

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0265-03
07-CR-16-939

State of Minnesota,

Plaintiff,

vs.

KRAY LYNN GROTHE DOB: 07/21/1995

308 S Winnebago St
Lake Mills, IA 55450

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: Assault-3rd Degree-Substantial Bodily Harm

Minnesota Statute: 609.223.1, with reference to: 609.05.1

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

Offense Level: Felony

Offense Date (on or about): 02/20/2016

Control #(ICR#): 16004780

Charge Description: Kray Lynn Grothe

On or about February 20, 2016, in the County of Blue Earth, said Defendant, Kray Lynn Grothe did intentionally aid, advise, hire, counsel, or conspire with, or otherwise procure another to commit the crime, and/or did personally commit said crime; to wit: did, assault another and inflicted substantial bodily harm.

COUNT II

Charge: Riot-3rd Degree-Unlawful Force or Violence

Minnesota Statute: 609.71.3

Maximum Sentence: 1 years and/or \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 02/20/2016

Control #(ICR#): 16004780

Charge Description: Kray Lynn Grothe

On or about February 20, 2016, in the County of Blue Earth, said Defendant, Kray Lynn Grothe did, with at least two other persons, disturb the public peace by an intentional act or threat of unlawful force or violence to person or property.

COUNT III

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

Minnesota Statute: 609.224.1(1), with reference to: 609.05.1

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

Offense Level: Misdemeanor

Offense Date (on or about): 02/20/2016

Control #(ICR#): 16004780

Charge Description: Kray Lynn Grothe

On or about February 20, 2016, in the County of Blue Earth, said Defendant, Kray Lynn Grothe did intentionally aid, advise, hire, counsel, or conspire with, or otherwise procure another to commit the crime, and/or did personally commit said crime; to wit: did commit an act with intent to cause fear in another of immediate bodily harm or death.

COUNT IV

Charge: Assault-5th Deg-Inflict or Attempt Bodily Harm

Minnesota Statute: 609.224.1(2), with reference to: 609.05.1

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

Offense Level: Misdemeanor

Offense Date (on or about): 02/20/2016

Control #(ICR#): 16004780

Charge Description: Kray Lynn Grothe

On or about February 20, 2016, in the County of Blue Earth, said Defendant, Kray Lynn Grothe did intentionally aid, advise, hire, counsel, or conspire with, or otherwise procure another to commit the crime, and/or did personally commit said crime; to wit: did intentionally inflict or attempted to inflict bodily harm upon another.

COUNT V

Charge: Disorderly Conduct-Brawling or Fighting

Minnesota Statute: 609.72.1(1)

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

Offense Level: Misdemeanor

Offense Date (on or about): 02/20/2016

Control #(ICR#): 16004780

Charge Description: Kray Lynn Grothe

On or about February 20, 2016, in the County of Blue Earth, said Defendant, Kray Lynn Grothe did, in a public or private place, knowingly, or having reasonable grounds to know it will, or will tend to, alarm, anger or disturb others or provoke an assault or breach of the peace, engaged in brawling or fighting.

STATEMENT OF PROBABLE CAUSE

On February 20, 2016 at approximately 1:21 a.m., officers with the Mankato Department of Public Safety went to the Riverside Suites in the City of Mankato for an assault that had occurred, leaving the victim bleeding in the parking lot. The suspects had reportedly taken off running towards Kwik Trip. Sergeant Baker and Officer Reinbold arrived and made contact with hotel staff. Staff stated that the victim had gone to his room. Officers went to the room and made contact with the victim, an adult male. Victim was intoxicated and initially not very interested in reporting the assault. Officers noted that Victim had dried blood on his mouth and marks on his face. Officers convinced Victim to get checked out by paramedics. Victim agreed and while being evaluated, he was informed that he very possibly had broken ribs from the assault. Victim was complaining that his left side hurt. Victim initially declined to go to the hospital.

While this was happening, Officer Wanderscheid had located the suspects and recognized them as people he had dealt with earlier in the night. The suspects were brought to the Law Enforcement Center due to the multiple contacts throughout the night and Detox arrangements were made.

Officer Reinbold had cleared from the incident but a short time later, Dispatch informed him that Victim had called for the ambulance to return as he was having difficulty breathing. Officer Reinbold went back to the hotel and met with Victim. Victim walked out of the hotel and fell to the ground, holding his left side. A few minutes later, Gold Cross arrived and Victim was transported to the hospital.

Officer Reinbold had a hotel employee retrieve surveillance video footage so he could see what had happened where the outdoor camera was pointing. In reviewing the video, he could see four suspects get dropped off and spend some time off camera. They are all then seen talking on camera and Victim is seen walking up to them. The five males stand around, appearing to be in conversation. At one point, one of the males, later identified as Connor Long, DOB 2-17-1995, slapped the food out of Victim's hand. Long then steps back and taunts him, throwing his arms up and walking towards him, then backing away. Victim appears to just stay standing by the other three males. Long is then seen walking up to Victim and pushing him to the right of the camera screen and off camera. Victim, Long, and one of the other males, later identified as SM, are then off camera. The additional two males, later identified as Kray Lynn Grothe, DOB 7-21-1995, and Travis Wayne Manley, DOB 4-11-1996, are still on camera watching whatever is happening. The two suddenly charge toward the group that is off camera. After a few seconds, Victim is seen being thrown to the ground, back in camera view. Long, Grothe, and Manley then proceed to kick and stomp Victim while he is defenseless on the ground. After a short time, Long, Grothe, and Manley stop the assault and take off running south toward the Kwik Trip store.

Officer Wanderscheid responded to the emergency room and spoke with Victim. Victim provided the following information to Officer Wanderscheid. Victim was in town, visiting friends for the night, and was staying at the hotel after watching basketball. He went outside for a cigarette and made contact with four males outside of the hotel lobby. He said that there was some conversation with the four males but he did not remember specifics. He said that the four males surrounded him and he said that he was going back inside. At that point, Victim said that he was punched one time in the back of the head. He said that he turned around and punched one of the males, not knowing which one, and was forced to the ground. Victim said that he got kicked several times, all over his body, while on the ground for approximately 15 seconds before the group ran away to the south. Victim said that he initially did not think he was hurt bad; however, his left ribcage area became more and more sore, to the point where he had a difficult time breathing so he called for an ambulance. Victim signed a medical release authorization for law enforcement.

Long, Grothe, Manley, and SM were transported to the Law Enforcement Center and interviewed. Officer Reinbold first spoke with Manley. He was read a Miranda warning and he agreed to talk about the incident.

All Manley would say was that his friends were arguing and Victim got involved in something that was not his business. Manley refused to expand on the incident further but added that Officer Reinbold should have heard what Victim had said prior to the assault.

Officer Reinbold then spoke to SM. He read SM a Miranda warning and SM agreed to speak with him. SM said that he remembered getting to the hotel and Long and Grothe getting into an argument. He said the next thing he remembered was running away and getting picked up by the police. SM said they were in town to celebrate his birthday and he was extremely intoxicated. He provided a preliminary breath test that indicated a result of .216. Officer Reinbold noted that SM was the most intoxicated of the four and SM was later sent to a Detox facility.

Officer Reinbold next spoke to Long. He read Long a Miranda warning and Long said he wanted to talk to Officer Reinbold but thought Long should call someone first just to protect himself.

Officer Reinbold also spoke to Grothe. He read Grothe a Miranda warning and Grothe said he just wanted to be honest about the incident, due to being informed that it was on video. Grothe said that Long was mad at him for something he'd said earlier during their encounter with the police and they were arguing about that when Victim walked up. Victim was trying to get them to fight and acted like he wanted to watch a fight. He repeatedly encouraged them to fight each other and at one point, Long got mad and knocked the food out of his hands. Grothe said that Victim acted as though he wanted to punch someone and he said he stepped forward and offered for him to punch him in the face, just to get the incident over with. Long then pushed Victim and the two continued wrestling around. Grothe and Manley rushed toward the two and he said this was because they did not want Long to get hurt, and it seemed like Victim had the upper hand. Grothe then admitted that when Victim went to the ground, they stomped and kicked him. Grothe indicated that they were being stupid and it was a bad decision.

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:
03/11/2016 12:19 PM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Ryan S. Hansch
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
03/11/2016 10:54 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 **April 7, 2016 at 2:30 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: March 11, 2016.

Judicial Officer Krista J Jass
Judge of District Court

Electronically Signed: 03/11/2016 02:12 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.

KRAY LYNN GROTHE

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: