

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0473-02
07-CR-16-1106

State of Minnesota,

Plaintiff,

vs.

ASHLEY MARIE YBARRA DOB: 10/21/1992

409 Baroney Road
Le Sueur, MN 56058

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): 03/22/2016

Control #(ICR#): 16008229

Charge Description: Ashley Marie Ybarra

On or about March 22, 2016, in the County of Blue Earth, said Defendant, Ashley Marie Ybarra 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

On March 22, 2016, Agent Sam McGinnis, of the Minnesota River Valley Drug Task Force, had a confidential reliable informant (CRI) contact John Dillon Wood Neitge, date of birth November 10, 1993, to setup a controlled purchase for two ounces of marijuana and two hits of acid for \$505.00. The CRI set the purchase up for approximately 2:00 p.m., and it was to take place in the parking lot of the Super America, in Mankato, Blue Earth County.

Agent McGinnis accompanied the CRI in an undercover capacity. Agent McGinnis was fitted with an electronic monitoring device and possessed \$505.00 in prerecorded buy fund money. At approximately 1:54 p.m., Agent McGinnis observed Neitge pull into the Super America parking lot in a red Toyota Corolla. The Drug Task Force had contacted surveillance on Neitge on the previous day and knew he usually drove this vehicle. Agent McGinnis also saw Neitge in the driver's seat and knew what he looked like from his Minnesota driver's license photo.

Neitge went around to the passenger side of his vehicle and retrieved a blue backpack and entered Agent McGinnis's vehicle through the back driver's side door. Neitge reached into his backpack and pulled out two Ziploc baggies containing a green leafy substance. Neitge handed Agent McGinnis a small gem-style baggie with the numbers 420 in red lettering stamped on the side. The gem-styled baggies contained two hits/tabs of purported acid wrapped in tinfoil. Neitge stated the acid was good. Neitge also stated the marijuana is really good and he always has some on hand if needed. Agent McGinnis asked Neitge the price for both. Neitge stated it would be \$505.00. Agent McGinnis handed Neitge \$505.00 in prerecorded buy fund money. Neitge asked Agent McGinnis when Agent McGinnis thought he would need more, and Agent McGinnis responded probably next week. Neitge then exited Agent McGinnis's care and drove away.

The green leafy substance later field-tested positive for marijuana and weighed approximately 59.5 grams. The blotches of acid had serrated edges which are consistent with how acid is usually packaged.

Agent Ruch was conducting surveillance during the operation. After the controlled purchase was complete, Agent Ruch was able to follow Neitge to Neitge's residence. Agent Ruch verified that Neitge drove directly to Neitge's residence without stopping or meeting with any other people. Neitge then pulled into his residence in Mankato, Blue Earth County, and went inside.

Later that same day, Agents of the Minnesota River Valley Drug Task Force received a search warrant signed by the Honorable Judge Bradley Walker allowing a search of Neitge's residence, at 424 E Main St in Mankato, Blue Earth County, which is located within a school zone. Upon arriving at the residence, officers attempted to make contact; however, there was no answer. Officers then forced entry into the apartment and found three individuals inside that included Neitge; Adult1; and Ashley Marie Ybarra, date of birth October 21, 1992.

Agents searched Neitge's room and found five silicone containers containing purported marijuana wax that later field-tested positive for marijuana, a black Motorola Nexis cellphone, residency documents showing Neitge's name and address, a digital scale, and gem-style baggies with the numbers 420 stamped in red on the side.

Officers located a safe in an adjacent spare bedroom. Neitge informed the officers that it was his safe and willingly gave the officers the combination. Inside the safe officers found a digital scale; \$3766.00 in U.S. currency; a white powdery substance in a plastic container that later field-tested positive for methamphetamine, weighing approximately 2.3 grams; a large amount of a green leafy substance that

field-tested positive for marijuana and weighed approximately 242.3 grams.

In another bedroom officers found another backpack on the bed that contained three tablets that initially could not be identified. Ybarra's Minnesota identification card was also in the bag. Ybarra was asked about the tablets, and she stated they were ecstasy tablets and that they belonged to her.

In the downstairs living room, officers found two glass jars containing a green leafy substance that field-tested positive for marijuana and weighed approximately 152.2 grams. Officers were also able to locate \$500.00 of the prerecorded buy fund money.

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

Craig Frericks
Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3102

Electronically Signed:
03/24/2016 09:07 AM
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:
03/24/2016 08:34 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: March 24, 2016.

Judicial Officer

Greg Anderson
District Court Judge

Electronically Signed: 03/24/2016 09:58 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.

ASHLEY MARIE YBARRA

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: