

No. 80-21

IN THE SUPREME COURT OF THE STATE OF MONTANA

1980

THE STATE OF MONTANA,

Plaintiff and Appellant,

vs.

CRAIG JOHN DARKO,

Defendant and Respondent.

Appeal from: District Court of the Eighth Judicial District,
In and for the County of Cascade.
Honorable Joel G. Roth, Judge presiding.

Counsel of Record:

For Appellant:

Hon. Mike Greely, Attorney General, Helena, Montana
J. Fred Bourdeau, County Attorney, Great Falls, Montana

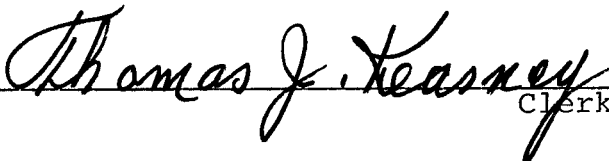
For Respondent:

Asselstine, Strause & Anderson, Great Falls, Montana

Submitted on briefs: May 29, 1980

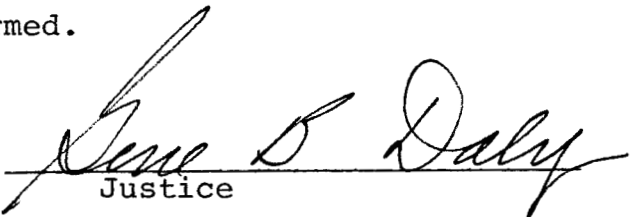
Decided: JUN 20 1980

Filed: JUN 20 1980


Clerk

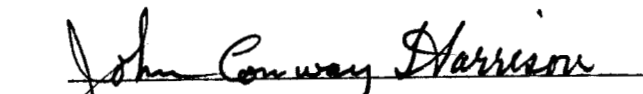
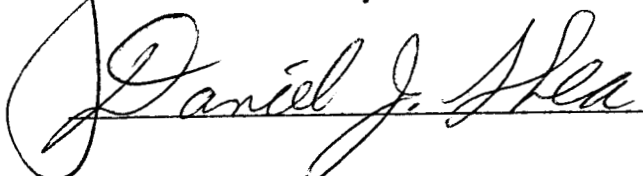
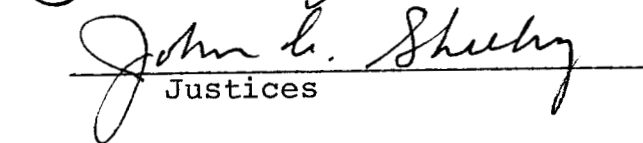
Mr. Justice Gene B. Daly delivered the Opinion of the Court.

The District Court's order suppressing the evidence on the basis of State v. Jetty (1978), 176 Mont. 519, 579 P.2d 1228, 35 St.Rep. 739, is affirmed.


Justice

We concur:


Chief Justice




Justices