

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-1049-02
07-CR-16-4041

State of Minnesota,

Plaintiff,

vs.

TYLER ANTHONY SCHMITZ DOB: 03/16/1994

404 Chestnut Avenue
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: Damage to Property-4th Deg-Intentional Damage-Other Circumstances

Minnesota Statute: 609.595.3

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

Offense Level: Misdemeanor

Offense Date (on or about): 06/07/2016

Control #(ICR#): 16001115

Charge Description: Tyler Anthony Schmitz

On or about June 7, 2016, in the County of Blue Earth, said Defendant, Tyler Anthony Schmitz did intentionally cause damage to another person's physical property without the other person's consent.

COUNT II

Charge: Game and Fish-Remove/Deface DNR Signs

Minnesota Statute: 97A.035

Maximum Sentence:

Offense Level: Misdemeanor

Offense Date (on or about): 06/07/2016

Control #(ICR#): 16001115

Charge Description: Tyler Anthony Schmitz

On or about June 7, 2016, in the Country of Blue Earth, said Defendant, Tyler Anthony Schmitz did, without the approval of the Commissioner, remove or deface a Department of Natural Resources sign.

COUNT III

Charge: Firearms and Target Shooting

Local Code: 6230.0250.14

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

Offense Level: Misdemeanor

Offense Date (on or about): 06/07/2016

Control #(ICR#): 16001115

Charge Description: Tyler Anthony Schmitz

On or about June 7, 2016, in the County of Blue Earth, said Defendant, Tyler Anthony Schmitz did target, trap, skeet, or indiscriminately shoot within a wildlife management area.

STATEMENT OF PROBABLE CAUSE

On June 7, 2016, at about 4:08 p.m., Officer Marx received a complaint of gunshots near the city compost site in Madison Lake, Blue Earth County. Officer Marx spoke with Witnesses 1 and 2 who reported that they were at the compost site and could hear multiple guns being shot in the Department of Natural Resources Wildlife Management Access Area. They both reported they could hear more than one gun being fired at the same time and recognized the difference between the sounds of a shotgun and rifle. Officer Marx responded to the area and found a pickup truck leaving the dead-end area at a high rate of speed. The officer caught up with the pickup as it was pulling over. He identified the driver as Christopher John Pearce and the passenger as Tyler Anthony Schmitz, the Defendant. The officer also observed two uncased shotguns lying on the backseat. Pearce told the officer that they had been at the compost site shooting the shotguns. Both Pearce and the Defendant were vague about what they were shooting at other than trees and a bird. Pearce also stated he had shot a .22-caliber rifle at one of the signs located in the DNR Wildlife Management Area. At that point, the Defendant denied shooting any of the guns and stated he was on probation and 'knew better.' Pearce stated that one of the .12-gauge shotguns belonged to him but the other shotgun and the .22 rifle belonged to a friend named 'Evan.' Officer Marx searched the pickup truck; and in addition to the two uncased shotguns, he found an uncased Remington .22 long rifle as well as .22-caliber rounds and .12-gauge shells. Additionally, the officer found a pipe with burnt marijuana in it on the passenger-side floorboard. Eagle Lake Officer Hagen assisted in the investigation of this incident and went with Officer Marx to the DNR Wildlife Management Area and found numerous .12-gauge shell casings and .22-caliber brass shells on the ground ten yards in front of two DNR signs. Both signs had recent slug and pellet holes shot in them. Officer Marx examined several of the empty casings and smelled freshly-burnt gunpowder.

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

Jeff Marx
Police Officer
525 Main St
Madison Lake, MN 56063
Badge: 4772

Electronically Signed:
10/13/2016 12:30 AM
Blue Earth County, Minnesota

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
(507) 304-4600

Electronically Signed:
10/12/2016 03:57 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 **November 10, 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: October 13, 2016.

Judicial Officer Robert Birbaum
District Court Judge

Electronically Signed: 10/13/2016 01:38 PM

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.

TYLER ANTHONY SCHMITZ

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: