

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

MAN-16-0337
07-CR-16-1675

State of Minnesota,

Plaintiff,

vs.

DAK TURUK RUNDIAL DOB: 02/02/1973

148 E. Main Street #2
Madelia, MN 56062

Defendant.

COMPLAINT

Summons

Tab Charge/Citation Previously Filed

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): 04/24/2016

Control #(ICR#): 16012068

Charge Description: Said Defendant, Dak Turuk Rundial, 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): 04/24/2016

Control #(ICR#): 16012068

Charge Description: Said Defendant, Dak Turuk Rundial, 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.

COUNT III

Charge: Traffic - Careless Driving

Minnesota Statute: 169.13.2
Maximum Sentence: 90 days and/or \$1,000
Offense Level: Misdemeanor

Offense Date (on or about): 04/24/2016

Control #(ICR#): 16012068

Charge Description: Said Defendant, Dak Turuk Rundial, did operate or halt any vehicle upon any street or highway carelessly and heedlessly in disregard of the rights of others or in a manner that endangers or is likely to endanger any property or any person, including the driver or passengers of the vehicle.

COUNT IV

Charge: Traffic-Drivers License-Driving After Revocation

Minnesota Statute: 171.24.2
Maximum Sentence: 90 days and/or \$1,000
Offense Level: Misdemeanor

Offense Date (on or about): 04/24/2016

Control #(ICR#): 16012068

Charge Description: Said Defendant, Dak Turuk Rundial, did after being give notice, or reasonably should have known of the revocation, disobeyed the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while her/his license or privilege was revoked.

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 Eric Lopez and others identified herein.

On April 24, 2016, at about 9:05 p.m., Officer Lopez was patrolling westbound on Shaubet Street in Mankato, Blue Earth County. He observed a vehicle eastbound at that location, headed straight toward the officer's squad car. Officer Lopez slowed his squad and honked his horn to gain the attention of the other driver. The other driver corrected his travel and barely missed striking the squad car. Officer Lopez pulled the other vehicle over and identified the driver as Dak Turuk Rundial, the Defendant. Officer Lopez noticed the Defendant's eyes were bloodshot and watery and that his speech was slurred and incoherent. He smelled like alcohol and eventually admitted that he had consumed six drinks. The Defendant performed field sobriety tests, and the officer noted six clues of intoxication during the HGN. The Defendant performed poorly on the one-legged stand and walk-and-turn tests and eventually refused to continue either test as well as the PBT. The Defendant was arrested and read the Implied Consent Advisory at 9:53 p.m. The Defendant elected to speak with an attorney; and at 10:06 p.m., Defendant told the officer he did not want to contact one anymore. He agreed to take a breath test. Officer Hullopeter administered the breath test to the Defendant, and the result was an alcohol concentration of .25 at 10:42 p.m. Officer Lopez ran the defendant's driving record and found that his driving privileges were revoked at the time of this incident.

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

Jeremy Clifton
Police Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3149

Electronically Signed:
05/05/2016 04:40 PM
blue earth County, MN

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

Prosecuting Attorney

Linda B. Hilligoss
Assistant Blue Earth County
Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002-3129
(507) 304-4600

Electronically Signed:
05/05/2016 04:07 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: May 6, 2016.

Judicial Officer

Bradley C Walker
District Court Judge

Electronically Signed: 05/06/2016 07:07 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.

DAK TURUK RUNDIAL

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: