

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0439
07-CR-16-1013

State of Minnesota,

Plaintiff,

vs.

ADAM MICHAEL NELSON DOB: 07/14/1988

147 Stadium
Mankato, MN 56001

Defendant.

COMPLAINT

Order of Detention

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 - Subsequent Conviction

Minnesota Statute: 152.025.2(b)(1)

Maximum Sentence: Not less than 6 months nor more than 10 years and/or \$20,000

Offense Level: Felony

Offense Date (on or about): 03/17/2016

Control #(ICR#): 16007544

Charge Description: Adam Michael Nelson Also Known As Adam Nelson

On or about March 17, 2016, in the County of Blue Earth, said Defendant, Adam Michael Nelson, 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; and said defendant was previously convicted of a controlled substance crime.

COUNT II

Charge: Traffic - DWI - Operate Motor Vehicle Under Infl of Any Amount Schedule I/II Drugs - Not Marijuana

Minnesota Statute: 169A.20.1(7), with reference to: 169A.27.2

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

Offense Level: Misdemeanor

Offense Date (on or about): 03/17/2016

Control #(ICR#): 16007544

Charge Description: Adam Michael Nelson Also Known As Adam Nelson

On or about March 17, 2016, in the County of Blue Earth, said Defendant, Adam Michael Nelson, did drive, operate, or was in physical control of any motor vehicle, when the person's body contains any amount of a controlled substance listed in schedule I or II other than marijuana or tetrahydrocannabinols.

STATEMENT OF PROBABLE CAUSE

Officer Jake Green, a licensed peace officer in the State of Minnesota, currently employed by the Mankato Department of Public Safety, reports that on March 17, 2016, at approximately 12:22 a.m., he was on patrol in the City of Mankato and was driving through Southhaven Trailer Park near the 800 block when he observed a vehicle parked on the side of the road facing northbound. Green observed the vehicle's lights were off but that there was a single occupant sitting in the driver's seat. Green reports as he drove past the vehicle, he had his driver's side window down and could hear the vehicle's engine running.

Green then turned around behind the vehicle and began running the license plate on the vehicle described as Mercury Sable, bearing Minnesota license plate 945 NLT.

Green reports that the driver, who was later identified as Adam Michael Nelson, then got out of the vehicle and began walking back to Green's squad car. Green notes that he had not turned on his emergency lights or initiated a traffic stop in any way. Green further reports that as Nelson was walking back to his squad car, Nelson kept his left hand in his pocket and was staring straight at Green as he was walking towards Green. Green reports that this made him fear that Nelson may have a weapon and may want to harm him.

Green then exited his squad car and asked Nelson what he was up to. Nelson advised that he was waiting for a friend to pick him up. Green reports Nelson then walked up to less than an arm's length away from Green. In response, Green put his arm out and moved Nelson away from him and asked if they could walk back to Nelson's car.

Green then asked Nelson if he had any identification on him, and Nelson began digging in his pockets. Green told Nelson to stop digging in his pockets and that Green did not want Nelson to pull a gun on him. Green reports he then conducted a pat-search for weapons on Nelson. Green reports that in searching Nelson's front left pocket, Green felt a long bumpy object, which through his training and experience he believed to be a paraphernalia pipe. Green also felt a small cylindrical container that along with the bumpy object he believed was a narcotic container. Green asked Nelson what it was, and Nelson stated that he had a little bit of marijuana on him. Green then pulled the cylindrical container out and observed a small amount of a green leafy substance with the odor of raw marijuana. Green then had Nelson place his hands behind his back, advised him that he was being detained, and placed handcuffs on Nelson.

Green then had Nelson walk back to Green's squad car so that a more thorough search could be conducted. Green then asked Nelson if there were any narcotics in the car. Nelson advised that the vehicle was not his and that he did not know what else was in the car.

Green notes during a search of Nelson, he discovered in the front left pocket a multi-colored glass pipe, a small plastic baggy containing a crystallized substance, and from the front right pocket a clear plastic straw.

Green then asked Nelson if the small plastic baggy was methamphetamine, and Nelson advised it was 'fake meth.' Green asked him to explain, and Nelson advised that it was salt and that he was going to give it to a friend and say it was methamphetamine.

Green reports Officer Vitale then arrived on scene and field-tested the small plastic baggy, which tested positive for methamphetamine. Green then advised Nelson that he was under arrest for a controlled substance. A search of the vehicle was then conducted. During the search, Green observed Nelson's wallet on the front driver's seat. Green opened the wallet and observed a small plastic baggy under the clear film that covered the driver's license. Green pulled the plastic baggy out and observed that it contained a

crystallized substance inside.

Green then walked back to his squad car and asked Nelson about the plastic baggy. Nelson advised that it was real methamphetamine and that he needed to go to treatment. Green further advised that in the trunk of the car another multi-colored glass pipe was discovered.

Green then read Nelson his Miranda Warning and asked if he would answer some questions. Nelson eventually stated that he would answer officer's questions. During questioning, Nelson admitted that he was driving on a suspended license, that he was driving from his house to the incident location to use methamphetamine. Additionally, Nelson disclosed that the last time he had used methamphetamine was on March 15, 2016, in the evening.

Green later transported Nelson to the Blue Earth County Jail so that he could draft a search warrant for Nelson's blood pursuant to a driving while impaired-controlled substance investigation. Eventually, the search warrant was obtained; and a blood sample was taken by a nurse at 2:05 a.m. That blood kit was forwarded to the Bureau of Criminal Apprehension for testing.

Green further notes that during his interaction with Nelson, he observed a lot of tattoos, including some covering Nelson's face. Green asked Nelson if he was a member of a gang, and Nelson advised that he was a Latin King from St. Paul.

A review of Nelson's criminal history reveals a subsequent conviction for Fifth-Degree Controlled Substance Crime. That event is detailed in Blue Earth County Court File No. 07-CR-09-1467. Nelson was sentenced for that incident on November 2, 2009. Nelson received a statutory stay of adjudication under Minnesota Statute 152.018; however, such an incident is considered a subsequent controlled substance crime for enhancement purposes pursuant to Minnesota law.

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:
03/17/2016 01:57 PM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Christopher Rovney
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
03/17/2016 01:22 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 _____, _____ 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 17, 2016.

Judicial Officer

Richard C. Perkins
Judge of District Court

Electronically Signed: 03/17/2016 02:39 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.

ADAM MICHAEL NELSON

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: