

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0823
07-CR-16-2002

State of Minnesota,

Plaintiff,

vs.

JONATHAN LABS DOB: 03/06/1994

501 W Main St #5
Waterville, MN 56046

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

Minnesota Statute: 152.025.2(a)(1)

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

Offense Level: Felony

Offense Date (on or about): 05/13/2016

Control #(ICR#): 16014043

Charge Description: Jonathan Labs

On or about May 13, 2016, in the County of Blue Earth, said Defendant, Jonathan Labs 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: Drugs - Possess Over 1.4 Grams Marijuana In Motor Vehicle

Minnesota Statute: 152.027.3

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

Offense Level: Misdemeanor

Offense Date (on or about): 05/13/2016

Control #(ICR#): 16014043

Charge Description: Jonathan Labs

On or about May 13, 2016, in the County of Blue Earth, said Defendant, Jonathan Labs did unlawfully possess a small amount of marijuana when that person was the owner of a private motor vehicle, or was the driver of the motor vehicle if the owner is not present, and possesses on the person, or knowingly

keeps or allows to be kept within the area of the vehicle normally occupied by the driver or passengers, more than 1.4 grams of marijuana

COUNT III

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): 05/13/2016

Control #(ICR#): 16014043

Charge Description: Jonathan Labs

On or about May 13, 2016, in the County of Blue Earth, said Defendant, Jonathan Labs did knowingly or intentionally possess drug paraphernalia; to wit: a smoking device

STATEMENT OF PROBABLE CAUSE

Mankato Department of Public Safety Police Officer Will Hullopetter states that on May 13, 2016, at approximately 11:17 p.m., he observed a vehicle traveling northbound on North Riverfront Drive in the City of Mankato with an inoperable headlight. Officer Hullopetter stopped the vehicle near Highway 14 and walked up to the driver's side of the car and identified the driver as Jonathan Douglas Labs.

While speaking with Labs, while Labs was looking for his proof of insurance, Officer Hullopetter noted that he was shaking and appeared very nervous. When asked why he was nervous, he stated he could not find his proof of insurance. While speaking with Labs, Officer Hullopetter smelled the odor of burnt marijuana coming from inside the vehicle. When asked if he had anything illegal in the car, he replied, "no." When asked if he had any marijuana, he did not say yes or no but said he had been in trouble for that. When asked how long ago, he stated it had been awhile.

Officer Hullopetter told him he could smell marijuana coming from the vehicle and told him to give him whatever he had. Labs appeared to ignore what Officer Hullopetter said and continued to look for his proof of insurance for several seconds and then finally stated that he could not find it. He asked if he could call his mom to get his insurance. Officer Hullopetter again told him to give him whatever he had, and Labs said he did not think it would smell, and he pulled out a one-hitter pipe from his pants pocket. He stated he just smoked at a friend's house.

When asked if he had anything else illegal on him or in the car, he stated he did not. Officer Hullopetter told him to step out of the car, and he responded by asking why he was pulled over. When told that he was stopped for the headlight, he was told to get out again. He exited the vehicle slowly and put his hands in his pocket. Officer Hullopetter told him to take his hands out of his pocket, and he said he did not know why he was being searched. Labs continued to act very nervous. He was placed in handcuffs for officer's safety.

Labs stated there was another marijuana pipe in his pocket, and Officer Hullopetter found a multicolored glass pipe that contained burnt residue inside. He also found a piece of tissue paper; and when asked what it was, he stated he did not know; it looked like garbage. Officer Hullopetter found \$54.00 of cash in his pocket and asked how much money he had, to which he stated that was his rent money and estimated about \$300.00. Officer Hullopetter found a plastic container in his pocket which contained approximately less than half a gram of marijuana.

Officer Hullopetter opened the container and noticed that there was a paper folded up inside. When the paper was opened, it appeared to be a brown, wax-like substance. He could smell the strong odor of marijuana when he opened the paper. Based upon his training and experience, Officer Hullopetter believed it was marijuana wax. Inside his wallet, Officer Hullopetter noted there were two different groupings of cash. One contained \$319.00, and the other contained \$380.00.

Officer Hullopetter asked Labs how much wax he had. He said his friend must have put that in the container. When asked who the friend was, Labs smiled and said, "Why would I tell you that?" The wax subsequently field tested positive for marijuana.

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:
05/16/2016 09:24 AM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Patrick R. McDermott
Assistant Blue Earth County
Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
05/16/2016 09:19 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 _____, _____ 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: May 16, 2016.

Judicial Officer

Kurt D Johnson
District Court Judge

Electronically Signed: 05/16/2016 10:06 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.

JONATHAN LABS

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: