

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-15-1595
07-CR-15-4661

State of Minnesota,

Plaintiff,

vs.

LUKE STEPHEN KLAMMER DOB: 02/21/1980

201 Ledlie Lane
Mankato, MN 56001-4108

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: Possess Ammo/Any Firearm - Subject to an Order for Protection under 260C.201.3(d) or 518B.01.6(g)

Minnesota Statute: 624.713.1(13), with reference to: 624.713.2(c)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 11/13/2015

Control #(ICR#): 15035877

Charge Description: Luke Stephen Klammer

On or about November 13, 2015, in the County of Blue Earth, said Defendant, Luke Stephen Klammer did, as a person subject to an order for protection as described in section 260C.201, subdivision 3, paragraph (d), or 518B.01, subdivision 6, paragraph (g); possess a firearm.

COUNT II

Charge: Domestic Abuse - Violate Order for Protection-Misdemeanor

Minnesota Statute: 518B.01.14(b)

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

Offense Level: Misdemeanor

Offense Date (on or about): 11/13/2015

Control #(ICR#): 15035877

Charge Description: Luke Stephen Klammer

On or about November 13, 2015, in the County of Blue Earth, said Defendant, Luke Stephen Klammer did violate an order for protection granted by a judge or referee.

STATEMENT OF PROBABLE CAUSE

On November 13, 2015 at approximately 7:13 p.m., Officer McGinnis of the Mankato Department of Public Safety responded to the Public Safety Center lobby to speak with an adult female (Witness1) about filing an order for protection. Officer McGinnis spoke to W1 and learned that she was interested in filing for an order for protection against Luke Stephen Klammer, DOB 2-21-1980.

W1 told Officer McGinnis that she believed Klammer had firearms even though he is not supposed to have any due to an order for protection that his ex-wife has on him. W1 stated that she was uncertain where exactly he currently keeps the gun but was going to see if it was still in the closet. She also indicated that Klammer has made threats about shooting members of law enforcement for taking away his carry permit.

W1 called Officer McGinnis again at 10:43 p.m. and asked that he respond to Klammer's residence, located in the city of Mankato, so she could show him the gun that Klammer had. Officer Green arrived just prior to Officer McGinnis and photographed the shotgun that W1 showed him in the downstairs bedroom closet. The gun was a Mossberg 12-gauge tactical shotgun with a bayonet attached to the case and five rounds of ammunition stored in the butt of the gun. Officer McGinnis noted there was also a small plastic tote on the shelf in the closet that contained miscellaneous shotgun ammunition. Officer McGinnis noted that Klammer is not allowed to possess any firearms due to the order for protection that is currently filed against him. The shotgun and ammunition were collected as evidence.

At 12:13 a.m., officers responded to Klammer's residence in order to take him into custody for the OFP violation. Officer McGinnis made contact with Klammer at the front door and asked him if he was aware that he was not supposed to possess firearms. Klammer said that was correct. Officer McGinnis explained to him that officers had found a shotgun downstairs in his closet with his stuff. Officer McGinnis asked him why he had the gun in the house. Klammer stated 'ahh, quite honestly my wife said that she would say it was hers but yes I understand I'm not supposed to have one.' Klammer was then placed under arrest and transported to the Blue Earth County Jail.

A review of the order for protection indicates that a Brown County district court judge issued an order for protection in March 2015 that prevented Klammer from shipping, transporting, possessing, or receiving any firearm or ammunition for the duration of the order. The order further indicates that it is effective for a period of at least one year from the date of its filing.

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

Matthew DuRose
Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3141

Electronically Signed:
11/16/2015 10:45 AM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Ryan S. Hansch
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
11/16/2015 10:37 AM

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: November 16, 2015.

Judicial Officer

Bradley C Walker
District Court Judge

Electronically Signed: 11/16/2015 10:57 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.

LUKE STEPHEN KLAMMER

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: