

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

MAN-16-0533
07-CR-16-2560

State of Minnesota,
Plaintiff,

vs.

STACY ANNE EVENSON DOB: 10/17/1975

304 Eastport Drive
Mankato, MN 56001-6732

Defendant.

COMPLAINT

Summons

Tab Charge/Citation Previously Filed

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.25.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 06/23/2016

Control #(ICR#): 16018473

Charge Description: Said Defendant, Stacy Anne Evenson, did drive or operate and was in physical control of any motor vehicle when he/she was under the influence of alcohol, and two or more aggravating factors were 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.25.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 06/23/2016

Control #(ICR#): 16018473

Charge Description: Said Defendant, Stacy Anne Evenson, 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 two or more aggravating factors were present when the violation was committed.

STATEMENT OF PROBABLE CAUSE

Complainant is an Officer with the Mankato Police Department who believes the information set out below is true and accurate based on reports and information submitted to the Officer by Officer Jesse Gilbertson and others identified herein.

On June 23, 2016, at approximately 1:20 a.m., Officer Gilbertson observed a vehicle being driven with a flat tire on Glenwood Avenue near Pohl Road in the city of Mankato, Blue Earth County, Minnesota. Officer Matt Vitale observed the same vehicle traveling eastbound on Glenwood Avenue with the flat tire. Both Officers turned around to pursue the vehicle. Both Officers noted that they had to accelerate in order to catch up to the suspect vehicle. Officer Vitale noted in his report that it was believed that the driver may have accelerated after passing two squad cars in an attempt to evade detection. Officer Gilbertson stopped the vehicle and identified the driver as Stacy Anne Evenson, the Defendant herein. Officer Gilbertson asked the Defendant if she knew that her tire was flat, and the Defendant indicated that she did. Officer Gilbertson observed that there was loud music coming from the vehicle. Officer Gilbertson also noted the odor of an alcoholic beverage coming from the Defendant. In addition, the Defendant's eyes were red and watery. The Defendant's speech was slurred. When asked to provide her identification, the Defendant provided her credit card instead. The Defendant said that she had been visiting friends in North Mankato. The Defendant said she had gotten together with her friends at approximately 5:00 o'clock. When asked if she had been drinking, the Defendant said that she had two beers. Officer Gilbertson asked the Defendant to get out of the vehicle in order to perform field sobriety tests. Officer Gilbertson noted that the Defendant had difficulty walking and was staggering and swaying back and forth. Officer Gilbertson administered the horizontal gaze nystagmus test and observed all six clues indicating impairment. The Defendant informed Officer Gilbertson that she had a medical condition. Based on that information, Officer Gilbertson did not administer either the walk-and-turn or one-legged stand test. Officer Gilbertson administered a portable breath test and the Defendant blew a .191 on the digital PBT. The Defendant was placed under arrest and Officer Gilbertson assisted the Defendant in getting into the back of his squad car. The Defendant lost her balance and fell onto the ground. Officer Vitale assisted Officer Gilbertson in getting the Defendant back up and into the squad car. The Defendant was transported to the Blue Earth County Justice Center where Officer Gilbertson read her the Implied Consent Advisory at 1:55 a.m. After being given an opportunity to contact an attorney, the Defendant agreed to submit to a breath test. Officer Gilbertson administered the Datamaster breath test to the Defendant. The results of the breath test were .18 alcohol concentration. The breath test was completed at 2:08 a.m.

A computer check of the Defendant's driver's license record indicates that she has a conviction for Criminal Vehicular Operation from an incident on August 17, 2008, in Blue Earth County. See Blue Earth County District Court file 07-CR-08-2709. It was determined that the Defendant had run over a man outside of a bar. In that incident, the Defendant's driver's license was revoked due to a .12 alcohol concentration.

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

Daniel Schisel
Police Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3135

Electronically Signed:
06/28/2016 08:30 AM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Christopher Cain
Assistant Blue Earth County
Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002-3129
(507) 304-4600

Electronically Signed:
06/24/2016 11:20 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: June 28, 2016.

Judicial Officer

Darci J. Bentz

Electronically Signed: 06/28/2016 11:03 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.

STACY ANNE EVENSON

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: