

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

MAN-16-0140
07-CR-16-754

State of Minnesota,

Plaintiff,

vs.

DAVID JAMES BAKER JR DOB: 09/08/1991

132 Hudson Ave N.
Mankato, MN 56001

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: Domestic Assault-Commits Act to Cause Fear of Immediate Bodily Harm or Death

Minnesota Statute: 609.2242.1(1)

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

Offense Level: Misdemeanor

Offense Date (on or about): 02/01/2016

Control #(ICR#): 16003051

Charge Description: Said Defendant, David James Baker, Jr., also Known As David James Baker, did against a family or household member, as defined in M.S.A. 518B.01 Subd. 2, commit an act with intent to cause fear in another of immediate bodily harm or death.

COUNT II

Charge: Domestic Assault-Misdemeanor-Intentionally Inflicts/Attempts to Inflict Bodily Harm on Another

Minnesota Statute: 609.2242.1(2)

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

Offense Level: Misdemeanor

Offense Date (on or about): 02/01/2016

Control #(ICR#): 16003051

Charge Description: Said Defendant, David James Baker, Jr., Also Known As David James Baker, did, against a family or household member, as defined in M.S.A. 518B.01 Subd. 2, intentionally inflict or attempt to inflict bodily harm upon another.

COUNT III

Charge: Disorderly Conduct-Brawling or Fighting

Minnesota Statute: 609.72.1(1)

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

Offense Level: Misdemeanor

Offense Date (on or about): 02/01/2016

Control #(ICR#): 16003051

Charge Description: Said Defendant, David James Baker, Jr., Also Known As David James Baker, did in a public or private place, knowing, or having reasonable grounds to know that it will, or will tend to, alarm, anger or disturb others or provoke an assault or breach of the peace, engaged in brawling or fighting.

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 Sean McClinton and others identified herein.

On February 1, 2016, at approximately 12:40 a.m., Officer McClinton responded to a report of a domestic assault at a residence in the City of Mankato, Blue Earth County, Minnesota. Officer McClinton reported to that location and identified the victim as V1. V1 indicated that she had been assaulted by another individual, later identified as David James Baker, Jr., the Defendant herein. V1 said that she and the Defendant were involved in a significant relationship and lived together. In addition, they have a child in common. V1 said that the Defendant was upset with her because she woke him up for court for an OFP violation. V1 said that the Defendant started yelling at her and then pushed his body into hers, causing her body to hit the dresser. V1 said that their son was in the bedroom when this occurred. V1 said that the defendant left the residence. V1 said that the Defendant returned to the residence at approximately 12:30 a.m. At the time of the incident, V1 was lying on the couch. The Defendant came over to her, stood over her and yelled at her. The Defendant called V1 a whore and a slut. V1 said that the Defendant grabbed her leg and squeezed it. V1 said that she was fearful when he was doing this. V1 said the violence has become more frequent and more severe. When V1 informed the Defendant that she was going to call 911, the Defendant begged her not to. The Defendant fled the scene before law enforcement arrived.

A computer check of the Defendant's pending criminal history indicates that he has two Order for Protection violations pending in Blue Earth County. See Blue Earth County District Court File Number 07-CR-15-4482 and 07-CR-15-5006. In addition, the Defendant has a False Name to a Peace Officer pending in a third case. See Blue Earth County District Court File 07-CR-16-543.

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

Chris Baukol
Sergeant
710 S Front St
Mankato, MN 56001-3803
Badge: 3150

Electronically Signed:
02/29/2016 02:33 PM
Blue Earth County, MN

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

Prosecuting Attorney

Christopher Cain
Assistant Blue Earth County
Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002-3129
(507) 304-4600

Electronically Signed:
02/29/2016 01:04 PM

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 **March 24, 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 1, 2016.

Judicial Officer

Darci J. Bentz

Electronically Signed: 03/01/2016 09:12 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.

DAVID JAMES BAKER Jr

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: