

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

MAN-16-0392  
07-CR-16-2094

---

**State of Minnesota,**

Plaintiff,

vs.

**DEVON WESLEY MARTIN DOB: 04/28/1991**

136 Kingsway Drive  
North Mankato, MN 56003

Defendant.

---

**COMPLAINT**

Summons

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: Check Forgery-Make or Alter a Check**

Minnesota Statute: 609.631.2(1), with reference to: 609.631.4(4)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 02/25/2016

Control #(ICR#): 16012798

Charge Description: Said Defendant, Devon Wesley Martin Also Known As Devon Westley Martin, did falsely make or alter a check so that it purports to have been made by another or by the maker under an assumed name, or at another time, or with different provisions, or by the authority of one who did not give authority.

**COUNT II**

**Charge: Check Forgery-Offer/Possess W/Intent to Defraud**

Minnesota Statute: 609.631.3, with reference to: 609.631.4(4)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 02/25/2016

Control #(ICR#): 16012798

Charge Description: Said Defendant, Devon Wesley Martin, Also Known As Devon Westley Martin, did with intent to defraud, offered or possessed with intent to offer forged checks on the account whether or not it is accepted.

**COUNT III**

**Charge: Possession or Sale of Stolen or Counterfeit Check; Crimes**

Minnesota Statute: 609.528.2, with reference to: 609.528.3(1)

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

Offense Level: Misdemeanor

Offense Date (on or about): 02/25/2016

Control #(ICR#): 16012798

Charge Description: Said Defendant, Devon Wesley Martin, Also Known As Devon Westley Martin, did sell, possess, receive, or transfer a check that is stolen or counterfeit, knowing or having reason to know the check is stolen or counterfeit; and the loss is \$250 or less.

## STATEMENT OF PROBABLE CAUSE

Complainant is an officer with the Mankato Police Department who believes the information set out below is true and accurate based on reports and information submitted to the officer by Law Enforcement Technical Support Staff Sue Heitter and others identified herein.

On May 2, 2016, Officer Heitter of Mankato Police was contacted by Deputy Weiborg of the Watonwan County Sheriff's Office regarding a recent burglary that occurred in Watonwan County, Minnesota. Deputy Weiborg advised Officer Heitter that a check from Victim 1's US Bank account was stolen during a burglary of Victim 1's residence in Watonwan County between February 23, 2016, and February 24, 2016. Victim 1 later reported that a forged check was issued at a Casey's in the City of Mankato, County of Blue Earth, State of Minnesota without Victim 1's authorization or knowledge. Deputy Weiborg and Watonwan County Sheriff's personnel conducted a follow up and identified Devon Wesley Martin, the Defendant herein, as a suspect who issued the above check. Based on surveillance footage obtained and surveillance video forwarded to Officer Heitter by Deputy Weiborg, the suspects in various check forgery investigations were identified as the same person, Devon Wesley Martin, the Defendant.

On February 25, 2016, the Defendant presented Casey's with a forged check in the amount of \$79.59, which was accepted by Casey's. On February 25, 2016, Deputy Weiborg received a phone call from Victim 2. Victim 2 stated she was contacted by Casey's in the City of Mankato regarding a suspicious use of one of her checks. Casey's Store manager, Witness 1, stated a male came into Casey's and used a check belonging to Victim 1 and Victim 2 for approximately \$79.00, to which the Casey's employee accepted. Victim 2 identified the Defendant by looking at a screen shot from video footage of the Defendant while the Defendant was inside Casey's. Victim 2 was able to positively identify the male as the Defendant because the Defendant is a mutual friend of four individuals Victim 1 and Victim 2 had at their residence the night of the burglary. The check provided to Casey's, #2030, was signed with a name not belonging to either Victim 1 or Victim 2.

Upon comparing photos and video of the Defendant using stolen checks at Casey's in Mankato, Minnesota, to mug shot photographs of the Defendant, Deputy Weiborg confirmed that the Defendant is, indeed, the male who used Victim 2's check at the Mankato Casey's.

The Defendant has two pending Receiving Stolen Property cases in Dakota County and Scott County (19-WS-CR-16-4437 and 70-CR-16-8346). Defendant has two other check forgery cases in Blue Earth County that are pending (07-CR-16-1734 and 07-CR-16-1428) to which a warrant has been issued.

## 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:  
05/19/2016 12:09 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 56002-3129  
(507) 304-4600

Electronically Signed:  
05/17/2016 10:02 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 **June 30, 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: May 19, 2016.

**Judicial Officer** Richard C. Perkins  
Judge of District Court

Electronically Signed: 05/19/2016 04:34 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.

**DEVON WESLEY MARTIN**

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: