

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

MAN-16-0306
07-CR-16-1523

State of Minnesota,

Plaintiff,

vs.

PATRICK RYAN HOLICKY DOB: 10/06/1983

335 W. Tyrone St.
Le Center, MN 56057

Defendant.

COMPLAINT

Summons

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

Minnesota Statute: 609.52.2(a)(1)

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

Offense Level: Misdemeanor

Offense Date (on or about): 04/05/2016

Control #(ICR#): 16009727

Charge Description: Said Defendant, Patrick Ryan Holicky, 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.

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 Sean McClinton and others identified herein.

On April 5, 2016, at approximately 11:10 a.m., HyVee Loss Prevention Officer, W1, observed an unknown Caucasian male pick up various Chinese meals, one slice of pizza, and a liter of Pepsi at the store location of 2010 Adams Street, City of Mankato, County of Blue Earth, State of Minnesota. The unknown Caucasian male was later identified as Patrick Ryan Holicky, the Defendant herein, by way of HyVee surveillance video, DVS photo, and Minnesota license plate information.

After observing the Defendant pick up the various aforementioned items, W1 observed the Defendant walk to the rear of HyVee by the meat department and proceeded to the general merchandise aisle. The Defendant continued towards HyVee's south entrance/exit doors, past all checkpoints, and exited the first set of doors. At this time, W1 stopped the Defendant and asked for a receipt. W1 noted that the Defendant became very nervous, but began to return inside the store with W1. W1 requested the Defendant's identification at the time of incident and the Defendant advised he did not have identification. W1 requested the Defendant's phone instead. The Defendant provided a phone to W1. W1 told the Defendant he was under arrest for shoplifting. At the time W1 stated that the Defendant was under arrest for shoplifting, the Defendant and W1 were standing by the north entrance doors. The Defendant then ran out of the store.

W1 observed the Defendant approach a white Nissan Altima in the parking lot bearing Minnesota license plates. The Defendant yelled out to the Caucasian male sitting in vehicle and continued running towards Five Guys restaurant. Loss Prevention contacted Mankato Police. Loss prevention noted that the total amount stolen was \$19.47.

Officer McClinton arrived at HyVee and spoke with W1. W1 provided a license plate number of the Nissan Altima to Officer McClinton. Officer McClinton ran the Minnesota license plate and compared the photo from video surveillance at HyVee with the DVS photo of the Defendant, and discovered a positive identification. Officer McClinton showed the DVS photo to W1. W1 positively identified the individual in the DVS photo as the same individual who stole various items from Hy-Vee that morning, the Defendant. W1 provided Officer McClinton with a HyVee duplicate receipt regarding the items stolen.

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:
04/15/2016 10:18 AM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Nicholas Boulieris
Assistant County Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002-3129
(507) 304-4600

Electronically Signed:
04/14/2016 03:31 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 **May 5, 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: April 15, 2016.

Judicial Officer Krista J Jass
Judge of District Court

Electronically Signed: 04/15/2016 10:56 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.

PATRICK RYAN HOLICKY

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: