

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

BEC-16-0429  
07-CR-16-1361

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**State of Minnesota,**  
Plaintiff,

**COMPLAINT**  
Warrant

vs.

**JAMES ANTIONE SMITH DOB: 10/02/1977**

Unknown

Defendant.

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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: Fleeing a Peace Officer in a Motor Vehicle**

Minnesota Statute: 609.487.3

Maximum Sentence: 3 years and 1 day and/or \$5,000

Offense Level: Felony

Offense Date (on or about): 02/01/2016

Control #(ICR#): 16001301

Charge Description: James Antione Smith

On or about February 1, 2016, in the County of Blue Earth, said Defendant, James Antione Smith, did, by means of a motor vehicle, flee or attempted to flee a peace officer who is acting in the lawful discharge of an official duty, and the perpetrator knows or should reasonably know the same to be a peace officer.

**COUNT II**

**Charge: Fleeing a Peace Officer By a Means Other Than a Motor Vehicle**

Minnesota Statute: 609.487.6

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

Offense Level: Misdemeanor

Offense Date (on or about): 02/01/2016

Control #(ICR#): 16001301

Charge Description: James Antione Smith

On or about February 1, 2016, in the City of Mankato, County of Blue Earth, said Defendant, James Antione Smith, did, for the purpose of avoiding arrest, detention, or investigation, attempted to evade or elude a peace officer who was acting in a lawful discharge of an official duty by means of running, hiding or by any other means other than fleeing in a motor vehicle.

### COUNT III

**Charge: Traffic Accidents - Collision with Unattended Vehicle - Notify Victim or Police**

Minnesota Statute: 169.09.4, with reference to: 169.09.14(c)

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

Offense Level: Misdemeanor

Offense Date (on or about): 02/01/2016

Control #(ICR#): 16001301

Charge Description: James Antione Smith

On or about February 1, 2016, in the County of Blue Earth, said Defendant, James Antione Smith did collide with and damage a vehicle which was unattended and failed to immediately stop and either locate and notify the driver or owner of the vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle, or report the same to a peace officer, or leave in a conspicuous place in or secured to the vehicle struck a written notice giving the name and address of the driver and the owner of the vehicle doing the striking.

### COUNT IV

**Charge: Traffic Regulation - Driver Fails to Stop at Entrance of Through Highway**

Minnesota Statute: 169.20.3(a)

Maximum Sentence: \$300

Offense Level: Petty Misdemeanor

Offense Date (on or about): 02/01/2016

Control #(ICR#): 16001301

Charge Description: James Antione Smith

On or about February 1, 2016, in the County of Blue Earth, said Defendant, James Antione Smith, did fail to stop in obedience to a stop sign at an intersection where a stop sign was erected.

### COUNT V

**Charge: Traffic - Speeding - Exceed Limit of 30 mph - Urban District**

Minnesota Statute: 169.14.2(a)(1)

Maximum Sentence: \$300

Offense Level: Petty Misdemeanor

Offense Date (on or about): 02/01/2016

Control #(ICR#): 16001301

Charge Description: James Antione Smith

On or about February 1, 2016, in the County of Blue Earth, said Defendant, James Antione Smith did operate a motor vehicle in excess of the posted speed limit; to wit: 50 mph in a 30 mph speed zone.

## STATEMENT OF PROBABLE CAUSE

On February 1, 2016, at approximately 12:25 a.m., Deputy Jase Guetter with the Blue Earth County Sheriff's Office was on patrol in a fully-marked squad car. While leaving the parking of Jake's Stadium Pizza on Stadium Drive, in the City of Mankato, he ran a vehicle's license plate which came back to a revoked driver. The driver of the suspect vehicle appeared to match the description of the male registered owner.

While following the suspect vehicle, the vehicle turned right onto Monks Avenue and failed to stop at the stop sign. Deputy Guetter initiated a traffic stop by activating his emergency lights. The suspect vehicle continued eastbound on Homestead Road and began to pick up speed. Deputy Guetter briefly sounded his sirens in case the driver had not seen his lights. At this point, the vehicle began to accelerate at a high rate of speed for that location. The suspect vehicle continued east on Homestead Road at a high rate of speed (up to 50 mph in a 30 mph zone) through the intersection at Huron Drive, failing to stop at that stop sign as well. After clearing the intersection, Deputy Guetter reactivated his sirens.

The suspect vehicle then turned left on Martin Circle. At the end of Martin Circle, the driver fled from the vehicle on foot, heading west through a residential area. The abandoned suspect vehicle continued to roll, however, eventually colliding with a parked car. As the suspect exited the vehicle, Deputy Guetter could see that the driver was a Black male wearing blue jeans, a black coat, and white stocking cap with a ball on the top of it.

Deputy Guetter gave multiple commands to the suspect to stop and get on the ground. The suspect continued to flee on foot to the west as he took off his black leather jacket, which was later collected and placed into evidence. The suspect continued west until the end of Huron Drive where he circled around a residence before heading back towards Martin Circle. At this point, Deputy Guetter was following the footprints in the snow, and a resident at Huron Drive informed the Deputy that there was a Black male who came running through the neighborhood. The footprints of the fleeing suspect returned to the front door of 110 Martin Circle.

Deputy Guetter and Blue Earth County deputies made contact with Adult 1. Adult 1 stated that her brother just came running through the residence and exited out the back of the house. Adult 1 gave consent to search the residence, but the male suspect was not located. Deputy Kyle Phillips with the Blue Earth County Sheriff's Office assisted Deputy Guetter by collecting the abandoned black leather jacket. Deputy Phillips located inside the pocket multiple storage devices, SIM cards, an orange-colored comb, and other miscellaneous items. After interviewing the occupants of the Martin Circle address, the identity of the driver was still unknown and the Black male still had not been located.

Deputy Guetter was able to obtain the name James Antione Smith, the Defendant herein, as the possible Black male who had fled in the vehicle and then on foot. In the weeks following the incident, Deputy Guetter showed several officers a photograph of Smith. On February 18, 2016, Deputy Guetter spoke with Officer Blaschko with the Mankato Department of Public Safety. Officer Blaschko indicated that she had dealt with Smith on an unrelated incident about a week prior. When shown the photo of Smith, Officer Blaschko positively identified him.

Deputy Guetter and other law enforcement did obtain DNA swabs from inside the vehicle, including the steering wheel, the front driver-door handle, and other items found inside the vehicle in addition to the comb. Those DNA swabs were sent to the BCA for testing and have an estimated due date of June 8, 2016.

It should be noted that Smith is currently on probation with Blue Earth County and his whereabouts are unknown. His mail has been returned from his formerly reported address.

Deputy Guetter was unable to locate Smith in order to question him.

## 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**

Anthony Adams  
Lt. Deputy Sheriff  
401 Carver Rd  
Mankato, MN 56002-0228  
Badge: 2716

Electronically Signed:  
04/07/2016 11:14 AM  
Blue Earth County, Minnesota

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

**Prosecuting Attorney**

Stefanie Menning  
401 Carver Road  
PO Box 3129  
Mankato, MN 56002  
(507) 304-4600

Electronically Signed:  
04/07/2016 08:42 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: \$50,000.00

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 7, 2016.

**Judicial Officer**

Greg Anderson  
District Court Judge

Electronically Signed: 04/07/2016 12:52 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.

**JAMES ANTIONE SMITH**

Defendant

*LAW ENFORCEMENT OFFICER RETURN OF SERVICE  
I hereby Certify and Return that I have served a copy of this Warrant  
upon the Defendant herein named.*

Signature of Authorized Service Agent: