

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0262
07-CR-16-637

State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

JOSHUA NATHANAEL WALTERS DOB: 09/08/1980

126 Middle Street
Good Thunder, MN 56037

Defendant.

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: Burglary-2nd Degree-Dwelling

Minnesota Statute: 609.582.2(a)(1)

Maximum Sentence: 10 years and/or \$20,000

Offense Level: Felony

Offense Date (on or about): 02/18/2016

Control #(ICR#): 16002101

Charge Description: Joshua Nathanael Walters Also Known As Joshua Nathaneal Walters, Jashua Nathanael Walters And Jashua Nathaneal Walters

On or about February 18, 2016, in the County of Blue Earth, said Defendant, Joshua Nathanael Walters did enter a building without consent and with intent to commit a crime, or entered a building without consent and committed a crime while in the building, either directly or as an accomplice and the building is a dwelling.

COUNT II

Charge: Drugs - 5th Degree - Possess Schedule 1,2,3,4 - Not Small Amount Marijuana

Minnesota Statute: 152.025.2(a)(1)

Maximum Sentence: 5 years and/or \$10,000

Offense Level: Felony

Offense Date (on or about): 02/18/2016

Control #(ICR#): 16002101

Charge Description: Joshua Nathanael Walters Also Known As Joshua Nathaneal Walters, Jashua Nathanael Walters And Jashua Nathaneal Walters

On or about February 18, 2016, in the County of Blue Earth, said Defendant, Joshua Nathanael Walters 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.

STATEMENT OF PROBABLE CAUSE

On February 18, 2016, at approximately 12:14 p.m., Deputy Joe Flavin, with the Blue Earth County Sheriff's Office, responded to 578th Avenue, in Good Thunder, Minnesota, Blue Earth County, in regards to a burglary complaint. Adult1, the Complainant and homeowner, called 911 to report that he has a camera that watches his yard and home, which provides a 'live feed' to his computer and that he observed someone on his property and possibly in his home. Deputy Flavin and Deputy Jase Guetter arrived at the residence and met with Complainant who was already on scene. Complainant advised the house was still locked when he got there and nothing was noticeably missing at his initial walkthrough. He provided the following details.

On his surveillance camera he observed a dark-colored car pulled into his driveway and a male got out and walked up to the house. The male then got back in his car and drove further down the driveway toward the shop. A short time later the vehicle reappeared and parked next to the house. The male got out and went to the detached garage. The male then walked back over to the house and disappeared for a short time. After that the male reappeared, got into his car and drove away. Adult1 invited deputies into his house to watch the video feed of the suspicious activity.

Deputies reviewed the surveillance video from the homeowner and were able to see that the male suspect was inside the home for approximately seven minutes before again exiting the property and leaving the residence in the described vehicle. Upon speaking with Adult1, it was learned that a spare house key was kept in the detached garage. A review of the area where the key was kept showed that it had been disturbed. A secondary walk through of the residence was conducted to determine which items if any were missing from the home.

Based on prior allegations of burglaries in the area, Deputy Flavin asked Adult1 if he owned prescription medications, noting there had been previous burglaries in the past month in the rural Good Thunder area where prescription medication was the only item taken. Adult1 then checked the bathroom connected to his bedroom and opened the medicine cabinet where he discovered that one of his prescription pill bottles was missing. Adult1 advised that he was prescribed Hydrocodone for having his wisdom teeth pulled out not too long ago, and that there had been three Hydrocodone tablets left in the bottle. Adult1 next walked into the kitchen where he noticed that one of the dog's prescription bottles was missing from the counter. Adult1 advised that he recently had a veterinary visit for his dog and that his dog was prescribed two medications. The one that was a muscle relaxer was missing. Adult1 indicated that the prescription was for 28 300 mg pills of Gabapentin. According to Adult1 there should have been 24 capsules left in the bottle.

Deputies left the scene and began to canvas the area looking for a vehicle matching the description shown on the surveillance video which appeared to a mid-2000 Nissan Sentra. It was learned through speaking with Detectives that in May 2015 Deputy Brennan had taken a burglary report of similar circumstances where a Joshua Nathanael Walters was the suspect. According to that report, a 2006 Nissan Sentra registered to Walters was used in that burglary. Video was obtained in that burglary as well. Deputies responded to the Good Thunder address of Walters to see if the vehicle was there and observed a dark blue Nissan Sentra in the driveway, which was registered to Walters.

Later that afternoon Deputy Flavin observed a male driving the Nissan Sentra east on Main Street. Deputy Flavin followed the vehicle as it turned north and observed the vehicle stop on South Front Street in front of the gas station. The driver exited the vehicle and walked into the store. Deputy Flavin noted that the driver matched the DVS photo of Walters, and that Walters was wearing a blue puffy vest, a stripped polo shirt, and black hat similar to the one shown in the surveillance video of the burglary.

During this time it was learned that Walters probation officer had been in contact with him earlier asking

him to come in to provide a urine test. Walters advised his probation officer that he could not do it due to being in the Cities at the time.

Approximately 40 minutes later Deputy Brennan advised that Walters was in the probation office meeting with his probation officer and that an A&D Order was filed. Search warrants were applied for and obtained regarding the Nissan Sentra and Walters address in Good Thunder.

A search of Walter's vehicle revealed a white unknown pill with a blue strip located near the center console where the emergency brake is located. A blue pill cutter was located inside the driver's door compartment, along with a contact case with residue that appeared to be a green leafy vegetable material inside the case. A metal smoking pipe commonly used to smoke marijuana was in the trunk. A baggy located under the front seat with a brownish powdery residue on the knot later field-tested positive for heroin. A small jewel-type baggy with a brownish powdery residue was located in the driver's seat rail.

Deputies also executed the search warrant for the Walter's home and met with the Walter's father at his residence while they explained the search warrant. Walter's mother then indicated that Walters keeps his things in the basement area. When law enforcement went into the bedroom to the right at the bottom of the steps they located several prescription bottles in the room in various bags. A few of the prescription bottles had other names on them and were empty. Officers did find pill bottles with Defendant's name on them for Hydrocodone, Acetaminophen, and Gabapentin, but they were all empty. Deputy Guetter located a black coat that he recognized from the video of the burglary at Adult1's residence earlier in the day. The coat was on the chair in the family room. Deputy Guetter also located a black bag in the family room on a bookshelf on the east wall. Inside the bag he located several prescription pill bottles and a snort tube used to ingest drugs. Deputy Guetter also located inside the bag two pill bottles. One was a Hydrocodone Acetaminophen bottle with Adult1's name on it, and also a blue pill bottle for Adult1's dog for Gabapentin. All items were taken as evidence.

On February 19, 2016, Deputy Brennan attempted to take a statement from Defendant who is being held on A&D inside the Blue Earth County Jail. Deputy Brennan went to the jail and informed Defendant of the new charges that would be forthcoming. Defendant stated he wanted to talk, but he wanted to discuss things with his attorney when he does.

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

Jerry Richard Billiar
Detective
401 Carver Rd
Mankato, MN 56002-0228
Badge: 2704

Electronically Signed:
02/19/2016 04:41 PM
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:
02/19/2016 03:39 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 19, 2016.

Judicial Officer

Kurt D Johnson
District Court Judge

Electronically Signed: 02/19/2016 04:47 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.

JOSHUA NATHANAEL WALTERS

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: