

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

BEC-16-0566  
07-CR-16-1443

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**State of Minnesota,**  
Plaintiff,

**COMPLAINT**  
Summons

vs.

**DEREK CHARLES BOMBOY DOB: 01/26/1985**

100 N. Ridgley Street  
Kasota, MN 56050

Defendant.

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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 - Subsequent Conviction**

Minnesota Statute: 152.025.2(b)(1)

Maximum Sentence: Not less than 6 months nor more than 10 years and/or \$20,000

Offense Level: Felony

Offense Date (on or about): 03/15/2016

Control #(ICR#): 16007415

Charge Description: Derek Charles Bomboy Also Known As Derek Charles Bombay

On or about March 15, 2016, in the County of Blue Earth, said Defendant, Derek Charles Bomboy, 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; and said defendant was previously convicted of a controlled substance crime.

## STATEMENT OF PROBABLE CAUSE

Officer Jeff Fischbach, a licensed peace officer in the State of Minnesota currently employed by the Mankato Department of Public Safety, reports that on March 15, 2016, at approximately 9:50 p.m., he responded to the Eastwood Manor Mobile Home Community for a 911 open line call. Fischbach reports he arrived at 204 Karu Drive in the City of Mankato and made contact with an individual identified as Witness 1.

Witness 1 stated that a female and her boyfriend, identified as Derek Bomboy, were arguing about who bought their vehicle and whose name the vehicle was in. Fischbach notes the vehicle was a 2001 Dodge Stratus, black in color, bearing Minnesota license plate 372TLA.

The girlfriend, identified as Witness 2, was the one who dialed 911, however both parties left the scene together in the vehicle. Fischbach reports while at Witness 1's residence, Officer Mohamed reported he had located the vehicle around Lynn Lane and Arthur Drive in the City of Mankato.

Fischbach then arrived and was told by Officer Levin that Witness 2 told officers there were needles in the vehicle's glove compartment. Witness 2 gave officers consent to search the vehicle. Bomboy was still in the vehicle, and officers told him to step out of the vehicle. While walking back to the squad car, Bomboy advised officers that there were needles in the glove compartment and that he just found them and was going to throw them away.

Fischbach reports during the search of the vehicle, Officer Mohamed discovered several syringes with needles. The needles appeared to be used and were placed on the roof of the vehicle. Officer Mohamed also found a glass pipe.

Fischbach then reports he then NIK tested the syringes, needles and the glass pipe. Fischbach reports the items tested positive for methamphetamine.

After finding the syringes, needles and pipe, Officer Levin asked Bomboy about the glass pipe. Bomboy admitted that the pipe was his and that it was an old pipe of his.

A review of Bomboy's criminal history reveals a previous statutory stay of adjudication for a Fifth-Degree Controlled Substance crime as reflected in Blue Earth County Court File No. 07-CR-16-677. Bomboy was sentenced for that offense on March 29, 2016. That incident is deemed a prior controlled substance conviction for sentencing purposes under Chapter 152.

## 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**

Deborah McDermott  
Patrol Commander  
710 S Front St  
Mankato, MN 56001-3803  
Badge: 3143

Electronically Signed:  
04/12/2016 09:09 AM  
Blue Earth County, mn

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:  
04/11/2016 11:40 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 **May 12, 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: April 12, 2016.

**Judicial Officer**

Darci J. Bentz

Electronically Signed: 04/12/2016 11:46 AM

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.

**DEREK CHARLES BOMBOY**

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: