State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No. BEC-16-1540-03
Court File No. 07-CR-16-3936

State of Minnesota,

Plaintiff,

vs.

ANTHONY GENE BARNES DOB: 06/21/1965

1507 State Hwy 14 West #6
New Ulm, MN 56073

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: Drugs - 3rd Degree - Poss. Sch 1 or 2 Narcotic, LSD, MDA, or MDMA in School/Park/Public Housing Zone
Minnesota Statute: 152.023.2(a)(4), with reference to: 152.023.3(a)
Maximum Sentence: 20 years and/or $250,000
Offense Level: Felony

Offense Date (on or about): 09/23/2016

Control #(ICR#): 16028723

Charge Description: Anthony Gene Barnes

On or about September 23, 2016, in the County of Blue Earth, said Defendant, Anthony Gene Barnes did on one or more occasions within a 90-day period the person unlawfully possesses any amount of a schedule I or II narcotic drug or five or more dosage units of lysergic acid diethylamide (LSD), 3,4-methylenedioxy amphetamine, or 3,4-methylenedioxymethamphetamine in a school zone, a park zone, a public housing zone, or a drug treatment facility.

COUNT II

Charge: Drugs - 5th Degree - Possess Schedule 1,2,3,4 - Not Small Amount Marijuana
Minnesota Statute: 152.025.2(1), with reference to: 152.025.4(a)
Maximum Sentence: 1 year and/or $3,000
Offense Level: Gross Misdemeanor

Offense Date (on or about): 09/23/2016

Control #(ICR#): 16028723

Charge Description: Anthony Gene Barnes

On or about September 23, 2016, in the County of Blue Earth, said Defendant, Anthony Gene Barnes did unlawfully possess one or more mixtures containing a controlled substance classified in schedule I, II, III, or IV, except heroin or a small amount of marijuana, and the weight of the substance is less than .25 grams or one dosage unit or less and the person has not been previously convicted of a violation of Chapter 152.

COUNT III

Charge: Drugs - Possession of Drug Paraphernalia - Use or Possession Prohibited
Minnesota Statute: 152.092(a)
Maximum Sentence: $300
Offense Level: Petty Misdemeanor

Offense Date (on or about): 09/23/2016

Control #(ICR#): 16028723

Charge Description: Anthony Gene Barnes

On or about September 23, 2016, in the County of Blue Earth, said Defendant, Anthony Gene Barnes did knowingly or intentionally possess drug paraphernalia; to wit: a smoking device

STATEMENT OF PROBABLE CAUSE

On September 23, 2016, at approximately 12:13 a.m., officers with the Mankato Department of Public Safety were dispatched to a residence in the City of Mankato regarding a possible theft and disturbance. Officers arrived and spoke with the Complainants. Throughout the interview officers learned that an individual had just been at a residence at 321 1/2 North Broad Street and observed a large amount of methamphetamine. Officers were also advised that Erin Lea Janssen, date of birth July 24, 1978, was dealing methamphetamine from the upstairs apartment. Officers obtained a search warrant for the residence and arrived to execute the warrant at approximately 3:02 a.m.

Officer Green and assisting officers knocked and announced their presence and made entry. Officer Green entered the apartment and ordered everyone to the ground. There were several individuals inside the apartment including Janssen, Anthony Gene Barnes, date of birth June 21, 1965; and Jeremy Robert Thompson, date of birth December 19, 1978; in addition to others. While officers were attempting to detain Barnes, Barnes would not give up his right arm. Officers had to threaten to use force on Barnes several times before he finally complied. While officers searched Barnes to ensure he had no weapons, officers discovered a burnt glass pipe with white residue inside which later field-tested positive for methamphetamine. Officer Green entered a back bedroom and ordered Janssen and Thompson, along with another individual to put their hands on their head. They complied. The three were then detained in handcuffs.

Officer Green searched Janssen's left front pocket and found a small plastic bag containing a milky crystalized substance that later field-tested positive for methamphetamine and weighed approximately .7 grams. In Janssen's right front pocket Officer Green found a small plastic baggy containing 12 white round pills that Janssen admitted were Clonazepam. Janssen admitted she did not have a prescription for the Clonazepam. Clonazepam is a Schedule IV controlled substance. When asked how much methamphetamine would be found in the apartment, Janssen advised that officers would find maybe 1/2 ounce. Officer Green learned from dispatch that Janssen had an outstanding felony warrant for her arrest. Janssen was then taken out to a squad car.

Officer Green searched Thompson and found a piece of a blue pen with white residue inside Thompson's left cargo pocket. Thompson admitted he used the pen to snort methamphetamine. In Thompson's right cargo pocket, Officer Green found a piece of a gray pen that had white residue inside. Thompson admitted that he used the pen to snort methamphetamine. Thompson was then taken out to the squad car.

During the search of the residence, the following items were located. A digital scale, an Excel energy bill with Janssen's name on it, an Altoid tin container containing 16 flash-drives and a small baggy with a white crystalized substance that later field-tested positive for methamphetamine and weighted approximately 1.1 grams, $570 in US currency, a prescription pill bottle containing 42 Gabapentin pills, a plastic orange container with a white residue inside that later field-tested positive for methamphetamine; six corner-cut plastic bags, four glass pipes with a white residue all field-tested positive for methamphetamine, a small black blow-torch, two blue metal pipes with the odor of burnt marijuana, a small silver blow-torch, a black metal grinder with a small amount of a green leafy substance that later field-tested positive for marijuana, and an orange-colored tube connected to glass pieces on both ends used to smoke methamphetamine.

A copy of the search warrant and property receipt were left at the scene. Janssen was transported to the Blue Earth County Jail. Officer Green noted that 321 North Broad Street is one block west of Washington Park.

A review of Thompson's criminal history reveals the prior convictions in violation of Minnesota Statutes,

Chapter 152: Possession of Drug Paraphernalia, April 17, 2006 (07-VB-06-3088); Possession of Marijuana in a Motor Vehicle and Possession of Drug Paraphernalia, August 4, 1998 (07-TX-98-003711); and Possession of a Small Amount of Marijuana and Possession of Drug Paraphernalia, August 6, 2014 (07-VB-14-3127).

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	Jeremy Clifton Police Commander 710 S Front St Mankato, MN 56001-3803 Badge: 3149	Electronically Signed: 10/05/2016 11:31 AM Blue Earth County, MN

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: 10/04/2016 02:41 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).

[X] 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: October 5, 2016.

Judicial Officer Krista J Jass
Judge of District Court

Electronically Signed: 10/05/2016 04:01 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.

ANTHONY GENE BARNES

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: