

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ST. JOSEPH )  
 )  
STATE OF INDIANA )  
 )  
VS )  
 )  
MONTELL ROBERT O'NEAL )  
DOB: 2/27/1997 )

IN THE ST. JOSEPH SUPERIOR COURT

CAUSE NUMBER. 71D00<sup>2</sup>-1506-F6-000 427

INFORMATION IN TWO COUNTS:

COUNT I:  
INTIMIDATION  
A LEVEL 6 FELONY

COUNT II:  
INVASION OF PRIVACY  
A CLASS A MISDEMEANOR

**FILED**  
JUN 30 2015

St. Joseph Superior Court Clerk

COUNT I

KENNETH P COTTER, upon information and belief, affirms under penalty of perjury that:

On or about June 29, 2015, in St. Joseph County, State of Indiana, MONTELL ROBERT O'NEAL did communicate a threat to commit a forcible felony, to-wit: to shoot her, to [REDACTED] with the intent that [REDACTED] be placed in fear of retaliation for a prior lawful act.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-45-2-1(a)(2) and I.C. 35-45-2-1(b)(1)(A), and against the peace and dignity of the State of Indiana.

COUNT II

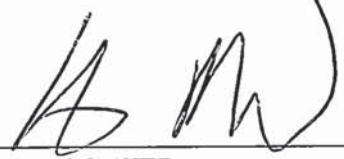
KENNETH P COTTER, upon information and belief, affirms under penalty of perjury that:

On or about June 29, 2015, in St. Joseph County, State of Indiana, MONTELL ROBERT O'NEAL, did knowingly violate an ex parte protective order issued under I.C. 34-26-5 by the Circuit Court of St. Joseph County under cause number 71C01-1506-PO-000421, to protect Sydne Trotter.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-46-1-15.1(2), and against the peace and dignity of the State of Indiana.

**ORIGINAL COURT COPY**

I affirm under the penalties for perjury that the foregoing representations are true.



KENNETH P COTTER  
PROSECUTING ATTORNEY

Probable cause found. Arrest warrant ordered issued. Bond set at \$ 20,000 -

Corporate surety or \$ 2,000 - cash in lieu thereof, so found this day the  
30<sup>th</sup> day of June, 2015, at 11:35 AM PM. *No contact with  
alleged victims as condition of bond (multiple counts)  
until further order of court.*

*Jane Woodward Miller*  
JUDGE, ST. JOSEPH SUPERIOR COURT

WITNESSES:

  
Calon Naragon South Bend Police Department

  
  
Representative, St. Joseph County Circuit Court

All witnesses listed in police, medical and laboratory reports

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SUPPLEMENTAL AFFIDAVIT IN  
SUPPORT OF PROBABLE CAUSE

**FILED**  
JUN 30 2015  
St. Joseph Superior Court  
Clerk

KENNETH P. COTTER, upon information and belief, after being duly sworn upon his oath, says that:

I am the Prosecuting Attorney with the 60th Judicial Circuit, St. Joseph County, State of Indiana. I have reviewed verified South Bend Police reports concerning the arrest of MONTELL ROBERT O'NEAL on June 29, 2015. All events occurred in St. Joseph County, Indiana. I make this affidavit based upon those reports.

According to the reports, on June 29, 2015, officers were dispatched to the home of [REDACTED] and [REDACTED] located in the [REDACTED] in reference to a person making threats. When officers arrived, they spoke with both [REDACTED] who advised officers that they have a valid protective order under Cause No. 71C01-1506-PO-000421. The protective order is under I.C. 35-26-5 and it was signed by the Honorable Magistrate Andre Gammage on June 1, 2015. Service was rendered to a person by the name of MONTELL O'NEAL on June 3, 2015. The protective order specifically orders that MONTELL O'NEAL is to be excluded from [REDACTED] residence.

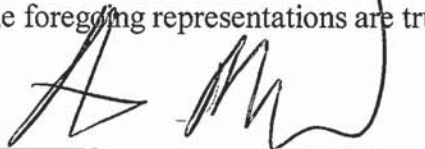
Officers noted that in the driveway of the residence was a four-door Dodge Avenger backed in. In the Avenger (and on the property) was MONTELL O'NEAL.

Officers were also advised by both [REDACTED] that they attempted to make MONTELL O'NEAL leave the property but he refused. MONTELL O'NEAL told [REDACTED] that "I'm gonna shoot up your house and if I see you in that Jeep, I'm gonna shoot that up". The Jeep is registered to [REDACTED]

Officers were further advised that MONTELL O'NEAL was in a relationship with their daughter but had been abusive.

Other officers handcuffed MONTELL O'NEAL and attempted to lead him to their squad car. He then lunged toward [REDACTED] in a fighting manner. Officers were able to detain MONTELL O'NEAL and take him away. MONTELL O'NEAL was advised of his rights and he waived the same. He denied that he made any threats and only stated that he and their daughter were arguing.

I affirm, under the pains and penalties for perjury, that the foregoing representations are true.

A handwritten signature in black ink, appearing to read 'K. P. Cotter', is written over a horizontal line. The signature is stylized and cursive.

KENNETH P. COTTER  
PROSECUTING ATTORNEY

APPEARANCE FORM (CRIMINAL)

State of Indiana

Case Number: 71D0<sup>2</sup>-1506-F6-000<sub>427</sub>

**FILED**  
JUN 30 2015  
Clerk  
St. Joseph Superior Court

1. Name of Defendant: MONTELL ROBERT O'NEAL
2. Case Type of proceeding: F6
3. Prosecuting Attorney information:

Kenneth P. Cotter  
St. Joseph County Prosecuting Attorney  
227 West Jefferson Boulevard, Room 1004.  
South Bend, Indiana 46601-1870

Attorney No.  
Phone: (574) 235-9544  
FAX: (574) 235-9761

4. Will the State accept service by FAX: NO
5. Arrest report number (Originating Agency Case Number): 15-10401
6. Additional information required by state or local rules:
7. TCN#: 7110109831

Authority: Pursuant to Criminal Rule 2.1(A), this form shall be filed at the time a criminal proceeding is commenced. In emergencies, the requested information shall be supplied when it becomes available. Parties shall advise the court of a change in information previously provided to the court. This format is approved by the Division of State Court Administration.

STATE OF INDIANA )

IN THE ST. JOSEPH SUPERIOR COURT

ST. JOSEPH COUNTY )

CAUSE NO. 71D0 <sup>3</sup>1506-F6-000 427

STATE OF INDIANA )

Plaintiff, )

VS )

MONTELL ROBERT O'NEAL, )

Defendant. )

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- FILED -

JUN 30 2015

Clerk  
St. Joseph Superior Court

### ARREST WARRANT ORDER

State files Information, together with supplemental affidavit or materials in support of probable cause; all of which are examined and approved by the Court.

Arrest Warrant is now ordered issued for the above-named defendant, returnable forthwith. Court now sets bond in the sum of \$20,000.00 corporate surety or \$2,000.00 cash.

As an additional condition of being on bond, the defendant is ordered to have no contact with the alleged victims in this case.

**ORDERED AND ADJUDGED**, this 30th day of June 2015.

*Time Woodward Miller*

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Judge, St. Joseph Superior Court