

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

BEC-17-0869  
07-CR-17-2058

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**State of Minnesota,**  
Plaintiff,

**COMPLAINT**  
Summons

vs.

**RYAN JAMES STANEK DOB: 12/21/1992**

14890 91st Ave. N  
Maple Grove, MN 55369

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: Solicit Child to Engage in Sexual Conduct-Prohibited Act**

Minnesota Statute: 609.352.2, with reference to: 609.352.4

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

Offense Level: Felony

Offense Date (on or about): 03/07/2017 to 05/19/2017

Control #(ICR#): 17000377

Charge Description: Ryan James Stanek

On or between March 7, 2017 and May 19, 2017, in the County of Blue Earth, said Defendant, Ryan James Stanek did as a person 18 years of age or older, solicited a child or someone the person reasonably believes is a child to engage in sexual conduct with intent to engage in sexual conduct.

**COUNT II**

**Charge: Solicit Child or Believe to be a Child Through Electronic Communication to Engage in Sexual Conduct**

Minnesota Statute: 609.352.2a(1), with reference to: 609.352.4

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

Offense Level: Felony

Offense Date (on or about): 03/07/2017 to 05/19/2017

Control #(ICR#): 17000377

Charge Description: Ryan James Stanek

On or between March 7, 2017 and May 19, 2017, in the County of Blue Earth, said Defendant, Ryan James Stanek, did as a person 18 years of age or older, use the Internet, a computer, computer program,

computer network, computer system, an electronic communications system, or a telecommunications, wire, or radio communications system, or other electronic device capable of electronic data storage or transmission to commit any of the following acts, with the intent to arouse the sexual desire of any person; to wit: soliciting a child or someone the person reasonably believes is a child to engage in sexual conduct.

### COUNT III

**Charge: Engage in Electronic Communication Relating or Describing Sexual Conduct with Child.**

Minnesota Statute: 609.352.2a(2)

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

Offense Level: Felony

Offense Date (on or about): 03/07/2017 to 05/19/2017

Control #(ICR#): 17000377

Charge Description: Ryan James Stanek

On or between March 7, 2017 and May 19, 2017, in the County of Blue Earth, said Defendant, Ryan James Stanek, did as a person 18 years of age or older, use the Internet, a computer, computer program, computer network, computer system, an electronic communications system, or a telecommunications, wire, or radio communications system, or other electronic device capable of electronic data storage or transmission to commit any of the following acts, with the intent to arouse the sexual desire of any person; to wit: engaging in communication with a child or someone the person reasonably believes is a child, relating to or describing sexual conduct.

### COUNT IV

**Charge: Possess Pornographic Work-Computer Disk/Electronic/Magnetic/Optical Image w/Porn**

Minnesota Statute: 617.247.4(a)

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

Offense Level: Felony

Offense Date (on or about): 03/07/2017 to 05/23/2017

Control #(ICR#): 17000377

Charge Description: Ryan James Stanek

On or between March 7, 2017 and May 23, 2017, in the County of Blue Earth, said Defendant, Ryan James Stanek, did possess a pornographic work or a computer disk or computer or other electronic, magnetic, or optical storage system or a storage system of any other type, containing such a pornographic work, knowing or with reason to know its content and character.

## STATEMENT OF PROBABLE CAUSE

On April 28, 2017 Special Agent Ben Rittmiller with the Minnesota Bureau of Criminal Apprehension was contacted by Sibley County Sheriff's Office Chief Deputy Pat Nienaber. Chief Deputy Nienaber requested to consult with Special Agent Rittmiller on a complaint received by his office. Special Agent Rittmiller and Special Agent Robert Nance met with Chief Deputy Nienaber.

Chief Deputy Nienaber advised that his office had received a complaint on March 29, 2017 from a father whose young adult daughter who had been having text message correspondence with an individual who would later be identified as Ryan James Stanek. Stanek's date of birth is December 21, 1992. The messages began on March 7, 2017 and were of a sexual nature. Investigation into Stanek's telephone number indicated that the number was linked to Stanek's Facebook profile.

Special Agent Rittmiller reviewed a printed version of the text communications between Stanek and the young adult girl, identified as Witness 1. During the text communications Stanek used the alias of 'Nick.' Stanek requested that Witness 1, locate and communicate with other females on social media for the purpose of engaging in a sexual encounter in which all three would participate. Stanek requested nude photographs of Witness 1 and asked her to find other girls between the ages of eight and 17 and have them send him nude pictures and pictures of them in their bras and underwear. Witness 1 expressed apprehension at the request but Stanek was demanding and at one point took control of Witness 1's social media profile.

Stanek then instructed Witness 1 to establish a profile that would reflect her age as 17. Agent Rittmiller is aware that changing Witness 1's profile age to 17 would allow Witness 1 to communicate with juveniles in the application used by Witness 1. Stanek also asked Witness 1 to set up a second social media account, on another application, which stated that her age was 17.

Stanek instructed Witness 1 to seek females who are 16 to 17 years of age for the purpose of engaging in sexual contact. Stanek then sent a text message to Witness 1 that stated 'I want a girl who's 8 to 12 y.o.' Witness 1 responded 'what do you mean by that' to which Stanek replied 'a young girl to play with you and me.'

Stanek then inquired of Witness 1 whether she had any neighbors or cousins of that age. Witness 1 sent a non-sexual picture of her cousin, Witness 2, who is under 14 years old. Stanek affirmed that he wanted to have a sexual encounter with Witness 2. Witness 1 tried to dissuade Stanek, stating 'why do you want someone who is a young age.' Stanek replied 'cuz I do.'

Special Agent Rittmiller requested that Sibley County Investigator Jeremy Templin obtain consent from Witness 1 for law enforcement to use Witness 1's identity and cell phone to engage in continued contact with Stanek. Witness 1 consented. On May 15, 2017 Special Agent Rittmiller met with Chief Deputy Nienaber and Investigator Templin at which time Special Agent Rittmiller took possession of Witness 1's cell phone.

On May 16, 2017 Special Agent Rittmiller, while acting in an undercover capacity and utilizing Witness 1's identity, sent Stanek a text message explaining why there had been no recent contact with him. Special Agent Rittmiller made no reference to the subject of a sexual encounter. Stanek almost immediately responded to the text in a sexual nature. Stanek requested that Special Agent Rittmiller establish a social media profile that would reflect an age of 16. Before Special Agent Rittmiller could address the request, Stanek texted 'or how old was your little cousin?' Special Agent Rittmiller responded that the cousin was 13 years old and will turn 14 years old in June.

Stanek responded with a request to 'talk to your little cousin again.' Stanek then texted 'I want to see what she looks like' and 'but I want you to get her to play with us.' Special Agent Rittmiller then confirmed that a photograph of Witness 2 had already been sent to Stanek.

The correspondence continued with Stanek directing Special Agent Rittmiller to recruit a 13-year-old female to engage in sexual activities with Stanek. Stanek continued to ask for photographs of Witness 2. Stanek also inquired as to what sexual experiences Witness 2 had been exposed to. Special Agent Rittmiller indicated to Stanek that Witness 2 was inexperienced. Stanek then made the comment 'well then I could probably take her virginity at the same time as you (:.'

Special Agent Rittmiller, continuing in an undercover capacity as Witness 1, and Stanek made tentative arrangements to meet at an identified location in the City of Mankato for the purposes of a sexual encounter with Witness 2. Stanek texted 'We can find a quiet area and play in my truck.'

As texting between Special Agent Rittmiller and Stanek continued, Stanek questioned whether Victim 2 was advised of 'what we plan to do.' Special Agent Rittmiller answered that Witness 2 was told a little bit; Special Agent Rittmiller stated to Stanek that he didn't know how much Stanek wanted him to say to Witness 2. Stanek replied 'Well tell her I want to everything ' full sex ' with you too' and 'you can take turns (:.' Special Agent Rittmiller indicated that Witness 2 may not want intercourse and may be concerned about the use of 'protection.' Stanek replied 'but I think she should go all the way too (: she will have fun' and 'I will be extremely nice ' I always am.'

During the continued correspondence, Special Agent Rittmiller provided Stanek with an email address associated with the undercover identity of Witness 2. Almost immediately Stanek replied to the undercover email address with an email with the subject heading of '[female's name] Friday Night.'

Special Agent Rittmiller, in an undercover capacity as Witness 2, then began correspondence with Stanek. Stanek requested photographs of Witness 2 and stated he wanted to have sexual contact with Witness 2. Stanek inquired as to what sexual experience Witness 2 had, stating 'yes everything means everything, I can teach you how to give a good BJ, I will finger you, teach you how to kiss, even have sex, and yes I will go very slow. What size bra you wear? Do you shave? How tall are you and your weight? ' your very cute (:'

Special Agent Rittmiller inquired of Stanek as to whether he was comfortable with Witness 2's age by stating ".ummmmm is it ok that am 14 i mean in like 2 weeks im just really nervous about getting pregnant or something.' Stanek replied 'I'm ok with your age (:.'

Special Agent Rittmiller also continued correspondence with Stanek in his undercover capacity as Witness 1, including on the date of the anticipated meeting. Stanek confirmed that he would meet Special Agent Rittmiller (as Witness 1) and Witness 2 at or in the immediate area of the movie theater located at the River Hills Mall in the City of Mankato. Stanek confirmed that he intended to arrive at the meeting location at approximately 10:00 PM

On May 19, 2017 at approximately 8:33 PM Special Agent Rittmiller received a text message from Stanek that stated 'I'm on the way babe.' At approximate 9:41 PM Special Agent Rittmiller sent a message to Stanek confirming that Agent Rittmiller (as Witness 1) and Witness 2 were at the meeting location. Prior to his arrival, Stanek inquired about Witness 2's recent menstrual cycle.

At approximately 10:13 PM Stanek advised via text message that he was " In the mall area coming over to the theater" and 'I'll have you follow me to a dark area of the lot, then you can park next to me and come in my truck ' then after 20 minutes you can go wait in the car and switch with her (Witness2).'

Special Agent Rittmiller relayed all the relevant information to law enforcement surveillance personnel who advised that they spotted Stanek's vehicle in the area. At approximately 10:15 PM, Stanek was arrested without incident as he drove his pickup truck to the meeting location. Stanek's iPhone was located on the driver seat of the vehicle. Special Agent Rittmiller took possession of the phone. It was also noted that there appeared to be a freshly laid out blanket in the back seat of Stanek's vehicle.

Stanek was then transported to the Blue Earth County Justice Center where Special Agent Rittmiller and Special Agent Michael Anderson conducted an interview of Stanek. Stanek was read the Miranda Warning and agreed to speak without an attorney present. Stanek admitted that he met Witness 1 on a social media application and that he and Witness 1 soon began text messaging each other. Stanek stated he was the user of the iPhone located in his vehicle. Stanek admitted that he came to the meet location for the purpose of a sexual encounter with Witness 2. Stanek acknowledged that any sexual contact with a 13 or 14-year-old child is not permitted under the law. Stanek admitted that he was aware of Witness 2's age.

On May 22, 2017 Special Agent Rittmiller prepared a search warrant requesting authorization to search and extract data from Stanek's iPhone. The search warrant was reviewed and signed by a judge of the Fifth Judicial District.

On May 23, 2017 Special Agent Rittmiller utilized specialized software to conduct an extraction of the data contained on the iPhone. Special Agent Rittmiller noted that there were several data references indicating that the device was owned and operated by Stanek. Special Agent Rittmiller confirmed that the telephone number was the same number used to correspond with Special Agent Rittmiller while he was in his undercover capacity utilizing Witness 1's identity. Special Agent Rittmiller located contact information related to Witness 1 and Witness 2 on the phone.

Special Agent Rittmiller also located internet searches conducted by Stanek. Special Agent Rittmiller noted that there were several searches related to 'teen boy selfie.' Additionally, Special Agent Rittmiller located searches for 'teen pussy hymen' and 'age of consent texas.' Special Agent Rittmiller also observed several photograph 'thumbnails' of young females who appeared to be approximately 14 to 16 years of age that were consistent with a typical 'profile' photograph used in social media. Additional searches were located that pertained to young girls engaged in sexual activities with animals.

Special Agent Rittmiller also located images consistent with child pornography. Special Agent Rittmiller noted that the images appeared to have been viewed through a social media application. One such image depicts what appears to be a female who is approximately three years of age nude and lying on her back. The photograph does not reveal the female's face. The image provides a view of the child's torso down to her inner thigh area. The child's breast area and vagina are exposed.

A second image depicts what appears to be a female who is approximately three years of age wearing a pink 'onesie.' In the photograph an individual's hands are around the waist area the child pulling the child's onesie up and to the side to expose her vagina. The child's face is not visible.

A third image depicts what appears to be a close up of the same female depicted in the second image; the clothing appears to be the same as in the second image. This photograph is focused on the child's vagina. Hands from a second individual are pulling apart the child's labia to expose the area inside the vagina.

## 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 C Rittmiller  
Special Agent  
1430 Maryland Avenue E  
St. Paul, MN 55106  
Badge: 1367

Electronically Signed:  
05/31/2017 08:37 AM  
Blue Earth County, Minnesota

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

**Prosecuting Attorney**

Michael Hanson  
Assistant County Attorney  
401 Carver Road  
PO Box 3129  
Mankato, MN 56002  
(507) 304-4600

Electronically Signed:  
05/30/2017 04:26 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).

**SUMMONS**

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear on **June 22, 2017 at 8:15 AM** 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: May 31, 2017.

**Judicial Officer**

Krista J Jass  
Judge of District Court

Electronically Signed: 05/31/2017 11:49 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 JAMES STANEK**

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: