

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-1146
07-CR-16-2824

State of Minnesota,

Plaintiff,

vs.

MICHAEL JAVEN WEIMERN DOB: 07/14/1996

155 Laurinda Lane
Mankato, MN 56001

Defendant.

COMPLAINT

Order of Detention

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: Damage to Property-3rd Deg-Reduce Value \$501-\$1000

Minnesota Statute: 609.595.2(a)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 07/12/2016

Control #(ICR#): 16020491

Charge Description: Michael Javen Weimern Also Known As Michael Javin Weimern

On or about July 12, 2016, in the County of Blue Earth, said Defendant, Michael Javen Weimern did intentionally cause damage to another person's physical property without the other person's consent, and the damage reduced the value of the property by more that \$500.00 but no more than \$1,000.00 as measured by the cost of repair and replacement.

STATEMENT OF PROBABLE CAUSE

On July 12, 2016, at 11:00 a.m. Officers Mortensen and Waterstreet were called to an incident that occurred in the 100 block Laurinda Lane, Mankato, Blue Earth County. Officers arrived and spoke with the Complainant, Witness1. Witness1 reported he was about to tow a car from the Eastwood Manor Trailer Park and was in the process of hooking it up when Michael Javin Weimern, the Defendant, came driving toward the tow truck. Witness1 stated that the Defendant is upset with him and Witness2 who was seated in the tow truck. Witness1 said the Defendant was driving fast and he thought the Defendant was going to run into him. The Defendant pulled into the driveway next door to the residence that Witness1 was working at. Witness1 finished attaching the car to the tow truck and started driving past the driveway the Defendant had pulled into. By this time, the Defendant was backing out of the driveway. The Defendant got out of his vehicle, ran toward the towed car, and kicked it while yelling and screaming. Officer Mortensen examined the towed car and observed a shoe print and fresh damage to the driver's side rear quarter panel.

The officers went to the Defendant's residence and spoke with him. He admitted that he got angry with Witness1 because he thought Witness1 was blocking him in the driveway and wouldn't let him leave. The Defendant stated that Witness1 was taunting him and he got upset and kicked the car that was being towed. The cost to repair the damaged car is \$656.42.

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

Adam Gray
Sergeant
710 S Front St
Mankato, MN 56001-3803
Badge: 3117

Electronically Signed:
07/13/2016 11:54 AM
Blue Earth County, MN

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
(507) 304-4600

Electronically Signed:
07/13/2016 11:49 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: July 13, 2016.

Judicial Officer Thomas G McCarthy
Judge of District Court

Electronically Signed: 07/13/2016 12:19 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.

MICHAEL JAVEN WEIMERN

Defendant

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

Signature of Authorized Service Agent: