

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

MAN-16-0621
07-CR-16-3221

State of Minnesota,
Plaintiff,

COMPLAINT
Summons

vs.

ERVIN JOHN WEIMERN DOB: 09/20/1964

155 Laurinda Lane
Mankato, MN 56001

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: Domestic Abuse - Violate Order for Protection-Misdemeanor

Minnesota Statute: 518B.01.14(b)

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

Offense Level: Misdemeanor

Offense Date (on or about): 07/10/2016

Control #(ICR#): 16020322

Charge Description: Said Defendant, Ervin John Weimern, Also Known As Ervin Weimern, Buddy Weimern And Ervin Buddy John Weimern, did violate an Order for Protection granted by a judge or referee.

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 William Hullopeter and others identified herein.

On July 10, 2016 at approximately 8:52 PM Officer Hullopeter responded to a residence on Laurinda Lane in Mankato, Blue Earth County, for a report of an order for protection violation.

The report indicated that the protected party had returned home to find the defendant, Ervin John Weimern's vehicle parked in front of her residence. She didn't know if the defendant was inside the residence in wanted the police to search the house.

When Officer Hullopeter arrived, the victim informed him that the defendant had driven the van away. The officer also spoke with witness 1, a neighbor. Witness 1 stated he was outside and saw the victim sitting in her parked vehicle down the street. He then saw the defendant's son arrive at the victim's residence and go into the house. The defendant's son then came back out of the house with the defendant and they both left in the van prior to police arrival. Officers went to the nearby residence of a family member of the defendant's, to check for the defendant. Officer Terry was informed that the defendant ran out the back door before they arrived.

Officer Hullopeter confirmed the victim has an active order for protection which prohibits the defendant from having any contact with her and is prohibited from going to or entering the victim's residence on Laurinda lane.

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

Daniel Schisel
Police Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3135

Electronically Signed:
08/15/2016 11:02 AM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Linda B. Hilligoss
Assistant Blue Earth County
Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002-3129
(507) 304-4600

Electronically Signed:
08/15/2016 10:40 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 **September 15, 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: August 16, 2016.

Judicial Officer

Krista J Jass
Judge of District Court

Electronically Signed: 08/16/2016 11:19 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.

ERVIN JOHN WEIMERN

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: