

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

BEC-16-1635  
07-CR-16-3919

---

**State of Minnesota,**

Plaintiff,

vs.

**DONALD WILLIAM RICKARD DOB: 12/26/1952**

910 Wall Street  
N. Mankato, MN 56003

Defendant.

**COMPLAINT**

Summons

Tab Charge/Citation Previously Filed

---

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: Traffic - DWI - Operate Motor Vehicle Under Influence of Alcohol**

Minnesota Statute: 169A.20.1(1), with reference to: 169A.26.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 10/03/2016

Control #(ICR#): 16002236

Charge Description: Donald William Rickard

On or about October 3, 2016, in the County of Blue Earth, said Defendant, Donald William Rickard did, drive, operate, or was in physical control of any motor vehicle when he/she was under the influence of alcohol, and one aggravating factor was present when the violation was committed.

**COUNT II**

**Charge: Traffic - DWI - Operate Motor Vehicle - Alcohol Concentration 0.08 Within 2 Hours**

Minnesota Statute: 169A.20.1(5), with reference to: 169A.26.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 10/03/2016

Control #(ICR#): 16002236

Charge Description: Donald William Rickard

On or about October 3, 2016, in the County of Blue Earth, said Defendant, Donald William Rickard did, drive, operate, or was in physical control of any motor vehicle, when his/her alcohol concentration at the time, or as measured within two hours of the time, of driving, operating or being in physical control of the

motor vehicle was 0.08 or more, and one aggravating factor was present when the violation was committed.

### COUNT III

**Charge: Traffic-DL-Driving after cancellation-inimical to public safety**

Minnesota Statute: 171.24.5

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 10/03/2016

Control #(ICR#): 16002236

Charge Description: On or about October 3, 2016, in the County of Blue Earth, said Defendant, Donald William Rickard did after being given notice, or reasonably should have known of the cancellation, disobeyed the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while her/his license or privilege was cancelled; and the Commissioner of the Department of Public Safety has determined that the operation of a motor vehicle on the highways by the person would be inimical to the public safety or welfare.

## STATEMENT OF PROBABLE CAUSE

On October 3, 2016 at approximately 5:17 p.m., Minnesota DNR officer Wiebusch was investigating an individual at the Lake Crystal public access for a fishing violation. He identified that individual is Donald William Rickard, the defendant. While investigating the defendant, Officer Wiebusch ran the defendant's driver's license and learned that he was canceled as inimical to public safety. The officer noted that the defendant was alone and there was only one car parked at that location. After issuing the defendant a citation for the fishing violation, Officer Wiebusch contacted the Lake Crystal Police Department and spoke with Officer Ganglehoff. He advised Officer Ganglehoff that he suspected the defendant drove to the public access with the canceled driver's license. Officer Ganglehoff drove to the public access area and parked. At approximately 6:30 p.m., Officer Ganglehoff observed the vehicle described by Officer Wiebusch, driving westbound on E. Robinson St. in Lake Crystal, Blue Earth County. He recognize the driver as the defendant and pulled the vehicle over. The defendant gave the officer a Minnesota ID card which identified him as the defendant. While speaking with the defendant, Officer Gangl half could smell a moderate order of alcohol on the defendant and noted that his eyes were bloodshot watery and glassy. Additionally the officer noted that his face was flushed. The officer requested field sobriety tests and during the HGN test Officer Ganglehoff observed five clues of impairment. During the Walk and Turn and one Legged Stand tests, the defendant displayed further clues of intoxication. He was requested to take a PBT which showed a preliminary result of .094 alcohol concentration. The defendant was arrested for DWI and read the Minnesota implied consent advisory at 6:53 p.m. The defendant stated he understood the advisory and wished to speak with an attorney. He was provided a telephone and a telephone directory at the Lake Crystal Police Department at 7:01 p.m. At 7:05 p.m., the defendant stated he was done trying to contact an attorney. The defendant consented to a breath test and the DMT measured the defendant's alcohol concentration as .09 at 7:37 p.m. The defendant has seven prior DWI convictions, however only one, a 2009 conviction from Blue Earth County, is within the previous 10 years.

## 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**

Elijah Blakesley  
Patrol Officer  
100 East Robinson Street  
Lake Crystal, MN 56055  
Badge: 4685

Electronically Signed:  
10/14/2016 12:46 PM  
Blue Earth County, Minnesota

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

**Prosecuting Attorney**

Linda B. Hilligoss  
Assistant Blue Earth County  
Attorney  
401 Carver Road  
PO Box 3129  
Mankato, MN 56002  
(507) 304-4600

Electronically Signed:  
10/12/2016 09:32 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: October 14, 2016.

**Judicial Officer**

Bradley C Walker  
District Court Judge

Electronically Signed: 10/14/2016 12:57 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.

**DONALD WILLIAM RICKARD**

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: