

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

BEC-15-1640  
07-CR-15-5113

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**State of Minnesota,**

Plaintiff,

vs.

**MARITZA ROJAS DOB: 09/13/1974**

1710 6th Ave., #1  
Mankato, MN 56001

Defendant.

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**COMPLAINT**

Summons

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: Malicious Punishment of a Child**

Minnesota Statute: 609.377.1, with reference to: 609.377.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 11/12/2015

Control #(ICR#): 15035839

Charge Description: Maritza Rojas Also Known As Maritza Vargas

On or about November 12, 2015, in the County of Blue Earth, said Defendant, Maritza Rojas did as a parent, legal guardian, or caretaker, who by an intentional act or a series of intentional acts with respect to a child, evidenced unreasonable force or cruel discipline that is excessive under the circumstances.

**COUNT II**

**Charge: Domestic Assault-Commits Act to Cause Fear of Immediate Bodily Harm or Death**

Minnesota Statute: 609.2242.1(1)

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

Offense Level: Misdemeanor

Offense Date (on or about): 11/12/2015

Control #(ICR#): 15035839

Charge Description: Maritza Rojas Also Known As Maritza Vargas

On or about November 12, 2015, in the County of Blue Earth, said Defendant, Maritza Rojas did, against a family or household member, as defined in M.S.A. 518B.01 Subd. 2, commit an act with intent to cause fear in another of immediate bodily harm or death.

**COUNT III**

**Charge: Domestic Assault-Misdemeanor-Intentionally Inflicts/Attempts to Inflict Bodily Harm on Another**

Minnesota Statute: 609.2242.1(2)

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

Offense Level: Misdemeanor

Offense Date (on or about): 11/12/2015

Control #(ICR#): 15035839

Charge Description: Maritza Rojas Also Known As Maritza Vargas

On or about November 12, 2015, in the County of Blue Earth, said Defendant, Maritza Rojas did, against a family or household member, as defined in M.S.A. 518B.01 Subd. 2, intentionally inflicted or attempt to inflict bodily harm upon another.

## STATEMENT OF PROBABLE CAUSE

Mankato Department of Public Safety Police Detective Tom Rother states that on November 13, 2015, the Detective Division was forwarded a report of suspected child abuse within the City of Mankato. The report provided information that Maritza Vargas, subsequently identified by Blue Earth County Human Services as Maritza Rojas, was suspected of breaking a broom over her 8-year-old child. Human Services subsequently placed both of the Rojas children into protective custody. The CHIPS case is Court File 07-JV-15-4657.

Detective Rother and Child Protection Specialist Jolene Balzotti went to the school and spoke with the victim. The victim initially stated that everything was fine at home. When asked about what happened at home with the broom, he stated that he screamed at his mom for breaking his library book. He stated that he then ran out of the house and his mother hit him with a broom and the broom broke. He described the broom as metal with smaller bristles. He described it as having a blue handle and that she hit him in the spine. He stated that the incident occurred a couple of days prior to the conversation. He stated that he went upstairs after being hit and then came down a short time later and his mother began to cry about what she did to him. He also stated that his sister was in the house.

Child Protection Specialist Balzotti and Detective Rother spoke with the sister who is a year older. She stated that the incident happened on November 12, 2015. She described the broken broom as turquoise in color and that she was upstairs when it happened. She stated that her brother was hit on the shoulder or back and he did not talk to her about it. She stated that her mother began to cry after the incident and apologized.

Detective Rother and Child Protection Specialist Balzotti spoke with Rojas. She initially stated she hit the child with the bristle part of the broom and she also hit the broom on the table. She stated that the broom was broken from her hitting the table. She also stated that the broom was probably in the garbage can outside. Detective Rother collected the broom handle.

## 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**

Deborah McDermott  
Patrol Commander  
710 S Front St  
Mankato, MN 56001-3803  
Badge: 3143

Electronically Signed:  
12/15/2015 03:59 PM  
Blue Earth County, mn

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:  
12/14/2015 03:23 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 **January 14, 2016 at 2:30 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: December 16, 2015.

**Judicial Officer**

Darci J. Bentz

Electronically Signed: 12/16/2015 09:00 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.

**MARITZA ROJAS**

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: