

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0876
07-CR-16-2159

State of Minnesota,

Plaintiff,

vs.

SAMUEL ROBERT SUMMERS DOB: 06/28/1979

619 W 7th St
Mankato, MN 56001-1628

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: Financial Transaction Card Fraud-Use-No Consent

Minnesota Statute: 609.821.2(1), with reference to: 609.821.3(a)(1)(v)

Maximum Sentence: 1 year and/or \$3000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 04/19/2016

Control #(ICR#): 16014505

Charge Description: Samuel Robert Summers Also Known As Samuel Summers And Sam Robert Summers

On or about April 19, 2016, in the County of Blue Earth, said Defendant, Samuel Robert Summers did without the consent of the cardholder and knowing that the cardholder has not given consent, used or attempted to use a card to obtain the property of another.

COUNT II

Charge: Traffic-DL-Driving after cancellation-inimical to public safety

Minnesota Statute: 171.24.5

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 04/19/2016

Control #(ICR#): 16014505

Charge Description: Samuel Robert Summers Also Known As Samuel Summers And Sam Robert Summers

On or about April 19, 2016, in the County of Blue Earth, said Defendant, Samuel Robert Summers 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 driver's license, while her/his license or privilege was cancelled; 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.

STATEMENT OF PROBABLE CAUSE

On May 18, 2016, at approximately 7:56 a.m., Officer Mohamed Mohamed with the Mankato Department of Public Safety was dispatched to speak with a complainant, identified as Victim 1, regarding a fraud that occurred on her Kwik Trip credit card.

Victim 1 stated she received her bank statements and she did not recognize two payments on her credit card. Victim 1 contacted her bank fraud department to file frauds on her bank account and was advised to contact the police to report it. Victim 1 provided locations and times when her credit card was used.

Victim 1 stated that on April 19, 2016, there were two purchases made from Kwik Trip gas stations on Raintree Road and Madison Avenue locations in the City of Mankato and that the times were 8:17 a.m. and 9:17 a.m. Officer Mohamed went to both locations to check the surveillance footage and located the suspect. The suspect's description was a White male with black hair, red hoodie, and black pants. Officer Mohamed observed the suspect drove a vehicle with a license plate that came back registered to a blue Ford Free Star. The suspect parked by the gas pump and got out of the vehicle and walked into the door. No one else was inside the vehicle.

Officer Mohamed called Victim 1 and asked her to meet him at the Kwik Trip gas station on Madison Avenue where Victim 1 was shown the surveillance footage of the suspect. Victim 1 identified the suspect as Samuel Summers, her ex-boyfriend. Victim 1 stated she never gave Summers her credit card and she did not know how Summers was able to use her credit card. Victim 1 stated that Summers lives at 619 West Seventh Street with his family.

Officer Mohamed next went to the Summers' address to interview him. While in route to that location, Dispatch advised that Summers had one active warrant for his arrest. Officer Mohamed made contact with the family who informed Officer Mohamed that Summers was not at the house but was working. Summers' mother described Summers as doing painting jobs and that Summers works with different people all the time. Officer Mohamed left his contact information with Summers' mother to have Summers contact him for an interview. Officer Mohamed noted a blue Ford Free Star parked at the residence.

On May 23, 2016, at approximately 4:40 p.m., Officer Mohamed interviewed Summers. The interview was audio- and video-recorded. Summers denied, stating that he did not remember going to the Kwik Trip gas stations on April 19, 2016. Summers also denied using Victim 1's credit card at the gas stations. Officer Mohamed showed Summers one picture of him entering the store on the incident date and time. Summers now stated that he remembered going there after seeing the picture. Summers stated that he bought breakfast and a drink at the gas station and that he paid in cash. Officer Mohamed informed Summers that the surveillance footage showed Summers using Victim 1's credit card. Summers continued denying, stating 'I am not going to throw myself under the bus.'

When asked how he got to the gas station, Summers stated that he drove his mother's mini-van. Officer Mohamed asked Summers about his driver's license status and Summers stated that it was suspended. Summers did not deny driving to both gas stations, even though he did not have a valid driver's license.

A check of Summers driving privileges shows that he is Canceled- IPS and has been since 2006.

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

Craig Frericks
Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3102

Electronically Signed:
05/24/2016 11:43 AM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Stefanie Menning
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
05/24/2016 11:23 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: May 24, 2016.

Judicial Officer

Krista J Jass
Judge of District Court

Electronically Signed: 05/24/2016 03:45 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.

SAMUEL ROBERT SUMMERS

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: