

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0671
07-CR-16-1602

State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

JONAH MICHAEL DEML DOB: 03/05/1997

No Perm

Defendant.

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(a)(1)

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

Offense Level: Felony

Offense Date (on or about): 04/20/2016

Control #(ICR#): 16011543

Charge Description: Jonah Michael Deml

On or about April 20, 2016, in the County of Blue Earth, said Defendant, Jonah Michael Deml 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.

COUNT II

Charge: Traffic - DWI - Operate Motor Vehicle Under Influence of Controlled Substance

Minnesota Statute: 169A.20.1(2), with reference to: 169A.27.2

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

Offense Level: Misdemeanor

Offense Date (on or about): 04/20/2016

Control #(ICR#): 16011543

Charge Description: Jonah Michael Deml

On or about April 20, 2016, in the County of Blue Earth, said Defendant, Jonah Michael Deml did, drive, operate, or was in physical control of any motor vehicle when he/she was under the influence of a controlled substance.

COUNT III

Charge: Traffic - DWI - Operate Motor Vehicle Under Infl of Any Amount Schedule I/II Drugs - Not Marijuana

Minnesota Statute: 169A.20.1(7), with reference to: 169A.27.2

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

Offense Level: Misdemeanor

Offense Date (on or about): 04/20/2016

Control #(ICR#): 16011543

Charge Description: Jonah Michael Deml

On or about April 20, 2016, in the County of Blue Earth, said Defendant, Jonah Michael Deml, did drive, operate, or was in physical control of any motor vehicle, when the person's body contains any amount of a controlled substance listed in schedule I or II other than marijuana or tetrahydrocannabinols.

COUNT IV

Charge: Drugs - Possess Over 1.4 Grams Marijuana In Motor Vehicle

Minnesota Statute: 152.027.3

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

Offense Level: Misdemeanor

Offense Date (on or about): 04/20/2016

Control #(ICR#): 16011543

Charge Description: Jonah Michael Deml

On or about April 20, 2016, in the County of Blue Earth, said Defendant, Jonah Michael Deml did unlawfully possess a small amount of marijuana when that person was the owner of a private motor vehicle, or was the driver of the motor vehicle if the owner is not present, and possesses on the person, or knowingly keeps or allows to be kept within the area of the vehicle normally occupied by the driver or passengers, more than 1.4 grams of marijuana

COUNT V

Charge: Drugs - Possession of Drug Paraphernalia - Use or Possession Prohibited

Minnesota Statute: 152.092

Maximum Sentence: \$300

Offense Level: Petty Misdemeanor

Offense Date (on or about): 04/20/2016

Control #(ICR#): 16011543

Charge Description: Jonah Michael Deml

On or about April 20, 2016, in the County of Blue Earth, said Defendant, Jonah Michael Deml did knowingly or intentionally possess drug paraphernalia; to wit: a smoking device

STATEMENT OF PROBABLE CAUSE

On April 20, 2016, at approximately 1:28 a.m., officers with the Mankato Department of Public Safety responded to a gas station parking lot in the City of Mankato on a report of a suspicious person. Witness 1, an adult female and an employee of the gas station, informed officers that Witness 1 observed an unknown male sleeping in a running vehicle for approximately two hours.

Upon arrival, Officer Gagnon observed a pickup parked in the west lot. Officer Gagnon observed the vehicle to be running and occupied by a male, later identified as Jonah Michael Deml, D.O.B. 3-5-1997. Officer Gagnon noted that Deml was sitting in the driver's seat of the vehicle and appeared to be passed out. Deml's head was hung to his chest area. Officer Gagnon observed Deml's left foot on the brake pedal. While looking through the window of the vehicle into the cab, officers observed a cylindrical glass pipe-like device commonly used for smoking methamphetamine in plain view next to the center console area of the front seat. Officer Gagnon observed a prominent white residue inside the clear glass pipe.

Officer Gagnon knocked on the driver's side window multiple times. Officer Gagnon observed Deml lift his head and look in Officer Gagnon's direction. Officer Gagnon observed Deml's face to be covered in sweat. When Deml looked in Officer Gagnon's direction, Officer Gagnon opened the unlocked driver's door and made verbal contact with Deml. Officer Gagnon observed that Deml appeared to be extremely lethargic and confused. Officer Gagnon instructed Deml to exit the vehicle, and Officer Gagnon placed Deml into handcuffs and explained the reason for law enforcement contact with Deml.

Officer Gagnon asked Deml if the pipe belonged to him. Deml initially indicated the pipe belonged to a friend. Deml then said it was his. Officer Gagnon asked Deml if there were any weapons or narcotics on his person or in the vehicle. Deml said he had a knife in his right front pocket, and there may be more narcotics inside the vehicle. Deml then informed Officer Gagnon that he had smoked meth within the last few hours. Deml continued to demonstrate lethargic behavior and appeared to be evident of a difficult time staying awake.

Deml was placed under arrest and searched. Officer Gagnon discovered \$91.00 in US currency folded together in Deml's back left pants pocket. Officer Gagnon removed the knife from Deml's right front pocket and escorted him to a squad car.

Officers searched Deml's vehicle. Officer Gagnon discovered a black metal grinder on the front passenger seat of the vehicle. Officer Hullopetter looked at the pipe in the middle of the seat. The pipe had a bulb on the end, and Officer Hullopetter could see a crystalized white substance in it. Officer Gagnon tested the substance, and it indicated positive for methamphetamine. Officer Hullopetter located a black plastic bag in the middle of the seat. Inside the bag was another plastic bag that contained a green leafy substance consistent with marijuana. The substance field tested positive for marijuana and weighed approximately four grams on a non-certified scale. Officer Hullopetter also located a multi-colored glass pipe that contained apparent raw and burnt marijuana in the black plastic bag. Officer Hullopetter continued searching the truck and found another clear, glass pipe with a bulb at the end inside a glove behind the passenger's seat. The pipe contained a white substance and field tested positive for methamphetamine.

Officer Gagnon observed Deml to appear to be sleeping in the rear seat of Officer Gagnon's squad car. Officer Gagnon told Deml that he had been arrested for possession of controlled substance, possession of drug paraphernalia, and that Deml would be processed for a narcotics-related DWI for being in physical control of a parked and running vehicle. Given Deml's lethargic and confused demeanor and admission to consuming methamphetamine within the last few hours, Officer Gagnon decided not to perform field sobriety testing.

Deml was transported to the Public Safety Center and placed in a holding room. Officer Gagnon applied for and was granted a search warrant to collect a blood sample from Deml. Officer Gagnon then transported Deml to the hospital where a blood draw was completed at 3:49 a.m. Deml was then transported to the Blue Earth County Jail.

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

Craig Frericks
Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3102

Electronically Signed:
04/20/2016 01:10 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:
04/20/2016 11:59 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: April 20, 2016.

Judicial Officer

Kurt D Johnson
District Court Judge

Electronically Signed: 04/20/2016 02:59 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.

JONAH MICHAEL DEML

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: