

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

BEC-16-0452  
07-CR-16-1050

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**State of Minnesota,**

Plaintiff,

vs.

**DEVON WESLEY MARTIN DOB: 04/28/1991**

Defendant.

**COMPLAINT**

Order of Detention

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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: Drugs - 5th Degree - Possess Schedule 1,2,3,4 - Not Small Amount Marijuana**

Minnesota Statute: 152.025.2(a)(1)

Maximum Sentence: 5 years and/or \$10,000

Offense Level: Felony

Offense Date (on or about): 03/18/2016

Control #(ICR#): 16007786

Charge Description: Devon Wesley Martin Also Known As Devon Westley Martin

On or about March 18, 2016, in the County of Blue Earth, said Defendant, Devon Wesley Martin did unlawfully possess one or more mixtures containing a controlled substance classified in schedule I, II, III, or IV, except a small amount of marijuana.

**COUNT II**

**Charge: Traffic - DWI - Operate Motor Vehicle Under Influence of Controlled Substance**

Minnesota Statute: 169A.20.1(2), with reference to: 169A.27.2

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

Offense Level: Misdemeanor

Offense Date (on or about): 03/18/2016

Control #(ICR#): 16007786

Charge Description: Devon Wesley Martin Also Known As Devon Westley Martin

On or about March 18, 2016, in the County of Blue Earth, said Defendant, Devon Wesley Martin did, drive, operate, or was in physical control of any motor vehicle when he/she was under the influence of a controlled substance.

**COUNT III**

**Charge: Pharmacy - Possess/Control/Manufacture/Sell/Furnish/Dispense/Dispose of Hypodermic Syringes/Needles**

Minnesota Statute: 151.40.1, with reference to: 151.29

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

Offense Level: Misdemeanor

Offense Date (on or about): 03/18/2016

Control #(ICR#): 16007786

Charge Description: Devon Wesley Martin Also Known As Devon Westley Martin

On or about March 18, 2016, in the County of Blue Earth said Defendant, Devon Wesley Martin did, possess, control, manufacture, sell, furnish, dispense, or otherwise dispose of hypodermic syringes or needles or any instrument or implement which can be adapted for subcutaneous injections.

**COUNT IV**

**Charge: Drivers License-Driving Without a Valid License or Vehicle Class/Type; Multiple Licenses Prohibited**

Minnesota Statute: 171.02.1

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

Offense Level: Misdemeanor

Offense Date (on or about): 03/18/2016

Control #(ICR#): 16007786

Charge Description: Devon Wesley Martin Also Known As Devon Westley Martin

On or about March 18, 2016 in the County of Blue Earth, said Defendant, Devon Wesley Martin did drive a motor vehicle upon a street or highway in this state without a valid driver's license.

## STATEMENT OF PROBABLE CAUSE

Mankato Department of Public Safety Police Officer Steve Hoppe states that on March 18, 2016, at approximately 6:42 p.m., he was parked in the 400 block of South Fourth Street monitoring traffic when he observed a white Chevy Cavalier fail to stop for the posted stop sign at the intersection of Jackson Street and Fourth Street. The vehicle rolled through the stop sign and turned south onto Fourth Street. Officer Hoppe also recognized the license plate from an attempt to locate that had been put out two days prior as the vehicle was involved in the theft of mail in rural Blue Earth County.

Officer Hoppe turned around to make a traffic stop and observed that the vehicle abruptly pulled to the right and failed to signal and then parked. He observed the driver rapidly exit the vehicle and walk towards the residence to the east, even though the vehicle was running.

Officer Hoppe stopped and activated his squad emergency lights and yelled at the driver to get back into his vehicle. He noted that the male had made it to the other side of the trash can that was parked in front of his vehicle. He then approached the driver and made contact with him. The driver was subsequently identified by Tennessee driver's license as Devon Westley Martin. Officer Hoppe noted that Martin's actions were consistent with controlled substance central nervous system stimulant use as he appeared to have body tremors, exhibited the inability to sit still, and a rapid heartbeat and rapid breathing.

Officer Hoppe checked Martin's driver's license status and advised that he was suspended in Tennessee and was I.D.-only in Minnesota. Officer Hoppe placed Martin under arrest and then searched his vehicle. During the search, they located four used syringes that field-tested positive for the presence of methamphetamine. They also located a package of new plastic jewel baggies; and a clear plastic baggy that weighed approximately 3 grams that field-tested positive for the presence of methamphetamine. They also found a checkbook in the name of another individual that was believed to be stolen.

Officer Hoppe obtained a search warrant for a blood draw from Martin, and a sample was subsequently drawn at approximately 8:28 p.m. When Officer Hoppe told Martin about the search warrant for the blood draw, Martin advised that methamphetamine would be in his system.

## 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**

Craig Frericks  
Commander  
710 S Front St  
Mankato, MN 56001-3803  
Badge: 3102

Electronically Signed:  
03/21/2016 09:50 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:  
03/21/2016 09:20 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: March 21, 2016.

**Judicial Officer**

Bradley C Walker  
District Court Judge

Electronically Signed: 03/21/2016 10:01 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.

**DEVON WESLEY MARTIN**

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: