

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-1519
07-CR-16-3695

State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

MICHAEL ZANE ZARIF DOB: 11/03/1977

no perm

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-1st Deg-Poss Dangerous Weapon/Explosive

Minnesota Statute: 609.582.1(b)

Maximum Sentence: 20 years and/or \$35,000

Offense Level: Felony

Offense Date (on or about): 09/19/2016

Control #(ICR#): 16028321

Charge Description: Michael Zane Zarif

On or about September 19, 2016, in the County of Blue Earth, said Defendant, Michael Zane Zarif did enter a building without consent and with intent to commit a crime, or entered a building without consent and committed a crime while in the building, either directly or as an accomplice and the burglar possessed, when entering or at any time while in the building, any of the following: a dangerous weapon, any article used or fashioned in a manner to lead the victim to reasonably believe it to be a dangerous weapon, or an explosive.

COUNT II

Charge: Burglary-2nd Degree-Dwelling

Minnesota Statute: 609.582.2(a)(1)

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

Offense Level: Felony

Offense Date (on or about): 09/19/2016

Control #(ICR#): 16028321

Charge Description: Michael Zane Zarif

On or about September 19, 2016, in the County of Blue Earth, said Defendant, Michael Zane Zarif did

enter a building without consent and with intent to commit a crime, or entered a building without consent and committed a crime while in the building, either directly or as an accomplice and the building is a dwelling.

COUNT III

Charge: Assault-5th Degree-Fear of Bodily Harm or Death

Minnesota Statute: 609.224.1(1)

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

Offense Level: Misdemeanor

Offense Date (on or about): 09/19/2016

Control #(ICR#): 16028321

Charge Description: Michael Zane Zarif

On or about September 19, 2016, in the County of Blue Earth, said Defendant, Michael Zane Zarif did commit an act with intent to cause fear in another of immediate bodily harm or death.

STATEMENT OF PROBABLE CAUSE

On September 19, 2016, Lieutenant Timothy Mohr with the Blue Earth County Sheriff's Office responded to the Blue Earth County Jail regarding a trespassing complaint and burglary that the North Mankato Police Department had assisted with due to a personnel shortage of officers in the City of Mankato at the time of the initial complaint.

On arrival at the jail, Lieutenant Mohr met with North Mankato Police Officer Jacob Kral. Officer Kral advised Lieutenant Mohr that he had responded to Residence 1 in the City of Mankato in regard to a trespassing/burglary complaint. Officer Kral advised that he transported the male suspect to the Blue Earth County Jail. Lieutenant Mohr observed a male in a holding cell and briefly spoke to the male, who was later identified as Michael Zarif.

Zarif stated he did not burglarize anyone and that he was cleaning the apartment and had permission to be in the apartment and that he wasn't trespassing. Zarif explained to Lieutenant Mohr that he is in a relationship with Witness 1 and that he was given permission by Witness 1. Zarif advised Lieutenant Mohr he had looked for a key to the apartment and had permission to be there.

Zarif continued to state that he wasn't a burglar, and Witness 1 told him he could stay there, and the back door to the apartment was unlocked when he turned the doorknob and went in. Zarif claimed a neighbor in the apartment complex helped him look for the spare key that was located under the barber's chair outside of the apartment complex.

Lieutenant Mohr was able to make contact with the complainant, who advised that over the weekend, she had left with her boyfriend to the Cities. Witness 1 stated she knows Zarif from when she was addicted to drinking and that Zarif is only an acquaintance of hers and has not had contact with him since becoming sober. Witness 1 stated that Zarif has been in her apartment before, and Witness 1 knows Zarif's wife.

Witness 1 stated that at no time during this past weekend was Zarif given permission to enter her apartment. Witness 1 did state she received a message through Facebook that Zarif wanted to stay at her place. Witness 1 stated that she received this message through a phone number belonging to Witness 2. Witness 2 is a neighbor who apparently allowed Zarif to use his phone to contact Witness 1 via Facebook.

Witness 1 stated she had spoken to Witness 2 and told Witness 2 that Zarif was not allowed to stay at her apartment because she was gone and she was with her boyfriend in the Cities. Witness 1 stated that Zarif is a drug addict and must be on something other than alcohol. Witness 1 further stated that she didn't know how Zarif would have gotten into the apartment because she had changed the locks and only she and her boyfriend had keys.

Witness 1 stated that today when she got dropped off, before she opened the door to her apartment, it opened and Zarif was standing in her apartment. Witness 1 stated she was shocked and fearful because Zarif was in the apartment, and she had no clue how he would have gotten in. Witness 1 stated she immediately smelled an odor of cleaning supplies.

Witness 1 claimed that she spoke with Zarif for a while and was fearful because of clothing and some other items, including a red hatchet, that had been placed next to the refrigerator. Witness 1 claimed that Zarif told her he had left his wife, and Witness 1 made an excuse to leave the apartment and then called 911.

Witness 1 provided the phone number for Witness 2, the neighbor she had contact with over the weekend. Witness 2 spoke with Lieutenant Mohr by phone and explained that he had helped a male look for a key

underneath a barber's chair outside of the apartment complex. Witness 2 explained that when he went outside he saw a black male looking for a key while he was having a cigarette. Witness 2 helped the male look and that a key was never located. Witness 2 stated he let the male use his phone to contact Witness 1. Witness 2 did not know how the male (Zarif) had gotten into Witness 1's apartment.

Witness 1 and Lieutenant Mohr returned to Witness 1's apartment together. Lieutenant Mohr noted the strong odor of cleaning supplies, and also observed a scarf tied to the backdoor and the red handled hatchet. Witness 1 stated Zarif's behavior had been odd and seemed paranoid. Witness 1 again stated Zarif's behavior and the hatchet caused her to be fearful of Zarif.

Lieutenant Mohr returned to the Blue Earth County Jail where he met with Zarif and advised Zarif he was going to be charged with burglary and trespassing.

Zarif was read his Miranda rights and agreed to speak with Lieutenant Mohr. Zarif claimed that he had been speaking with Witness 1 and had obtained permission to go into her apartment. Zarif stated that while speaking with Witness 1, Witness 1 stated her phone was going to die; and the conversation ended. Zarif stated he thought it was fine that he continue into the apartment. Zarif claimed the back door was unlocked, and he went inside. Zarif stated he was a friend of Witness 1's, and he was staying there and that the apartment was dirty, so he started to clean. Zarif agreed the locks had been changed. Zarif further stated he tied something to the back door because he wasn't sure if Witness 1's boyfriend or roommate would come back. Zarif stated Witness 1 came back in the morning, and the two had a conversation about Zarif's wife leaving him. Zarif stated that Witness 1 left the apartment; and approximately four minutes later, there was pounding on the door; and he opened it and it was the police.

After obtaining a statement from Zarif, Lieutenant Mohr received a copy of text messages between Witness 1 and Witness 2 regarding Zarif. In the text messages, Witness 1 clearly states that Zarif is 'trouble' and that she does not want Witness 2 to allow Zarif to use his phone to contact her again.

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:
09/20/2016 12:53 PM
Blue Earth County, Minnesota

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:
09/20/2016 11:30 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: September 20, 2016.

Judicial Officer

Kurt D Johnson
District Court Judge

Electronically Signed: 09/20/2016 01:25 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.

MICHAEL ZANE ZARIF

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: