

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0541
07-CR-16-1428

State of Minnesota,

Plaintiff,

vs.

DEVON WESLEY MARTIN DOB: 04/28/1991

136 Kingsway Drive
North Mankato, MN 56003

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: Check Forgery-Offer/Possess W/Intent to Defraud

Minnesota Statute: 609.631.3, with reference to: 609.631.4(4)

Maximum Sentence: 1 year and/or \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 02/15/2016

Control #(ICR#): 16000405

Charge Description: Devon Wesley Martin Also Known As Devon Westley Martin

On or about February 15, 2016, in the County of Blue Earth, said Defendant, Devon Wesley Martin did, with intent to defraud, offered, or possessed with intent to offer, a forged check whether or not it is accepted.

COUNT II

Charge: Check Forgery-Offer/Possess W/Intent to Defraud

Minnesota Statute: 609.631.3, with reference to: 609.631.4(4)

Maximum Sentence: 1 year and/or \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 03/18/2016

Control #(ICR#): 16000405

Charge Description: Devon Wesley Martin Also Known As Devon Westley Martin

On or about March 18, 2016, in the County of Blue Earth, said Defendant, Devon Wesley Martin did, with intent to defraud, offered, or possessed with intent to offer, a forged check whether or not it is accepted.

STATEMENT OF PROBABLE CAUSE

On March 3, 2016, Chief Kopp, of the Eagle Lake Police Department, was contacted by the Mankato Department of Public Safety and informed that an employee from a Mankato Credit Union reported that checks were being written out in the area on a closed account of a deceased person that had previously held an account with the credit union. Chief Kopp received an email that indicated the account of the deceased was transferred to an estate account in 2010 and that the estate account was closed out in June 2012. The email also stated that there were two children of the deceased on the account as joint owners, one of which lived in Eagle Lake. Chief Kopp was made aware of a check dated February 15, 2016, that was issued in the amount of \$48.70 from the closed account at a gas station in Eagle Lake.

Chief Kopp spoke with the store manager at the gas station. The manager was able to obtain video from the transaction in question. The video showed a younger White male appearing to be in his 20s with a slim build writing out the forged check in the deceased's name. Chief Kopp also spoke with the clerk that had been working when the check was passed. The clerk said she remembered taking the check because the male who offered it was very fidgety and the clerk could not tell if the male was nervous or on drugs. The clerk estimated the male was between 22 and 25 years of age.

On March 11, 2016, Chief Kopp spoke with one of the joint owners of the account. The joint owner told Officer Kopp that a burglary had taken place in rural North Mankato around January 27, 2016, and that some jewelry and checks were taken during the burglary. Officer Kopp looked into the burglary further and learned that the deceased's checks were probably stolen around the same time as the jewelry back in January 2016. Chief Kopp learned that the checks were not reported stolen at the same time as the jewelry because they were not discovered to be missing until sometime later.

On March 18, 2016, Chief Kopp was notified by dispatch that the clerk at the Eagle Lake gas station had told him that the suspect who was passing checks was in the store at this time. Chief Kopp responded to Casey's, but the suspect had left prior to Chief Kopp's arrival. Officer Marx, of the Madison Lake Police Department, was in the area and assisted in searching for the suspect. Officer Marx learned that there were two males that had been together in the store that were seen running out of the store and getting into a white Chevy Cavalier.

Chief Kopp spoke with the gas station clerk and noted it was the same clerk that had taken the forged check during the February incident. The clerk told Officer Kopp that the same suspect tried to pass another check for some lottery tickets. There was a better visual of the suspect this time because the suspect did not have his hood up. The clerk indicated she tried to stall the suspect, but he left prior to police arriving. The clerk was unable to get a license plate number for the suspect vehicle. The suspect took the check back from the clerk after the clerk did not accept it.

Officers spoke with a possible suspect whose name had come up during the investigation. Detective Brennan, of the Blue Earth County Sheriff's Office, spoke to the possible suspect not long after the March 18, 2016 incident at the Eagle Lake gas station. Officers noted that the possible suspect was not wearing clothes that matched the description of the person passing the forged checks.

On March 18, 2016, Chief Kopp was informed that a white Chevy Cavalier was impounded, and the driver of the vehicle, Devon Wesley Martin, date of birth April 28, 1991, was arrested for a drug offense by the Mankato Department of Public Safety. Chief Kopp looked into the arrest and learned that some checks were recovered from the white Cavalier. The checks had a name of an unrelated party from Amboy, Minnesota. Chief Kopp obtained the jail booking photo for Martin and showed the Casey's store manager a picture of the mug shot. The store manager indicated she was 100 percent sure that the suspect in

question in the store on March 18, 2016 was the same person. Chief Kopp showed the photo to the clerk that had taken the February 15, 2016 forged check. The clerk said she was 100 percent sure that was the individual who tried passing the check on March 18, 2016 as well the individual who passed the forged check back in February.

Chief Kopp eventually spoke with Martin over the phone. Martin was supposed to meet Chief Kopp at the Justice Center on Tuesday, March 29, 2016, at 11:00 a.m. Martin asked what it was in reference to. Chief Kopp explained it was in regards to some forged checks. Chief Kopp, along with attention officers, were present on March 29, 2016, at 11:00 a.m., at the Justice Center, waiting to speak with Martin. Officers waited until 11:45 a.m. at the Justice Center, but Martin never showed up for the interview. Chief Kopp tried calling Martin at the same number Chief Kopp had previously made contact with Martin on but the phone was off and kept going to voicemail.

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:
04/11/2016 12:57 PM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Nicholas Boulieris
Assistant County Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
04/11/2016 12:17 PM

