

ORIGINAL

DISTRICT COURT, GRAND FORKS COUNTY, NORTH DAKOTA

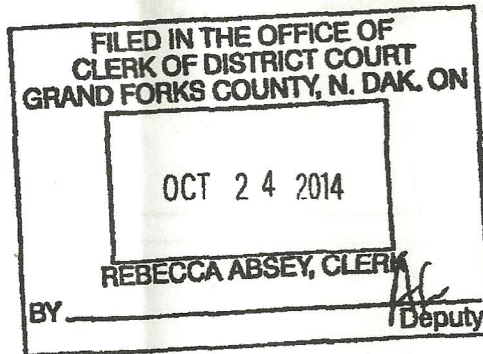
State of North Dakota,

Plaintiff,

v

James Edward Grabanski,

Defendant.



AMENDED INFORMATION
Court No. 18-2014-CR-00921/001
SA#130205

Haley Wamstad, ND Bar ID #06171 in and for the County of Grand Forks, in the State of North Dakota, gives this Court to understand and be informed:

COUNT I:

That on or about the 24th day of April, 2014, at approximately 1:15 a.m., within the County of Grand Forks in the State of North Dakota, one James Edward Grabanski did commit the crime of RECKLESS ENDANGERMENT, in violation of Sections 12.1-17-03 and 12.1-32-01(5) of the North Dakota Century Code, a Class A Misdemeanor, by then and there creating a substantial risk of serious bodily injury or death to another, manifesting an extreme indifference to the value of human life, to wit; That James Edward Grabanski, discharged a firearm through the wall of his residence and into the residence of his neighbor, which created a substantial risk of serious bodily injury or death to his neighbor, Dorothy Schue. This taking place at or near 3210 Cherry Street #27 in Grand Forks, North Dakota.

Names of all witnesses for the prosecution known to State's Attorney at this date:

Shawn Thompson, Grand Forks Police Department
Jason Dvorak, Grand Forks Police Department
Cody Cannon, Grand Forks Police Department
Dorothy Jane Schue
Bryan Hoime

This contrary to the statute and against the peace and dignity of the State of North Dakota.

Dated at Grand Forks, North Dakota, this 23rd day of October, 2014.

States Attorney's Office
Grand Forks County, North Dakota

IR#201402553

dj

ORIGINAL
SCANNED
4-28-14 JF

Haley
#130205

1 IN DISTRICT COURT, GRAND FORKS COUNTY, NORTH DAKOTA

2 STATE OF NORTH DAKOTA,

3 Plaintiff,

4 vs.

6 James Edward Grabanski

7 SSAN: [REDACTED]

8 DOB: 6-28-40

9 Defendant.

10 STATE OF NORTH DAKOTA)

11 COUNTY OF GRAND FORKS)

)AFFIDAVIT OF PROBABLE CAUSE
)GRAND FORKS POLICE DEPARTMENT
)ICR #: 201402553
)CHARGE: Reckless Endangerment
) STATUTE/ORD #: 12.1-17-03

18-2014-CR-921

FILED IN THE OFFICE OF
CLERK OF DISTRICT COURT
GRAND FORKS COUNTY, N. DAK. ON

MAY - 6 2014

REBECCA ABSEY, CLERK

BY

Am
Deputy

12 Comes now, Officer S. Thompson, being first duly sworn, deposes and states to the Court as follows:

- 13 1) That your Affiant is a Police Officer with the Grand Forks Police Department.
- 14 2) That your Affiant has reviewed the attached investigative reports, which expressly incorporated
- 15 herein by reference, and states upon information and belief that there is probable cause to believe that a
- 16 criminal offense has been committed by the Defendant, and for the issuance of a warrant for the arrest of
- 17 the Defendant.

18 FURTHER YOUR AFFIANT SAYETH NOT.

19 DATED this 25th day of April, 2014

20 *S. Thompson #648*

21 S. Thompson #648, Investigating Officer

22 Subscribed and sworn to before me this day of

23 *Jason Dvorak*
24 Notary Public, Grand Forks County, North Dakota

25 JASON DVORAK
Notary Public
State of North Dakota
My Commission Expires April 30, 2015

26 Office of State's Attorney
Grand Forks County
Grand Forks, North Dakota

State of North Dakota

vs.

Case Number: 18-2014-CR-00921

Count: 1 Amended Criminal Judgment

James Edward Grabanaki
3210 Cherry Street, #26
Grand Forks, ND 58201

Defendant was represented by: Theodore Thomas Sandberg

CASE CHARGES

Ct	Statute	Description	Degree	Amended
1	12.1-17-03	Reckless Endangerment	Felony C	12.1-17-03: Reckless Endangerment Misdemeanor A

TERMS OF DISPOSITION: COUNT 1

Disposition Date: 10/24/2014

Offense Information:

Ct	Statute	Description	Degree	Offense Disposition
1	12.1-17-03	Reckless Endangerment	Misdemeanor A	Pled Guilty

Disposition Details:

IT IS ORDERED that imposition of sentence of the defendant be deferred under N.D.C.C. 12.1-32-02 until Sunday, October 23, 2016, effective immediately.

Commitments:

Committed to: Grand Forks County Correctional Center
Term: 30 days
Report on Monday November 17, 2014 at 7:00 PM
Probation: 2 years
Credit for Time Served: 2 days
Defendant may serve sentence on EHM at the discretion of the correctional center


Fees:

Criminal Administration Fee	\$200.00
Defense/Facility Admin Fee	\$100.00
Victim-Witness Fee	\$25.00

Order of the Court and Conditions:

Defendant is placed under the following conditions:

Location	End Date	Comment
Bond is Exonerated		
Deferred Imposition of Sentence	10/23/2016	
Notify Court of Address Change		
Unsupervised Probation	10/23/2016	
Violate No Criminal Laws		

FILED IN THE OFFICE OF
CLERK OF DISTRICT COURT
GRAND FORKS COUNTY, N. DAK. ON
NOV 26 2014
BY  REBECCA ABSEY, CLERK
Deputy

bb

ORIGINAL
SCANNED

Grand Forks Police Department

122 South Fifth Street, P.O. Box 5058, Grand Forks, ND 58206-5058
(701) 787-8000 FAX (701) 780-8253

PROBABLE CAUSE SUMMARY - District Court

Grand Forks Police Department ICR #: 201402553

Date: 4-24-14

Location: 3210 Cherry St. #26

Investigating Officer's Name: S. Thompson #648


Reviewing Supervisor Name: Sgt. Dvorak #412

Adult Suspect's Name/DOB: James Grabanski 6-28-40

Based upon the information in the below synopsis, this investigating officer believes probable cause exists that James Grabanski has committed the crime of reckless endangerment or other violations of law.

Synopsis

- I was dispatched to 3210 Cherry St. #27 for a report of a bullet hole found in the wall of an apartment.
- I also located several other holes within the apartment where the same bullet passed through a closet door, into and out of a closet wall, and through several articles of clothing.
- I learned that the bullet was fired inside of apartment #26 and it traveled into #27.
- I met with the resident of #26 and he was identified as James Grabanski.
- James stated that he was unloading his handgun (Ruger SR40 .40 caliber) and did not realize there was a round in the chamber.
- James said he cycled the gun which discharged the round in the chamber. This was around 0115 hours.
- James said that he did not think the round penetrated the wall going into his neighbor's apartment so he patched and painted the hole in his apartment.
- James is a retired law enforcement officer and he has extensive knowledge of firearms.
- James made no attempt to contact the Police or to check the well-being of the resident in #27 after he negligently discharged his firearm.


Investigating Officer's Signature


Reviewing Supervisor's Signature

Restitution

Restitution in the amount of \$837.98 with payments to be made at a rate of not less than \$50 per month commencing within 30 days of entry of Amended Judgment.

Additional Conditions and Order of the Court.

Defendant to forfeit Ruger SR40 and to not possess any weapons during the duration of unsupervised probation.
Restitution to be left open for 60 days

Assessed	Waived	Total
\$325.00	\$0.00	\$325.00

The Defendant will pay the amount assessed by the court in a one time payment of \$325.00 beginning Sunday, November 23, 2014.

Def.: James Edward Grabanski

mailed to def. 11/18/14


Hon. Lawrence E. Jahnke

Disposition on October 24, 2014 by District Court Judge in case number 18-2014-CR-00921

Date

Clerk of Court: Rebecca Absey

701-787-2700

If you have questions regarding the terms of your disposition, please contact your attorney, your probation agent or Clerk of Court's Office. All payments to be made to the Clerk of Court at: Grand Forks County District Court, 124 S. 4TH STREET, PO BOX 5979, GRAND FORKS, ND 58206.

The Clerk of District Court's Office accepts Visa, MasterCard, or Discover Cards in person or via telephone. Payments can also be made online at <http://www.ndcourts.gov/publicsearch>