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2 OFFICE OF THE COUNTY ATTORNEY
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7 Attorneys for the State of Montana

8 IN THE JUSTICE COURT OF FLATHEAD COUNTY, STATE OF MONTANA

9	STATE OF MONTANA,)	Case No.: _____
10	Plaintiff,)	
11	vs.)	COMPLAINT
12	ANDY MAHERAS,)	
13	Defendant)	

15 Larissa Malloy is a Deputy County Attorney for Flathead County,
16 Montana. As such she is empowered to initiate and prosecute persons
17 charged with crimes committed in the State of Montana and to initiate
18 such prosecutions by Complaint filed in Justice Court.

19 The undersigned states that on or about the date(s) hereinafter
20 set forth, in the County of Flathead, State of Montana, the above
21 named Defendant did commit the offenses of **Count I: Assault, a**
22 **Misdemeanor, OR IN THE ALTERNATIVE Count II: Assault, a Misdemeanor.**
23 More specifically the charges would allege the following:

24 **COUNT I: Assault, Misdemeanor**

25
26 The Defendant, ANDY MAHERAS, on or about August 31, 2023,
27 in Flathead County, Montana, purposely or knowingly caused
28 reasonable apprehension of bodily injury in another,
contrary to the provisions of §45-5-201(1)(d), and
punishable under the provisions of § 45-5-201(2) MCA, by
imprisonment in the county jail for a term not to exceed
six (6) months and/or by a maximum fine of \$500.

1 OR IN THE ALTERNATIVE

2 COUNT II: Assault, Misdemeanor

3
4 The Defendant, ANDY MAHERAS, on or about August 31, 2023,
5 in Flathead County, Montana, purposely or knowingly caused
6 bodily injury to another, contrary to the provisions
7 of §45-5-201(1) (a), and punishable under the provisions of
8 § 45-5-201(2) MCA, by imprisonment in the county jail for a
9 term not to exceed six (6) months and/or by a maximum fine
10 of \$500.

11 1. As reported by Geno Cook with the Flathead County
12 Sheriffs Office in Flathead County Sheriff's Office report
13 number 2023-35154, the facts establishing probable cause to
14 believe the Defendant had committed the foregoing offenses
15 are as follows: 1. On or about 09/25/2023 Helena Flats
16 School Superintendent, ANDY MAHERAS, messaged School
17 Resource Officer and Flathead County Sheriff's Deputy Geno
18 Cook asking if he could stop by as he had an issue and
19 needed help with it. Deputy Cook met with MAHERAS in his
20 office and he explained on 08/31/2023, he was trying to
admonishing two students, T.R. (12) and another 13 year old
girl for what he thought was a public display of affection
(kissing) in the hall. MAHERAS stated T.R. attempted to
walk away from him so he grabbed his arm. MAHERAS stated
T.R. was now claiming MAHERAS had grabbed his face and
pushed him into a locker. MAHERAS stated he remembered
grabbing onto T.R. when he tried walking away, however he
didn't remember if he pushed him into the locker and
grabbed his face.

21 2. On or about 10/10/23, Detective Carey was assigned to
22 the case for further investigation. Detective Carey
23 reviewed the video he obtained from the school and
24 statements supplied by Helena Flats School Principal
25 Allison Hawes and school counselor William Walker. In the
26 video, Detective Carey characterizes observing the
27 following events unfold: School Superintendent MAHERAS can
28 be clearly seen grabbing T.R. by the left arm, pulling him
towards him and then placing his left hand on T.R.'s back
and speaks to him. T.R. can be seen turning away from
MAHERAS and MAHERAS grabs T.R. by the left shoulder with
his arm behind T.R.'s back, in a side hug type position.
MAHERAS removes his arm and T.R. can be seen walking away
towards what appear to be lockers. MAHERAS can be seen
turning in the same direction as T.R. and shaking his head.

1 MAHERAS can then be seen walking towards the same area as
2 T.R. did and goes off camera. While off camera, several
3 kids can be seen reacting to something going on in the
4 direction T.R. and MAHERAS had gone off camera, a few
5 looked surprised and some walking by the area in the hall
6 can be seen turning to look and watch what was happening.
Near the end of the video, MAHERAS can be seen coming back
into partial camera view and walks off out of camera view
as a locker gets closed in the same area.

7 3. On or about 10/12/23, T.R. went in for a forensic
8 interview. T.R. reported on 8/31/2023 MAHERAS had
9 approached him and a female and accused them of kissing in
10 the hallway. T.R. reported MAHERAS had grabbed him by the
11 arm and spoke to him about what he observed. As T.R. was
12 walking away to go to his locker to get a pencil, he
13 reported MAHERAS grabbed him by the arm again and then by
14 both arms squeezing them and pushed him into the lockers.
15 He said he did not want to look at MAHERAS, saying he was
16 scared of him, and MAHERAS grabbed his chin and squeezed
17 his face turning it towards MAHERAS. T.R. described the
18 squeezing of his face to be like if you were squeezing a
19 stress ball and it hurt. He also reported that when MAHERAS
20 turned his head after grabbing his face, his neck popped
21 which also hurt.

22 Witnesses:

23 T.R.

24 Geno Cook, FCSO

25 Michael Carey, FCSO

26 K.M.

27 J.B.

28 L.N.

C.S.

L.I.

E.Y.

Tina Rhodes

Allison Hawes

Bill Walker

Jessica Dyer

Don Caverly

Sherri Landon

Tonnie Decker

Kipp Tkachyk

Rich Schuster

M.G.

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H.L.

Any and all witnesses not listed herein will be provided to this Court prior to trial.

All of which is contrary to the form, force and effect of the statute in such case made and provided, and against the peace and dignity of the State of Montana.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated this 20th day of November, 2023.

OFFICE OF THE COUNTY ATTORNEY
Flathead County, Montana

By: /s/ Larissa Malloy,
Deputy