

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

MAN-16-0367
07-CR-16-1969

State of Minnesota,

Plaintiff,

vs.

ANDREW DANIEL COLUM DOB: 10/05/1995

1502 Woodland Ave
Mankato, MN 56001

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: Theft-Take/Use/Transfer Movable Prop-No Consent

Minnesota Statute: 609.52.2(a)(1)

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

Offense Level: Misdemeanor

Offense Date (on or about): 04/17/2016

Control #(ICR#): 16011319

Charge Description: Said Defendant, Andrew Daniel Colum, did intentionally and without claim of right, take, use, transfer, conceal or retain possession of the movable property of another without the other's consent and with intent to deprive the owner permanently of possession of the property.

COUNT II

Charge: Tamper With Motor Vehicle/Enter w/o Owner Permission

Minnesota Statute: 609.546(2)

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

Offense Level: Misdemeanor

Offense Date (on or about): 04/17/2016

Control #(ICR#): 16011319

Charge Description: Said Defendant, Andrew Daniel Colum, did intentionally tamper with or enter into or on a motor vehicle without the owner's permission.

COUNT III

Charge: Fleeing a Peace Officer By a Means Other Than a Motor Vehicle

Minnesota Statute: 609.487.6

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

Offense Level: Misdemeanor

Offense Date (on or about): 04/17/2016

Control #(ICR#): 16011319

Charge Description: Said Defendant, Andrew Daniel Colum, for the purpose of avoiding arrest, detention, or investigation, attempted to evade or elude a peace officer, who is acting in the lawful discharge of an official duty, by means of running, hiding, or by any other means except fleeing in a motor vehicle.

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 Officer Rick Wanderscheid and others identified herein.

On April 17, 2016, at approximately 11:55 p.m., Officer Wanderscheid responded to a report of two male individuals tampering with motor vehicles in the 600 block of Warren Street, in the City of Mankato, Blue Earth County, Minnesota. Officer Wanderscheid reported to that location and observed two male individuals in the front seat of a motor vehicle. The two male individuals fled when they observed Officer Wanderscheid's squad car. The two individuals were later identified as Joshua Aaron Colum and Andrew Daniel Colum, the Defendant herein. Officer Wanderscheid identified a witness as Witness 1. Witness 1 provided physical descriptions of both individuals. Law Enforcement established a perimeter in an attempt to locate the two individuals.

Officer Will Hulloper assisted in the investigation of the tampering and thefts from multiple motor vehicles. Officer Hulloper located a vehicle parked on the north end of Coy Street. A computer check of the vehicle's license plates registered to the Defendant. Officer Steve Hoppe assisted in the investigation of the tampering and thefts from motor vehicles. Officer Hoppe observed the two males run northbound near Perry Street. A booking photo of the Defendant was sent to the squad cars of the police officers involved. Officer Hoppe indicated that the male that had fled from him looked like the Defendant. Law Enforcement was unable to locate either the Defendant or his brother.

Later, a vehicle pulled into a driveway where the Defendant's vehicle was parked. However, no one exited the vehicle. Officers made contact with the three occupants who were later identified as Joshua Colum, the Defendant, and a third individual later identified as Witness 2. The original caller regarding the tampering complaint, Witness 1, was transported to the scene where the Defendant and his brother were detained. Witness 1 positively identified both the Defendant and his brother as being the individuals that were going through vehicles.

Officer Wanderscheid spoke with Witness 2 regarding the theft from the motor vehicles. Witness 2 stated that he knows Joshua Colum. Witness 2 stated that he was at his residence in rural Mankato when he received a telephone call from Joshua Colum. Joshua Colum told Witness 2 that both he and the Defendant needed a ride to the Defendant's vehicle. Joshua Colum told Witness 2 that they needed a ride because the keys were locked inside of the vehicle. Witness 2 said that he picked up Joshua Colum and the Defendant and drove to the Defendant's vehicle. Witness 2 said he observed police cars in the area with overhead lights activated. Witness 2 said that when they saw the squad cars, the Defendant told him to pull into a driveway. It was at this point in time that law enforcement detained Witness 2, the Defendant, and the Defendant's brother. Witness 2 being denied involved in the theft from the motor vehicles.

Officer Wanderscheid interviewed the Defendant pursuant to Miranda. The Defendant indicated that he lives with his girlfriend, who was later identified as Witness 3. The Defendant said that he and his brother were at their parents' residence at Rita Road earlier in the evening for dinner. After dinner, the Defendant and his brother agreed to meet up later at Cub Foods West. According to the Defendant, Joshua Colum suggested that they go 'car shopping.' The Defendant said that he went along to help out. The Defendant admitted that he parked his vehicle where the police later located it. The Defendant claimed that he just checked door handles and did not enter any vehicle or steal any items. The Defendant said that his brother probably went into 10 different vehicles and got change from approximately three or four of the vehicles. The Defendant said that they saw lights and that they ran from the scene. The Defendant said that he lost track of his brother, but they both ended up at the Defendant's residence. Officer Wanderscheid confronted

the Defendant with the fact that Officer Wanderscheid had observed two male individuals inside of a van near Perry Street. It was then that the Defendant admitted that he was inside two vehicles, but claimed that he didn't take anything. The Defendant admitted that when he saw the police, that he and his brother ran from the scene. The Defendant acknowledged that they saw a second police vehicle and ran from that police officer also. The Defendant claimed that his brother was the only person taking items from cars. The Defendant claimed that his brother walked back to his vehicle three or four times emptying coins onto a hoodie in the back seat. The Defendant also claimed that his brother took some beer. The Defendant thought the beer had been taken from a vehicle. The Defendant said that his brother placed the beer underneath a tree in the area. (The beer was later located under a tree by the intersection of Warren and Coy Streets.) The Defendant said that he didn't enter any building or garage and didn't think that his brother did either. Officer Wanderscheid indicated that he would be asking for consent to search the Defendant's vehicle or in the alternative apply for a search warrant. The Defendant signed a 'consent to search' form for his vehicle. The Defendant informed Officer Wanderscheid that there were two one-hitter marijuana pipes in his vehicle. The Defendant claimed that the pipes were his friends and that he doesn't smoke anymore. Officer Wanderscheid located two PS4 games inside of the vehicle. The Defendant claimed that his brother had taken them from a vehicle. In addition, paper and coin currency totaling \$63.94 was seized. The Defendant confirmed that the items had been stolen from vehicles that night.

A victim was identified as Victim 1. Victim 1 was unaware that there was tampering with his vehicle. Victim 1 said that he would contact Officer Wanderscheid if he should discover anything of value had been taken.

A computer check of the Defendant's prior criminal history indicates that the Defendant has a conviction for a theft from an incident in Blue Earth County in February 2015. In that incident, the Defendant and his brother were charged with the theft of video games valued in excess of \$500.00. Witness 3 was the driver of the vehicle that fled the scene in the 2015 theft.

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:
05/12/2016 11:57 AM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Christopher Cain
Assistant Blue Earth County
Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002-3129
(507) 304-4600

Electronically Signed:
05/11/2016 12:21 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: May 12, 2016.

Judicial Officer Greg Anderson
District Court Judge

Electronically Signed: 05/12/2016 01:05 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.

ANDREW DANIEL COLUM

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: