

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0620
07-CR-16-1488

State of Minnesota,

Plaintiff,

vs.

ADAM MICHAEL NELSON DOB: 07/14/1988

147 Stadium Road
Mankato, MN 56001

Defendant.

COMPLAINT

Order of Detention

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: Domestic Assault - By Strangulation

Minnesota Statute: 609.2247.2

Maximum Sentence: 3 years and/or \$5,000

Offense Level: Felony

Offense Date (on or about): 04/13/2016

Control #(ICR#): 16010662

Charge Description: Adam Michael Nelson Also Known As Adam Nelson

On or about April 13, 2016, in the County of Blue Earth, said Defendant, Adam Michael Nelson, did, assault a family or household member by strangulation.

COUNT II

Charge: Emergency Telephone Calls/Communications - Interrupt, Interfere, Impede, Disrupt 911 Call

Minnesota Statute: 609.78.2(1)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 04/13/2016

Control #(ICR#): 16010662

Charge Description: Adam Michael Nelson Also Known As Adam Nelson

On or about April 13, 2016, in the County of Blue Earth, said Defendant, Adam Michael Nelson did intentionally interrupt, disrupt, impede, or interfere with an emergency call or intentionally prevented or hindered another from placing an emergency call.

COUNT III

Charge: Domestic Assault-Commits Act to Cause Fear of Immediate Bodily Harm or Death

Minnesota Statute: 609.2242.1(1)

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

Offense Level: Misdemeanor

Offense Date (on or about): 04/13/2016

Control #(ICR#): 16010662

Charge Description: Adam Michael Nelson Also Known As Adam Nelson

On or about April 13, 2016, in the County of Blue Earth, said Defendant, Adam Michael Nelson did, against a family or household member, as defined in M.S.A. 518B.01 Subd. 2, commit an act with intent to cause fear in another of immediate bodily harm or death.

COUNT IV

Charge: Domestic Assault-Misdemeanor-Intentionally Inflicts/Attempts to Inflict Bodily Harm on Another

Minnesota Statute: 609.2242.1(2)

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

Offense Level: Misdemeanor

Offense Date (on or about): 04/13/2016

Control #(ICR#): 16010662

Charge Description: Adam Michael Nelson Also Known As Adam Nelson

On or about April 13, 2016, in the County of Blue Earth, said Defendant, Adam Michael Nelson did, against a family or household member, as defined in M.S.A. 518B.01 Subd. 2, intentionally inflict or attempt to inflict bodily harm upon another.

STATEMENT OF PROBABLE CAUSE

On April 13, 2016, at approximately 8:23 p.m., Officer Matt Vitale of the Mankato Department of Public Safety was dispatched to a location in Mankato, Blue Earth County, on the report of a domestic assault. Dispatch advised Officer Vitale that Victim 1 left the apartment and was now at a different location. Officer Vitale was advised that Victim 1 reported that Adam Michael Nelson, D.O.B. 7-14-1988, had choked, hit, and pushed Victim 1.

Officer Vitale made contact with Victim 1, who stated that Nelson is her boyfriend and that they live together. Victim 1 stated she has been dating Nelson on and off since 2010, and they have a daughter in common. Victim 1 stated that earlier that evening, they got into a verbal argument regarding Nelson's attitude and the time they spent together. Victim 1 stated that the argument got heated, and they called each other names.

Victim 1 stated that Nelson called her a "faggot," so she called him a "faggot." Victim 1 stated this upset Nelson, so he ran into the living room and pushed Victim 1 onto the couch. Victim 1 stated that her daughter could see the entire fight. At that time, Victim 1 told Nelson to get out. Nelson went to their bedroom and started packing his things.

Victim 1 stated she went into the bedroom to tell Nelson to leave the keys as she owns both of their cars, and Nelson does not have a valid driver's license. Victim 1 stated that Nelson "snapped" and began to choke her. Victim 1 stated that Nelson stood behind her and put her head inside of his right elbow and choked her in a headlock position. Victim 1 stated she was standing to begin with, but Nelson choked her with enough power to bring her to the floor. Victim 1 stated that when Nelson was choking her, it impeded her ability to breathe as well as her blood circulation. Victim 1 stated she could not breathe at all and thought she was going to "black out." Victim 1 stated she tried to scream but was unable to. She then began to fight back by swinging her arms back towards Nelson, but it was ineffective. Victim 1 estimated that Nelson choked her for approximately one minute. When Nelson finally let go of her, Victim 1 screamed, "I can't breathe."

Victim 1 ran out of the room and grabbed her keys to leave. Nelson then took her car keys from her. Victim 1 grabbed her cell phone and said she was going to call the police. She then started unlocking her phone to call the police, and Nelson took Victim 1's cell phone from her preventing her from calling the police. Victim 1 stated that she told Nelson, "Just let me leave." Nelson then said, "No, you're going to sit here and watch me pack my stuff." Victim 1 tried to grab for her keys again, but Nelson grabbed Victim 1 by the wrist and pinned her up against the wall. Nelson told her, "You're the one who did this." Victim 1 stated that she repeatedly told Nelson to let her go. Nelson would respond by saying, "No, no, you're not leaving."

Nelson then tried to put Victim 1 into the same headlock choking position again, but Victim 1 was able to fight back, and Nelson was unable to put her back in that position. While she was fighting back, Nelson incidentally struck her in her upper forehead, causing a red spot. Victim 1 stated she was screaming the entire time in hopes that a neighbor would hear her. Nelson was telling her to stop screaming and then suddenly gave up and went back into their bedroom. At that time, Victim 1 picked up her keys and took her daughter out of the house. Victim 1 stated she did not even put her shoes on. Officer Vitale noted that Victim 1 was not wearing shoes and was wearing minimal clothing at the time. Victim 1 stated she thought Nelson might kill her that evening.

Officer Arkell made contact with Nelson and was advised by Officer Vitale to place him under arrest for Domestic Assault. Nelson was taken to the jail where he was read his Miranda warning and agreed to speak with Officer Arkell. Nelson stated that Victim 1 and him got into an argument because he was gone

during the day skateboarding with his dog. Nelson stated that Victim 1 wanted him to spend more time with her, and she became verbally aggressive with him. Nelson stated that Victim 1 tried to leave, but he stopped her so that they could finish the conversation and talk about the problem. Nelson claimed that he was not trying to keep Victim 1 from leaving but just to stay and talk with him.

Nelson claimed that while they were arguing, Victim 1 attacked him out of nowhere. Nelson claimed that Victim 1 was hitting him with an open hand and closed fist. Nelson admitted pushing Victim 1 back in self-defense but said he did not push enough to hurt her or leave marks. Officer Vitale had previously observed scratches and red marks on Victim 1's neck and throat area. When asked about these marks, Nelson claimed he did not know how Victim 1 received the marks.

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

Matthew DuRose
Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3141

Electronically Signed:
04/14/2016 11:12 AM
Blue Earth County, Minnesota

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:
04/14/2016 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: April 14, 2016.

Judicial Officer

Greg Anderson
District Court Judge

Electronically Signed: 04/14/2016 11:26 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.

ADAM MICHAEL NELSON

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: