

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-1253
07-CR-16-3039

State of Minnesota,

Plaintiff,

vs.

LAROY ANTHONY MCGEE DOB: 03/25/1994

2861 N 46th St
Milwaukee, WI 53210

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 - Sale - Marijuana mixture except small amount of marijuana with no remuneration

Minnesota Statute: 152.025.1(1), with reference to: 152.025.4(b)

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

Offense Level: Felony

Offense Date (on or about): 08/02/2016

Control #(ICR#): 16022845

Charge Description: Laroy Anthony Mcgee

On or about August 2, 2016, in the County of Blue Earth, said Defendant, Laroy Anthony Mcgee did unlawfully sell one or more mixtures containing marijuana or Tetrahydrocannabinols, except a small amount of marijuana for no remuneration.

COUNT II

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

Minnesota Statute: 152.025.2(1), with reference to: 152.025.4(b)

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

Offense Level: Felony

Offense Date (on or about): 08/02/2016

Control #(ICR#): 16022845

Charge Description: Laroy Anthony Mcgee

On or about August 2, 2016, in the County of Blue Earth, said Defendant, Laroy Anthony Mcgee 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 after having been previously convicted of a violation of Chapter 152.

COUNT III

Charge: Traffic-Drivers License-Driving After Revocation

Minnesota Statute: 171.24.2

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

Offense Level: Misdemeanor

Offense Date (on or about): 08/02/2016

Control #(ICR#): 16022845

Charge Description: Laroy Anthony Mcgee

On or about August 2, 2016, in the County of Blue Earth, said Defendant, Laroy Anthony Mcgee did after being given notice, or reasonably should have known of the revocation, disobeyed the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while her/his license or privilege was revoked.

STATEMENT OF PROBABLE CAUSE

On August 2, 2016, at approximately 1:53 a.m., dispatch advised Mankato Department of Public Safety Officers of a fight that was occurring in the area of Cherry Street and Front Street in the downtown entertainment district. Information provided by the complainant suggested that a male had been kicked in the head. Further information advised that either a Black or Hispanic male was the suspect and that the suspect entered a vehicle in the Cherry Street ramp. The vehicle was described as a white Mercury Mariner SUV bearing a Wisconsin license plate.

Around this time, Officer Vitale was arriving in the area of Fourth Street and Cherry Street. Officer Vitale observed a vehicle fitting the description driving eastbound on Cherry Street. Officer Vitale noted that the vehicle was a white Mercury Mariner bearing a Wisconsin license plate similar to the information that dispatch had provided. Officer Vitale conducted a stop of the vehicle near Cherry Street and Fifth Street.

Officer Vitale made contact with the occupants of the vehicle. Officer Vitale noted there to be three occupants. Officer Vitale could immediately smell a strong odor of marijuana coming from within the vehicle. The driver was identified via Wisconsin driver's license as Laroy Anthony McGee, date of birth March 25, 1994. Officer Vitale noted that McGee's driving status in Minnesota is revoked. Due to the strong odor of marijuana coming from within the vehicle, Officer Vitale asked the occupants if there was any marijuana in the vehicle. The occupants stated there was not. Officer Vitale ordered the occupants out of the vehicle and had them sit on a curb prior to Officer Vitale searching the vehicle. Officer Vitale again inquired about the odor of marijuana. McGee then told Officer Vitale that McGee had smoke marijuana earlier and that may be the reason for the smell of marijuana in the car.

Officers searched the vehicle. Officer located the following items. One glass mason jar containing approximately six grams of suspected marijuana in the center armrest. One multi-colored glass smoking pipe that smelled of burnt marijuana in the center armrest. One metal grinder containing a residual amount of marijuana located in the center armrest. One digital scale with marijuana residue located in the center armrest. Multiple clear sandwich baggies located in the glovebox. While searching the rear left seat area of the car, Officer Vitale located a zippered red backpack containing the following items of contraband. One large glass mason jar containing approximately 172 grams (approximately six ounces) of marijuana. This substance later field-tested positive for the presence of marijuana. The jar was in a brown paper bag contained within two smaller sized black plastic bags. Multiple documents to McGee in the same compartment of the backpack as the marijuana, a digital scale with marijuana residue located in a different compartment of the backpack, and school work to McGee in an outer compartment of the backpack.

All occupants were detained until they could be transported back to the scene of the assault. The two passengers were released, and McGee remained in custody for the marijuana-related items.

Officer Vitale had the suspect vehicle towed as it is subject to forfeiture. Officer Vitale noted that based on Officer Vitale's training and experience, Officer Vitale is aware that six ounces of marijuana has a street value of well over \$100. Officer Vitale estimated the street value of the marijuana to be between \$1,000 and \$1,500. Officer Vitale noted that based upon the larger quantity of marijuana, the two digital scales, and the multiple clean clear plastic sandwich baggies, Officer Vitale believed the marijuana was possessed with the intent to sell. McGee was transported to the Blue Earth County Jail.

A review of McGee's criminal history reveals an April 2, 2015 conviction for Possession of a Small Amount of marijuana as set forth in Court File No.: 07-CR-15-1094, and December 3, 2014 convictions for Possessing Over 1.4 Grams of Marijuana in a Motor Vehicle and Possessing Drug Paraphernalia as set forth in Court File No.: 55-VB-14-6620.

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

Daniel Schisel
Police Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3135

Electronically Signed:
08/02/2016 04:01 PM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Ryan S. Hansch
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
08/02/2016 03:14 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: August 2, 2016.

Judicial Officer

Kurt D Johnson
District Court Judge

Electronically Signed: 08/02/2016 04:15 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.

LAROY ANTHONY MCGEE

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: