State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No. BEC-16-1335
Court File No. 07-CR-16-3262

State of Minnesota,

Plaintiff,

vs.

RAUL MILLARES ARIAS DOB: 05/24/1979

8805 North Plaza #2238
Austin, TX 78753

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: Financial Transaction Card Fraud-Sell Two or More
Minnesota Statute: 609.821.2(4), with reference to: 609.821.3(a)(2)
Maximum Sentence: 3 years and/or $5,000
Offense Level: Felony

Offense Date (on or about): 08/17/2016

Control #(ICR#): 16024528

Charge Description: Raul Millares Arias

On or about August 17, 2016, in the County of Blue Earth, said Defendant, Raul Millares Arias did without a legitimate business purpose, and without the consent of the cardholders, received or possessed with intent to use, or with intent to sell or transfer in violation of 609.821 Subd. 2 (3), two or more cards issued in the name of another, or two or more cards knowing the cards to be forged, false, fictitious, or obtained in violation of 609.821 Subd. 2 (6).

COUNT II

Charge: Financial Transaction Card Fraud-Sell Two or More
Minnesota Statute: 609.821.2(4), with reference to: 609.821.3(a)(2), 609.05.1
Maximum Sentence: 3 years and/or $5,000
Offense Level: Felony

Offense Date (on or about): 08/17/2016

Control #(ICR#): 16024528

Charge Description: Raul Millares Arias

On or about August 17, 2016, in the County of Blue Earth, said Defendant, Raul Millares Arias did,

intentionally aid, advise, hire, counsel or conspire with or otherwise procure another to commit the crime; to wit: did without a legitimate business purpose, and without the consent of the cardholders, received or possessed with intent to use, or with intent to sell or transfer in violation of 609.821 Subd. 2 (3), two or more cards issued in the name of another, or two or more cards knowing the cards to be forged, false, fictitious, or obtained in violation of 609.821 Subd. 2 (6).

STATEMENT OF PROBABLE CAUSE

Officer Tiffany Blaschko, a licensed police officer in the State of Minnesota currently employed by the Mankato Department of Public Safety, reports that on August 17, 2016, at approximately 1:54 p.m., she, along with Officer Wanderscheid and Officer Kromah, responded to Scheels for a suspicious circumstance. When officers arrived, Scheels advised that two males in the store were believed to be involved in credit card fraud.

Blaschko spoke with an individual identified as Employee 1. Employee 1 works in loss prevention and he advised officers that they had received information, along with photos, from other stores that several male individuals were involved in buying items with fraudulent credit cards. Employee 1 showed Blaschko photos of those individuals and then showed her the two males in the store that he was speaking of that were currently on video surveillance. Blaschko notes that the photos were a match to the two males in the store.

Employee 1 and Blaschko approached the males at the customer service counter, where they were going to make a purchase. Blaschko asked both males for their IDs and had them walk to the loss prevention office. Both males provided driver's licenses that came back on file.

Blaschko reports once in the loss prevention office, Employee 1 attempted to ask the males questions but both advised they did not know English very well. Blaschko then assisted in asking questions. An individual identified as Raul Millares Arias admitted to being in Scheels in Rochester a couple of days ago when another male, who had a similar description, used a credit card fraudulently. Blaschko asked both males if they were okay with her seeing all the credit cards in their wallets. Both males emptied their wallets in front of her. Arias had one green debit card that looked to have been used on a consistent basis and seven brand new credit cards. The other individual involved, identified as Leonel Calderin Bandera, only had one debit card in his wallet that looked as if it was used on a consistent basis and a gift card.

Blaschko reports she then called the phone numbers on the back of each card that was associated with Arias to verify that they did actually belong to him. She reports that she was able to verify that all seven credit cards had real account numbers on them but belonged to someone else. She reports she spoke with representatives from each bank and gave them the card number on each card and asked if the name on the account was Arias. The representatives advised that all seven cards were fraudulent.

Blaschko was not able to verify if the debit card in Arias's name was legitimate or fraudulent. She confiscated all eight cards for evidence. Arias also had a Visa gift card in his wallet. Blaschko was not able to determine if the gift card had been purchased with one of the fraudulent credit cards; however, she confiscated the gift card for evidence. Blaschko also confiscated Bandera's debit card and gift card as she was not able to determine if the gift card had been purchased with the fraudulent credit cards or not.

Blaschko notes as she was running the driver's licenses for both Arias and Bandera, Bandera kept reaching to his midsection just above his belt and target glancing at her at the same time. She reports he did this several times. She notes give his actions and target glances, she grabbed Bandera's arms and placed them behind his back to pat search him for weapons. He stated he did not have anything on him but stated he was just itchy. During the search, Blaschko notes she found a set of vehicle keys that Bandera later picked back up. Blaschko notes, a short time later, officers asked for the keys to the vehicle Arias and Bandera drove to Scheels so they could determine which vehicle in the parking lot belonged to Bandera and Arias. Bandera then stated he had to use the bathroom. Officer Wanderscheid and Officer Kromah escorted him to the bathroom. Blaschko learned during this time Bandera flushed the keys to the vehicle down the toilet.

Officers determined that both Arias and Bandera would be arrested and charged with financial transaction card fraud. Blaschko transported Arias and Officer Kromah and Officer Wanderscheid transported Bandera to the Blue Earth County Jail.

Blaschko further reports that while at the jail, Employee 1 called to inform her that they had discovered a Georgia driver's license with three more credit cards. The license had the name of an unrelated individual identified as M. C.. However, the license had a photo of Bandera on it.

Additionally, three credit cards had the name of the unrelated individual identified as M.C. on them. The name of the individual identified as M. C. was also the same as the name on the driver's license with Bandera's picture. Blaschko further notes that one of the credit cards located while officers were at Scheels was in the name of M. C. and matched to the name displayed on the Georgia driver's license with Bandera's picture on it.

Blaschko also reports she was able to verify that all four credit cards matching the driver's license displaying M.C.'s name on it, and with Bandera's picture displayed, were fraudulent. She reports she called the number on the back of each card and spoke with a bank representative. She discovered that the bank name on the front of the credit cards did not match the account numbers in the bank systems.

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	Daniel Schisel Police Commander 710 S Front St Mankato, MN 56001-3803 Badge: 3135	Electronically Signed: 08/18/2016 01:06 PM Blue Earth County, Minnesota

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

Prosecuting Attorney	Christopher Rovney 401 Carver Road PO Box 3129 Mankato, MN 56002 (507) 304-4600	Electronically Signed: 08/18/2016 12:46 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 18, 2016.

Judicial Officer Richard C. Perkins
Judge of District Court

Electronically Signed: 08/18/2016 01:32 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.

RAUL MILLARES ARIAS

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: