

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-15-1556
07-CR-16-26

State of Minnesota,

Plaintiff,

vs.

TANISHA MICHELLE HIGGINS DOB: 01/08/1983

516 Tanager Path
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: Public Assistance/Food Stamp/Food Support - Declaration Requirement

Minnesota Statute: 256.984.2

Maximum Sentence: 5 years and/or \$10,000

Offense Level: Felony

Offense Date (on or about): 08/01/2015 to 09/23/2015

Control #(ICR#): 15014684

Charge Description: Tanisha Michelle Higgins Also Known As Tanisha Higgins

On or between August 1, 2015 and September 23, 2015, in the County of Blue Earth, said Defendant, Tanisha Michelle Higgins did willfully and falsely make a declaration that their application for assistance was true and correct.

COUNT II

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

Minnesota Statute: 609.52.2(a)(1), with reference to: 609.52.3(3)(d)(i)

Maximum Sentence: 5 years and/or \$10,000

Offense Level: Felony

Offense Date (on or about): 08/01/2015 to 09/23/2015

Control #(ICR#): 15014684

Charge Description: Tanisha Michelle Higgins Also Known As Tanisha Higgins

On or between August 1, 2015 and September 23, 2015, in the County of Blue Earth, said Defendant, Tanisha Michelle Higgins, 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; and the property consists of public funds belonging to the state or to any political subdivision or agency thereof.

COUNT III

Charge: Wrongfully Obtaining Assistance-Theft- By False Stmts,Concealment, Impersonation

Minnesota Statute: 256.98.1(1), with reference to: 609.52.3(3)(d)(iv)

Maximum Sentence: 5 years and/or \$10,000

Offense Level: Felony

Offense Date (on or about): 08/01/2015 to 09/23/2015

Control #(ICR#): 15014684

Charge Description: Tanisha Michelle Higgins Also Known As Tanisha Higgins

On or between August 1, 2015 and September 23, 2015, in the County of Blue Earth, said Defendant, Tanisha Michelle Higgins did obtain or attempted to obtain, or aid or abet any person to obtain by means of a willfully false statement or representation, by intentional concealment of any material fact, or by impersonation or other fraudulent device, assistance or the continued receipt of assistance to which the person is not entitled or assistance greater than that to which the person is entitled; and the value of the assistance does not exceed \$1,000.00 and the assistance consists of public funds belonging to the state or to any political subdivision or agency thereof.

STATEMENT OF PROBABLE CAUSE

On September 3, 2015, financial worker, W1, issued a fraud prevention investigation referral in reference to a Tanisha Michelle Higgins. The referral advised that an absent parent, identified as W2, was using the same address as Higgins. W1 requested a determination from Agent Ginger Peterson as to if W2 was residing with Higgins. Attached to the referral was an address information request dated August 20, 2015, which indicates that mail is being delivered to W2 at 516 Tanager Path in Mankato and that the Minnesota Department of Public Safety's vehicle services/driver's license printout for W2 also shows an address of 516 Tanager Path. 516 Tanager Path is the address of Higgins. Higgins has failed to include W2 in the household composition portion of her combined application for assistance.

On September 23, 2015, Investigator Peterson reviewed the case information and notes in regard to Higgins. On May 8, 2015, Higgins completed a combined application form and reported her address at 516 Tanager Path in Mankato. Higgins did not report that W2 is a member of her household composition. The combined application form contains a section which requests a 'list of all people living in your home even if you are not applying for them and/or the person is not asking for assistance.' The household composition has an effect on the amount of benefits to which a person is entitled. Additionally, the form includes the following warning: 'Perjury and General Declarations: I declare under the penalties of perjury that I have examined this application and to the best of my knowledge, it is a true and correct statement of every material point. I understand that a person convicted of perjury may be sentenced to imprisonment of not more than five years or payment of a fine of not more than \$10,000 or both. (Minnesota Statutes, Section 256.984, Subd. 1)'

On August 18, 2015, an address information request indicated that W2 is receiving mail at 516 Tanager Path. On August 20, 2015, a second address information request indicated that W2 is receiving mail at 516 Tanager Path. On October 2, 2015, Higgins completed a household report form that reported the addition of a young child as the only change to her household composition.

On February 15, 2015, Higgins and W2 are both listed in the police report of having address of 516 Tanager Path. On April 17, 2015, W2 was cited by the Blue Earth County Sheriff's Office for traffic violations. The address for W2 on the traffic ticket is 516 Tanager Path. There are several additional traffic violations in which W2's address is listed as 516 Tanager Path, including a traffic stop in July of 2015, two in August of 2015, one in September of 2015, and two in October of 2015. Additionally, on November 1, 2015, W2 was arrested and listed in the report as having an address of 516 Tanager Path. Additionally, Agent Peterson learned that Higgins and W2 had applied for a car loan from Cars & Credit. Agent Peterson executed a search warrant which showed that there were several documents signed by Higgins and W2 which list their address as 516 Tanager Path. Agent Peterson also determined that W2 was employed at Masterson Personnel Inc. and Ameripride Services and none of his income was reported by Higgins. Not reporting income of a household member effects the amount of benefits to which a person is entitled.

The total value of benefits received by Higgins to which she was not entitled is \$5,567.71.

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

Richard Murry
Captain
401 Carver Rd
Mankato, MN 56002-0228
Badge: 2708

Electronically Signed:
01/05/2016 08:57 AM
Blue Earth County, MN

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

Prosecuting Attorney

Michael Hanson
Assistant County Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
01/05/2016 08:48 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 **January 28, 2016 at 2:30 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: January 5, 2016.

Judicial Officer

Darci J. Bentz

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

TANISHA MICHELLE HIGGINS

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: