

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-1370
07-CR-16-3371

State of Minnesota,

Plaintiff,

vs.

ALYSSE MIRANDA FITZPATRICK DOB: 12/06/1990

321 S Crystal St
Lake Crystal, MN 56055

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: Domestic Assault-Commits Act to Cause Fear of Immediate Bodily Harm or Death

Minnesota Statute: 609.2242.1(1)

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

Offense Level: Misdemeanor

Offense Date (on or about): 08/24/2016

Control #(ICR#): 16001925

Charge Description: Alysse Miranda Fitzpatrick Also Known As Alysse Sterling Miranda-Ackley, Alysse Sterling And Alysse Sterling Fitzpatrick

On or about August 24, 2016, in the County of Blue Earth, said Defendant, Alysse Miranda Fitzpatrick did, against a family or household member, as defined in M.S.A. 518B.01 Subd. 2, commit an act with intent to cause fear in another of immediate bodily harm or death.

COUNT II

Charge: Domestic Assault-Misdemeanor-Intentionally Inflicts/Attempts to Inflict Bodily Harm on Another

Minnesota Statute: 609.2242.1(2)

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

Offense Level: Misdemeanor

Offense Date (on or about): 08/24/2016

Control #(ICR#): 16001925

Charge Description: Alysse Miranda Fitzpatrick Also Known As Alysse Sterling Miranda-Ackley, Alysse Sterling And Alysse Sterling Fitzpatrick

On or about August 24, 2016, in the County of Blue Earth, said Defendant, Alysse Miranda Fitzpatrick did, against a family or household member, as defined in M.S.A. 518B.01 Subd. 2, intentionally inflicted or attempt to inflict bodily harm upon another.

COUNT III

Charge: Disorderly Conduct-Brawling or Fighting

Minnesota Statute: 609.72.1(1)

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

Offense Level: Misdemeanor

Offense Date (on or about): 08/24/2016

Control #(ICR#): 16001925

Charge Description: Alysse Miranda Fitzpatrick Also Known As Alysse Sterling Miranda-Ackley, Alysse Sterling And Alysse Sterling Fitzpatrick

On or about August 24, 2016, in the County of Blue Earth, said Defendant, Alysse Miranda Fitzpatrick did, in a public or private place, knowingly, or having reasonable grounds to know it will, or will tend to, alarm, anger or disturb others or provoke an assault or breach of the peace, engaged in brawling or fighting.

STATEMENT OF PROBABLE CAUSE

On August 24, 2016, at approximately 8:30 p.m., Officer Gangelhoff responded to a report of a domestic assault at a residence in the City of Lake Crystal, Blue Earth County, Minnesota. Officer Gangelhoff reported to that location and identified the victim as Victim 1. Victim 1 indicated he had been assaulted by his wife, who was later identified as Alysse Miranda Fitzpatrick, the Defendant herein. Victim 1 indicated that the Defendant was apparently 'coming down or off' from having used meth. Victim 1 and the Defendant are the parents of a child that was present in the home at the time of the incident. Victim 1 became upset with the Defendant because she was not contributing to taking care of the child. A verbal altercation occurred which turned physical. During the altercation the Defendant ripped Victim 1's shirt from his body. Victim 1 said the Defendant began scratching, pushing and hitting him. Victim 1 denied being physical with the Defendant. Officer Gangelhoff observed scratch marks in the middle of Victim 1's back. The Defendant fled the residence after the assault. While Officer Gangelhoff was present at the residence, the Defendant continually called Victim 1's cellphone. Officer Gangelhoff instructed Victim 1 to contact law enforcement if the Defendant returned to the residence.

The Defendant returned to the residence approximately 45 minutes later. Blue Earth County Sheriff Deputies Bill Davis, Joshua Holtz, Joe Flavin, and Jase Guetter responded to the scene. The Defendant returned to the scene in a vehicle that registers to her. Seated in the Defendant's vehicle was another individual identified as Witness 1. Officer Gangelhoff approached the residence and could hear a female yelling and screaming coming from inside the residence. The Defendant was placed under arrest.

Officer Gangelhoff interviewed the Defendant pursuant to Miranda. The Defendant confirmed portions of Victim 1's version of the incident. The Defendant claimed that she merely wanted to hug Victim 1. The Defendant said she may have scratched Victim 1, but it wasn't intentional. The Defendant told Officer Gangelhoff that after the situation turned physical, that she was told to leave by Victim 1.

A computer check of the Defendant's prior criminal history indicates that the Defendant has a conviction for Disorderly Conduct found in Blue Earth County District Court File 07-CR-12-126. The Defendant was charged with Fifth Degree Possession, found in Blue Earth Court File 07-CR-13-1313. The Defendant was given a Stay of Adjudication in that case. The Defendant also has a felony level conviction for Possession of Drugs in the Third Degree, in Blue Earth County District Court File 07-CR-13-2562. A previous Disorderly Conduct charge was dismissed in 52-CR-14-287.

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

Chris Burban
Officer
100 East Robinson Street
Lake Crystal, MN 56055
Badge: 4679

Electronically Signed:
08/25/2016 02:08 PM
Blue Earth County, MN

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

Prosecuting Attorney

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

Electronically Signed:
08/25/2016 02:02 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: August 25, 2016.

Judicial Officer Robert Birbaum
District Court Judge

Electronically Signed: 08/25/2016 03:41 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.

ALYSSE MIRANDA FITZPATRICK

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: