

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

MAN-16-0627  
07-CR-16-3120

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**State of Minnesota,**

Plaintiff,

vs.

**ZACHARY EDWIN ZRUST DOB: 01/06/1980**

3619 12st Ave  
Anoka, MN 55303

Defendant.

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**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: Traffic - DWI - Operate Motor Vehicle Under Influence of Alcohol**

Minnesota Statute: 169A.20.1(1), with reference to: 169A.26.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 08/06/2016

Control #(ICR#): 16201547

Charge Description: Said Defendant, Zachary Edwin Zrust, did drive or operate and was in physical control of any motor vehicle when he/she was under the influence of alcohol, and one aggravating factor was present when the violation was committed.

**COUNT II**

**Charge: Traffic - DWI - Operate Motor Vehicle - Alcohol Concentration 0.08 Within 2 Hours**

Minnesota Statute: 169A.20.1(5), with reference to: 169A.26.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 08/06/2016

Control #(ICR#): 16201547

Charge Description: Said Defendant, Zachary Edwin Zrust, did drive, operate or was in physical control of any motor vehicle when his/her alcohol concentration at the time, or as measured within two hours of the time of driving, operating or being in physical control of the motor vehicle was .08 or more, and one aggravating factor was present when the violation was committed.

## STATEMENT OF PROBABLE CAUSE

Complainant is a Trooper with the Minnesota State Patrol who believes the information set out below is true and accurate based on reports and information submitted to the Trooper by Trooper Andrew Krust and others identified herein.

On August 6, 2016 at approximately 11:25 PM, a caller reported to police that a man who appeared to be intoxicated got into a truck and was currently driving onto Highway 14 in Mankato Blue Earth County. The caller had observed the man stumbling around before getting into the truck, which was described as a Budget rental straight truck. Sgt. Mills was on Third Avenue at the time and observed a truck fitting that description on the ramp, eastbound on Highway 14. He followed the vehicle and noted that the speed of the truck fluctuated and that the truck was weaving between the center and fog lines of the right eastbound lane. As they approached the curve on Highway 14 by Victory Drive, the Sgt. noticed that the vehicle was having difficulty staying within the traffic lane. He pulled the vehicle over and spoke to the driver of the truck, who he identified as Zachary Edwin Zrust, the defendant. While speaking with the defendant Sgt. Mills could smell a very strong odor of alcohol and asked the defendant how much he had to drink. Initially the defendant stated he had not been drinking but then admitted that he had a couple beers. The Sgt. also noted that the defendant was slurring his words and that his body movements were relaxed and he appeared very intoxicated. Trooper Kutz also responded to the driving complaint and requested the defendant perform standardized field sobriety testing. Due to the defendant's poor performance on the field sobriety tests and the clues of intoxication he presented, he was requested to take the PBT. The defendant consented to provide a sample of his breath, which tested a .225 alcohol concentration. The defendant was arrested and read the implied consent advisory at 11:50 PM. The defendant stated he understood the advisory did not wish to speak with an attorney and would take a breath test. Trooper Kutz administered the DMT which measured the defendant's alcohol concentration at .21 at 12:38 on 8/7/2016.

## 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**

Casey Meagher  
Lieutenant  
2171 Bassett Drive  
Mankato, MN 56001-6888  
Badge: 2201

Electronically Signed:  
08/08/2016 03:45 PM  
Blue Earth County, Minnesota

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

**Prosecuting Attorney**

Linda B. Hilligoss  
Assistant Blue Earth County  
Attorney  
401 Carver Road  
PO Box 3129  
Mankato, MN 56002-3129  
(507) 304-4600

Electronically Signed:  
08/08/2016 02:19 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 8, 2016.

**Judicial Officer**

Kurt D Johnson  
District Court Judge

Electronically Signed: 08/08/2016 04:48 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.

**ZACHARY EDWIN ZRUST**

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: