

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

MAN-16-0181  
07-CR-16-966

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**State of Minnesota,**

Plaintiff,

vs.

**SYDNEY KEMUNTO OTUNDO DOB: 08/04/1995**

720 Maywood Ave  
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: 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): 02/20/2016

Control #(ICR#): 16004793

Charge Description: Said Defendant, Sydney Kemunto Otundo, did, against a family or household member, as defined in M.S.A. 518B.01 Subd. 2, intentionally inflict or attempt to inflict bodily harm upon another.

**COUNT II**

**Charge: Disorderly Conduct-Brawling or Fighting**

Minnesota Statute: 609.72.1(1)

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

Offense Level: Misdemeanor

Offense Date (on or about): 02/20/2016

Control #(ICR#): 16004793

Charge Description: Said Defendant, Sydney Kemunto Otundo, did in a public or private place, knowing, or having reasonable grounds to know that it will, or will tend to, alarm, anger or disturb others or provoke an assault or breach of the peace, engaged in brawling or fighting.

**COUNT III**

**Charge: Liquor-Consumption by persons under 21**

Minnesota Statute: 340A.503.1(a)(2), with reference to: 340A.703

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

Offense Level: Misdemeanor

Offense Date (on or about): 02/20/2016

Control #(ICR#): 16004793

Charge Description: Said Defendant, Sydney Kemunto Otundo, did, while under the age of 21 years, consume an alcoholic beverage.

## 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 Jacob Price and others identified herein.

On February 20, 2016 at approximately 2:56 a.m., Officer Jacob Price, was dispatched to Mayo Clinic Heath System Emergency Room regarding an assault that took place at about 1:31 a.m., at 900 Mound Ave, in the City of Mankato, County of Blue Earth. Upon arrival to Mayo Clinic, Officer Price spoke with 911 caller, V1, who stated she was at an event at 900 Mound Ave. While V1 was in the bathroom at the 900 Mound Ave. location, she was being yelled at by her roommate, Sydney Kemunto Otundo, the defendant herein. V1 walked away from the defendant and was subsequently struck in the back of the head by said defendant. On the ground, V1 was struck multiple times in the upper body by defendant and two other women. V1 struck an unknown individual, was able to free herself, and went into the bathroom while the defendant walked out of the premises with her friends. A short time later, V1 and defendant were outside the premises of 900 Mound Ave., and began fighting until broken up by several people.

V1 gave Officer Price permission to enter her residence if the door was not opened. V1 told Officer Price she believed the defendant was inside the residence. Officer Price audio recorded the conversation with V1 and took photos of injuries sustained to V1 with written observations of sustained injuries.

Upon entering the aforementioned residence, Officer Price made contact with the roommates and the defendant. Officer Price stated his reason for being at the residence and transported the defendant to Blue Earth County Jail to speak further about the incident. Officer Price read the defendant her Miranda warning, recorder per Scales, and stated she did not wish to have an attorney present. Officer Price's discussion with defendant was recorded by both audio and visual recording. Officer Price noted an odor of alcohol emitting from defendant's mouth and administered a PBT with a reading of .010.

At approximately 3:58 a.m., Officer Mohamed Mohamed responded to assist Officer Price on a domestic call. Officer Mohamed and Officer Price made contact with three females at an apartment complex located at 1801 Monks Ave, City of Mankato, County of Blue Earth. Officer Price spoke with V1. Officer Mohamed spoke with W2, who stated she was present at the incident location but did not see the fight between V1 and defendant. Officer Mohamed spoke to W1, who stated she saw both fighting and attempted to separate the fight, but was unable to do so.

## 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:  
03/15/2016 08:56 AM  
Blue Earth County, Minnesota

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

**Prosecuting Attorney**

Nicholas Boulieris  
Assistant County Attorney  
401 Carver Road  
PO Box 3129  
Mankato, MN 56002-3129  
(507) 304-4600

Electronically Signed:  
03/14/2016 04:11 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 **April 7, 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: March 15, 2016.

**Judicial Officer**

Bradley C Walker  
District Court Judge

Electronically Signed: 03/15/2016 09:14 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.

**SYDNEY KEMUNTO OTUNDO**

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: