

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

MAN-16-0794  
07-CR-16-3944

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**State of Minnesota,**

Plaintiff,

vs.

**CARLOS ALBERTO GONZALEZ DOB: 06/22/1993**

709 S. 2nd Street #D  
Mankato, MN 56001

Defendant.

**COMPLAINT**

Summons

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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: Damage to Property-4th Deg-Intentional Damage-Other Circumstances**

Minnesota Statute: 609.595.3

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

Offense Level: Misdemeanor

Offense Date (on or about): 09/18/2016

Control #(ICR#): 16028277

Charge Description: Said Defendant, Carlos Alberto Gonzalez, Also Known As Carlos Alberto Gonzales, did intentionally cause damage to another person's physical property without the owner's consent.

## STATEMENT OF PROBABLE CAUSE

Complainant is an Officer with the Mankato Police Department who believes the information set out below is true and accurate based on reports and information submitted to the Officer by Sergeant Adam Gray and others identified herein.

On September 18, 2016, at approximately 1:20 p.m., Sergeant Gray responded to a report of criminal damage to property in the parking lot of the Blue Earth County Library in the City of Mankato, Blue Earth County, Minnesota. Sergeant Gray reported to that location and identified the victim as Victim 1. Victim 1 indicated that another individual had damaged her cell phone. That person was identified as Carlos Alberto Gonzales, the Defendant herein. Victim 1 and the Defendant had made arrangements to allow the Defendant to pick up two cell phones that he possessed that were in Victim 1's car. Apparently, the victim forgot that she was also planning to meet her boyfriend at approximately the same time that the Defendant was going to get his two cell phones back. Victim 1 indicated that her boyfriend and the Defendant hate each other. Victim 1 decided to pick up her boyfriend and avoid a confrontation with the Defendant. Victim 1 and her boyfriend drove to the parking lot of the Blue Earth County Library. A short time later, the Defendant appeared on the scene. The victim's boyfriend exited the vehicle and left the area. The Defendant and Victim 1 became involved in an argument. Victim 1 alleges that the Defendant threw her cell phone, damaging it. Victim 1 claimed that when the Defendant first arrived on the scene, he took Victim 1's cell phone and one of his cell phones back from Victim 1. Victim 1 claimed that she offered to give his second cell phone back to him if he would just return her cell phone. The Defendant proceeded to throw her phone, damaging both the Otterbox cell phone case and the cell phone when he threw it. Victim 1 said that the Defendant then picked up the phone and gave her the phone back. Victim 1 admitted that she then threw the Defendant's second cell phone on the ground and drove away from the scene.

Sergeant Gray spoke with the Defendant regarding the incident. Sergeant Gray noted that the Defendant appeared to be impaired or under the influence of a controlled substance. The Defendant said that he was walking around when he came across both Victim 1 and her boyfriend sitting in her car in the parking lot of the Blue Earth County Library. The Defendant admitted that he opened Victim 1's driver's door where Victim 1 was seated. The Defendant admitted that he argued with Victim 1 about his cell phones being in her car and their relationship. The Defendant confirmed Victim 1's claims that the Defendant damaged a cell phone and that Victim 1 threw his cell phone. The only difference in the two version of events is who damaged whose phone first. The Defendant claimed that Victim 1 took one of his prepaid cell phones and threw it on the ground, causing the screen to break. The Defendant admitted that he threw Victim 1's cell phone on the pavement, causing it damage. Sergeant Gray observed that the Defendant did possess a cell phone that had a damaged screen.

A computer check of the Defendant's pending criminal history indicates that he has a pending Criminal Damage to Property offense in Blue Earth County from an incident on September 18, 2016. See Blue Earth County District Court File No. 07-CR-16-3937. The Defendant also has a pending Theft offense in Blue Earth County from an incident on July 25, 2016. See Blue Earth County District Court File No. 07-CR-16-3256. Lastly, the Defendant has a conviction for gross misdemeanor Criminal Damage to Property from an incident on February 9, 2015, in Blue Earth County. See Blue Earth County District Court File No. 07-CR-15-641.

## 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**

Daniel Schisel  
Police Commander  
710 S Front St  
Mankato, MN 56001-3803  
Badge: 3135

Electronically Signed:  
10/06/2016 11:34 AM  
Blue Earth County, Minnesota

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

**Prosecuting Attorney**

Christopher Cain  
Assistant Blue Earth County  
Attorney  
401 Carver Road  
PO Box 3129  
Mankato, MN 56002-3129  
(507) 304-4600

Electronically Signed:  
10/06/2016 11:20 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 **October 27, 2016 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: October 6, 2016.

**Judicial Officer** Thomas G McCarthy  
Judge of District Court

Electronically Signed: 10/06/2016 01:17 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.

**CARLOS ALBERTO GONZALEZ**

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: