

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-1251
07cr163044

State of Minnesota,

Plaintiff,

vs.

TIMOTHY JOHN FRENZEL DOB: 07/19/1978

207 2nd Ave SE
Mapleton, MN 56065

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: Drugs - 3rd Degree - Sale - Narcotic

Minnesota Statute: 152.023.1(1), with reference to: 152.023.3(a)

Maximum Sentence: 20 years and/or \$250,000

Offense Level: Felony

Offense Date (on or about): 08/01/2016

Control #(ICR#): 16011141

Charge Description: Timothy John Frenzel Also Known As Tim John Frenzel, Timothy Frenzel And Tim Frenzel

On or about August 1, 2016, in the County of Blue Earth, said Defendant, Timothy John Frenzel did unlawfully sell, or possess with intent to sell, one or more mixtures containing a narcotic drug. To wit: methamphetamine.

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(b)

Maximum Sentence: Not less than 6 months nor more than 10 years and/or \$20,000

Offense Level: Felony

Offense Date (on or about): 08/01/2016

Control #(ICR#): 16011141

Charge Description: Timothy John Frenzel Also Known As Tim John Frenzel, Timothy Frenzel And Tim Frenzel

On or about August 1, 2016, in the County of Blue Earth, said Defendant, Timothy John Frenzel did

unlawfully possess one or more mixtures containing a controlled substance classified in schedule I, II, III, or IV, except a small amount of marijuana; and said defendant was previously convicted of a controlled substance crime.

COUNT III

Charge: Traffic-Drivers License-Driving After Revocation

Minnesota Statute: 171.24.2

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

Offense Level: Misdemeanor

Offense Date (on or about): 08/01/2016

Control #(ICR#): 16011141

Charge Description: Timothy John Frenzel Also Known As Tim John Frenzel, Timothy Frenzel And Tim Frenzel

On or about August 1, 2016, in the County of Blue Earth, said Defendant, Timothy John Frenzel did after being given notice, or reasonably should have known of the revocation, 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in this state any motor vehicle, the operation of which requires a driver's license, while her/his license or privilege was revoked.

COUNT IV

Charge: Drugs - Possession of Drug Paraphernalia - Use or Possession Prohibited

Minnesota Statute: 152.092(a)

Maximum Sentence: \$300 fine

Offense Level: Petty Misdemeanor

Offense Date (on or about): 08/01/2016

Control #(ICR#): 16011141

Charge Description: Timothy John Frenzel Also Known As Tim John Frenzel, Timothy Frenzel And Tim Frenzel

On or about August 1, 2016, in the County of Blue Earth, said Defendant, Timothy John Frenzel did knowingly or intentionally possess drug paraphernalia; to wit: a smoking device.

STATEMENT OF PROBABLE CAUSE

On July 30, 2016 Deputy Kyle Phillips with the Blue Earth County Sheriff's Office received information regarding a suspicious vehicle observed in Martin County. Deputy Owens of the Martin County Sheriff's Office was making law enforcement agencies aware that on morning of July 30, 2016 Timothy John Frenzel was observed near an abandoned farm site. Deputy Owens wanted other agencies to be aware that Frenzel was possibly out looking for properties to target as Frenzel has been convicted of rural burglaries in recent years. Frenzel's driver's license is revoked. Frenzel was driving a black Dodge Dakota pickup truck.

Deputy Phillips is aware that Frenzel resides at 207 1st Ave. SE. in the city of Mapleton. On August 1, 2016 at approximately 4:45 AM Deputy Phillips drove past that residence observing the black Dodge Dakota pickup truck in the driveway. Based upon the information he received, Deputy Phillips decided to watch the residence to see if Frenzel left. At approximately 5:45 AM Deputy Phillips observed the pickup backing out of Frenzel's driveway. Deputy Phillips advised Deputy Jim Othoudt what he had observed. Deputy Othoudt then observed the pickup traveling westbound on State Highway 30.

The decision was made to attempt a loose follow of the pickup to see if it would pull into any abandoned farm properties in rural Blue Earth County. Deputy Othoudt observed the pickup travel from Highway 30 to Blue Earth County Road 18. The pickup then continued toward Good Thunder on County Road 1. As the pickup approached Good Thunder the determination was made to stop the vehicle before it could slip away. Deputy Phillips traveled toward the pickup observing that the driver was Frenzel. Deputy Phillips then effectuated a traffic stop.

Deputy Phillips made contact with Frenzel at the driver's window and asked him to step out of the vehicle. Deputy Phillips asked Frenzel if he had any weapons on him and Frenzel stated he had a knife in his pocket. Frenzel stated that he was driving due to the need to get to work. Deputy Phillips pat searched Frenzel for weapons, not locating any including the knife Frenzel had mentioned. Frenzel then stated he may have left the knife on the front seat of the pickup. Frenzel also stated he was on probation through Waseca County and subject to random searches by law enforcement and that he must also remain law abiding. Frenzel was then placed in the back of Deputy Phillips squad car.

Deputy Othoudt, while looking into the driver's compartment from the open driver's door, observed a glass methamphetamine pipe on the front passenger seat. Deputy Phillips asked Frenzel about the pipe. Frenzel advised that he last used that pipe to smoke methamphetamine approximately two weeks ago. Deputy Phillips advised Frenzel that he was under arrest for possession of a controlled substance. Deputy Phillips asked Frenzel about his current methamphetamine habit and Frenzel stated that he had used within the last 48 hours. Deputy Othoudt also located a digital scale on the driver side floor which contained a white crystal residue that would later field test positive for methamphetamine. Deputy Othoudt also observed a large amount of money in an envelope in the vehicle's center console.

Deputy Phillips went to speak with Frenzel again and upon opening the rear squad door observed that Frenzel was chewing. Deputy Phillips asked Frenzel what he was chewing and he stated baggies. Deputy Phillips retrieved too small gem ' pack style baggies from Frenzel's mouth. Deputy Phillips also located another glass methamphetamine pipe in Frenzel's right sock. The pipe contained residue.

Frenzel then advised that he had additional items down his pants. Frenzel was able to reach down the front of his pants and remove a green colored container that contained a red colored straw 'shovel' commonly used to scoop methamphetamine from baggie corners. Also in the container were Q-tips, a gem ' pack style baggie containing a white crystal like substance which field-tested positive for the presence of

methamphetamine. Deputy Phillips is aware, through his training and experience, that methamphetamine currently sells for approximately \$154 per gram in outstate Minnesota. Deputy Phillips estimated that the amount of methamphetamine in the baggie was .75 to 1.0 g.

Deputy Phillips transported Frenzel to the Blue Earth County jail. Upon arriving at the jail Deputy Phillips had Frenzel step out of the vehicle. Once Frenzel stood up Deputy Phillips observed a large amount of crystal like substance, consistent with that known to be methamphetamine, to be running down Frenzel's right leg onto the concrete floor. Deputy Brian Martin and Deputy Adam Suckow assisted in collecting the loose methamphetamine. Frenzel was taken into the pre-booking area where Deputy Phillips noted that there were methamphetamine crystals on Frenzel's bare feet. These crystals were collected by Deputy Phillips. The suspected marijuana was weighed on a digital scale and weighed a total of approximately 4.7 g.

Deputy Phillips then drafted a search warrant for Frenzel's blood based upon Frenzel's statement concerning methamphetamine use and his operation of a motor vehicle. The search warrant was signed by a judge of the Fifth Judicial District. Frenzel was then transported to the hospital where a sample of his blood was drawn. That sample was sent to the BCA for testing.

Based upon his training and experience as a former Minnesota River Valley Drug Task Force agent, Deputy Phillips is aware that 4.7 g of methamphetamine is not a 'user amount' and uncommon for the average methamphetamine user to have at one time. Deputy Phillips is also aware that having a large amount of cash along with a digital scale containing residue in conjunction methamphetamine as well as gem baggies is an indication that the person is selling methamphetamine.

A check of Frenzel's criminal history reveals a conviction for a controlled substance crime in the Fifth Degree which can be found in Blue Earth County file number 07-CR-05-2291. The conviction is from September 2005. It should also be noted that Frenzel has a pending controlled substance crime in the Second Degree in Waseca County which can be found in file number 81-CR-16-282.

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

Paul Barta
Lieutenant
401 Carver Rd
Mankato, MN 56002-0228
Badge: 2721

Electronically Signed:
08/02/2016 02:44 PM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Michael Hanson
Assistant County Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
08/02/2016 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).

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: August 2, 2016.

Judicial Officer

Kurt D Johnson
District Court Judge

Electronically Signed: 08/02/2016 03:04 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.

TIMOTHY JOHN FRENZEL

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: