

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0597
07-CR-16-2334

State of Minnesota,

Plaintiff,

vs.

THERESA MARIE SANCHEZ DOB: 12/09/1981

130 Homestead Rd., Apt. #7
Mankato, MN 56001-5724

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: Drugs - 3rd Degree - Possess - Methamphet/Amphetamine in School/Park/Pub Housing Zone

Minnesota Statute: 152.023.2(a)(6), with reference to: 152.023.3(b)

Maximum Sentence: Not less than 2 years nor more than 30 years and/or \$250,000

Offense Level: Felony

Offense Date (on or about): 04/01/2016

Control #(ICR#): 16009316

Charge Description: Theresa Marie Sanchez

On or about April 1, 2016 in the County of Blue Earth, said Defendant, Theresa Marie Sanchez did unlawfully possesses one or more mixtures containing methamphetamine or amphetamine in a school zone, a park zone a public housing zone, or a drug treatment facility; and said defendant was previously convicted of a controlled substance crime.

COUNT II

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): 04/01/2016

Control #(ICR#): 16009316

Charge Description: Theresa Marie Sanchez

On or about April 1, 2016, in the County of Blue Earth, said Defendant, Theresa Marie Sanchez, 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.

COUNT III

Charge: Drugs - Store Meth Paraphernalia in the Presence of Child or Vulnerable Adult

Minnesota Statute: 152.137.2(a)(4), with reference to: 152.137.3, 609.05.1

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

Offense Level: Felony

Offense Date (on or about): 04/01/2016

Control #(ICR#): 16009316

Charge Description: Theresa Marie Sanchez

On or about April 1, 2016, in the County of Blue Earth, said Defendant, Theresa Marie Sanchez, did intentionally aid, advise, hire, counsel, or conspire with, or otherwise procure another to commit the crime, and/or did personally commit said crime; to wit: did in the presence of a child or a vulnerable adult; in the residence of a child or vulnerable adult; in a building, structure, conveyance, or outdoor location where a child or vulnerable adult might reasonably be expected to be present; in a room offered to the public for overnight accommodation; or in any multiple unit residential building: store any methamphetamine paraphernalia.

STATEMENT OF PROBABLE CAUSE

Minnesota River Valley Drug Task Force Agent Sam McGinnis states that on April 1, 2016, he and other law enforcement officials were executing a search warrant in the City of North Mankato. During the investigation they obtained information regarding controlled substances involving Theresa Marie Sanchez.

Agent McGinnis applied for a search warrant and it was execute at approximately 6:36 p.m. at the residence of Sanchez, 130 Homestead Road, Apartment 7, in the City of Mankato. The location is within one block of Jaycee Park, which is a Mankato city park.

During the search, in a bedroom closet said to have belonged to Sanchez, officers recovered several sandwich baggies containing a green leafy substance in an open black safe that field tested positive for marijuana. There was a framed degree containing a white crystalized substance on top of it that field tested positive for methamphetamine. In the bedroom, officers located handwritten letters purportedly from the children of Sanchez, listing their distaste for her drug use.

Recovered in the kitchen garbage were several corner cut baggies and gem style baggies that contained a small amount of crystalized substance that field tested positive for methamphetamine.

Agent McGinnis spoke with Sanchez and asked if she was aware of why they were executing a search warrant at her residence. She responded that she figured it was due to that they usually execute search warrants on people's houses that are using drugs. Sanchez admitted she was a drug user and had been sober for quite some time before relapsing. Agent McGinnis informed her of the baggies of meth residue in the kitchen garbage that her children had access to and she stated the children didn't know they were in there. She usually puts things like that inside a pop can to dispose of it. Sanchez denied selling marijuana and said she smokes approximately three hits of marijuana two times a week. She denied dealing methamphetamine.

A review of Sanchez's record revealed that she has prior controlled substance crime convictions as is set forth in file #50-K1-03-1851 and #50-CR-07-4536.

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:
06/08/2016 08:45 AM
Blue Earth County, mn

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

Prosecuting Attorney

Steven Kelm
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
06/06/2016 02:55 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 **July 7, 2016 at 8:15 AM** 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 8, 2016.

Judicial Officer Thomas G McCarthy
Judge of District Court

Electronically Signed: 06/08/2016 09:50 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.

THERESA MARIE SANCHEZ

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: