

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0201
07-CR-16-525

State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

TIMOTHY LAWRENCE TRUEBENBACH DOB: 02/24/1987

13779 486th Ave
Vernon Center, MN 56090

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 Assault-Felony

Minnesota Statute: 609.2242.4

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

Offense Level: Felony

Offense Date (on or about): 02/09/2016

Control #(ICR#): 16001621

Charge Description: Timothy Lawrence Truebenbach Also Known As Timothy Lawrence Truenbach, Timothy Lawrence Truebenbach, Timothy Lawrance Truebenbach, Timothy Truebenbach, Tim Truebenbach And Timmy Truebenbach

On or about February 9, 2016, in the County of Blue Earth, said Defendant, Timothy Lawrence Truebenbach, 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 two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency within ten years following discharge from sentence or disposition for that offense.

STATEMENT OF PROBABLE CAUSE

On February 9, 2016, at 5:43 a.m., Deputy Jim Othoudt and Detective Jerry Billiar, both the Blue Earth County Sheriff's Office, were called to respond to a domestic assault at 486th Avenue in Vernon Center, Blue Earth County, Minnesota. On arrival, Deputy Othoudt met with the alleged victim's father, Adult 1. Adult 1 stated that his adult son, Timothy Truebenbach, was most likely out in the shop and had assaulted his younger brother that morning. Adult 1 briefly told the deputies that he did not witness anything personally but that Juvenile 1 had marks on him but did not need medical attention.

Adult 1 thought that Truebenbach may have gone to the neighbor's house, which was located directly east of their residence. Deputies responded to that location and entered through the front door and made contact with Truebenbach, who was standing in the kitchen. Truebenbach stated that he was the one that they were looking for. Deputies asked Truebenbach to tell them what happened. Truebenbach said that he and his brother got into a scuffle and were slapping each other. He would not tell deputies anything more as to what happened during the confrontation. Deputies observed a cut on Truebenbach's left hand, just above his thumb, and some scrapes on his left hip. Truebenbach said the injuries were from the fight between him and his younger brother, Juvenile 1.

During this time, Detective Billiar responded to the Truebenbach residence and interviewed Juvenile 1 and Adult 1. Detective Billiar learned from Juvenile 1 that Juvenile 1 was in his bedroom on the couch using his father's cellphone when Truebenbach entered Juvenile 1's bedroom wanting his father's cellphone. Juvenile 1 refused to give Truebenbach the cellphone. Truebenbach yelled and cursed at Juvenile 1 a few times and then punched Juvenile 1 in the left arm. Juvenile 1 stood up, and Truebenbach grabbed Juvenile 1 by his shoulders. Juvenile 1 grabbed Truebenbach back and threw him on the bed where the two wrestled for a while. Truebenbach said that their father, Adult 1, yelled upstairs. Truebenbach then left Juvenile 1's bedroom and went into his own room. Juvenile 1 indicated that Truebenbach had grabbed him by the neck for a couple of seconds, so that was why he had grabbed Truebenbach by the neck to get him off of him. Juvenile 1 showed Detective Billiar an injury just below Juvenile's right collarbone, an injury to his left upper arm where he was punched, a mark on his right cheek, and a scratch on the center of his back. Juvenile 1's injuries were photographed.

Adult 1 was also interviewed and advised that he was in the shower and heard a noise and yelled, that Truebenbach had come downstairs and then went outside. Adult 1 explained that Truebenbach has been in trouble before for domestic situations, including one involving a machete. Adult 1 explained that Truebenbach is supposed to be taking medications for schizophrenia but refuses to take them. Adult 1 reported that the family is afraid of Truebenbach and that their youngest son locks his bedroom door. Adult 1 reported that the family did not want Truebenbach returning to their home.

Based on this information and the injuries to Juvenile 1, Truebenbach was placed under arrest and brought to the Blue Earth County Sheriff's Office where he was escorted into interview room #1 and advised his Miranda Rights. Truebenbach indicated he understood his rights and agreed to speak with the deputy. Truebenbach stated that he got to the top of the steps that morning and asked Juvenile 1 for Adult 1's cellphone and explained to Juvenile 1 that he could use a different phone. Truebenbach said that he attempted to grab the phone from Juvenile 1 and that was when the confrontation started. Truebenbach chose not to discuss any portion of the confrontation. Truebenbach said that when the confrontation was over, he went outside to smoke a cigarette.

A check of Truebenbach's criminal history shows two prior qualified domestic violence related offenses within the last 10 years:

Misdemeanor Domestic Assault conviction (07-CR-11-3284) with offense date 9/28/2011; and

Felony Terroristic Threats conviction (07-CR-12-3180) with offense date 8/28/2012.

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

Thomas Coulter
Deputy Sheriff
401 Carver Rd
Mankato, MN 56002-0228
Badge: 2707

Electronically Signed:
02/10/2016 09:54 AM
Blue Earth 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:
02/10/2016 09:47 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: February 10, 2016.

Judicial Officer Richard C. Perkins
Judge of District Court

Electronically Signed: 02/10/2016 10:39 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.

TIMOTHY LAWRENCE TRUEBENBACH

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: