

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-1316
07-CR-16-3191

State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

JAMES JAY WIDLER DOB: 10/09/1982

508 Main St NE
Mapleton, MN 56065

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: Burglary-3rd Deg-Steal/Commit Felony or Gross Misd

Minnesota Statute: 609.582.3

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

Offense Level: Felony

Offense Date (on or about): 08/10/2016

Control #(ICR#): 16001189

Charge Description: James Jay Widler

On or about August 10, 2016, in the County of Blue Earth, said Defendant, James Jay Widler did enter a building without consent and with intent to steal or commit any felony or gross misdemeanor while in the building, or enters a building without consent and did steal or commits a felony or gross misdemeanor while in the building, either directly or as an accomplice.

COUNT II

Charge: Theft-Take/Use/Transfer Movable Prop-No Consent

Minnesota Statute: 609.52.2(a)(1), with reference to: 609.52.3(2)

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

Offense Level: Felony

Offense Date (on or about): 08/10/2016

Control #(ICR#): 16001189

Charge Description: James Jay Widler

On or about August 10, 2016, in the County of Blue Earth, said Defendant, James Jay Widler, did, intentionally and without claim of right take, use, transfer, conceal or retain possession of the movable

property of another without the other's consent and with intent to deprive the owner permanently of possession of the property and the value of the property or services stolen exceeded \$5,000.00.

COUNT III

Charge: Theft-Take/Use/Transfer Movable Prop-No Consent

Minnesota Statute: 609.52.2(a)(1), with reference to: 609.52.3(3)(a)

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

Offense Level: Felony

Offense Date (on or about): 08/10/2016

Control #(ICR#): 16001189

Charge Description: James Jay Widler

On or about August 10, 2016, in the County of Blue Earth, said Defendant, James Jay Widler, did intentionally and without claim of right take, use, transfer, conceal or retain possession of the movable property of another without the other's consent and with intent to deprive the owner permanently of possession of the property and the value of the property or services stolen exceeded \$1,000.00.

COUNT IV

Charge: Receiving Stolen Property

Minnesota Statute: 609.53.1, with reference to: 609.52.3(2)

Maximum Sentence: 10 years and/or \$20,000

Offense Level: Felony

Offense Date (on or about): 08/10/2016

Control #(ICR#): 16001189

Charge Description: James Jay Widler

On or about August 10, 2016, in the City of Mankato, County of Blue Earth, said Defendant, James Jay Widler, did receive, possess, transfer, buy, or conceal any stolen property or property obtained by robbery, knowing or having reason to know the property was stolen or obtained by robbery and the value of the property is over \$5,000.00.

COUNT V

Charge: Obstruct Legal Process-Interfere w/Peace Officer

Minnesota Statute: 609.50.1(2), with reference to: 609.50.2(2)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 08/10/2016

Control #(ICR#): 16001189

Charge Description: James Jay Widler

On or about August 10, 2016, in the County of Blue Earth, said Defendant, James Jay Widler did, intentionally, obstruct, resist, or interfere with a peace officer while the officer was engaged in the performance of official duties and the act was accompanied by force or violence or the threat thereof.

COUNT VI

Charge: Give Peace Officer False Name/Birthdate/ID Card

Minnesota Statute: 609.506.1

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

Offense Level: Misdemeanor

Offense Date (on or about): 08/10/2016

Control #(ICR#): 16001189

Charge Description: James Jay Widler

On or about August 11, 2016, in the County of Blue Earth, said Defendant, James Jay Widler did, with intent to obstruct justice, gave a fictitious name, other than a nickname, or gave a false date of birth, or false or fraudulently altered identification card to a peace officer, as defined in section 626.84, subdivision 1, paragraph (c), when that officer makes inquiries incident to a lawful investigatory stop or lawful arrest, or inquires incident to executing any other duty imposed by law.

STATEMENT OF PROBABLE CAUSE

On August 11, 2016, at approximately 7:53 a.m., Officer Andrew Hagen with the Mapleton Police Department was contacted by Deputy Don Gabler with the Blue Earth County Sheriff's Office regarding a possible theft.

Officer Hagen was told that Witness 1 had called Deputy Gabler and told him he had seen individuals making trips with snow blowers from Residence 1 on Main Street down to Residence 2 on Main Street in the City of Mapleton during a lull in the storm last night. Officer Hagen contacted Witness 2 (an employee of the owner of Residence 1), advised him of what was going on, and asked him to check the building and advise if there were any issues.

Witness 2 returned a call to Officer Hagen a short time later and stated that someone was in the building. A window in the garage door to the rental unit was broken and there was paper taped to the windows in the garage doors and insulation propped up against the door.

Officer Hagen responded to Residence 1 with Witness 2. Witness 2 works for the owner of the property at Residence 2, which appeared to have been broken into. Witness 2 advised at that time that there were at least five Toro snow blowers missing from the property. Another individual present at the scene indicated that a blue chop saw was missing and a third individual advised there were at least '\$30,000.00' worth of tools missing from the area that he rents of the unit, where he keeps his millwright business.

Officer Hagen noted that the duct tape used to tape the windows during the burglary contained defined fingerprints and he was able to collect some of it and preserve it as evidence. He also pulled off some of the duct tape from the garage doors that had fingerprints in the glue. Witness 2 pointed out that there was a bottle of beer on the floor where the snow blowers had been stored, and it was also taken as evidence.

As Officer Hagen was clearing the scene, Witness 1 drove by and asked Officer Hagen to meet him at the Mapleton Police Department. As Officer Hagen was leaving Residence 1, Deputy Gabler stated that there were several individuals sitting at the curb at Residence 2. Officer Hagen asked Deputy Gabler to assist with photographing and identifying the individuals.

On arrival at Residence 2, Officer Hagen saw two individuals who were sitting on the curb and one who was standing in front a Dodge Neon parked at the curb. Officer Hagen advised that there was a burglary at a building down the street and a neighbor saw individuals carrying stolen property from the building to the residence. Officer Hagen noted that one of the individuals was shaking and looking down at the ground. The individuals stated that they lived there (at Residence 2).

The male standing by the Dodge Neon said that he was just there to pick them up. One of the other individuals stated that they had been there all night. James Widler, the defendant herein, was ultimately identified as one of the individuals standing outside the property. Widler had initially given Officer Hagen a false name but the property owner to Residence 2 indicated that the name given was false and stated Widler was living at Residence 2. Widler had gone inside the Residence 2 by this time, but the property owner convinced him to come back outside to talk with law enforcement. During the time period Widler was gone, officers were able to verify his identity and learned he had active Warrants. When Widler came back out of Residence 2, officers told him he was going to be placed under arrest.

When informed he was going to be arrested for outstanding warrants, Widler started to back away and refused to give officers his hands. Both officers grabbed an arm and started to walk him to the squad car. He was told several times to put his hands behind his back but began to actively resist. He physically pulled

away from Officer Hagen. Officer Hagen then removed his Taser and ordered Widler to the ground. Widler immediately stopped, said he was done, and complied. Deputy Gabler was able to handcuff him. Widler was placed in the back of a squad car and Officer Hagen immediately noticed that he was sweating profusely. Officer Hagen suspected Widler was under the influence of methamphetamines. Widler refused to properly identify himself and adamantly claimed that his name was 'Jeffrey Hanson from Table Rock, Missouri.' Other witnesses at the scene had already provided information to law enforcement which verified that he was James Widler.

Shortly after Widler was arrested, Deputy Gabler received a phone call from the owner of Residence 2. The owner indicated that after Widler's arrest, she went into the residence where and found stolen property and tools where Widler had been residing.

Officer Hagen contacted the victims of the stolen property to obtain serial numbers for tools and other items. One of the victims indicated that he was missing a trolling motor, a depth finder, three indicators, three calipers, deburring tools, gauge pens, gauge blocks, hand tools such as standard and metric wrenches, parallels, Allen wrenches, edge finders, a floor jack, jack stands, a blue channel lock rechargeable trouble light, and other items. This victim had previously stated he was missing over '\$30,000' worth of tools, from 25 years worth of his business; however he had not yet listed each specific item and its value.

A second victim indicated that he was missing five snow blowers, each ranging in value between \$442.80 and \$836.54. (In total over \$3,000 just in missing snow blowers.)

A third victim indicated that he was missing slide drivers and various golf clubs valued in total at over \$1000.00.

A fourth victim who was also storing property inside the rental unit indicated he was missing a chop saw valued at approximately \$300.00.

Based on the information provided from the victims and the property owner for Residence 2, Officer Hagen drafted a search warrant, which was reviewed by Judge Birnbaum with the Blue Earth County District Court, and the search warrant was executed for Residence 2.

In searching the property, law enforcement noted that there were a number of snow blowers lined up against the house, a trolling motor and a chop saw were underneath a tarp on the northwest corner of the house, and inside the bedroom where Widler was residing, the golf clubs and various tools described above were located. Photos were taken of other items that were suspected to have been stolen as well. Those items included a brass bat, a federal shotgun, 12 gauge shotgun shells, disposable camera, a drill, a Craftsman Skil saw, and an Allen wrench holder.

Officer Hagen also made contact with the original complaining party, Witness 1, who provided a physical description of the male he observed moving the snowblowers during the lull in the storm. He further stated that male was the same male who was 'always outside with his shift off in a baseball cap.' Witness 1 provided the name of a female who lives in the area whom he believed would recognize the male suspect.

Officer Hagen contacted the female who subsequently positively ID'd Widler in a photo line-up.

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

Andrew Hagen
Patrol Officer
104 2nd Ave NE
PO Box 342
Mapleton, MN 56065
Badge: 4873

Electronically Signed:
08/12/2016 12:56 PM
Faribault County, mn

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

Prosecuting Attorney

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

Electronically Signed:
08/12/2016 12:44 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 _____, _____ 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 12, 2016.

Judicial Officer

Kurt D Johnson
District Court Judge

Electronically Signed: 08/12/2016 01:35 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.

JAMES JAY WIDLER

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: