State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No. BEC-16-0247-03
Court File No. 07-CR-16-628

State of Minnesota,
Plaintiff,

vs.

BEAU LEON TOBIN DOB: 07/29/1992
220 14th Avenue NW
Waseca, MN 56093
Defendant.

COMPLAINT
Warrant

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: Burglary-1st Deg-Assault Person In Build/On Property
Minnesota Statute: 609.582.1(c)
Maximum Sentence: 20 years and/or $35,000
Offense Level: Felony

Offense Date (on or about): 02/18/2016

Control #(ICR#): 16004548

Charge Description: Beau Leon Tobin

On or about February 18, 2016, in the County of Blue Earth, said Defendant, Beau Leon Tobin did enter a building without consent and with intent to commit a crime, or entered a building without consent and committed a crime while in the building, either directly or as an accomplice and the burglar assaults a person within the building or on the buildings appurtenant property.

COUNT II

Charge: Burglary-1st Deg-Dwelling-Occupied-Non-Accomplice Present
Minnesota Statute: 609.582.1(a)
Maximum Sentence: 20 years and/or $35,000
Offense Level: Felony

Offense Date (on or about): 02/18/2016

Control #(ICR#): 16004548

Charge Description: Beau Leon Tobin

On or about February 18, 2016, in the County of Blue Earth, said Defendant, Beau Leon Tobin, did enter a building without consent and with intent to commit a crime, or entered a building without consent and

committed a crime while in the building, either directly or as an accomplice and the building is a dwelling and another person, not an accomplice, is present in it when the burglar enters or at any time while the burglar is in the building.

COUNT III

Charge: Assault-2nd Degree-Dangerous Weapon
Minnesota Statute: 609.222.1, with reference to: 609.05.1
Maximum Sentence: 7 years and/or $14,000
Offense Level: Felony

Offense Date (on or about): 02/18/2016

Control #(ICR#): 16004548

Charge Description: Beau Leon Tobin

On or about February 18, 2016, in the County of Blue Earth, said Defendant, Beau Leon Tobin did, intentionally aid, advise, hire, counsel, or conspire with, or otherwise procure another to commit the crime; to wit: did with intent to cause fear in another of immediate bodily harm or death, assault another with a dangerous weapon.

STATEMENT OF PROBABLE CAUSE

Officer Robert Sadusky, a licensed peace officer in the State of Minnesota currently employed by the Mankato Department of Public Safety, reports that he, along with other officers, were dispatched to a residence located in the City of Mankato in response to a disturbance.

When officers arrived, they met with two individuals identified as Victim 1 and Victim 2. Sadusky reports that prior to speaking with Victim 1 and Victim 2, he noted that the front window of the residence had been broken. Sadusky also learned from Victim 1 and 2 that three males had forced open the back door of the residence. Sadusky reports those males were later identified as Beau Leon Tobin, Darien Ray Flynn, and Isaiah Rashaan Cummings.

Sadusky further reports that when he arrived, he observed Victim 1 sweeping up broken glass from a broken window. Victim 1 then gave Sadusky a small claw hammer that had been thrown through the window by one of the suspects during the incident.

Victim 2 then showed Sadusky damage to the back door of the residence and informed Sadusky that the three individuals had entered the house through that door. Sadusky noted the door frame, interior trim, and deadbolt strike plate on the lock side of the door had been broken off; and the exterior doorknob had several dents on top and was bent downward.

Sadusky also learned from Victim 1 and Victim 2, and another individual identified as Witness 1, that at the time of the incident, Victim 1 had been in the living room on the street side of the house. Victim 2 was in the upstairs bedroom, and Witness 1 was in his main-level bedroom.

Victim 1, Victim 2, and Witness 1 all reported hearing glass breaking followed by a loud pounding. Victim 1 and Victim 2 then started towards the back door, believing that was the source of the noise. Victim 1 reports walking into the kitchen and observing Cummings, Tobin, and Flynn standing just inside the back door of the house.

At that same time, Victim 2 opened the door at the bottom of the steps, striking Cummings with the door as she stepped through the doorway. Cummings appeared to flinch and raised his right hand near his head. Cummings, at that point, was holding an open pocket knife blade down in his right hand with the blade pointed forward towards Victim 2. Additionally, Tobin was observed holding a hammer in his right hand by his side.

Victim 2 then confronted Cummings, loudly saying several times, "What are you going to do, stab me?" As Witness 1 was leaving his bedroom, he reported that her heard Victim 1 shouting.

Cummings, Tobin, and Flynn then reportedly left the residence without saying anything. A short time later, a hammer was thrown through the front window of the residence. Victim 1 further reports that he then saw Cummings, Tobin, and Flynn leave northbound in a red and silver full-size pickup that had been parked in the driveway of the residence.

Victim 1 reported that Cummings owed him money, but he did not know the motive for the incident. Victim 2 also did not know why the incident occurred.

Sadusky notes that Tobin and Flynn are currently listed as being on probation in Blue Earth County, and Sadusky notified their probation agents of the incident via email.

Further, due to the nature of the incident, the threat to public safety and the belief that Cummings, Tobin, and Flynn are currently actively avoiding contact with law enforcement, a warrant is requested.

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	Jeremy Clifton Police Commander 710 S Front St Mankato, MN 56001-3803 Badge: 3149	Electronically Signed: 02/18/2016 01:57 PM Blue Earth County, MN

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

Prosecuting Attorney	Christopher Rovney 401 Carver Road PO Box 3129 Mankato, MN 56002 (507) 304-4600	Electronically Signed: 02/18/2016 01:03 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 **_____ ___, _____ 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: February 18, 2016.

Judicial Officer Richard C. Perkins
Judge of District Court

Electronically Signed: 02/18/2016 03:52 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.

BEAU LEON TOBIN

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE

I hereby Certify and Return that I have served a copy of this Warrant upon the Defendant herein named.

Signature of Authorized Service Agent: