

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0598
07-CR-16-1605

State of Minnesota,
Plaintiff,

COMPLAINT
Summons

vs.

CLAY VINCENT MORRIS DOB: 09/09/1993

12055 41st Ave N
Plymouth, MN 55441

Defendant.

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: Obstruct Legal Process-Interfere w/Peace Officer

Minnesota Statute: 609.50.1(2), with reference to: 609.50.2(2)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 04/09/2016

Control #(ICR#): 16010132

Charge Description: Clay Vincent Morris

On or about April 9, 2016, in the County of Blue Earth, said Defendant, Clay Vincent Morris did, intentionally, obstruct, resist, or interfere with a peace officer while the officer was engaged in the performance of official duties and the act was accompanied by force or violence or the threat thereof.

COUNT II

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): 04/09/2016

Control #(ICR#): 16010132

Charge Description: Clay Vincent Morris

On or about April 9, 2016, in the County of Blue Earth, said Defendant, Clay Vincent Morris 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.

COUNT III

Charge: Disruptive Intoxication

Local Code: 9.48

Maximum Sentence: 90 days and/or \$1000

Offense Level: Misdemeanor

Offense Date (on or about): 04/09/2016

Control #(ICR#): 16010132

Charge Description: Clay Vincent Morris

On or about April 9, 2016, in the City of Mankato, County of Blue Earth, said Defendant, Clay Vincent Morris, did, in a public place, while intoxicated, conduct himself or herself so as to be a danger to themselves or others and/or engaged in public disruption.

STATEMENT OF PROBABLE CAUSE

On April 9, 2016 at approximately 2:36 a.m., Officer Kruger was conducting a directed patrol of the downtown entertainment district in the City of Mankato, County of Blue Earth, State of Minnesota. Officer Kruger sat in a fully marked patrol vehicle when he observed a male stumble, wearing a black hooded sweatshirt and khaki pants. The male was later identified by way of Minnesota driver's license as Clay Vincent Morris, the defendant herein.

The officer observed the defendant walk diagonally across the intersection of East Cherry Street and South Front Street to Erbert and Gerbert's, in the City of Mankato, County of Blue Earth, State of Minnesota. The defendant stumbled into the edge of the window of Erbert and Gerbert's and walked up to the entrance door. At this time, the officer's patrol vehicle window was rolled down in order to better hear the noise occurring outside of the squad vehicle. The defendant proceeded to pound on the Erbert and Gerbert's glass window and yell to patrons inside of the establishment to come outside so the defendant could fight them. The defendant then began to walk towards South Street Saloon but then turned around and said to an unknown male verbal obscenities and swear words; attempting to entice the unknown male to fight. From the squad vehicle, Officer Kruger yelled at the defendant to 'knock it off.'

Officer Kruger made immediate contact with the defendant and told him he could not act like that. The defendant then shouted verbal obscenities and swear words at the officer. Officer Kruger advised the defendant that he could not be threatening to fight people. Officer Kruger advised the defendant that because of his behavior and disruptive intoxication, he would be placed into detox. The officer then asked the defendant to have a seat in the patrol vehicle to which he refused. After asking the defendant several more times to have a seat, the officer then attempted to escort the defendant to the backseat of the squad vehicle.

At this point, the defendant put both arms up in the air, locked them out straight, and kicked his legs back into the shins of the officer's boots. After asking the defendant several more times to comply, Officer Kruger noted that he was able to gain enough control of the defendant to activate the recorder. Officer Kruger then advised the defendant that he was under arrest and attempted to put handcuffs on him. The defendant immediately attempted to pull his own arms under his chest. Eventually, Officer Kruger was able to gain control of the defendant's right hand and place a handcuff on it. The defendant continued to refuse giving his left hand to the officer. At this point after approximately three physical attempts to restrain the defendant enough to handcuff him, Officer Kruger pulled the defendant's right hand toward the back of his neck and applied enough pressure for his left hand to come out in order to place handcuffs on the defendant.

Officer Reinbold arrived on scene and assisted Officer Kruger. The defendant was placed in the backseat of Officer Reinbold's squad vehicle and was later transported to BEC Jail.

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

Deborah McDermott
Patrol Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3143

Electronically Signed:
04/20/2016 01:56 PM
Blue Earth County, mn

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 10:53 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 19, 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 20, 2016.

Judicial Officer

Kurt D Johnson
District Court Judge

Electronically Signed: 04/20/2016 03:02 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.

CLAY VINCENT MORRIS

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: