

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-1285
07-CR-16-3128

State of Minnesota,

Plaintiff,

vs.

ADAM ROBERT MAHOWALD DOB: 09/03/1986

718 Range St
North Mankato, MN 56003

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-GM-Subsequent Violation

Minnesota Statute: 609.2242.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 08/08/2016

Control #(ICR#): 16023574

Charge Description: Adam Robert Mahowald

On or about August 8, 2016, in the County of Blue Earth, said Defendant, Adam Robert Mahowald 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 and has a previous qualified domestic violence-related offense conviction or an adjudication of delinquency within ten years following discharge from sentence or disposition for that offense.

COUNT II

Charge: Domestic Assault-GM-Subsequent Violation

Minnesota Statute: 609.2242.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 08/08/2016

Control #(ICR#): 16023574

Charge Description: Adam Robert Mahowald

On or about August 8, 2016, in the County of Blue Earth, said Defendant, Adam Robert Mahowald did,

against a family or household member, as defined in M.S.A. 518B.01 Subd. 2, intentionally inflicted or attempted to inflict bodily harm upon another and has a previous qualified domestic violence-related offense conviction or an adjudication of delinquency within ten years following discharge from sentence or disposition for that offense.

STATEMENT OF PROBABLE CAUSE

On August 8, 2016, officers with the Mankato Department of Public Safety were dispatched to a reported domestic disturbance that had occurred near the intersection of Madison Avenue and Sioux Road in the City of Mankato. While responding to the call, Officer Hoppe was updated by dispatch that the male party involved had left the area in a vehicle with a child and that the female had walked to a nearby parking lot. Upon learning that the parties resided in North Mankato, Officer Hoppe asked the North Mankato Police Department to attempt to locate the male.

Officer Hoppe then located and stopped with the reporting party, Victim, an adult female. Victim advised Officer Hoppe of the following information. Victim and her husband, Adam Robert Mahowald, D.O.B. 9-3-1986, had been having some problems and are going through a separation. Mahowald had been arrested in July 2016 for a Domestic Assault against Victim in North Mankato. Mahowald was just released from jail that week, and the case was still pending. The parties had gone to get haircuts tonight, and an argument started over Mahowald seeing another woman. Victim told Mahowald that they should cancel their marriage counseling appointment if Mahowald was going to be seeing another woman. Mahowald became very upset and hit victim in the upper left arm four times. Mahowald was screaming and yelling. A juvenile male, Mahowald's 10-year-old son, began yelling at Mahowald to stop. Victim ended up getting out of the vehicle in the intersection, and Mahowald drove off, leaving Victim.

Officer Kruger also responded to the call. Officer Kruger responded to North Mankato after learning the North Mankato Police Department had located Mahowald. Officer Kruger arrived and made contact with Mahowald. Officer Kruger escorted Mahowald over to Officer Kruger's squad car and advised Mahowald that he was being detained while officers investigated the incident.

Officer Kruger made contact with the juvenile male. Officer Kruger asked the juvenile male what the juvenile male had seen. The juvenile male stated that his dad and Victim were having an argument that was very loud. The juvenile male stated they were swearing. The juvenile male initially stated he did not see much because he looked away. The juvenile male advised that Victim is the juvenile male's stepmom. The juvenile male indicated that the incident was caused by Victim believing Mahowald was texting another female. The juvenile male stated that Victim got upset about this, and everything started.

Officer Hoppe then arrived on scene with Victim. Officer Kruger learned that the juvenile male had been yelling for his dad to stop it and leave Victim alone. Officer Kruger also learned that the juvenile male had seen what happened but was afraid to get his father into trouble.

Officer Hoppe and Officer Kruger made contact with the juvenile male again and asked the male if he saw Mahowald hit Victim. The juvenile male originally said no; but then, when asked if the juvenile male was afraid to get his dad in trouble, the juvenile male nodded yes. The juvenile male was asked if Mahowald hit Victim. The juvenile male said he saw Mahowald hit Victim once but then looked away.

Officer Kruger spoke to Mahowald after reading Mahowald a Miranda warning. Mahowald provided the following information. Mahowald and Victim got into an argument in the car. Victim started pushing Mahowald, so Mahowald told Victim to get out. Mahowald stated he shoved Victim out of the way but did not admit hitting Victim. Mahowald stated Victim accused Mahowald of texting a girlfriend. Mahowald stated he was trying to drive out of the parking lot, and Victim started freaking out. Mahowald stated Victim put her hands on Mahowald, and he shoved them away. Mahowald indicated he did not understand why he was being arrested and wanted a different outcome.

Mahowald was transported to the Blue Earth County Jail. A review of Mahowald's criminal history reveals a

June 19, 2007, conviction for Criminal Sexual Conduct in the Third Degree from Le Sueur County as set forth in Court File No. 40-CR-05-919.

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

J Knutson
Sergeant
710 S Front St
Mankato, MN 56001-3803
Badge: 3148

Electronically Signed:
08/09/2016 01:25 PM
Blue Earth County, mn

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:
08/09/2016 11:42 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: August 9, 2016.

Judicial Officer

Kurt D Johnson
District Court Judge

Electronically Signed: 08/09/2016 01:33 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.

ADAM ROBERT MAHOWALD

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: