

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-1085
07-CR-16-2682

State of Minnesota,

Plaintiff,

vs.

RYAN HENRY WANGSNESS DOB: 08/04/1978

P.O. Box 234
Geneva, MN 56035-0234

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

Minnesota Statute: 169A.20.1(1), with reference to: 169A.24.2

Maximum Sentence: 7 years and/or \$14,000

Offense Level: Felony

Offense Date (on or about): 07/02/2016

Control #(ICR#): 16000927

Charge Description: Ryan Henry Wangsness

On or about July 2, 2016, in the County of Blue Earth, said Defendant, Ryan Henry Wangsness did, drive, operate, or was in physical control of any motor vehicle when he/she was under the influence of alcohol, and the violation was committed within ten years of the first of three or more qualified driving incidents or he/she has previously been convicted of a felony DWI.

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.24.2

Maximum Sentence: 7 years and/or \$14,000

Offense Level: Felony

Offense Date (on or about): 07/02/2016

Control #(ICR#): 16000927

Charge Description: Ryan Henry Wangsness

On or about July 2, 2016, in the County of Blue Earth, said Defendant, Ryan Henry Wangsness 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 the violation was committed within ten years of the first of three or more qualified driving incidents or he/she has previously been convicted of felony D.W.I.

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): 07/02/2016

Control #(ICR#): 16000927

Charge Description: Ryan Henry Wangsness

On or about July 2, 2016, in the County of Blue Earth, said Defendant, Ryan Henry Wangsness 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

Mapleton Police Department Officer Andrew Hagen states that on July 2, 2016, he was monitoring traffic on the south side of Mapleton parallel to Highway 22 when, at approximately 10:39 p.m., he observed a motorcycle traveling faster than the posted speed limit. There were no other vehicle in the area, and the tone was loud and clear. Officer Hagen received a radar reading of 63 miles per hour. As the vehicle went past him, Officer Hagen engaged the other radar antenna and received readings up to 67 miles per hour.

Officer Hagen noted that the vehicle was a motorcycle, and he turned around in an attempt to pursue the vehicle and activated the squad car emergency lights. Officer Hagen noted that he was traveling at 105 miles per hour, and it was taking him an abnormally long time to catch the vehicle. The vehicle finally slowed and pulled over just north of the highway 30 turn to New Richland. Officer Hagen radioed dispatch regarding the stop and noted that the motorcycle had a red 2016 sticker, noting that the license was expired.

Officer Hagen approached the motorcycle and heard the exhaust and loud music. He asked the driver to turn the vehicle off and immediately smelled the strong odor of an alcoholic beverage near them. Officer Hagen asked the driver why he decided to speed up, and he indicated there was no reason. When asked if he was aware that his license was expired, he seemed surprised. Officer Hagen asked if he had been drinking and noted that the driver waited for a moment and then stated that he had a couple at a buddy's house. He noted that he was wearing safety goggles but still observed that his eyes were bloodshot and watery.

He asked for a driver's license, and the individual pulled a clipped card from his pocket and eventually stated he did not have his license on him and identified himself by name and date of birth as Ryan Henry Wangsness.

Officer Hagen ran the information and learned that the vehicle was registered to Wangsness, and the plates were flagged to impound for alcohol, and his driving privilege was canceled as inimical to public safety. In addition, he had a no use of alcohol or drug restriction on his license.

Officer Hagen had Wangsness perform field sobriety tests. He was going to offer a preliminary breath test and observed that he had something in his mouth. He asked him to spit out whatever he had in his mouth, and Officer Hagen observed that it was a mint Lifesaver. He waited five minutes and then received a reading of 0.125. Wangsness eventually stated that he had a pending DWI case in Freeborn County.

Wangsness was transported to the police department, and the Implied Consent Advisory was started. The Implied Consent reading was finished at 11:26 p.m. Wangsness was transported to the Blue Earth County Jail and an observation period was started at 11:49 p.m. Officer Hagen noted that Wangness had six prior DWIs and two were felony-level convictions, one from 2004 in Beltrami County and one from 2006 in Olmsted County. In addition, he currently has a felony level DWI case pending in Freeborn County.

The breath test was taken, and the reading resulted in a value of 0.119.

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

Benjamin M Honsey
Chief of Police
104 2nd Ave NE
PO Box 342
Mapleton, MN 56065
Badge: 4871

Electronically Signed:
07/05/2016 08:20 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:
07/05/2016 08:08 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: July 5, 2016.

Judicial Officer Krista J Jass
Judge of District Court

Electronically Signed: 07/05/2016 08:33 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.

RYAN HENRY WANGSNESS

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: