

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0004
07-CR-16-12

State of Minnesota,

Plaintiff,

vs.

JESSE LEE BERGEMANN DOB: 04/03/1984

313 Silver St W #7
Mapleton, MN 56065

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: Drugs - 5th Degree - Possess Schedule 1,2,3,4 - Not Small Amount Marijuana

Minnesota Statute: 152.025.2(a)(1)

Maximum Sentence: 5 years and/or \$10,000

Offense Level: Felony

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

Control #(ICR#): 16000006

Charge Description: Jesse Lee Bergemann

On or about January 1, 2016, in the County of Blue Earth, said Defendant, Jesse Lee Bergemann did unlawfully possess one or more mixtures containing a controlled substance classified in schedule I, II, III, or IV, except a small amount of marijuana.

STATEMENT OF PROBABLE CAUSE

Deputy Kyle Phillips, a licensed peace officer in the State of Minnesota, currently employed by the Blue Earth County Sheriff's Office, reports that on January 1, 2016, at approximately 4:36 a.m., he along with Deputy Steinbach responded to a vehicle that had gone off the roadway on Minnesota State Highway 22 north of Beauford. That area is located in Blue Earth County.

Upon arriving on the scene he observed a vehicle parked on the shoulder of the road with its flashers on. Phillips then observed two males near a white passenger vehicle which appeared to be stuck in the west road ditch. Phillips was then approached by a male who advised he was the one who had called and had stopped to help the driver who went off the road. That male was identified by Minnesota driver's license as Jesse Bergemann. Bergemann was then advised by Deputy Phillips to stick around for a few minutes so deputies could speak to the driver of the vehicle.

Phillips reports the driver of the white Oldsmobile Alero was identified as Raekwon Voges who stated he was attempting to turn around after missing his turn and his vehicle then slid off the roadway becoming stuck. Voges stated the driver of the vehicle had stopped and had helped him attempt to get his vehicle out of the ditch.

Phillips then observed that Voges's eyes were glassy and reddened. Phillips notes based on his training experience that he knows that users of controlled substances such as marijuana often have reddened glossy eyes after using. Phillips then asked Voges if he had any illegal controlled substances or paraphernalia in the vehicle. Voges states he had recently been through treatment; however, he no longer used. Voges later admitted, however, that he had used marijuana approximately 45 minutes ago. Voges stated he had a grinder in his pocket and that he thought there was a pipe in the center console of the vehicle.

Phillips reports he then retrieved a blue-colored marijuana grinder from Voges left front jacket pocket. He then attempted to retrieve the pipe from the Oldsmobile. While searching the driver's compartment, he observed marijuana 'shake' spread throughout the shifter and center console area. Phillips did not locate the pipe Voges had mentioned. He then searched the area of a female passenger was seated in; however, found no other contraband.

Phillips then returned to Voges and asked where the pipe was that he had spoken about. Voges stated that the male driver who had attempted the help him had borrowed his marijuana pipe asking for a lighter after stopping to help. Voges then stated Bergemann had not given the pipe back and believed he still had it and potentially planned to steal it from him. Voges then described the pipe to be red and blue in color.

Phillips then approached Bergemann who was seated in the driver's seat of his vehicle. Phillips advised him to exit the car to speak with him. Phillips then asked Bergemann about the marijuana pipe he had borrowed from Voges. Initially Bergemann denied having the pipe, the stated it was in the center console of the vehicle.

Phillips then retrieved the marijuana pipe which was red and blue in color from the center console of the vehicle. While retrieving the marijuana pipe, Phillips observed a small gem style plastic baggy lying on the driver's side floorboard. Phillips was familiar with this type of baggy through his training and experience as being used to package small amounts of illegal controlled substances for sale to individual users. Phillips report when he picked the baggy up he observed a white residue inside which, based on his training experience, he believed to be methamphetamine.

Phillips then placed Bergmann in the backseat of his patrol vehicle and field tested the suspected methamphetamine. Phillips reports that the test revealed a positive result for the presence of methamphetamine. Additionally, a methamphetamine pipe was later found. Both the pipe and the gem style baggy were collected and placed into evidence.

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:
01/04/2016 11:10 AM
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:
01/04/2016 11:02 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: January 4, 2016.

Judicial Officer

Kurt D Johnson
District Court Judge

Electronically Signed: 01/04/2016 11:44 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.

JESSE LEE BERGEMANN

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: