

**IN THE DISTRICT COURT IN AND FOR TULSA COUNTY  
STATE OF OKLAHOMA**

**THE STATE OF OKLAHOMA,** )  
)  
                                  **Plaintiff,** )  
)  
**v.** )  
)  
**NOAH REIMER MONTAGUE,** )  
DOB: 09-17-1994 )  
SSN: XXX-XX-7574 )  
)  
)  
)  
**Defendant.** )

**Case No CF-19-4518**

**DISTRICT COURT  
FILED**

**NOV 15 2019**

**DON NEWBERRY, Court Clerk  
STATE OF OKLA. TULSA COUNTY**

**AMENDED INFORMATION**

In the name and by the authority of the State of Oklahoma:

MIKE HUNTER, Attorney General of Oklahoma, in and for the State and County aforesaid,  
gives the court to know and be informed as follows:

**COUNT 1  
21 O.S. 701.7 (B)**

NOAH REIMER MONTAGUE, between the dates of September 9, 2019 and September 10, 2019, in Tulsa County, State of Oklahoma and within the jurisdiction of this court, did then and there commit the crime of **FELONY MURDER - FIRST DEGREE**, a felony, by unlawfully and willfully, without authority of law, took the life of Jamie Bear, resulting from the commission of Distributing a Controlled Dangerous Substance - Heroin, in violation of Title 63 O.S.

§ 2-401 (A) (1), thereby inflicting certain moral damage to the body of Jamie Bear from which moral damage the same Jamie Bear did languish and die on the 10<sup>th</sup> day of September, 2019.

**COUNT 2**  
**63 O.S. § 2-401**

**NOAH REIMER MONTAGUE**, in Tulsa County, State of Oklahoma, on or about  
September 10, 2019, at and within the said County and State aforesaid, and within the jurisdiction of this Court, did then and there unlawfully, willfully, maliciously commit the crime of **Possession Controlled Drug with the Intent to Distribute**, a felony, by possessing the Controlled Drug, Heroin – Schedule I, with the unlawful intent to distribute the same.

**COUNT 3**  
**63 O.S. § 2-401**

**NOAH REIMER MONTAGUE**, in Tulsa County, State of Oklahoma, on or about  
September 17, 2019, at and within the said County and State aforesaid, and within the jurisdiction of this Court, did then and there unlawfully, willfully, maliciously commit the crime of **Possession Controlled Drug with the Intent to Distribute**, a felony, by possessing the Controlled Drug, Heroin – Schedule I, with the unlawful intent to distribute the same.

**COUNT 4**  
**13 O.S. § 176.3 (8)**

**NOAH REIMER MONTAGUE**, in Tulsa County, State of Oklahoma, on or between September 10<sup>th</sup> and September 17<sup>th</sup>, 2019, at and within the said County and State aforesaid, and within the jurisdiction of this Court, did then and there unlawfully, willfully, maliciously commit the crime of **Unlawful Use of a Communication Facility to Commit a Felony**, a felony, to wit: using cellular communication devices to facilitate the Unlawful Distribution of Controlled Drugs.

All of which is contrary to the law and the Statutes, and the peace and dignity of the State of Oklahoma.

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

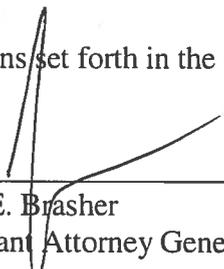
By: \_\_\_\_\_

JOHN E. BRASHER, OBA #21613  
Assistant Attorney General  
15 W. 6<sup>th</sup> Street, Suite 1000  
Tulsa, OK 74119  
(918) 581-2128

STATE OF OKLAHOMA )  
 )  
COUNTY OF TULSA )

ss.

I do solemnly swear that the statements and allegations set forth in the within information are true and correct to the best of my information and belief.

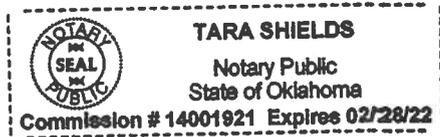
  
\_\_\_\_\_  
John E. Brasher  
Assistant Attorney General

Signed and sworn to before me on the 15<sup>th</sup> day of September, 2019, by John E. Brasher

(SEAL)

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 2/28/22.



## JURISDICTION OF THE COURT

In support of this Affidavit, your affiant respectfully submits to this Court that this Court is a court of competent jurisdiction to issue such orders as defined by Title 18 Section 2711 and Section 3127 of the United States Code, and Title 13 Section 177.1 *et seq.* of the Oklahoma Statutes.

Furthermore, as a court of competent jurisdiction, this Court has the authority to order the disclosure of the above information, pursuant to Title 18 of the United States Code, Section 2711(3), and based upon probable cause set forth below.

## PROBABLE CAUSE

### **Affiant states,**

That he is a police officer for the City of Tulsa, Tulsa Police Department and has been so employed for approximately 12 years. Your affiant has a Bachelor's degree in Sociology with an emphasis on Criminology from the University of Oklahoma in Norman, Oklahoma. Your affiant is currently assigned to the Special Investigations Division, Narcotics Unit. Your Affiant was previously assigned to the Organized Gang Unit for approximately 5 years. Your affiant has been trained in the recognition of firearms and controlled and dangerous substances by the Tulsa Police Academy. Your affiant has also received additional informal training from more experienced narcotics and gang investigators and has participated in numerous investigations and arrests involving controlled dangerous substances and firearms, which have culminated into the issuance of search warrants, additional arrests, and convictions. Your affiant completed the Tulsa Police Department's Basic Investigator's Class in June of 2011. In February of 2012, your affiant attended the Gangs 101 course put on by Oklahoma Gangs Investigators Association (OGIA). In September 2012, your affiant completed the Confidential Informant Development and Management course put on by MCTC and HIDTA as well as the Basic Search Warrant Writing course put on by the Northern Oklahoma Violent Crimes Task Force. In June of 2013, your affiant completed the Gangs Investigations course put on by the Los Angeles County Sheriff's Department. In 2018, your affiant attended training on advanced narcotics investigations put on by the Association of Oklahoma Narcotics Enforcers. Your affiant has given multiple presentations on the culture of criminal street gangs and narcotics in Tulsa, Oklahoma. In September of 2018, your affiant completed training in Overdose Death Investigation and Prosecution which was put on by the National Attorneys General Training and Research Institute. Your affiant has also taught classes on Drug Overdose Murder Investigations.

Your affiant states that on September 11<sup>th</sup>, 2019, he was contacted by OSBI Lieutenant Kevin Garrett reference a suspected heroin overdose death that occurred in Perkins Oklahoma. Lt Garrett related the following information to me:

On the morning of September 10<sup>th</sup>, 2019, Jamie Bear was found deceased in her apartment in Perkins Oklahoma where she lived with her boyfriend Josiah Ramos (Case# OSBI2019-1083). Suspected heroin and evidence of intravenous heroin use was discovered at her residence. Based on the evidence on scene, Jamie Bear appears to have died from a heroin overdose.

During a subsequent interview with Ramos, Ramos informed investigators that he and Jamie had purchased the heroin from **Noah Montague** on the afternoon of September 9<sup>th</sup>, 2019. Ramos stated that the illegal heroin transaction had occurred in the City/County of Tulsa Oklahoma. Ramos stated that **Noah Montague** was driving a Gray Nissan Pathfinder at the time of the heroin transaction.

Lt Garrett stated to your affiant that on the afternoon of September 10<sup>th</sup>, 2019, Ramos arranged a second heroin transaction with **Noah Montague**. This second transaction was arranged under law enforcement direction and under the supervision of law enforcement. **Noah Montague** directed Ramos to the area of 6100 South Union Avenue to purchase the heroin. Tulsa Police Officers were in the area and at approximately 1800 hours, observed a vehicle matching **Noah Montague's** arrive in the area. Officers observed **Noah Montague** make a lane change without signaling and conducted a traffic stop for the violation.

Upon making contact, Officers found that **Noah Montague** was the sole occupant of the vehicle. During the course of the vehicle stop, Officers recovered 3 separate bindles of suspected heroin from **Noah Montague's vehicle**. The suspected heroin was seized, and Montague was released pending further investigation (2019-055718).

Photos were taken of the text conversation between Josiah Ramos and **Noah Montague** from Ramos' phone and these were provided to me by OSBI Lt. Garrett. From these photos, your affiant learned **Noah Montague's** cellular phone number to be (480)703-1237.

Following this incident, your affiant obtained a search warrant ordering a "GPS ping" for the cellular phone belonging to **Noah Montague**. Upon reviewing the locational data, your affiant learned that **Noah Montague**

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was staying the night at 5035 South 35<sup>th</sup> West Avenue in the City/County of Tulsa Oklahoma. A search warrant was obtained for this residence and it was executed on September 17<sup>th</sup>, 2019.

At the time of the warrant service, **Noah Montague** had just arrived at the residence and was exiting his vehicle which was parked on the curb directly in front of the residence. **Noah Montague** was placed under arrest at this time for Driving without a License and for Possession of Heroin W/Intent reference the 3 bindles of heroin that were seized from him during the aforementioned traffic stop on 9/10/2019. A search incident to arrest revealed 11 balloons containing approximately 7 grams of suspected heroin in **Noah Montague's** pants' pocket. Also in **Noah Montague's** pants' pocket was a cellular phone. The heroin and the cellular phone were seized as evidence. A subsequent field test of the suspected heroin yielded a presumptive positive result for the presence of heroin.

In an interview following his arrest, **Noah Montague** stated to your affiant that he sold heroin. He stated that he had approximately 10 heroin customers and that he purchased his heroin from a Mexican heroin cartel group operating in Tulsa County. **Noah Montague** admitted to providing Josiah Ramos with heroin on September 9<sup>th</sup>, 2019.

Your affiant searched the social media website Facebook and located an account with the vanity name **Noah R. Montague**. This account contains numerous photographs of **Noah Montague**, is linked to associates of **Noah Montague**, and appears to be being used by **Noah Montague**. The Facebook account of **Noah Montague** can be found at URL <https://www.facebook.com/noah.montague.50>. The Facebook URL is the unique identifier to the Facebook account.

Based on all of the physical and digital evidence, as well as the statements of Josiah Ramos, it appears that Josiah Ramos and Jamie Bear were out of heroin when they purchased heroin from **Noah Montague** on September 9<sup>th</sup>, 2019. Additionally, Josiah Ramos stated that they didn't purchase any additional heroin after purchasing heroin from **Noah Montague** on September 9<sup>th</sup>, 2019. For this reason, it is apparent that the heroin that led to the death of Jamie Bear came from **Noah Montague**.

According to Oklahoma State Statute 21-701.7B; **A person commits the crime of murder in the first degree, regardless of malice, when that person or any other person takes the life of a human being during, or if the death of a human being results from the unlawful distributing or dispensing of controlled dangerous substances or synthetic controlled substances.**

Your affiant's training and experience is that Facebook is frequently used as a communications medium by people who use, sell and/or manufacture controlled dangerous substances to coordinate the sale, transportation and deliver, and/or manufacture of controlled dangerous substances. Your affiant knows Facebook Messenger conversations and communications can also include photographs and location information, which during past investigations, have proven to be instrumental items of evidence of an individual's involvement in the distribution of controlled dangerous substances. Your affiant states that by reviewing **Noah Montague's** Facebook records, detectives will be able to review any messages, photographs, and locational information that can be evidence of a crime for the distribution of controlled dangerous substances and assist investigators in determining his/her residence address. Furthermore, detectives expect to discover additional information that could lead to other suspects involved in the distribution of controlled dangerous substances.

Your affiant knows Facebook stores and maintains historical records of the content of these conversations and information that can assist in the location of the user which are available to law enforcement by proper legal service (search warrant).

Your affiant prays that a search warrant be issued so that investigators might seize the aforementioned Facebook records for <https://www.facebook.com/noah.montague.50>. Your affiant states that it is necessary to retrieve data associated with this account so that investigators can further the investigation to determine the involvement of **Noah Montague** in the distribution controlled dangerous substances, which led to the death of **Jamie Bear**, and also to identify any associates that could also be involved in the **distribution of controlled dangerous substances, including heroin**, as described above.

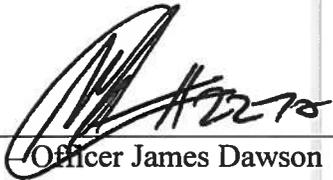
#### **NON-DISCLOSURE ORDER**

Facebook Inc. has a policy that when a government entity requests records, they notify the owner of those records of the request. Federal Law grants the court permission to mandate disclosure of electronic communication without required notice to the subscriber or customer pursuant to 18 U.S.C. § 2703. Furthermore, the court is permitted to mandate nondisclosure when the court finds that disclosure would have an adverse result.

Your affiant believes that disclosure of the existence, issuance or compliance with this search warrant to **Noah Montague** may impede or jeopardize this investigation.

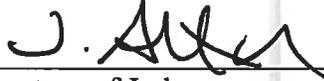
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**Wherefore**, Affiant asks that a search warrant issue according to law, **directed to any peace officer** of this state, commanding that he search the said records, and take possession of the property herein before described and detain the same provided by law.

  
Affiant Officer James Dawson

Dated this 14 day of Oct. 2019.

Time: 10:40 AM

  
Signature of Judge

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