

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0961
07-CR-16-2376

State of Minnesota,

Plaintiff,

vs.

JACK ALAN ROBB DOB: 08/15/1994

58302 Birch Bluff Ln
North Mankato, MN 56003

Defendant.

COMPLAINT

Warrant

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 - 1st Degree - Sale - 10 Grams or More-Cocaine/Heroin/Meth w/in 90-Day Period

Minnesota Statute: 152.021.1(1), with reference to: 152.021.3(a)

Maximum Sentence: 30 years and/or \$1,000,000

Offense Level: Felony

Offense Date (on or about): 06/08/2016

Control #(ICR#): 16016921

Charge Description: Jack Alan Robb

On or about June 8, 2016, in the County of Blue Earth, said Defendant, Jack Alan Robb did, within a 90-day period, unlawfully sell one or more mixtures of a total weight of ten grams or more containing cocaine, heroin, or methamphetamine.

COUNT II

Charge: Drugs - 1st Degree- Possess 25 Grams or More - Cocaine/Heroin/Meth

Minnesota Statute: 152.021.2(a)(1), with reference to: 152.021.3(a)

Maximum Sentence: 30 years and/or \$1,000,000

Offense Level: Felony

Offense Date (on or about): 06/08/2016

Control #(ICR#): 16016921

Charge Description: Jack Alan Robb

On or about June 8, 2016, in the County of Blue Earth, said Defendant, Jack Alan Robb, did possess one or more mixtures of a total weight of 25 grams or more containing cocaine, heroin, or methamphetamine.

COUNT III

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): 06/08/2016

Control #(ICR#): 16016921

Charge Description: Jack Alan Robb

On or about June 8, 2016, in the County of Blue Earth, said Defendant, Jack Alan Robb 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.

COUNT IV

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): 06/08/2016

Control #(ICR#): 16016921

Charge Description: Jack Alan Robb

On or about June 8, 2016, in the County of Blue Earth, said Defendant, Jack Alan Robb 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.

COUNT V

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): 06/08/2016

Control #(ICR#): 16016921

Charge Description: Jack Alan Robb

On or about June 8, 2016, in the County of Blue Earth, said Defendant, Jack Alan Robb 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.

COUNT VI

Charge: Dangerous Weapons-Metal Knuckles/Switch Blade

Minnesota Statute: 609.66.1(a)(4)

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

Offense Level: Misdemeanor

Offense Date (on or about): 06/08/2016

Control #(ICR#): 16016921

Charge Description: Jack Alan Robb

On or about June 8, 2016, in the County of Blue Earth, said Defendant, Jack Alan Robb did manufacture, transfer, or possess metal knuckles or a switch blade knife opening automatically.

STATEMENT OF PROBABLE CAUSE

On June 8, 2016, at approximately 4:18 p.m., Officer Matt Vitale of the Mankato Department of Public Safety was dispatched to a disturbance at Smoker's Choice in Mankato, Blue Earth County. Information was provided that Adult 1 suggested that she needed assistance with her son, Jack Alan Robb, DOB 8-15-1994, as he would not get out of her car. As Officer Vitale was preparing to leave for the scene, he was informed by Officer Waterstreet that Robb is involved in narcotics. A few minutes later, prior to Officer Vitale's arrival, Adult 1 canceled the police response and stated that Robb had left the area.

At approximately 5:21 p.m. that same day, Officer Vitale was dispatched to a suspicious person complaint at Cottagewood in Mankato, Blue Earth County. Adult 2 told Dispatch that she saw a man walking through the property who was carrying a suitcase and a backpack. She described him as a white male wearing a cap and a light colored jacket. She stated she lost sight of him but he was last seen going to the right of the garage and according to her, it 'looked like he was going to bed down for the night.'

Officer Vitale arrived on the scene and began to search the area. He came upon a detached garage to the northwest of the building and observed there was a fence-enclosed garbage area to the right of the garage. Officer Vitale could see that there was a person inside the area with items spread about. This seemed consistent with Adult 2's description of the male.

The male inside the gate, who was later identified as Robb, saw Officer Vitale approaching and raised his hands in the air and made comments to the effect that he was complying and was not being a threat to Officer Vitale. Robb fit the description provided by Adult 2, as he was skinny, wearing a baseball cap, and had on a tan jacket with a backpack and suitcase. Robb also had a pillow laying on the ground in the trash area. Officer Vitale observed the suitcase was open and many of the items were strewn about the area. Robb stated that he was seeking shelter from the incoming rain.

