

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

MAN-16-0856  
07-CR-16-4267

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**State of Minnesota,**

Plaintiff,

vs.

**NATHAN JOHN BOWMAN DOB: 03/01/1988**

121 Mary Lou Lane  
Mankato, MN 56001

Defendant.

**COMPLAINT**

Summons

Tab Charge/Citation Previously Filed

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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: Traffic - DWI - Operate Motor Vehicle Under Influence of Alcohol**

Minnesota Statute: 169A.20.1(1), with reference to: 169A.26.2

Maximum Sentence: 1 year and/or \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 10/30/2016

Control #(ICR#): 16033005

Charge Description: Said Defendant, Nathan John Bowman, did drive or operate and was in physical control of any motor vehicle when he/she was under the influence of alcohol, and one aggravating factor was present when the violation was committed.

**COUNT II**

**Charge: Traffic - DWI - Operate Motor Vehicle - Alcohol Concentration 0.08 Within 2 Hours**

Minnesota Statute: 169A.20.1(5), with reference to: 169A.26.2

Maximum Sentence: 1 year and/or \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 10/30/2016

Control #(ICR#): 16033005

Charge Description: Said Defendant, Nathan John Bowman, did drive, operate or was in physical control of any motor vehicle when his/her alcohol concentration at the time, or as measured within two hours of the time of driving, operating or being in physical control of the motor vehicle was .08 or more, and one aggravating factor was present when the violation was committed.

## 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 Officer Sean McClinton and others identified herein.

On October 30, 2016, at approximately 1:55 p.m., Officer McClinton responded to a report of a two car accident near the intersection of Balcerzak Drive and Pohl Road in the City of Mankato, Blue Earth County, Minnesota. Officer McClinton and Officer Kafumba Kromah reported to that location and identified the two drivers involved. The first driver was identified as Witness 1 and the second driver was identified as Nathan John Bowman, the defendant herein. An investigation revealed that the defendant had rear-ended Witness 1 at the intersection. Officer McClinton noted that the defendant's mannerisms and movements were lethargic and clumsy. Officer Kromah had the defendant fill out the accident report packet. During the defendant's attempt to fill out an accident report, he dropped his pencil. The defendant had difficulty picking up the pencil. He also complained that Witness 1 had 'short stopped' in the roundabout. The Balcerzak and Pohl Road intersection is a 4-way stop sign; not a roundabout. The defendant asked what road intersected with Madison Avenue. Officer McClinton informed the defendant that the accident occurred at Balcerzak and Pohl and not Madison Avenue. Officer McClinton asked the defendant if he lived in Mankato and he said that he did. Officer McClinton reviewed the defendant's accident packet and noted few legible words along with a vast majority being scribbles that were illegible. Officer McClinton asked the defendant where he was going and the defendant said Marsh Street. The defendant said he had been at two hockey games at All Seasons Arena. He said he had been at the hockey games at 7:00 a.m. and 8:45 a.m. Officer McClinton asked the defendant what he was doing since then and there was a long pause by the defendant. The defendant claimed he was keeping score at one of the games. Officer McClinton observed that the defendant was having difficulty answering very simple questions. Officer McClinton noted that the defendant's eyes were watery and that his speech was slightly slurred. Officer McClinton suspected that the defendant was impaired.

Officer McClinton administered the horizontal gaze nystagmus test and observed all six clues indicating impairment. Officer McClinton administered the walk and turn test and noted that the defendant lost his balance and could not stand heel to toe. During the test, the defendant did not walk heel to toe on any of the steps and completed an improper turn. In addition, the defendant started walking sideways on the way back and not in a straight line. The defendant didn't count any of the steps out loud as had been requested. Officer McClinton administered the one-legged stand test. The defendant did not extend his leg and point his toe as requested. The defendant raised his hands out from his side above his waist in order to maintain his balance. The defendant put his foot down at the count of 10 and eventually fell over onto his right side during the test. The defendant submitted to a portable breath test and blew a 0.192 on the digital PBT. The defendant was placed under arrest and transported to the Blue Earth County Justice Center where Officer McClinton read him the implied consent advisory at 2:54 p.m. After being given an opportunity to contact an attorney, the defendant agreed to submit to a breath test. Officer McClinton administered the Data Master Breath Test to the defendant. The results of the breath test were 0.19 alcohol concentration. The test was completed at 3:37 p.m.

Officer McClinton interviewed the defendant pursuant to Miranda. The defendant admitted that he had been drinking Crown and Coke. The defendant told Officer McClinton that he had two 20-ounce cups that were 25% whiskey and 75% Coke. He indicated he had his last drink at approximately 12:15 p.m.

## 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:  
11/14/2016 02:10 PM  
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:  
11/10/2016 09:04 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: November 14, 2016.

**Judicial Officer**

Krista J Jass  
Judge of District Court

Electronically Signed: 11/14/2016 02:48 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.

**NATHAN JOHN BOWMAN**

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: