

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF BENTON

STATE OF WASHINGTON,
Plaintiff,

vs.

MATTHEW THOMAS HIBBARD,
DOB: 02/28/1971,
SS:
SID:
FBI:
DL: HIBBAMT291C8,

Defendant.

NO. 12-1-00896-9

INFORMATION

COMES NOW, ANDY MILLER, Prosecuting Attorney for Benton County, State of Washington, and by this his Information accuses

MATTHEW THOMAS HIBBARD

of the crime(s) of: ASSAULT IN THE THIRD DEGREE, RCW 9A.36.031(1)(f) and RCW 9.94A.535(3)(y), committed as follows, to-wit:

COUNT I

That the said **MATTHEW THOMAS HIBBARD** in the County of Benton, State of Washington, on or about the 4th day of July, 2012, in violation of RCW 9A.36.031(1)(f), with criminal negligence, did cause bodily harm accompanied by substantial pain that extended for a period sufficient to cause considerable suffering, to wit: did drop Ben Ensign, a human being, onto a concrete sidewalk, contrary to the form of the Statute in such cases made and provided, and against the peace and dignity of the State of Washington.

AGGRAVATING CIRCUMSTANCE ALLEGATION - EXCESSIVE INJURIES

That the crime was aggravated by the following circumstance: the victim's injuries substantially exceed the level of bodily harm necessary to satisfy the elements of the offense, as provided RCW 9.94A.535(3)(y).

DATED at Kennewick, Washington on July 30, 2012.



ANDY MILLER, WSBA #10817

Prosecuting Attorney

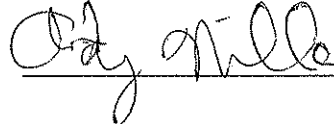
OFC ID 91004

STATE OF WASHINGTON)

SS

County Of Benton)

ANDY MILLER, being first duly sworn on oath, says he is the Prosecuting Attorney in and for Benton County, that he has read the foregoing Information, knows the contents thereof, and believes the same to be true.



SUBSCRIBED AND SWORN to before me this _____ day of July, 2012.

JOSIE DELVIN

County Clerk/Clerk of Benton Co. Superior Court

By _____

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF BENTON

STATE OF WASHINGTON,

Plaintiff,

NO. 12-1-00896-9

vs.

MATTHEW THOMAS HIBBARD,

Defendant.

MOTION FOR
ARREST/DETENTION
(PROBABLE CAUSE)

The Prosecuting Attorney moves for authority to arrest and detain the above defendant based on the following affidavit.



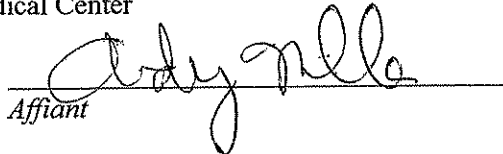
ANDY MILLER, WSBA #10817

Prosecuting Attorney

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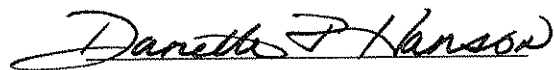
STATE OF WASHINGTON)
County of Benton)ss

1. Affiant is a Prosecuting Attorney for this county and makes this affidavit in that capacity.
2. The above defendant is accused of a crime(s) by an Information.
3. Affiant believes probable cause exists for the arrest and detention of the defendant because of the following facts and circumstances: Police reports indicate that in Benton County, on the 4th day of July, 2012, the defendant was working "security" for Jack Didleys. On that date, he told Ben Ensign, a customer at Jack Didley's, that he had to leave because Ensign had created a disturbance. Ensign was intoxicated at the time. Ensign eventually left Jack Didley's but returned a few minutes later and attempted to enter Jack Didleys. The defendant then grabbed Ensign around Ensign's neck and head while another Jack Didley's employee grabbed Ensign's legs. The defendant and other employee carried Ensign out and then dropped him onto a concrete sidewalk. Mr. Ensign suffered injury to the head as a result and was taken to Kadlec Medical Center. Dr. Cheerang Upadhyaya, a neurosurgeon who has treated Mr. Ensign, has described it as "a significant traumatic injury" to the left side of his head. Mr. Ensign is still being treated at Kadlec Medical Center



Affiant

SUBSCRIBED AND SWORN to before me on this ____ day of July, 2012, by ANDY MILLER.



NOTARY PUBLIC

My Appt. Expires: 8-9-13.