

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

MAN-16-0531
07-CR-16-2544

State of Minnesota,

Plaintiff,

vs.

KYLE ANNE CAMPBELL DOB: 04/06/1992

248 James Ave
Mankato, MN 56001

Defendant.

COMPLAINT

Summons

Tab Charge/Citation Previously Filed

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: Traffic - DWI - Operate Motor Vehicle Under Influence of Alcohol

Minnesota Statute: 169A.20.1(1), with reference to: 169A.25.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 06/22/2016

Control #(ICR#): 16018365

Charge Description: Said Defendant, Kyle Anne Campbell, did drive or operate and was in physical control of any motor vehicle when he/she was under the influence of alcohol, and two or more aggravating factors were present when the violation was committed.

COUNT II

Charge: Traffic - DWI - Operate Motor Vehicle - Alcohol Concentration 0.08 Within 2 Hours

Minnesota Statute: 169A.20.1(5), with reference to: 169A.25.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 06/22/2016

Control #(ICR#): 16018365

Charge Description: Said Defendant, Kyle Anne Campbell, did drive, operate or was in physical control of any motor vehicle when his/her alcohol concentration at the time, or as measured within two hours of the time of driving, operating or being in physical control of the motor vehicle was .08 or more, and two or more aggravating factors were present when the violation was committed.

STATEMENT OF PROBABLE CAUSE

Complainant is a Sergeant with the Mankato Police Department who believes the information set out below is true and accurate based on reports and information submitted to the Sergeant by Sergeant Chris Baukol and others identified herein.

On June 22, 2016, at approximately 1:55 a.m., Sergeant Baukol observed a vehicle with expired license plate tabs driving in the 700 block of Front Street in the City of Mankato, Blue Earth County, Minnesota. Sergeant Baukol verified that the license plate tabs had expired in April 2016. Sergeant Baukol stopped the vehicle and identified the driver as Kyle Anne Campbell, the Defendant herein. The Defendant acknowledged that she knew that her license plate tabs had expired. Sergeant Baukol noted that the Defendant exhibited signs of intoxication and could smell the odor of an alcoholic beverage coming from the vehicle. Sergeant Baukol administered field sobriety tests to the Defendant. Sergeant Baukol administered the horizontal gaze nystagmus test and observed all six clues indicating impairment. Sergeant Baukol administered the walk-and-turn test and noted that the Defendant lost her balance during the instructional phase and initiated the test prematurely. The Defendant did not walk heel-to-toe and did step off of the line while she attempted to complete the test. Sergeant Baukol administered the one-legged stand test and noted that the Defendant put her foot down at the count of 10 and 14. Sergeant Baukol administered a portable breath test, and the Defendant blew a .210 on the digital PBT. The Defendant was placed under arrest and transported to the Blue Earth County Justice Center where Sergeant Baukol read her the Implied Consent at 2:35 a.m. After being given an opportunity to contact an attorney, the Defendant agreed to submit to a breath test. The results of the Datamaster breath test were .22 alcohol concentration. The breath test was completed at 2:47 a.m.

Sergeant Baukol interviewed the Defendant pursuant to Miranda. The Defendant claimed that she only drank two tall Coors beers at Spinner's Bar. The Defendant estimated that she had her first drink at approximately 7:30 and her last drink at approximately 12:00 or 12:30. The Defendant admitted that she felt the effects of what she had to drink.

A computer check of the Defendant's driver's license record indicates that she has a conviction for driving under the influence from an incident on September 20, 2014, in Blue Earth County. In that incident, the Defendant's alcohol concentration was .18 alcohol concentration.

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:
06/28/2016 08:37 AM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Christopher Cain
Assistant Blue Earth County
Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002-3129
(507) 304-4600

Electronically Signed:
06/24/2016 10:04 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 28, 2016.

Judicial Officer

Darci J. Bentz

Electronically Signed: 06/28/2016 11:25 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.

KYLE ANNE CAMPBELL

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: