

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

MAN-16-0207
07-CR-16-1053

State of Minnesota,

Plaintiff,

vs.

DANIEL GERALD STURDIVANT DOB: 03/21/1974

67 Evergreen Ct
Madison Lake, MN 56063

Defendant.

COMPLAINT

Summons

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: Theft-Take/Use/Transfer Movable Prop-No Consent

Minnesota Statute: 609.52.2(a)(1), with reference to: 609.52.3(5)

Maximum Sentence: 90 days and/or \$1,000

Offense Level: Misdemeanor

Offense Date (on or about): 01/29/2016

Control #(ICR#): 16005454

Charge Description: Said Defendant, Daniel Gerald Sturdivant, Also Known As Dan Gerald Surdivan, Daniel Sturdivant, Dan Gerald Sturdivant And Dan Sturdivant, did intentionally and without claim of right, take, use, transfer, conceal or retain possession of the movable property of another without the other's consent and with intent to deprive the owner permanently of possession of the property.

STATEMENT OF PROBABLE CAUSE

Complainant is an Officer with the Mankato Police Department who believes the information set out below is true and accurate based on reports and information submitted to the Officer by Officer Dale Stoltman and others identified herein.

Officer Stoltman was investigating an incident related to the defendant, Daniel Gerald Sturdivant's involvement in a theft committed on February 24, 2016. During that investigation, the officer also discovered that Sturdivant had committed another theft on January 29, 2016 at Kato Tool at 1416 No. Riverfront Drive in Mankato, Blue Earth County.

Prior to January 4, 2016, Sturdivant was employed by SMA. On that date, he was terminated effective immediately. Through his investigation in the other matter, Officer Stoltman learned from Witness2, that on January 29, 2016, Sturdivant had purchased a Milwaukee rotary hammer kit for \$499.99 and charged it to SMA's account.

Officer Stoltmn spoke with Witness1 from SMA, who advised the officer that Sturdivant did not have permission to charge the tool to SMA. Witness1 also told the officer that Sturdivant had previously been warned and eventually fired for making unauthorized purchases on the SMA account.

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

Craig Frericks
Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3102

Electronically Signed:
03/21/2016 09:56 AM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Linda B. Hilligoss
Assistant Blue Earth County
Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002-3129
(507) 304-4600

Electronically Signed:
03/21/2016 08:51 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 **May 19, 2016 at 8:15 AM** 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: March 21, 2016.

Judicial Officer

Bradley C Walker
District Court Judge

Electronically Signed: 03/21/2016 10:13 AM

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.

DANIEL GERALD STURDIVANT

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: