

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-1841
07-CR-16-4432

State of Minnesota,

Plaintiff,

vs.

ERYNN CHRISTINE MOEN DOB: 05/11/1992

720 Park Road
Madison Lake, MN 56063

Defendant.

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: Traffic - DWI - Operate Motor Vehicle Under Influence of Controlled Substance

Minnesota Statute: 169A.20.1(2), with reference to: 169A.26.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 10/07/2016

Control #(ICR#): 16202052

Charge Description: Erynn Christine Moen

On or about October 7, 2016, in the County of Blue Earth, said Defendant, Erynn Christine Moen did, drive, operate, or was in physical control of any motor vehicle when he/she was under the influence of a controlled substance, and one aggravating factor was present when the violation was committed.

COUNT II

Charge: Traffic Regulation - Driver Must Carry Proof of Insurance when Operating Vehicle

Minnesota Statute: 169.791.2(a)

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

Offense Level: Misdemeanor

Offense Date (on or about): 10/07/2016

Control #(ICR#): 16202052

Charge Description: Erynn Christine Moen

On or about October 7, 2016, in the County of Blue Earth, said Defendant, Erynn Christine Moen did fail to produce, upon demand of a peace officer, proof of insurance in force at the time of the demand covering the vehicle being operated.

STATEMENT OF PROBABLE CAUSE

On October 7, 2016, at approximately 7:50 p.m., Trooper Cory Johnson was on a scheduled night shift in a marked squad vehicle and was notified of a property damage crash on US Highway 14 and Minnesota Highway 60 in the County of Blue Earth, State of Minnesota. Upon arrival at approximately 8:06 p.m., Trooper Johnson observed a white SUV facing northwest that came to rest near the stop sign on Minnesota 60 meeting US 14. The SUV had severe damage to the front and the driver, Witness 1, was being checked out by fire crew for injuries. Trooper Johnson learned from a Madison Lake officer that the driver was the only occupant of the SUV and was the registered owner of the vehicle. Trooper Johnson also observed a white passenger car facing northwest between Minnesota 60 and was informed by the Madison lake officer that the vehicle was turning north onto Highway 60 from Highway 14 when it was struck by the white SUV.

The passenger vehicle was occupied by a female driver, later identified as Erynn Christine Moen, the Defendant herein, with her four year-old daughter, Witness 2, in the passenger seat. The white passenger vehicle was involved in a driving complaint at approximately 6:18 p.m. the same day. The complainant stated that the vehicle crossed the center line and fog line, traveling approximately 40 miles per hour in a 55 mph zone and almost struck oncoming traffic. The vehicle was stopped by Madison Lake Police and released with a verbal warning. This was indeed the same vehicle involved in the crash.

A Blue Earth County deputy observed a pipe with marijuana residue in plain view near the center console of the passenger vehicle. The deputy also found a glass jar with a small amount of marijuana inside. Trooper Johnson was given the Minnesota driver's license of the defendant-driver of the white passenger vehicle. Trooper Johnson entered the ambulance to speak with the defendant and her daughter. He observed the defendant's eyes as bloodshot and watery. She admitted that she did not see any oncoming vehicles on US 14 until the crash. The defendant stated that the marijuana was in her vehicle but she had not used it in a while. Specifically, the defendant first stated that she used marijuana a week prior to the crash, then stated she used marijuana yesterday, however, the defendant eventually admitted to using marijuana that day. She stated she was prescribed Suboxone and Lorazepam. She admitted to taking Lorazepam that day.

The defendant consented and Trooper Johnson administered field sobriety tests, including the horizontal gaze nystagmus test. Based on the previous driving complaints of the defendant's vehicle, the admissions to consuming medications, possession of a small amount of marijuana to which the defendant admitted using that day, and her bloodshot, watery eyes, Trooper Johnson believed the defendant was in violation of Minnesota DWI laws. The defendant was subsequently placed under arrest for suspicion of DWI at approximately 8:53 p.m. She was placed in the back of the trooper's squad vehicle. Trooper Johnson transported the defendant from the scene to the Blue Earth County Justice Center and a blood warrant was filled out and signed by a Blue Earth County judge. At approximately 10:02 p.m., a blood draw was completed at Mayo Clinic Health System, Mankato Hospital with blood kit #B387099. The defendant was subsequently booked into the Blue Earth County Justice Center for DWI charges.

Results of the blood draw revealed a detection of Lorazepam at 0.086 mg/L level.

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

Dan Anderson
State Trooper
2171 Bassett Drive
Mankato, MN 56001-6888
Badge: 31

Electronically Signed:
11/14/2016 08:42 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
(507) 304-4600

Electronically Signed:
11/13/2016 06:07 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 **December 8, 2016 at 8:15 AM** 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 09:53 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.

ERYNN CHRISTINE MOEN

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: