

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

BEC-15-1553  
07-CR-15-4522

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**State of Minnesota,**  
Plaintiff,

**COMPLAINT**  
Order of Detention

vs.

**CODY LEE SHAKAL DOB: 06/01/1992**

unknown

Defendant.

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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: Drugs - 5th Degree - Possess Schedule 1,2,3,4 - Not Small Amount Marijuana**

Minnesota Statute: 152.025.2(a)(1)

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

Offense Level: Felony

Offense Date (on or about): 11/04/2015

Control #(ICR#): 15034919

Charge Description: Cody Lee Shakal

On or about November 4, 2015, in the County of Blue Earth, said Defendant, Cody Lee Shakal did unlawfully possess one or more mixtures containing a controlled substance classified in schedule I, II, III, or IV, except a small amount of marijuana.

**COUNT II**

**Charge: Traffic-Drivers License-Driving After Revocation**

Minnesota Statute: 171.24.2

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

Offense Level: Misdemeanor

Offense Date (on or about): 11/04/2015

Control #(ICR#): 15034919

Charge Description: Cody Lee Shakal

On or about November 4, 2015, in the County of Blue Earth, said Defendant, Cody Lee Shakal did after being given notice, or reasonably should have known of the revocation, disobeyed the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while her/his license or privilege was revoked.

### COUNT III

**Charge: Drugs - Possess/Sale Small Amount of Marijuana - No Remuneration**

Minnesota Statute: 152.027.4(a)

Maximum Sentence: \$300 fine

Offense Level: Petty Misdemeanor

Offense Date (on or about): 11/04/2015

Control #(ICR#): 15034919

Charge Description: Cody Lee Shakal

On or about November 4, 2015, in the County of Blue Earth, said Defendant, Cody Lee Shakal did unlawfully possess a small amount of marijuana.

### COUNT IV

**Charge: Contempt of Court - Willful Disobedience to Court Mandate**

Minnesota Statute: 588.20.2(4)

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

Offense Level: Misdemeanor

Offense Date (on or about): 11/04/2015

Control #(ICR#): 15034919

Charge Description: Cody Lee Shakal

On or about November 4, 2015, in the County of Blue Earth, said Defendant, Cody Lee Shakal did commit a contempt of court by willful disobedience to the lawful process or other mandate of a court.

## STATEMENT OF PROBABLE CAUSE

On November 4, 2015, at approximately 3:14 p.m., Officer Sean McClinton of the Mankato Department of Public Safety received a call that there was a vehicle broken down on the frontage road next to Independent Paint and Flooring located at 219 South Victory Drive in Mankato, Blue Earth County. The complainant stated there were kids in the car and that the driver wanted to leave because the driver didn't have a driver's license. The complainant stated the driver wanted the complainant to help him tow the vehicle.

Officer McClinton spoke to the complainant, who described what the driver was wearing. The complainant then stated that the male driver told him he didn't have a license and wanted complainant to help tow him. The complainant stated that he told the driver he couldn't help.

Upon arriving at the scene, Officer McClinton observed a black Pontiac Grand Am, license number 758EHA, on top of a speed bump at the location. Officer McClinton recognized a male standing near the vehicle from prior contacts as Cody Lee Shakal, D.O.B. 6-1-1992. When Officer McClinton observed Shakal, he was wearing clothes that matched the description of the driver of the vehicle provided by the complainant.

Officer McClinton made contact with Shakal, who denied driving and stated that the registered owner had been driving the vehicle. Officer McClinton then spoke to S.H., who was also standing near the vehicle. S.H. stated that Shakal asked her to say that she was driving to the police. S.H. stated that Shakal told her he didn't have a driver's license and that he couldn't get caught. Officer McClinton confronted Shakal about these statements, and Shakal still claimed that the registered owner of the vehicle was driving. Shakal claimed that the registered owner went to get help towing the vehicle and that he should be back by now. A record check confirmed that Shakal's driving privileges were currently revoked.

Officer McClinton looked in the vehicle and observed what he thought was a digital scale sitting in the center console in plain view. Officer McClinton's prior contacts with Shakal involved the use of narcotics. Officer McClinton asked Shakal what it was. Shakal stated it was a GPS and asked Officer McClinton if he wanted to see it. Officer McClinton stated that he did. Shakal then went into the vehicle, sat down, and retrieved the GPS unit. As Shakal did this, Officer McClinton observed a plastic sandwich baggie folded up in Shakal's left pants pocket. Based on Officer McClinton's training and experience, he knew a baggie rolled up in that way was often associated with narcotics.

Officer McClinton asked Shakal what was in the baggie. Shakal stated it was a sandwich baggie. Officer McClinton again asked what was in it. Shakal then started to pull it out, then stopped. Shakal then quickly tried to hide the baggie behind his back. As he was doing so, Officer McClinton observed there was some type of green substance in the baggie. Officer McClinton secured Shakal's hands and told him to let go of the baggie. At that time, Officer McClinton observed that the baggie contained suspected marijuana.

Due to his prior contacts and arrests, Officer McClinton knew that Shakal currently had conditions of release that he was required to follow. Officer McClinton contacted dispatch to verify what those conditions were. Dispatch confirmed that Shakal was required to have no use or possession of drugs or alcohol. Officer McClinton then placed Shakal under arrest for violating his conditions of release and driving after revocation. At that time, Shakal stated that he was holding the baggie for the registered owner.

Shakal was transported to the Blue Earth County Jail and turned over to jail staff. Shortly thereafter, Officer McClinton was contacted by the Blue Earth County Jail and informed that jail staff had located a baggie with a white powdery substance in it. Jail staff informed Officer McClinton they located this baggie of white

powdery substance in Shakal's wallet.

Officer Hoppe went to the Blue Earth County Jail to recover the baggie of white substance. Officer Hoppe observed that the baggie appeared to be approximately one gram of a white, crystalized substance. Officer Hoppe field tested the substance and it tested positive for the presence of methamphetamine.

## 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**

Matthew DuRose  
Commander  
710 S Front St  
Mankato, MN 56001-3803  
Badge: 3141

Electronically Signed:  
11/05/2015 01:25 PM  
Blue Earth County, Minnesota

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

**Prosecuting Attorney**

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

Electronically Signed:  
11/05/2015 01:04 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: November 5, 2015.

**Judicial Officer**

Greg Anderson  
District Court Judge

Electronically Signed: 11/05/2015 02:37 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.

**CODY LEE SHAKAL**

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: