

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0929
07-CR-16-2279

State of Minnesota,

Plaintiff,

vs.

GARY STANTON ROUSEY DOB: 08/30/1969

25 Main Street
Waterville, MN 56096

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: Drugs - 5th Degree - Possess Schedule 1,2,3,4 - Not Small Amount Marijuana

Minnesota Statute: 152.025.2(a)(1)

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

Offense Level: Felony

Offense Date (on or about): 06/02/2016

Control #(ICR#): 16007847

Charge Description: Gary Stanton Rousey

On or about June 2, 2016, in the County of Blue Earth, said Defendant, Gary Stanton Rousey did unlawfully possess one or more mixtures containing a controlled substance classified in schedule I, II, III, or IV, except a small amount of marijuana.

COUNT II

Charge: Traffic-Drivers License-Driving After Revocation

Minnesota Statute: 171.24.2

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

Offense Level: Misdemeanor

Offense Date (on or about): 06/02/2016

Control #(ICR#): 16007847

Charge Description: Gary Stanton Rousey

On or about June 2, 2016, in the County of Blue Earth, said Defendant, Gary Stanton Rousey did after being given notice, or reasonably should have known of the revocation, disobeyed the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while her/his license or

privilege was revoked.

COUNT III

Charge: Traffic Regulation - Driver Must Carry Proof of Insurance when Operating Vehicle

Minnesota Statute: 169.791.2(a)

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

Offense Level: Misdemeanor

Offense Date (on or about): 06/02/2016

Control #(ICR#): 16007847

Charge Description: Gary Stanton Rousey

On or about June 2, 2016, in the County of Blue Earth, said Defendant, Gary Stanton Rousey did fail to produce, upon demand of a peace officer, proof of insurance in force at the time of the demand covering the vehicle being operated.

STATEMENT OF PROBABLE CAUSE

On June 2, 2016, at approximately 8:41 p.m., Deputy Joe Flavin, of the Blue Earth County Sheriff's Office, was on routine patrol on Victory Drive, near Hoffman Road, in Mankato, Blue Earth County, when he observed a maroon Jeep Grand Cherokee, license number 303 HRU, make a right turn onto Victory Drive from Hoffman Road. Deputy Flavin observed that the license plate was bent in a way that the month and year was covered on the front license plate. He also observed the front windshield was cracked. Deputy Flavin ran a license plate check on the vehicle and discovered that the registered owner had a revoked driver's license.

Deputy Flavin attempted to stop the vehicle; however, as he got closer to the vehicle, it made an abrupt right turn onto Marwood Drive. He then activated his emergency lights and observed the vehicle make a quick left onto Plainview Avenue and stop in the driveway of a residence of Plainview Avenue. He then make contact with the driver, who was later identified as Gary Stanton Rousey, date of birth August 30, 1969. He asked Rousey if he lived at the residence where he stopped. Rousey stated that he did not live there, but was looking for someone who he thought lived there. Rousey denied knowing Deputy Flavin was behind him when he made the quick turns and denied attempting to evade Deputy Flavin.

Rousey stated he did not have a driver's license as he was just recently released from prison. Rousey was unable to provide proof of insurance on the vehicle. Rousey stated that the vehicle belonged to someone else. A record check revealed that Rousey's driving privileges were currently revoked.

Deputy Flavin observed a prescription pill container near the glove compartment. Rousey claimed that it was his wife's and that she was currently in treatment. When asked why the prescription pill container was in the vehicle if his wife was not, Rousey provided a convoluted story about her being driven in it a while back and leaving the medication for someone else to give to him. Rousey then began talking about knowing meth cooks, but not giving any names. Rousey claimed he knew other things about people manufacturing meth. Rousey then consented to a search of his vehicle before Deputy Flavin even brought up the subject. Rousey claimed that he didn't have anything to hide.

Flavin asked Rousey if he could search the vehicle and Rousey consented to the search. Deputy Flavin placed Rousey in the backseat of his squad car with the window rolled down in case that Rousey wanted to revoke his consent to search. Before conducting the search Deputy Flavin asked Rousey if there was anything in the vehicle. At that time, Rousey stated he thought there might be a pipe someone left in the vehicle. Rousey denied owning anything that might be found in the vehicle, saying that whatever Deputy Flavin might find did not belong to him. At that time, the people who live in the residence where Rousey stopped came outside. Deputy Flavin spoke to them, and they stated they did not know Rousey; and that they did not want his vehicle to remain at the end of their driveway.

Deputy Flavin began to search the vehicle and observed that the interior was extremely messy with items strewn about the entire inside of the vehicle. Deputy Flavin located a small clear baggy with a clear crystal-like substance inside of it underneath some action figures near the hand brake. Deputy Flavin conducted a field test and the substance was positive for the presence of methamphetamine.

Rousey was placed under arrest; however, he began pleading with Deputy Flavin not to arrest him. Rousey maintained that someone else left the methamphetamine inside the vehicle. Rousey's stepson arrived on scene and stated Rousey had called him so he could come and pick Rousey up. Deputy Flavin asked Rousey's stepson about the Jeep, and Rousey's stepson stated it belonged to Rousey and his mother. He stated Rousey and his mother had owned the vehicle for the last three months.

Deputy Flavin then spoke to Rousey and read him his Miranda rights. Rousey agreed to speak to Deputy Flavin. Rousey stated the last time he used methamphetamine was the previous night, but only because he had to. Rousey continued to claim the vehicle did not belong to him even though there were toys in the vehicle from his son and there was clothing in the back that belonged to Rousey.

Rousey and the vehicle were taken to the Blue Earth County Justice Center. Rousey again consented to a search of the vehicle. Deputies then searched the vehicle and located a dark colored sock with a glass bubble style pipe used for smoking methamphetamine. It was located inside of a McDonald's food bag on the floor on the passenger side of the vehicle. Before searching the vehicle the second time, Rousey again stated that there might be a pipe somewhere in the vehicle.

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:
06/03/2016 11:23 AM
Blue Earth County, MN

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

Prosecuting Attorney

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

Electronically Signed:
06/03/2016 11:19 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: \$
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: June 3, 2016.

Judicial Officer Krista J Jass
Judge of District Court

Electronically Signed: 06/03/2016 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.

GARY STANTON ROUSEY

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: