

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

BEC-16-1476  
07-CR-16-3631

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**State of Minnesota,**  
Plaintiff,

**COMPLAINT**  
Order of Detention

vs.

**NICHOLAS CURTIS LEWIS DOB: 12/12/1990**

no permanent

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**

Minnesota Statute: 152.025.2(1), with reference to: 152.025.4(b)

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

Offense Level: Felony

Offense Date (on or about): 09/14/2016

Control #(ICR#): 16027777

Charge Description: Nicholas Curtis Lewis

On or about September 14, 2016, in the County of Blue Earth, said Defendant, Nicholas Curtis Lewis 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 the person has been previously convicted of a violation of Chapter 152.

**COUNT II**

**Charge: Disorderly Conduct-Offensive/Abusive/Noisy/Obscene**

Minnesota Statute: 609.72.1(3)

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

Offense Level: Misdemeanor

Offense Date (on or about): 09/14/2016

Control #(ICR#): 16027777

Charge Description: Nicholas Curtis Lewis

On or about September 14, 2016, in the County of Blue Earth, said Defendant, Nicholas Curtis Lewis did, in a public or private place, knowingly, or having reasonable grounds to know it will, or will tend to, alarm, anger or disturb others or provoke an assault or breach of the peace, engaged in offensive, obscene,

abusive, boisterous, or noisy conduct or in offensive, obscene, or abusive language tending reasonably to arouse alarm, anger, or resentment in others.

### COUNT III

**Charge: Obstruct Legal Process-Interfere w/Peace Officer**

Minnesota Statute: 609.50.1(2), with reference to: 609.50.2(3)

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

Offense Level: Misdemeanor

Offense Date (on or about): 09/14/2016

Control #(ICR#): 16027777

Charge Description: Nicholas Curtis Lewis

On or about September 14, 2016, in the County of Blue Earth, said Defendant, Nicholas Curtis Lewis did, intentionally, obstruct, resist, or interfere with a peace officer while the officer is engaged in the performance of official duties.

## STATEMENT OF PROBABLE CAUSE

On September 14, 2016, at approximately 12:46 a.m., Officer Price of the Mankato Department of Public Safety was dispatched to the 400 block of South Broad Street for a person who was screaming in the parking lot. Upon arrival, Officer Price saw a male, later identified as Nicholas Curtis Lewis, DOB 12-12-1990, in the parking lot. He noted that Lewis appeared to be visibly upset and was pacing. Officer Price also noted that Lewis was barefoot.

Officer Price approached Lewis and he proceeded to walk towards Officer Price with his hand in his pocket. Lewis was told to remove his hand from his pocket and to keep his hands out. Officer Price spoke with Lewis about the incident and he indicated that he was robbed and was very upset by it, which was the reason why he was yelling. Lewis said an officer had already spoken to him about yelling and screaming. Lewis said he was barefoot because he was comfortable. While speaking with Lewis, Officer Price noted that he appeared to be very nervous, very talkative, and sweating heavily. Due to his demeanor, Officer Price had Lewis place his hands on the squad car for a terry frisk. While placing his hands on the car, Lewis attempted to put his left hand back into his left pants pocket, even after Lewis was told to keep his hands out of his pockets. Not knowing what Lewis had in his possession, Officer Price had to grab Lewis's arm to prevent him from placing his hand into his pocket. Officer Price noted that Lewis became increasingly nervous as he went into the pocket he had attempted to place his hand back into. Based on Officer Price's training and experience, he knows individuals tend to protect items they do not want found by physically holding onto them with their hand. Due to Lewis's actions, Officer Price placed him in handcuffs. While attempting to handcuff Lewis, Lewis refused to place his hands behind his back. Officer Price had to place Lewis's hands behind his back to be handcuffed.

Officer Price searched Lewis and located a key chain container in his left pocket. When Officer Price removed the chain, Lewis uttered he did not know what the item was and that it was given to him by a different person. Officer Price searched the key chain container and located a small clear plastic bag, which contained a crystal-like substance, consistent with methamphetamine. The substance later field tested positive for methamphetamine. The recovered methamphetamine was retained as evidence.

Lewis was transported to the Blue Earth County Jail. While at the jail, Lewis uttered to Officer Price that he was given the methamphetamine by a friend. Lewis claimed the friend told him to keep it in his pocket and not take it out.

A review of Lewis's criminal history reveals multiple convictions, including an August 1, 2011, conviction for Controlled Substance Crime in the Fifth Degree as set forth in Court File #07-CR-10-3227; an August 1, 2011, conviction for Felony Domestic Assault as set forth in Court File #07-CR-11-1937; and a February 8, 2012, conviction for Controlled Substance Crime in the Fifth Degree as set forth in Court File #07-CR-11-4778.

## 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:  
09/14/2016 03:01 PM  
Blue Earth County, Minnesota

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

**Prosecuting Attorney**

Ryan S. Hansch  
401 Carver Road  
PO Box 3129  
Mankato, MN 56002  
(507) 304-4600

Electronically Signed:  
09/14/2016 02:43 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: September 14, 2016.

**Judicial Officer**

Kurt D Johnson  
District Court Judge

Electronically Signed: 09/14/2016 05:04 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.

**NICHOLAS CURTIS LEWIS**

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: