

# SUIT IS FILED OVER SHOOTING

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SANDPOINT — A Boundary County man who was shot in the back is suing the owners of the Bloom Lake and the campground host imprisoned for pulling the trigger.

Joseph Stanczak is seeking damages for medical expenses, lost wages, out-of-pocket expenses and physical injury, according to a suit filed in Bonner County's 1st District Court on May 12.

Named as defendants are the campground's owners, Ed and Laurie Cook, and Jesse Michael Chisholm, the host who opened fire on Stanczak on the June 28, 2005. The suit alleges premises and personal liability, in addition to negligence.

Chisholm, 67, was charged with aggravated battery for shooting Stanczak in the upper left arm and upper back with a .45-caliber pistol during an alcohol-fueled argument at the campgrounds host cabin.

Chisholm fled the scene, but was tracked over rugged ground by Bonner County sheriff's deputies and apprehended without further incident. Chisholm pleaded guilty and at sentencing said that he intended to fire warning shots out of fear he was about to be attacked by the younger, larger Stanczak.

Chisholm's arrest uncovered the fact that he had been living for decades in Bonner County under an assumed name and falsely claimed that he served in the military during the Vietnam war.

Chisholm was born Michael Allen Pederson and was reported missing from California in the 1980s. He was subsequently declared dead. Chisholm's defense counsel said his client fled California to avoid being killed by drug associates who murdered his relative.

Stanczak's Coeur d'Alene attorney, Wes Larsen, argues the defendants had a duty to keep guests at the campground reasonably safe.

Larsen said his client was unaware Chisholm was armed and had his back turned to him when the shooting started.

"Plaintiff did not know that defendant Chisholm had a handgun, that the handgun was pointed in his general direction, or that the gun was loaded," Larsen said in the suit.

Chisholm is serving a two- to 10-year term at the Idaho State Correctional Center in Kuna.

He has a parole hearing set for July 2017 and his parole eligibility date is listed as January 2018, according to the Idaho Department of Correction's website.