State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No. BEC-16-1825
Court File No. 07-CR-16-4379

State of Minnesota,

Plaintiff,

vs.

LLOYD JOSEPH-MICHAEL SKLUZACEK DOB: 09/27/1981

105 Whispering Pines Court
Mankato, MN 56001

Defendant.

COMPLAINT

Summons

[X] Amended

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: Assault - 4th Degree - Peace Officer - Demonstrable bodily harm
Minnesota Statute: 609.2231.1(c)(1)
Maximum Sentence:
Offense Level: Felony

Offense Date (on or about): 11/04/2016 to 11/04/2016

Control #(ICR#): 16033571

Charge Description: Lloyd Joseph-Michael Skluzacek

On or about November 4, 2016, in the County of Blue Earth, said Defendant, Lloyd Joseph Michael Skluzacek did, physically assault a peace officer when that officer was effecting a lawful arrest or executing any other duty imposed by law and the assault inflicted demonstrable bodily harm or the person intentionally throws or otherwise transfers bodily fluids or feces at or unto the officer.

COUNT II

Charge: Assault in the Third Degree
Minnesota Statute: 609.223.1
Maximum Sentence: 5 years and/or $10,000
Offense Level: Felony

Offense Date (on or about): 11/04/2016 to 11/04/2016

Control #(ICR#): 16033571

Charge Description: On or about November 4, 2016, in the County of Blue Earth, said Defendant, Lloyd Joseph Michael Skluzacek did, assault another and inflict substantial bodily harm.

STATEMENT OF PROBABLE CAUSE

Officer Brent Gagnon, a licensed peace officer in the State of Minnesota currently employed by the Mankato Department of Public Safety, reports that on November 4, 2016, at approximately 8:53 p.m., he and other officers responded to a residence located in the City of Mankato for a welfare check.

When officers arrived, they met with Lloyd Joseph Michael Skluzacek and another individual identified as Witness 1. Both individuals were standing at the end of their driveway. Witness 1's mother, identified as Witness 2, stated she had received a call from both parties asking for help.

Skluzacek and Witness 1 appeared to be extremely intoxicated. Gagnon reports both displayed bloodshot, glossy eyes, slurred speech, an inability to follow simple directions, an inability to balance, and each emitted a strong odor consistent with alcoholic beverages.

Eventually, both individuals were given a preliminary breath test during which Witness 1 tested at a .40 plus and Skluzacek tested a .315.

Officers then transported both parties to Mayo Clinic Health System Mankato for a medical clearance per detox's request.

Gagnon reports once at the hospital, Skluzacek struck Gagnon with a closed left fist in the right eye/nose area. Gagnon reports he could immediately begin to feel his right eye and nose area begin to swell.

After a struggle, officers were able to secure Skluzacek; and he was taken into custody. After being cleared medically, he was then transported to the Blue Earth County Jail.

In a supplemental report dated November 8, 2016 Officer Gagnon reported that he awoke from his shift the morning following this incident and felt a rush of air from his nasal passage making its way to his injured right eye area. Gagnon stated he observed his right eye lid and surrounding area fill with air, much like a balloon, and then close instantly rendering him unable to see from his right eye.

Officer Gagnon responded to the Emergency Department where a CT scan was completed which confirmed two separate bone fractures to the right eyelid. It is unknown at this time whether surgery is required to repair the fractured bones.

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	Adam Gray Sergeant 710 S Front St Mankato, MN 56001-3803 Badge: 3117	Electronically Signed: 11/09/2016 04:16 PM Blue Earth County, MN

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: 11/08/2016 05:03 PM

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).

[X] 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: November 10, 2016.

Judicial Officer Greg Anderson
District Court Judge

Electronically Signed: 11/10/2016 07:53 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.

LLOYD JOSEPH-MICHAEL SKLUZACEK

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: