State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No. MAN-16-0326
Court File No. 07-CR-16-1651

State of Minnesota,

Plaintiff,

vs.

CHRISTOPHER KENNETH HOLTHAUS DOB: 07/18/1995

250 Jaycee Court #205
Mankato, MN 56001

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: Liquor-Persons Under 21 Enter Licensed Premises
Minnesota Statute: 340A.503.4(a), with reference to: 340A.703
Maximum Sentence:
Offense Level: Misdemeanor

Offense Date (on or about): 12/05/2015

Control #(ICR#): 15038331

Charge Description: Said Defendant, Christopher Kenneth Holthaus, did as a person under the age of 21 years enter an establishment licensed for the sale of alcoholic beverages or any municipal liquor store for the purpose of purchasing or having served or delivered any alcoholic beverage.

COUNT II

Charge: Liquor-Consumption by persons under 21
Minnesota Statute: 340A.503.1(a)(2), with reference to: 340A.703
Maximum Sentence: 90 days and/or $1,000
Offense Level: Misdemeanor

Offense Date (on or about): 12/05/2015

Control #(ICR#): 15038331

Charge Description: Said Defendant, Christopher Kenneth Holthaus, did, while under the age of 21 years, consume an alcoholic beverage.

STATEMENT OF PROBABLE CAUSE

Complainant is an Officer with the Mankato Police Department who believes the information set out below is true and accurate based on reports and information submitted to the Officer by Officer Daniel Grassmann and others identified herein.

On December 5, 2015 at approximately 1:51 a.m., Officer Grassmann was working a TZD shift within the city limits of the City of Mankato, County of Blue Earth, State of Minnesota, and was operating in an unmarked Mankato Police squad vehicle. While traveling southbound on South Second Street and approaching the intersection with Walnut Street, Officer Grassmann observed a passenger vehicle approaching said intersection, facing eastbound on Walnut Street. Upon approaching the portion of the street where the crosswalk section is located on the north side of the intersection, Officer Grassmann observed the passenger vehicle on Walnut Street enter into an intersection in the manner of making a left hand turn, heading northbound on Second Street. The aforementioned intersection is a four-legged intersection with a two-way stop sign posted. The stop signs are posted along Walnut Street, allowing continuous flow of traffic for vehicles traveling on South Second Street.

Upon observing the driving behavior of the passenger vehicle to his right, Officer Grassmann was forced to immediately hit his brakes in an attempt to avoid a possible motor vehicle crash. The driver of the passenger vehicle activated their brake component in an attempt to stop the motor vehicle. As the vehicle slowed and eventually stopped, Officer Grassmann's squad car was positioned past the crosswalk along South Second Street and the suspect's vehicle was approximately halfway across the respective crosswalk section that runs along the west side of Walnut Street. Based on the observed driving infractions, Officer Grassmann conducted a U-turn and initiated a traffic stop. He noted that the suspect's vehicle was occupied by three individuals.

Upon approach of the vehicle, the driver was identified as Samantha Victoria O'Hara, Defendant 3 herein. Defendant 3 mentioned that she believed the other lane of traffic had a stop sign. Officer Grassmann advised the driver for the reason for the traffic stop and asked where she was coming from that evening. Defendant 3 stated she was picking up her two passengers from Mettler's after they called her for a sober ride. Officer Grassmann observed both male passengers and noted both had bloodshot, watery eyes with a strong odor of alcohol coming from within the vehicle. Defendant 3 stated she was sober in nature; however, the two male passengers made verbal admittance to consuming alcoholic beverages that evening while at Mettler's. The passengers were then identified by way of Minnesota driver's license as Christopher Kenneth Holthaus, Defendant 1 herein, and Kyle Thomas Miller, Defendant 2 herein. Both Minnesota driver's licenses from Defendant 1 and Defendant 2 were listed as under 21 years of age. Defendant 1 was asked to step out of the vehicle. Officer Stoltman searched him and placed him in the rear passenger seat of the squad vehicle. Defendant 2 exited the vehicle, was pat searched, and placed in the rear compartment of the squad vehicle. Defendant 3, the driver, was then identified as being under the age of 21 and subsequently tested for alcohol consumption. Defendant 3 submitted to a portable breath test with a reading of .000. She was then advised she could have a seat in her own vehicle while officers spoke with Defendant 2 and Defendant 3 in regards to underage consumption.

Officer Grassmann noted that Defendant 2 reiterated facts to Officer Grassmann of being inside Mettler's after showing the bouncer his valid Minnesota driver's license. Mettler's and its affiliated business Loose Moose Saloon, are establishments that require patrons to present valid identification showing that the patron is of age 21 years or older. Defendant 2 then submitted to a portable breath test that produced a digital reading of .129 alcohol concentration.

Defendant 1 reiterated the same information to Officer Grassmann, indicating that he showed his

Minnesota driver's license to the front door bouncer and was allowed admission into the establishment. Defendant 1 also submitted to a portable breath test with a breath sample that produced a digital reading of .186. Officer Grassmann stated to Defendant 1 and Defendant 2 that further follow up would be conducted and then released both parties on scene.

Through the course of continuous investigation, Officer Grassmann made contact with management staff, Witness 1, at Mettler's and advised Witness 1 of the situation regarding Defendant 1, Defendant 2, and Defendant 3. After checking video surveillance, Witness 1 was able to visually observe the three defendants in question, Defendant 1, Defendant 2, and Defendant 3, enter the front door of the Loose Moose establishment and present identification to the bouncer working the front door. All three defendants showed identification, paid a cover charge, and entered into the establishment.

Officer Grassmann also conducted video surveillance reconnaissance regarding this incident by checking the cameras associated with the City of Mankato in place throughout the downtown entertainment district. Officer Grassmann was able to identify that at 12:27 a.m. on December 5, 2015, Defendant 1, Defendant 2, and Defendant 3 entered the front door of the Loose Moose establishment. Upon continued review of said video, Officer Grassmann observed that at 1:47 a.m. on December 5, 2015, all three defendants are seen exiting the entrance/exit door of Mettler's. Officer Grassmann was able to identify that all three defendants were the same individuals walking into the Loose Moose establishment and exiting from Mettler's based on the clothing all three are seen wearing while entering the establishment, exiting the establishment, and during his contact with the defendants regarding the traffic stop.

Upon further discussion with Witness 1, Witness 1 advised Officer Grassman that the bouncer from that evening, Witness 2, had been spoken to in regards to the three defendants and their presentation of identification. Witness 2, the bouncer, indicated that he did not know the three defendants. Based on the information identified, Officer Grassman believed that Defendant 1, Defendant 2, and Defendant 3 entered into Mettler's/Loose Moose under false pretenses of being over the legal age of 21 years and that Defendant 1 and Defendant 2 engaged in underage consumption of alcohol.

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	Justin Neumann Sergeant 710 S Front St Mankato, MN 56001-3803 Badge: 3110	Electronically Signed: 04/22/2016 10:08 AM 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 56002-3129 (507) 304-4600	Electronically Signed: 04/21/2016 01:39 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).

[X] SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear on **May 19, 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: April 22, 2016.

Judicial Officer Kurt D Johnson
District Court Judge

Electronically Signed: 04/22/2016 11:56 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.

CHRISTOPHER KENNETH HOLTHAUS

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: