

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

BEC-15-1780  
07-CR-15-5127

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**State of Minnesota,**  
Plaintiff,

**COMPLAINT**  
Order of Detention

vs.

**GERALD LEE PENMAN DOB: 07/11/1980**

1422 Southhaven Drive  
Mankato, MN 56001

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: Domestic Abuse No Contact Order - Violate No Contact Order - within 10 years of previous conviction**

Minnesota Statute: 629.75.2(c)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 12/15/2015

Control #(ICR#): 15016669

Charge Description: Gerald Lee Penman Also Known As Gerald Penman

On or about December 15, 2015, in the County of Blue Earth, said Defendant, Gerald Lee Penman did violate a Domestic Abuse No-Contact Order and the respondent or person to be restrained knew of the existence of the order and the violation occurred during the time period between a previous qualified domestic violence-related offense conviction and the end of the ten years following discharge from sentence for that offense.

## STATEMENT OF PROBABLE CAUSE

On December 15, 2015, at approximately 2:30 p.m., Deputy Don Gabler of the Blue Earth County Sheriff's Office took a possible DANCO violation report from the Blue Earth County Jail staff at 401 Carver Road in Mankato, Blue Earth County. Deputy Gabler spoke to Corrections Officer Nelson, who stated that Gerald Lee Penman, D.O.B. 7-11-1980, was given a card to make a phone call to family. Corrections Officer Nelson discovered that, while making calls, Penman called Adult 1.

There is currently an active Domestic Abuse No Contact Order in Court File No. 81-CR-15-497 that forbids Penman from having any contact, direct or indirect, with Adult 1. Penman was served with this Domestic Abuse No Contact Order on June 15, 2015; and it is still active.

Corrections Sergeant Robinson pulled Penman's phone card and observed that Penman kept referring to the person he was talking to by the same first name as Adult 1. Corrections officers then confronted Penman about this, and Penman confirmed he was talking to Adult 1 and that she deserves to know what he was telling her.

Deputy Gabler spoke to Penman about the phone call. Penman stated that the Court 'put one on us', referring to the Domestic Abuse No Contact Order. Penman then stated that Adult 1 was going to marry him.

A record check reveals that Penman was convicted of Stalking, which is a qualified prior domestic violence-related offense in June 2009.

## 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:  
12/16/2015 02:22 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:  
12/16/2015 01:03 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: December 16, 2015.

**Judicial Officer**

Krista J Jass  
Judge of District Court

Electronically Signed: 12/16/2015 03:56 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.

**GERALD LEE PENMAN**

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: