

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

MAN-16-0123
07-CR-16-563

State of Minnesota,

Plaintiff,

vs.

KEITH DEREK SMITH DOB: 05/11/1967

1603 5th Ave
Mankato, MN 56001

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-DL-Driving after cancellation-inimical to public safety

Minnesota Statute: 171.24.5, with reference to: 171.24.5

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 02/12/2016

Control #(ICR#): 16004013

Charge Description: Said Defendant, Keith Derek Smith, did after being given notice, or reasonably should have known of the cancellation, disobeyed the order by operating in this state any motor vehicle, the operation of which requires a valid driver's license, while her/his license or privilege was canceled; and the Commissioner of the Department of Public Safety has determined that the operation of a motor vehicle on the highways by the person would be inimical to the public safety or welfare.

COUNT II

Charge: Traffic Regulation-Uninsured Vehicle-Driver Violation

Minnesota Statute: 169.797.3, with reference to: 169.797.4(a)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 02/12/2016

Control #(ICR#): 16004013

Charge Description: Said Defendant, Keith Derek Smith, did operate a vehicle upon a public highway, street or road in this state and knows or has reason to know the vehicle does not have security complying with the terms of section 65B.48 in full force and effect; and said Defendant violated this section within ten years of the first of two prior convictions under this section, section 169.791, or a statute or ordinance in conformity with one of those sections.

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 Jesse Gilbertson and others identified herein.

On February 12, 2016, Officer Gilbertson was parked on 2nd St near the intersection with Plum St. in Mankato, Blue Earth County. He was monitoring traffic in the school zone. At about 7:51 am, he saw a tan mini-van, northbound on 2nd St, approach another vehicle on 2nd St that was about to turn onto Washington St. Officer Gilbertson saw the mini-van pass the stopped vehicle, on the right side. He pulled the mini-van over and identified the driver as Keith Derek Smith, the defendant, by his Minnesota ID card. Smith told the officer that he had a driver's license but can't drive. PWK1 came to the scene of the stop. Smith resides with this person and PWK1 stated that they were trying to sell the vehicle Smith was driving, so PWK1 had just recently cancelled the insurance on the vehicle. The officer ran Smith's driving record and found that his driving privileges were cancelled as inimical to public safety. It was also learned that Smith has two prior convictions for driving a motor vehicle without insurance within the last three years.

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

Daniel Schisel
Police Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3135

Electronically Signed:
02/19/2016 04:02 PM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Linda B. Hilligoss
Assistant Mankato City Attorney
10 Civic Center Plaza
PO Box 3368
Mankato, MN 56002-3368
(507) 387-8559

Electronically Signed:
02/19/2016 03:29 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: February 22, 2016.

Judicial Officer

Kurt D Johnson
District Court Judge

Electronically Signed: 02/22/2016 08:18 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.

KEITH DEREK SMITH

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: