

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-1724
07-CR-16-4431

State of Minnesota,

Plaintiff,

vs.

MATTHEW HOWARD LOGE DOB: 09/30/1978

106 Third St.
Pemberton, MN 56078

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: Traffic - DWI - Combination Any 2 Alcohol/Controlled Substance/Hazardous Substance

Minnesota Statute: 169A.20.1(4), with reference to: 169A.26.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 08/26/2016

Control #(ICR#): 16201696

Charge Description: Matthew Howard Loge

On or about August 26, 2016, in the County of Blue Earth, said Defendant, Matthew Howard Loge did, drive, operate, or was in physical control of any motor vehicle when he/she was under the influence of a combination of any two or more of the elements named in clauses (1) to (3); and one aggravating factor was present when the violation was committed.

COUNT II

Charge: Traffic - DWI - Operate Motor Vehicle Under Influence of Controlled Substance

Minnesota Statute: 169A.20.1(2), with reference to: 169A.27.2

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

Offense Level: Misdemeanor

Offense Date (on or about): 08/26/2016

Control #(ICR#): 16201696

Charge Description: Matthew Howard Loge

On or about August 26, 2016, in the County of Blue Earth, said Defendant, Matthew Howard Loge did, drive, operate, or was in physical control of any motor vehicle when he/she was under the influence of a

controlled substance.

STATEMENT OF PROBABLE CAUSE

On August 26, 2016, at approximately 7:00 a.m., Trooper Killion of the Minnesota State Patrol was on duty and in a marked squad vehicle traveling eastbound on Highway 14, west of Eagle Lake. Trooper Killion overheard County Dispatch in regards to a driving complaint. Dispatch provided a location of County Road 86 and County Road 17. Trooper Killion turned south onto County Road 86 and observed a passenger vehicle traveling northbound down the middle of the road at him. The passenger vehicle slid through a stop sign on Highway 14 and stopped in the right lane of eastbound traffic in the County of Blue Earth, State of Minnesota. Trooper Killion activated his emergency lights and pulled behind the suspect vehicle. He was given a vehicle description and plate number via dispatch, which matched the passenger vehicle's plates.

Trooper Killion approached the driver's side of the vehicle and immediately noticed an odor of an alcoholic beverage emitting from the driver's person. The driver was later identified as Matthew Howard Loge, the defendant herein. The defendant's eyes were watery and had a '1000-yard stare' when speaking with Trooper Killion. The defendant was unable to provide a driver's license but gave a name and date of birth. The defendant stepped out of his vehicle and when he did, his balance was unsteady and he leaned on the vehicle. The defendant's speech was slow and lethargic. Defendant admitted to having one beer the night prior and admitted ingesting several prescription medications. Trooper Killion noticed fresh damage to the passenger side of the vehicle and noted that the damage was consistent with hitting a mailbox or a sign.

The defendant consented to and Trooper Killion administered field sobriety tests. The defendant first recited the alphabet from A to Z and was asked to count backwards from 67 to 54. The defendant was unable to do so correctly. The Defendant was also administered a one-legged stand test. The defendant provided a portable breath test sample with a reading of 0.041 blood alcohol concentration. Defendant admitted to taking Ambien, opine/beta blocker, Butyrin, Mirtazapine, an antidepressant, and Indomethacin. Trooper Killion checked the front seat area for prescription medication but was unable to locate anything. The defendant did perform an additional field sobriety test, the Romberg test. Trooper Killion transported the defendant to MCHS for a blood draw while Trooper Newton of the Minnesota State Patrol transported a warrant to the Justice Center, which was subsequently reviewed and signed by a Blue Earth County judge. Trooper Newton drove the paperwork to the clinic. At approximately 8:27 a.m., blood was drawn by a medical laboratory technician using kit #B389894. The defendant was provided a copy of the warrant. The defendant was subsequently transported to the Blue Earth County Justice Center and booked for suspicion of DWI.

On September 8, 2016, Trooper Killion received blood results indicating a 0.034 blood alcohol concentration. On October 5, 2016, Trooper Killion received results from the blood warrant regarding the drug screen, which also revealed a concentration of Zolpidem at 0.352 mg/L.

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

Dan Anderson
State Trooper
2171 Bassett Drive
Mankato, MN 56001-6888
Badge: 31

Electronically Signed:
11/14/2016 08:39 AM
Blue Earth County, Minnesota

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

Prosecuting Attorney

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

Electronically Signed:
11/13/2016 06:13 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 **December 8, 2016 at 8:15 AM** 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: November 14, 2016.

Judicial Officer

Krista J Jass
Judge of District Court

Electronically Signed: 11/14/2016 09:52 AM

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.

MATTHEW HOWARD LOGE

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: