL MEMORANDUM

Martin Palasch

Defendant.

Appearances: Prosecutor BCA

Defense Counsel Harry Richardson

Jury trial re-set for _____, at _____ a.m.

Jury trial waived and case is to be re-set for court trial.

Plea and sentence via Defense Counsel authorized by Defendant: Rule 6(d), IMR and/or IIR.

Pre-trial motions, timely filed, are set for hearing on _____, at _____ .m.

Sentencing is set for _____ at _____ .m.

Defendant failed to appear. Absence not explained, justified, or excused. Trial date vacated. Bond forfeited/ROR revoked. Bench Warrant issued. Bond set at \$ _____.

Other: \$ 150 FCC

[Signature]
Deputy Prosecuting Attorney

[Signature]
Counsel For Defendant

Date 2-22-02

[Signature]
Magistrate

00440204819
REPORT

Boise Police Department

230

RD: 12 DR# 139-950

3 Offense or Charge
RESISTING & OBSTRUCTING OFFICERS
4 Law Section No. **18-705**
6 Custodial Hold Felony Misdemeanor
8 Date & Time Occurred **11-14-01/2257** 7 Date & Time Reported **SAME** 8 Location of Occurrence **2801 FLETCHER RD, BOISE ID, (THE SYM**

Victim
9 Victim **STATE OF IDAHO** 16 Residence Address
12 Occupation 13 Race 14 Sex 15 Age 16 D.O.B. 17 Business Address/School 18 Res Phone
19 Victim Vehicle Year 20 Make 21 Model 22 Body Style 23 Color/Color 24 License No 25 State

Others Involved
AO **Assisting Officer** Y Audio Recording N Video Tape
27 Name **BRUNER, OFFICER #555** 28 Residence Address 29 Res Phone
30 Occupation 31 Race 32 Sex 33 Age 34 D.O.B. 35 Business Address/School 36 Bus Phone
7200 BARRISTER BOISE ID. 83704 377-6500

RP **Reporting Party** Audio Recording Video Tape
38 Name 39 Residence Address 40 Res Phone
41 42 43 44 Age 45 D.O.B. 46 Business Address/School 47 Bus Phone
48 Name 49 Residence Address 50 Res Phone
52 Occupation 53 Race 54 Sex 55 Age 56 D.O.B. 57 Business Address/School 58 Bus Phone

Suspect # 1
60 Nickname/AKA **PALASCH, MARTIN RAPHAEL** 61 Race **W** 62 Sex **M** 63 Age **31** 64 D.O.B. 65 Ht **6'1"** 66 Wt **210** 67 Bld **L** 68 Hair **BRO** 69 Eyes **BRO**
70 Suspect's Address **3201 W. KIPLING RD. BOISE ID. 8370** 71 Clothing Description
72 Cited Arrested 73 Summons No. **917639**
74 Speech 75 Weapon
97A Suspect 1 Info **(S) IDENTIFIED BY IDAHO D.L.** Phone S.S.N. O.L.N. or ID. State

Suspect # 2
74 Suspect **SMITH, SHANE KENNETH** 75 Nickname/AKA 76 Race **W** 77 Sex **M** 78 Age **22** 79 D.O.B. 80 Ht **5'8"** 81 Wt **180** 82 Bld **M** 83 Hair **BRO** 84 Eyes **HAZ**
85 Suspect's Address **3201 KIPLING RD. BOISE ID. 83706** 86 Clothing Description
87 Cited Arrested 88 Summons No. **917640**
89 Speech 90 Weapon
97B Suspect 2 Info **(S) IDENTIFIED BY SOCIAL SECURITY PAPERWORK** Phone S.S.N. O.L.N. or ID. State

Suspect Vehicle
99 Vehicle Year 100 Make 101 Model 102 Body Style 103 Color/Color 104 License No 105 State
106 Additional Vehicle Identifiers

Probable Cause
ON ABOVE LISTED DATE AND TIME BOTH SUSPECTS DID WILFULLY RESIST AND OBSTRUCT MY BATTERY/FITE INVESTIGATION BY REFUSING TO FOLLOW MY INSTRUCTIONS. MARTIN (S) TRIED TO WALK OFF AT LEAST THREE TIMES, AFTER I INSTRUCTED HIM TO SIT ON MY BUMPER, MARTIN STATED THAT HE WOULD NOT COMPLY AND THAT HE WOULD GO TO JAIL BEFORE HE COMPLIED WITH MY COMMANDS. I ULTIMATELY HAD TO PHYSICALLY DETAIN HIM. AS I WAS DETAINING MARTIN, SHANE GOT IN MY FACE ON NUMEROUS OCCASIONS, AND WOULD NOT STAND BACK AFTER MANY REQUESTS. SHANE SWUNG HIS RIGHT FIST AT ME ATTEMPTING TO STRIKE ME. (SEE SUPPLEMENT)

Stolen Property
108 Description 110 Property Identification Information 111 Property Value

Admin
112 Property Damage 113 Total Loss
114 Supervisor Review File Patrol Crime Prev Investigation
115 Sup Approval **W**
116 Phone Rpt Counter Rpt
117 Copies To **CITY PROS**
Copies For: Crime Analysis County Pros Patrol Inves.
118 Officer(s) Reporting **ORTON AY/VN 574** Division / Section **PATROL**
Reporting Person's Signature

Original - Records Yellow - Follow-up Pink - Crime Analysis

MA

006-10-10 REPORT
NARRATIVE SUPPLEMENT

Boise Police Department

RD: 12 DR# 139950

Offense or Charge
RESISTING & OBSTRUCTING OFFICERS

Subject
(V) STATE OF IDAHO

Date & Time Occurred
11-14-01/2257

Date & Time Reported
SAME

Location of Occurrence
2801 FLETCHER RD. BOISE ID. (THE SYMPOSI)

Arrest Information		Address or Tow Company		Suspect(s) Transported To		Handcuffed		SeatBelted	
Vehicle Towed	<input type="checkbox"/>			JAIL		Checked		<input checked="" type="checkbox"/>	
Locked & Left	<input type="checkbox"/>							<input checked="" type="checkbox"/>	
								<input type="checkbox"/>	

NARRATIVE

ENTRY:

ON 11-14-01 AT 2257 HOURS OFFICER BRUNER AND I, WERE DISPATCHED TO THE SYMPOSIUM BAR (2801 FLETCHER) REFERENCE A PHYSICAL FIGHT INVOLVING APPROXIMATELY 4 SUBJECTS, INSIDE THE BAR.

UPON ARRIVAL, I OBSERVED A LARGE GROUP OF PEOPLE STANDING OUTSIDE THE BAR. AS I EXITED MY VEHICLE, I OBSERVED A WHITE MALE (LATER IDENTIFIED AS MARVIN), WALKING AWAY FROM ME. MARVIN HAD HIS SHIRT OFF, AND WAS COVERED IN BLOOD.

I INSTRUCTED MARVIN TO STOP, AND TO HAVE A SEAT ON THE BUMPER OF MY PATROL CAR. MARVIN DISREGARDED MY COMMAND, AND CONTINUED TO WALK AWAY. I INSTRUCTED MARVIN AT LEAST THREE MORE TIMES TO STOP, AND TO HAVE A SEAT ON MY BUMPER. MARVIN CONTINUED TO WALK AWAY, AND STATED WORDS TO THE EFFECT OF "I'M JUST GOING TO GO HOME." I AGAIN INFORMED HIM TO STOP, OR ELSE HE WOULD GO TO JAIL. MARVIN STATED THAT I WOULD HAVE TO TAKE HIM TO JAIL, BECAUSE HE WAS GOING TO GO HOME. AT THIS TIME, I GRABBED MARVIN BY HIS LEFT ARM, AND BEGAN TO DIRECT HIM TO MY VEHICLE. AS I WAS DOING THIS, MARVIN'S FRIEND (LATER IDENTIFIED AS SHANE), RAN UP TO ME AND GOT IN MY FACE YELLING PROFANITIES. I INSTRUCTED SHANE TO STAND BACK APPROXIMATELY THREE TIMES, AND HE REFUSED. SHANE CONTINUED TO COME CLOSER, AND CLOSER TO ME STATING WORDS TO THE EFFECT OF "THIS IS BULLSHIT, THEY STARTED IT." AT THIS TIME, I PRESSED MY RIGHT PALM AGAINST SHANE'S CHEST, AND AGAIN INSTRUCTED HIM TO STAND BACK. SHANE THEN SWUNG HIS RIGHT FIST AT MY HEAD ATTEMPTING TO STRIKE ME. I DODGED SHANE'S PUNCH, AND ULTIMATELY STRUCK HIM WITH A PALM HEAL STRIKE IN HIS CHEST. AS I DID THIS, I ADVISED OFFICER BRUNER TO UPGRADE. MARVIN THEN ATTEMPTED TO PULL AWAY FROM ME AND I FORCED HIM TO THE GROUND.

OFFICER BRUNER ARRIVED AT THIS TIME, AND I INSTRUCTED HIM TO PLACE SHANE UNDER ARREST. OFFICER BRUNER THEN PLACED SHANE UNDER ARREST, SHANE REMAINED VERY COMBATIVE. OFFICER BRUNER ASKED SHANE FOR HIS NAME AND DATE OF BIRTH, AND SHANE CONTINUALLY STATED "FUCK YOU."

AFTER BRUNER PLACED SHANE UNDER ARREST, HE BEGAN TO SEARCH SHANE, INCIDENT TO ARREST. SHANE STATED "I'VE GOT A BIG BAG OF WEED IN MY POCKET." OFFICER BRUNER THEN LOCATED A LARGE BAG THAT CONTAINED A GREEN LEAFY SUBSTANCE, THAT LATER NIK TESTED POSITIVE FOR MARIJUANA IN SHANE'S RIGHT FRONT PANTS POCKET. OFFICER BRUNER THEN TOOK CUSTODY OF THE SUSPECTED MARIJUANA, AND LATER NIK TESTED WEIGHED, AND BOOKED THE SUBSTANCE INTO PROPERTY. (T.P.W. 27.9 GRAMS)

I THEN HAD PARAMEDICS RESPOND, AND CHECK THE INJURIES OF SHANE, AND MARVIN THAT HAD OCCURRED IN THEIR PREVIOUS FIGHT.

I THEN INTERVIEWED THE C.P. [REDACTED], AND SHE STATED WORDS TO THE EFFECT OF "I WATCHED THAT GUY TRY TO HIT YOU, AND THAT IT WAS THE STUPIDEST THING SHE'S SEEN ALL YEAR." [REDACTED] FURTHER STATED THAT SHANE, AND MARVIN WERE INVOLVED IN A FIGHT WITH TWO OTHER SUBJECTS, AND THAT SHE CALLED POLICE ONLY AFTER THE FIGHT HAD STOPPED, AND STARTED ON THREE DIFFERENT OCCASIONS.

I THEN GATHERED ALL PERTINENT INFORMATION, AND CITED MARVIN FOR R & O. (SEE CITE #917639) I THEN TRANSPORTED SHANE TO THE ADA COUNTY JAIL.

UPON ARRIVAL AT THE JAIL, SHANE REMAINED VERY COMBATIVE. SHANE THREW UP ALL OVER THE FLOOR OF THE BOOKING ROOM, AND WOULD NOT COOPERATE WITH THE JAIL STAFF. SHANE WAS ULTIMATELY PLACED IN THE ISOLATION ROOM AT THE JAIL.

I THEN CLEARED THE SCENE WITHOUT FURTHER INCIDENT

Admin		Sup Approving		Copies To		Copies For	
Supervisor Review	<input type="checkbox"/> File <input type="checkbox"/> Patrol	<input type="checkbox"/> Crime Prev <input type="checkbox"/> Investigation		<input type="checkbox"/> Phone Rpt <input type="checkbox"/> Counter Rpt	CITY PROS		<input type="checkbox"/> Crime Analysis <input type="checkbox"/> Crime Prevention
Officer(s) Reporting	Asst No 574	Date 11/15/2001	Division / Section PATROL	Reporting Person's Signature		<input type="checkbox"/> City Pros. <input type="checkbox"/> County Pros. <input type="checkbox"/> Patrol <input type="checkbox"/> Inves.	

Original - Records Yellow - Follow-up Pink - Crime Analysis

00412201610
GENERAL REPORT

Boise Police Department

RD: 12 DR# 139950

NARRATIVE SUPPLEMENT

Offense or Charge RESISTING & OBSTRUCTING OFFICERS		Subject (V) STATE OF IDAHO
Date & Time Occured 11-14-01/2257	Date & Time Reported SAME	Location of Occurrence 2801 FLETCHER RD. BOISE ID. (THE SYMPOSI

INFORMATION:

SHANE ALSO HAD A CONTEMPT WARRANT FOR HIS ARREST (SEE DR#139-954)
SEE DR#139-951 (ASSAULT ON P.O.), SEE DR#139-952 (POSSESSION OF M.J.)
SEE ATTACHED PROPERTY INVOICE

CONCLUSION:

ROUTE TO CITY PROSECUTOR

Admin		Sup. Approving		Copies To		Copies For:	
Supervisor Review		<input type="checkbox"/> Crime Prev	<input type="checkbox"/> Phone Rpt	CITY PROS		<input type="checkbox"/> Crime Analysis	<input type="checkbox"/> City Pros.
<input type="checkbox"/> File	<input type="checkbox"/> Patrol	<input type="checkbox"/> Investigation	<input type="checkbox"/> Counter Rpt			<input type="checkbox"/> Crime Prever	<input type="checkbox"/> County Pros
Officer(s) Reporting	Ada No	Date	Division / Section	Reporting Person's Signature			<input type="checkbox"/> Patrol
ORTON AYWVN	574	11/15/2001	PATROL				<input type="checkbox"/> Inves.

Original - Records Yellow - Follow-up Pink - Crime Analysis