

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-15-1606
07-CR-15-4628

State of Minnesota,
Plaintiff,
vs.

COMPLAINT
Summons
 Tab Charge/Citation Previously Filed

ROBERT LEE PETERS DOB: 05/08/1961
13864 550th Ave
Good Thunder, MN 56037
Defendant.

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Traffic-DL-Driving after cancellation-inimical to public safety

Minnesota Statute: 171.24.5

Maximum Sentence: 1 year and/or \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 11/12/2015

Control #(ICR#): 15015121

Charge Description: Robert Lee Peters

On or about November 12, 2015, in the County of Blue Earth, said Defendant, Robert Lee Peters did after being given notice, or reasonably should have known of the cancellation, disobeyed the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while her/his license or privilege was cancelled; and the Commissioner of the Department of Public Safety has determined that the operation of a motor vehicle on the highways by the person would be inimical to the public safety or welfare.

STATEMENT OF PROBABLE CAUSE

On November 12, 2015, at approximately 1:50 p.m., Deputy Kyle Phillips with the Blue Earth County Sheriff's Office was on routine patrol near 119th Street and 542nd Avenue in Blue Earth County when he observed a red Chevy pickup, license number WB5921, approaching him in the opposing lane. Deputy Phillips ran the license plate and discovered that the vehicle belonged to D.P. who Deputy Phillips knows from prior contacts. Deputy Phillips was able to recognize that the driver of the vehicle was not D.P.; however, Deputy Phillips was aware that D.P.'s sons also have access to his pickup. Deputy Phillips is familiar with D.P.'s sons and knows that two of them have their driving privileges canceled inimical to public safety. Deputy Phillips recognized that the person driving the vehicle was not T.P., who is D.P.'s son; however, Deputy Phillips believed the driver of the vehicle could have been Robert Lee Peters, D.O.B. 5/8/60, who Deputy Phillips knew was canceled inimical to public safety. Deputy Phillips was aware that Peters had been stopped in a pickup matching that description the previous summer and had been cited for driving with a canceled license.

Deputy Phillips observed that after seeing him the pickup turned east onto 119th Street. Deputy Phillips felt that the pickup might have turned in an attempt to possibly evade contact with him. Deputy Phillips knows from his training experience that it is likely if a driver was canceled inimical to public safety, they would likely attempt to evade contact with law enforcement. Deputy Phillips turned around and headed in the other direction. Deputy Phillips observed that the gravel road surface had been disturbed in what appeared to be an abrupt turn, causing gravel to turn over. Deputy Phillips observed that the red truck pulled into a field approach to park. Deputy Phillips felt that this was odd as there were no crops in the field. At that point, Deputy Phillips was suspicious that the driver was, in fact, Robert Peters who was currently canceled inimical to public safety and he was attempting to avoid contact with Deputy Phillips.

Deputy Phillips pulled in behind the truck and made contact with the driver who Deputy Phillips confirmed was, in fact, Robert Peters. Peters stated that he was checking the field for a piece of disc material that he lost while working the ground after harvest. Deputy Phillips who has a farming background found this odd as the area had received approximately two and a half inches of rain the previous evening and it would be nearly impossible to traverse the field, either by foot or vehicle, given the wet/muddy conditions. Deputy Phillips then did confirm that Robert Peters' driving privileges were canceled inimical to public safety. Peters acknowledged that his license status was canceled inimical to public safety and stated that he knew what was going to happen.

SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

Complainant

Richard Murry
Captain
401 Carver Rd
Mankato, MN 56002-0228
Badge: 2708

Electronically Signed:
12/02/2015 02:03 PM
Blue Earth County, MN

Being authorized to prosecute the offenses charged, I approve this complaint.

Prosecuting Attorney

Steven Kelm
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
12/02/2015 08:14 AM

FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear on _____, _____ at _____ AM/PM before the above-named court at 401 Carver Rd, Mankato, MN 56002-0347 to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

Execute in MN Only

Execute Nationwide

Execute in Border States

ORDER OF DETENTION

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$
Conditions of Release:

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: December 3, 2015.

Judicial Officer

Thomas G McCarthy
Judge of District Court

Electronically Signed: 12/03/2015 03:15 PM

Sworn testimony has been given before the Judicial Officer by the following witnesses:

**COUNTY OF BLUE EARTH
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

ROBERT LEE PETERS

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE
*I hereby Certify and Return that I have served a copy of this
Summons upon the Defendant herein named.*

Signature of Authorized Service Agent: