

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0656
07-CR-16-1760

State of Minnesota,
Plaintiff,

COMPLAINT
Summons

vs.

MATTHEW JAMES HOLBROOK DOB: 11/08/1990

313 Louva Drive
Mankato, MN 56001

Defendant.

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: Traffic-DL-Driving after cancellation-inimical to public safety

Minnesota Statute: 171.24.5

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 04/09/2016

Control #(ICR#): 16010199

Charge Description: Matthew James Holbrook Also Known As Mathew Holbrook And Mathew James Holbrook

On or about April 9, 2016, in the County of Blue Earth, said Defendant, Matthew James Holbrook did after being given notice, or reasonably should have known of the cancellation, 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 cancelled; and the Commissioner of the Department of Public Safety has determined that the operation of a motor vehicle on the highways by the person would be inimical to the public safety or welfare.

STATEMENT OF PROBABLE CAUSE

On April 9, 2016, at approximately 8:00 p.m., Witness 1, an employee at Happy Dan's, called dispatch to report that an individual had passed out in a vehicle at Happy Dan's, in the City of Mankato, County of Blue Earth, State of Minnesota. Witness 1 advised dispatch that the male, later identified as Matthew James Holbrook, the Defendant herein, had been in his vehicle for approximately 30 minutes and appeared to be unconscious.

Upon arrival by Officer Arkell, Witness 1 pointed out the vehicle to the officer. Officer Arkell approached the vehicle and verified that the Defendant behind the wheel was breathing. After Officer Arkell determined that the Defendant was breathing, the officer proceeded to check the vehicle for evidence of intoxicants or medical issues. Officer Arkell observed drool on the Defendant's sweatshirt. Officer Arkell then asked dispatch to alert Gold Cross to arrive on scene and evaluate the Defendant. Upon arrival by Gold Cross, paramedics spoke with the Defendant.

Officer Arkell was advised that the Defendant's driver's license was Canceled-IPS. Gold Cross paramedics believed the Defendant was not impaired, but suffered a medical emergency and should be taken to MCHS, as the Defendant was showing signs of a seizure. Officer Gagnon arrived on scene, obtained the license plates from the Defendant's vehicle, and placed them into evidence. The Defendant was subsequently cited for gross misdemeanor Driving after Cancellation IPS and released to the care of Gold Cross paramedics.

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

Deborah McDermott
Patrol Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3143

Electronically Signed:
04/28/2016 01:25 PM
Blue Earth County, mn

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

Prosecuting Attorney

Nicholas Boulieris
Assistant County Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
04/27/2016 08:36 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 **May 26, 2016 at 2:30 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: April 28, 2016.

Judicial Officer Greg Anderson
District Court Judge

Electronically Signed: 04/28/2016 03:53 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.

MATTHEW JAMES HOLBROOK

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: