

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

MAN-16-0224
07-CR-16-1177

State of Minnesota,
Plaintiff,

COMPLAINT
Warrant

vs.

ERIC CRAIG COUSENS DOB: 08/31/1982

no permanent address

Defendant.

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: Trespass-Return to Property Within One Year

Minnesota Statute: 609.605.1(b)(8)

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

Offense Level: Misdemeanor

Offense Date (on or about): 03/17/2016

Control #(ICR#): 16007562

Charge Description: Said Defendant, Eric Craig Cousens, did return to the property of another within one year after being told to leave the property and not to return, and the actor is without claim of right to the property or consent of one with authority to consent.

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 William Hullopeter and others identified herein.

On March 17, 2016 at approximately 3:20 a.m., Officer Hullopeter observed an individual walking in the middle of the street at the intersection of Cherry and Front streets in the city of Mankato, Blue Earth County, Minnesota. Officer Hullopeter noted that the individual appeared oblivious to traffic as Officer Hullopeter drove his squad car. Officer Hullopeter recognized the individual as Eric Craig Cousens, the defendant herein. Officer Hullopeter had trespassed the defendant from the downtown entertainment district on January 14, 2016. The Cherry and Front Street area is in the heart of the downtown entertainment district. Officer Hullopeter had to apply his brakes in order to avoid striking the defendant. The defendant did not even seem to notice that he was nearly hit by the squad car. Officer Hullopeter approached the defendant and spoke with him. He noted that the defendant was obviously intoxicated and was slurring his speech. It is noted in Officer Hullopeter's report that the defendant had been in the downtown area hours earlier and had provided a PBT test result of .207 in that prior contact with law enforcement. Officer Hullopeter asked the defendant to submit to a portable breath test but the defendant refused.

A computer check of Odyssey computer records indicates that the defendant is prohibited from consuming alcohol based on conditions of release out of Steele County. A review of the defendant's prior history indicates that he has been trespassed and has been issued a citation for trespassing for incidents on January 19, 2016; March 4, 2016; March 10, 2016; and March 13, 2016.

There are two bench warrants for the defendant's arrest in two cases in Steele County. See Steele County District Court file numbers: 74-CR-15-1933 and 74-CR-15-2518. A bench warrant for the defendant's arrest is requested in this matter.

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

Jeremy Clifton
Police Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3149

Electronically Signed:
03/29/2016 02:20 PM
Blue Earth County, MN

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:
03/29/2016 08:57 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: \$1,000.00

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: March 29, 2016.

Judicial Officer

Darci J. Bentz

Electronically Signed: 03/29/2016 02:34 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.

ERIC CRAIG COUSENS

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: