

STATE OF NORTH DAKOTA)
) SS.
COUNTY OF Morton)

AFFIDAVIT

I, Benjamin Swenson, an employee of Bismarck Police Department
attest to the following:

1. That I am a trained and licensed peace officer with 3 years of experience with jurisdiction to enforce state law in Morton County, North Dakota.
2. That on the 23rd day of February, 2017, at approximately 1600 hours, in Morton County, North Dakota, at (specific location) Highway 1806 South of back water bridge
3. The suspect was identified as (Full Name) Eric Wayne Poemeceah whose date of birth is (Month) August (Day) 27, (Year) 1983, and is _____ years of age.
4. The following gives rise to probable cause to charge the suspect with:

- PHYSICAL OBSTRUCTION OF A GOVERNMENT FUNCTION, NDCC 12.1-08-01, Class A Misd.
- CONSPIRACY TO COMMIT PHYSICAL OBSTRUCTION OF A GOVERNMENT FUNCTION, NDCC 12.1-06-04, 12.1-08-01, Class A Misd.
- PREVENTING/RESISTING ARREST (FELONY OFFENSE), NDCC 12.1-08-02, Class C Felony
- PREVENTING/RESISTING ARREST (MISD. OFFENSE), NDCC 12.1-08-02, Class A Misd.
- RECKLESS ENDANGERMENT, NDCC 12.1-17-03, Class C Felony
- CONSPIRACY TO COMMIT RECKLESS ENDANGERMENT, NDCC 12.1-06-04, 12.1-17-03, Class C Felony
- CRIMINAL TRESPASS (POSTED LAND, PRIOR NOTICE, REFUSAL TO LEAVE), NDCC 12.1-22-03, Class B Misd.
- CRIMINAL TRESPASS (CLOSED AS TO MANIFESTLY EXCLUDE INTRUDERS), NDCC 12.1-22-03, Class A Misd.
- 2ND OFFENSE OF CRIMINAL TRESPASS (POSTED LAND, PRIOR NOTICE, REFUSAL TO LEAVE), NDCC 12.1-22-03, Class A Misd.
- DISORDERLY CONDUCT, NDCC 12.1-31.01, B Misd.
- CRIMINAL MISCHIEF (>\$2000/DESTRUCTIVE DEVICE), NDCC 12.1-21-05, Class C Felony
- SIMPLE ASSAULT ON A PEACE OFFICER, NDCC 12.1-17-01, Class C Felony
- AGGRAVATED ASSAULT, NDCC 12.1-17-02, Class C Felony
- TERRORIZING, NDCC 12.1-17-04, Class C Felony
- CONTACT BY BODILY FLUIDS, NDCC 12.1-17-11, Class C Felony
- FELON IN POSSESSION OF A FIREARM, NDCC 62.1-02-01, Class C Felony
- POSSESSION OF AN EXPLOSIVE, NDCC 62.1-02-11, Class C Felony
- CARRYING A CONCEALED FIREARM OR WEAPON, NDCC 62.1-04-02, Class A Misd.
- INCITING A RIOT, NDCC 12.1-25-01, Class C Felony
- ENGAGING IN A RIOT, NDCC 12.1-25-03, Class A Misdemeanor
- ENDANGERING BY FIRE/EXPLOSION, NDCC 12.1-21-02, Class B Felony
- OTHER: _____
- OTHER: _____
- OTHER: _____
- OTHER: _____

ATTEST:
NOTARY PUBLIC
STATE OF NORTH DAKOTA

5. Circumstances and/or other facts:

I was assigned to the arrest team on 2-22-17 at approximately ~~1400~~ 1600 hours. A ~~Male~~ male individual wearing a red beanie approached the Police line and was informed to leave the area to allow clean up operations to begin per the Governor's orders. This individual was warned multiple times and refused to leave. I was instructed to arrest this individual. This individual ran from me and I pursued him and tackled him in the ditch and he was placed under arrest. His Facebook profile identifies him as Eric Poemz, it is unknown if this is his real name or not at this time.

On 2-24-17 the person I ~~is~~ arrested was indentified as Eric Poemoceah with a DOB of 8-27-83.

Dated this 23rd day of February, 2017.

Ben Eua 303

Subscribed and sworn before me on the 23rd day of February, 2017.

Complaining Officer/Affiant

GABRIELLE J. GOTER
Notary Public
State of North Dakota
My Commission Expires June 24, 2020

[Signature]
Notary
Morbo County