

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0932
07-CR-16-2309

State of Minnesota,

Plaintiff,

vs.

AMANDA NICOLE NOLETTE DOB: 02/22/1988

121 E. Main St #212
Mankato, MN 56001

Defendant.

COMPLAINT

Order of Detention

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 - Subsequent Conviction

Minnesota Statute: 152.025.2(b)(1)

Maximum Sentence: Not less than 6 months nor more than 10 years and/or \$20,000

Offense Level: Felony

Offense Date (on or about): 06/04/2016

Control #(ICR#): 16007940

Charge Description: Amanda Nicole Nolette Also Known As Amanda N Nolette, Amanda Nolette, Hollywood, Flocka And Barbie

On or about June 4, 2016, in the County of Blue Earth, said Defendant, Amanda Nicole Nolette, 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; and said defendant was previously convicted of a controlled substance crime.

COUNT II

Charge: Traffic - DWI - Operate Motor Vehicle Under Influence of Controlled Substance

Minnesota Statute: 169A.20.1(2), with reference to: 169A.27.2

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

Offense Level: Misdemeanor

Offense Date (on or about): 06/04/2016

Control #(ICR#): 16007940

Charge Description: Amanda Nicole Nolette Also Known As Amanda N Nolette, Amanda Nolette, Hollywood, Flocka And Barbie

On or about June 4, 2016, in the County of Blue Earth, said Defendant, Amanda Nicole Nolette did, drive, operate, or was in physical control of any motor vehicle when he/she was under the influence of a controlled substance.

COUNT III

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

Minnesota Statute: 609.52.2(a)(1), with reference to: 609.52.3(5)

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

Offense Level: Misdemeanor

Offense Date (on or about): 06/04/2016

Control #(ICR#): 16007940

Charge Description: Amanda Nicole Nolette Also Known As Amanda N Nolette, Amanda Nolette, Hollywood, Flocka And Barbie

On or about June 4, 2016, in the County of Blue Earth, said Defendant, Amanda Nicole Nolette 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.

COUNT IV

Charge: Drugs - Possession of Drug Paraphernalia - Use or Possession Prohibited

Minnesota Statute: 152.092

Maximum Sentence: \$300

Offense Level: Petty Misdemeanor

Offense Date (on or about): 06/04/2016

Control #(ICR#): 16007940

Charge Description: Amanda Nicole Nolette Also Known As Amanda N Nolette, Amanda Nolette, Hollywood, Flocka And Barbie

On or about June 4, 2016, in the County of Blue Earth, said Defendant, Amanda Nicole Nolette did knowingly or intentionally possess drug paraphernalia; to wit: a smoking device

STATEMENT OF PROBABLE CAUSE

On June 4, 2016, at approximately 3:29 p.m., Brian Martin of the Blue Earth County Sheriff's Office was dispatched to the area of Cray Corner in Blue Earth County on the report of a vehicle off the roadway. Deputies were advised that the vehicle was a black car and was in the ditch. Upon arriving in the area, deputies were unable to locate any vehicles. They were able to locate fresh tire marks on the north side of Highway 60, east of County Road 115.

Approximately 15 minutes later, Deputy Martin was dispatched to the Quick Mart at 101 South Hawley Street in Blue Earth County on the report of a gas drive-off. Dispatch advised that a White female with blond hair had pumped \$10.00 of fuel into a black vehicle, possibly a Chevy. The caller provided a license plate number of 394 TKY. The caller advised that the vehicle was last seen going north on Highway 169. The caller advised that a male in a white truck had been with the female at the pump. A check of the license plate 394 TKY showed that the vehicle registered as a 2008 Pontiac G6 and the registered owner was Amanda Nicole Nolette, D.O.B. 2/22/88.

Deputies located the Pontiac in the parking lot of the Landmark Center in the City of Mankato, Blue Earth County. Deputies observed that there was fresh damage to the vehicle, and it was believed that the vehicle owned by Nolette was the vehicle that went off the road near Cray Corner. Deputies were unable to locate the female driver at the time. At that time, Deputy Gahler was on patrol and was attempting to locate the white truck that was seen with Nolette with license plate 707 TKX. Deputy Gahler observed the truck and stopped it. He then approached the passenger side and observed Nolette sitting in the passenger seat. Nolette matched the description of the individual who drove off without paying for gas at the Quick Mart. Adult 1, who was driving the white pickup, stated that he was giving Nolette a ride because she went in the ditch.

Nolette stated that she was on her way home from work in Okoboji, Iowa, and she left at 4:00 a.m. Nolette stated she was a little shaken up because she went into the ditch just outside of Lake Crystal. Nolette stated she fell asleep and then drove into the ditch and was lucky to be alive. Deputy Gahler had Nolette exit the vehicle and placed her in the rear of his squad.

Adult 1 stated that he followed Nolette to the gas station and back to her home after she went in the ditch. Adult 1 stated that Nolette then asked him for a ride to a trailer park near the campus of Minnesota State University-Mankato. Adult 1 stated that he was then taking Nolette back to her residence when the traffic stop took place. Adult 1 stated he did not know if Nolette had been impaired while driving and did not know if she had any recent drug use.

Deputy Gahler then spoke to Nolette in the back of the squad car. Deputy Gahler could smell the odor of marijuana coming from Nolette. Nolette admitted that she used marijuana earlier in the morning on June 4. Nolette stated that she didn't remember going into the ditch and that she didn't remember where she was. Nolette stated that she stopped to get gas at the Quick Mart but didn't realize that she forgot to pay for the gas. Nolette stated she then called Adult 1 to help her get out of the ditch. Nolette stated that Adult 1 followed her to the gas station to get gas and she wanted him to pick her up at her residence and take her to the trailer park near the Minnesota State University-Mankato college area. Nolette claimed she had not been using any narcotics or any other substance that would impair her driving. Nolette later admitted that she had used marijuana.

While speaking with Nolette, Deputy Gahler observed that Nolette's speech was slurred, she had fidgety movement, and she couldn't stay still. Deputy Gahler could not smell an odor of alcohol but believed Nolette may be under the influence of an unknown substance. Deputy Gahler began performing field-sobriety tests

with Nolette. Deputy Gahler did not observe any clues while Nolette was performing the HGN test. When Nolette was performing the walk-and-turn test, she stepped off the line, paused during the test, and made an improper turn. Nolette also took an improper number of steps during the walk-and-turn test. While doing the one-legged stand test, Nolette started the test prior to being told to; she skipped counting 12 and counted 14 twice; and she had slow, slurred speech while counting. Nolette placed her foot back on the ground after she counted to 14. Based on his observations of Nolette, the fact she crashed her vehicle, and the fact she did not realize she didn't pay for the gas, Deputy Gahler believed that Nolette was under the influence of a controlled substance.

When Nolette learned that the deputies were attempting to get a warrant for a blood draw, Nolette stated that 'Of course there would be Xanax in my system because I use it every day. I need it, but I just don't have a prescription for it.' While Nolette was performing the HGN test, she stated there was no point in continuing the HGN test because Deputy Anderson had 'found it and I'm going to jail anyways.' Nolette was referring to the fact that Deputy Anderson had been searching Nolette's purse and located a marijuana pipe and three pills and a gem-style baggy. The three pills were later identified as Alprazolam, a Schedule IV narcotic. Deputies also located \$142.00 in Nolette's purse. Nolette stated that she needed this right now because she was going down the wrong path 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

Richard Murry
Captain
401 Carver Rd
Mankato, MN 56002-0228
Badge: 2708

Electronically Signed:
06/06/2016 01:15 PM
Blue Earth County, MN

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:
06/06/2016 01:11 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: June 6, 2016.

Judicial Officer

Bradley C Walker
District Court Judge

Electronically Signed: 06/06/2016 01:31 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.

AMANDA NICOLE NOLETTE

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: