

Rich Salois
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IN THE MUNICIPAL COURT OF THE CITY OF MISSOULA
COUNTY OF MISSOULA, STATE OF MONTANA

CITY OF MISSOULA,
Plaintiff,

vs.

WADE A. CULVER,
Defendant.

CAUSE NO.:
CR-620-2024-839
MOTION TO DISMISS

The City respectfully requests the Court dismiss without prejudice the charges of Partner or Family Member Assault - Bodily Injury [1st] (§ 45-5-206(1)(a) [1st], MCA), Partner or Family Member Assault - Reasonable Apprehension [1st] (§ 45-5-206(1)(c) [1st], MCA), and Assault - Bodily Injury (Not permanent or life threatening) (45-5-201(1)a, MCA), in the above-entitled matter. As of the filing of this motion, this case is 636 days old. On or about April 25, 2024, the Defendant beat the victim to the point there was blood puddled on a hallway floor. Other than the victim, no other witnesses observed the beating.

The first jury trial setting was July 31, 2024. That was continued by the Defendant. After several status hearings, a jury trial was set for April 30, 2025. The Defendant was not present, but zoom was down. Defense

counsel called the Defendant and requested another continuance. The City advised the Court because of the delay in this case, the City is losing witnesses. The Court acknowledged. On June 24, the Defendant requested a trial date. The City proposed August 13 but Defense counsel could not confirm that date. The City proposed September 3. Again, the City advised it is losing witnesses. The City requested a priority setting. The Court granted the City's request.

At the August 20 final jury pretrial, new defense counsel appeared with the Defendant (previous counsel was unexpectedly out). She was just assigned the case and requested a continuance. Reluctantly, the city agreed.

Trial was eventually reset for November 5 but was # 17 on the priority list. Trial was reset to January 7 but defense counsel was not available. Finally, it was reset to January 28, 2026.

Unfortunately, the City cannot move forward with this case. Our victim has ceased contact with our office due to the age of this case.

The City maintains that probable cause and reasonable grounds existed for the issuance of the Complaint.

Dated the 22nd day of January, 2026.

A handwritten signature in blue ink, appearing to be 'ME', is written above a horizontal line.

Rich Salois
Deputy City Attorney

CERTIFICATE OF SERVICE

I, Richard Lee Salois, hereby certify that I have served true and accurate copies of the foregoing Motion - Motion to Dismiss to the following on 01-23-2026:

Sarah Virginia Rys-Sikora (Attorney)
610 Woody Street
Missoula MT 59802
Representing: Wade Austin Culver
Service Method: eService

Electronically signed by Adam Michael Veitenheimer on behalf of Richard Lee Salois
Dated: 01-23-2026