

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

BEC-16-0612  
07-CR-16-1734

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**State of Minnesota,**

Plaintiff,

vs.

**DEVON WESLEY MARTIN DOB: 04/28/1991**

136 Kingsway Drive  
North Mankato, MN 56003

Defendant.

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**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: Check Forgery-Falsely Endorse**

Minnesota Statute: 609.631.2(2), with reference to: 609.631.4(4)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 02/12/2016

Control #(ICR#): 16000155

Charge Description: Devon Wesley Martin Also Known As Devon Westley Martin

On or about February 12, 2016, in the County of Blue Earth, said Defendant, Devon Wesley Martin, did falsely endorse or alter a check so that it purports to have been endorsed by another.

**COUNT II**

**Charge: Check Forgery-Offer/Possess W/Intent to Defraud**

Minnesota Statute: 609.631.3, with reference to: 609.631.4(4)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 02/12/2016

Control #(ICR#): 16000155

Charge Description: Devon Wesley Martin Also Known As Devon Westley Martin

On or about February 12, 2016, in the County of Blue Earth, said Defendant, Devon Wesley Martin did, with intent to defraud, offered, or possessed with intent to offer, a forged check whether or not it is accepted.

## COUNT III

### **Charge: Receiving Stolen Property**

Minnesota Statute: 609.53.1, with reference to: 609.52.3(5)

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

Offense Level: Misdemeanor

Offense Date (on or about): 02/12/2016

Control #(ICR#): 16000155

Charge Description: Devon Wesley Martin Also Known As Devon Westley Martin

On or about February 12, 2016, in the County of Blue Earth, said Defendant, Devon Wesley Martin did receive, possess, transfer, buy or conceal any stolen property or property obtained by robbery, knowing or having reason to know the property was stolen or obtained by robbery and the value of the property is less than \$1,000.00.

## STATEMENT OF PROBABLE CAUSE

On February 12, 2016, at approximately 5:35 p.m., Officer Larson of the Tri-City Police Department was dispatched to Casey's General Store at 405 West Maine Street in the City of Amboy, County of Blue Earth, State of Minnesota, regarding a fraudulent check transaction. Upon arrival, Officer Larson met the complainant employee, W1. W1 stated the suspect was a younger male with dirty blonde or black beard, a larger pointed nose, and was wearing jeans with an Under Armour sweatshirt.

On February 14, 2016, Officer Larson and Nicollet County Deputy #2304 drove to the address written on the check used in the fraudulent transaction. The residence was located in North Mankato, Minnesota. Officer Larson was referred a telephone number by the deputy belonging to W2. W2 was previously a complaint party that lived at the North Mankato residence. Officer Larson contacted W2 via telephone and left a voice message.

On February 15, 2016, Officer Larson received a voicemail from W2, called W2 back, and spoke with W2. W2 stated that V1, whose name was on the check, was deceased for the past five years. All of V1's bank accounts were closed the same year as V1's death. W2 also stated that S1 may be involved with the check fraud incident. S1 was previously involved in a burglary case that occurred at V1's residence. After speaking with W2, Officer Larson obtained videotapes of the transaction from Amboy Casey's via store manager, W1. Officer Larson reviewed the videotapes and took screen shots of the suspect. The screen shots obtained by Officer Larson did not match the physical description of S1, given by W2. Officer Larson contacted W2 and asked to meet in order to show W2 the screen shot photographs obtained by Officer Larson regarding the transaction at Amboy Casey's.

On February 21, 2016, at approximately 5:30 p.m., Officer Johnson drove to W2's residence for viewing of the screen shots. W2 and W4 viewed the photographs but did not recognize the male suspect.

Officer Larson was in contact with Chief Kopp regarding a check fraud case that occurred at the Eagle Lake Casey's involving the same victim, V1. Officer Larson viewed photographs from the Eagle Lake Casey's incident and recognized the suspect as the same person involved in the Amboy Casey's check fraud incident. Chief Kopp informed Officer Larson that in regards to the Eagle Lake Casey's incident, a white Chevy Cavalier was observed and video recorded leaving the Eagle Lake Casey's. The Chevy was later stopped by Officer Hoppe of Mankato Police. The driver of the Chevy, Devon Westley Martin, was arrested for unrelated crimes. Devon Westley Martin was later identified by way of mug shot via Eagle Lake Casey's store clerk, W5.

Chief Kopp stated to Officer Larson that he made contact with Devon Westley Martin, who was living with S2, and set up an interview on March 29, 2016, with Devon Westley Martin. Devon Westley Martin did not show up to the interview and did not return any phone calls.

On April 1, 2016, Officer Larson spoke with W2. W2 informed the officer that the suspect in the check fraud incident may have been identified. W2's relative, W4, had identity stolen and stated that someone was attempting to open credit cards in W4's name. The suspect's return address was identified and given to Officer Larson.

Officer Larson contacted W5, who previously identified Devon Westley Martin in the Eagle Lake Casey's incident. W5 was shown screen shots of the Amboy Casey's incident obtained by Officer Larson. W5 positively identified the suspect as Devon Westley Martin, the Defendant herein. Chief Kopp also showed W5 the Defendant's mug shot, and she again confirmed that the Defendant's mug shot is the same person involved in the Amboy Casey's check fraud incident.



## 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**

Joyce Johnson  
Police Sergeant  
PO Box 250  
Amboy, MN 56010  
Badge: 5672

Electronically Signed:  
04/26/2016 05:32 PM  
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  
(507) 304-4600

Electronically Signed:  
04/19/2016 10:49 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 **May 26, 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: April 28, 2016.

**Judicial Officer** Greg Anderson  
District Court Judge

Electronically Signed: 04/28/2016 10:13 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.

**DEVON WESLEY MARTIN**

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: