

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-1075
07-CR-16-2851

State of Minnesota,

Plaintiff,

vs.

DUSTIN CHARLES ADAMS POWELL DOB: 05/15/1988

508 S. Agency Apt. 106
Eagle Lake, MN 56024

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), with reference to: 609.52.3(5)

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

Offense Level: Misdemeanor

Offense Date (on or about): 06/25/2016

Control #(ICR#): 16001211

Charge Description: Dustin Charles Adams Powell Also Known As Dustin Charles Adam Powell, Dustin Charels Adams Powell, Dustin Charlesd Powell, Dustin Charles Adams And Dustin Charles Powell

On or about June 25, 2016, in the County of Blue Earth, said Defendant, Dustin Charles Adams Powell 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.

STATEMENT OF PROBABLE CAUSE

On June 27, 2016, Officer Kopp received information scrap aluminum had been stolen from Allied Overhead Door, in Eagle Lake, Blue Earth County, sometime between June 25, 2016, and June 27, 2016. The officer spoke with Witness1, an employee of Allied who reported that some scrap aluminum had been stolen from a blue tub that was setting outside the business on the west side of the building. The information Officer Kopp received also stated the aluminum came out of a blue tub.

Officer Kopp spoke with Witness2 who reported that he was with Dustin Charles Powell, the Defendant, early in the morning on June 25, 2016, in his van which the Defendant was driving. The Defendant drove to Allied Overhead Door and took about 55 pounds of aluminum, putting it in the back of Witness2's van. Later that day, Witness2 went with the Defendant to a scrap metal business in Faribault where the Defendant sold the aluminum. Witness2 stated the Defendant received money for the aluminum.

Officer Kopp called the scrap metal business and spoke with Witness3 who reported that the Defendant brought in and sold 144 pounds of cast aluminum on June 25, 2016, and received \$43.20 for it.

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

John Kopp
Chief of Police
705 Parkway Ave.
Eagle Lake, MN 56024
Badge: 4371

Electronically Signed:
07/15/2016 12:19 PM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Linda B. Hilligoss
Assistant Blue Earth County
Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
07/15/2016 11:54 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 **August 11, 2016 at 8:15 AM** 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: July 15, 2016.

Judicial Officer

Krista J Jass
Judge of District Court

Electronically Signed: 07/15/2016 01:06 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.

DUSTIN CHARLES ADAMS POWELL

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: