

RESOLUTION 2017 - 27

A RESOLUTION REQUESTING PROSECUTORIAL ASSISTANCE

WHEREAS, the Lewis and Clark County Attorney has requested prosecutorial assistance in the prosecution of *State of Montana vs. Mario Alicea*, Montana First Judicial District Cause Number ADC2016-347; and,

WHEREAS, the Attorney General for the State of Montana is authorized to provide assistance to county attorneys in the discharge of his duties under Mont. Code Ann. § 2-15-501(6), and the Department of Justice has authority to prosecute criminal gambling code violations concurrent with county attorneys under Mont. Code Ann. § 23-5-172; and,

WHEREAS, the Montana Department of Justice houses the Gambling Control Division's Gambling Investigation Bureau, a criminal justice agency under Mont. Code Ann. § 23-5-113, which contributed to the investigation of this case; and,

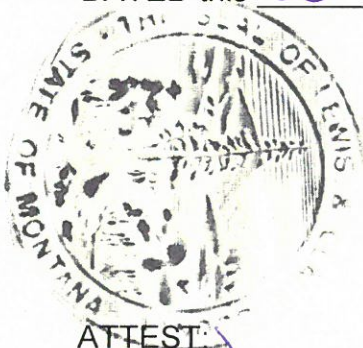
WHEREAS, Michael L. Fanning is a duly appointed Assistant Attorney General for the State of Montana licensed to practice before the courts of this State, and who is in good standing with the State Bar of Montana; and

WHEREAS, it is desired and deemed appropriate that a special deputy county attorney be appointed to assist in the prosecution of gambling-related crimes charged in *State v. Alicea*.

**THEREFORE, BE IT RESOLVED**, that Assistant Attorney General Michael L. Fanning is hereby appointed as special deputy county attorney for Lewis and Clark County for the purpose of assisting in the prosecution of gambling-related crimes charged in *State v. Alicea*.

**BE IT FURTHER RESOLVED**, that the Department of Justice will not charge Lewis and Clark County an hourly fee for attorney time or administrative support time and all costs of the prosecution will be borne by Lewis and Clark County as with routine criminal prosecutions.

DATED this 23 day of March, 2017



ATTEST

*Paulette DeHart*

Paulette DeHart, Clerk of the Board

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

*Susan Good Geise*  
Susan Good Geise, Chair