While Officer Vitale was speaking to Robb, he observed that Robb was slurring his words, swayed in place, and had an overall dazed appearance to him. Based on his training and experience, Officer Vitale believed that Robb may be under the influence of a narcotic. Robb was also fidgeting with his pants pockets, which led Officer Vitale to believe that he may be in possession of a weapon or contraband. Officer Vitale asked Robb for consent to search his person. Robb nodded his head up and down in a yes motion and raised his arms out to the side to allow Officer Vitale to search him.

While searching Robb, Officer Vitale found one generic Adderall tablet, a Schedule II controlled substance, in Robb's front pocket. He found \$11.00 of currency in Robb's front pocket. In Robb's left front pocket, he found a clear plastic zip bag containing a measurable amount of white powdery substance labeled as 'Etizolam.' Officer Vitale also found a clear glass tube containing an unknown white powdery substance in that same pocket. While Officer Vitale continued to search Robb, he found \$276.00 in US currency in his left pocket and \$514.00 of US currency in his back right pocket. Officer Vitale also found one black TracFone on Robb. Officer Vitale then found a clear plastic zip bag containing a measurable amount of a white powdery substance labeled as '3-MeO-PCP.' The substance tested positive for the presence of Phencyclidine, a Schedule II controlled substance, that weighed approximately 2.4 grams. He also found a clear plastic bag containing approximately 0.25 grams to 0.5 grams of an unknown white powdery substance and a small blue plastic zip bag containing a residual amount of a crystalline substance. Robb stated that the white powdery substances found in his pockets were not illegal drugs and stated they were 'college stuff.'

Officer Vitale placed Robb under arrest and escorted him to the squad car. Officer Vitale then pulled the squad car up to the garbage area to continue searching the remainder of the property that Robb had with

him.

Officer Vitale searched the black suitcase that Robb had in his possession and observed two unopened and one opened packages of Suboxone, a Schedule III controlled substance, a small brown glass liquid jar containing five generic Adderall tablets, a Schedule II controlled substance, metal knuckles, a black iPhone, documents belonging to Jack Robb, a digital scale, four clear glass smoking pipes with burnt residue that was suspected to be methamphetamine, a small clear glass tube containing an amount of white and burnt residue, a white marbled pipe, a glass vial of metal pellets, two clean small blue plastic zip bags, one small clear plastic zip bag, a bag of approximately 50 clean small clear plastic zip bags with an '8-ball' logo on them, a bag of approximately eight clean medium size clear plastic zip bags, a bag of two clean larger size clear plastic zip bags, and a clear plastic zip bag containing approximately 92 grams of crystalline substance that field tested positive for the presence of methamphetamine, this bag was packaged inside of a Hefty brand clear plastic zip bag. The bags containing the suspected methamphetamine were concealed in a rolled up white sock in the suitcase.

Officer Vitale then searched the backpack that Robb had in his possession that was laying on the ground in the fenced in garbage area. Inside the bag Officer Vitale found one glass smoking pipe containing burnt residue that was suspected methamphetamine, a Coleman brand propane canister/torch, two clean small clear plastic zip bags with a '8-ball' logo on them, and one clean small clear plastic zip bag.

Through his training and experience, Officer Vitale believed Robb was selling methamphetamine and possibly the other narcotics as well. He is aware that 92 grams of methamphetamine is not a user amount of methamphetamine. He knows that a typical methamphetamine user will consume between 0.25 grams and 3 grams of methamphetamine per day. Due to the large amount of methamphetamine, a digital scale, over \$800.00 in US currency, and the large amounts of clean plastic bags with an '8-ball' on them, Officer Vitale believed that Robb was distributing methamphetamine.

Officer Vitale asked Robb if he had consumed any drugs recently. He stated no and that he was on Color Code; however, it was obvious to Officer Vitale that Robb was impaired. As they arrived at the jail, Robb started crying and said he did not want to go through withdrawal again. Because of the potential for Robb going through withdrawal, it was decided that he would be transported to Detox instead of jail, thus a warrant is requested for Robb's appearance.

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:
06/09/2016 03:07 PM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Steven Kelm
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
06/09/2016 01:10 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: \$200,000.00

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: June 10, 2016.

Judicial Officer

Bradley C Walker
District Court Judge

Electronically Signed: 06/10/2016 08:12 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.

JACK ALAN ROBB

Defendant

*LAW ENFORCEMENT OFFICER RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this Warrant
upon the Defendant herein named.*

Signature of Authorized Service Agent: