

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-1262
07-CR-16-3089

State of Minnesota,

Plaintiff,

vs.

KEVIN JAMES WELSH DOB: 01/29/1979

117 E. Vine Street
Mankato, MN 56001

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 - 2nd Degree - Sale 3 Grams or More - Cocaine/Heroin/Meth w/in 90-Day Period

Minnesota Statute: 152.022.1(1), with reference to: 152.022.3(b)

Maximum Sentence: Not less than three years nor more than 40 years and \$500,000

Offense Level: Felony

Offense Date (on or about): 08/04/2016

Control #(ICR#): 16023096

Charge Description: Kevin James Welsh

On or about August 4, 2016, in the County of Blue Earth, said Defendant, Kevin James Welsh did on one or more occasions within a 90 day period, unlawfully sell one or more mixtures of a total weight of ten grams or more containing a narcotic drug other than heroin; and said defendant was previously convicted of a controlled substance crime..

COUNT II

Charge: Drugs - 3rd Degree - Possess 10 grams or more a narcotic drug other than heroin

Minnesota Statute: 152.023.2(a)(1), with reference to: 152.023.3(a)

Maximum Sentence: 20 years and/or \$250,000.00

Offense Level: Felony

Offense Date (on or about): 08/04/2016

Control #(ICR#): 16023096

Charge Description: Kevin James Welsh

On or about August 4, 2016, in the County of Blue Earth, said Defendant, Kevin James Welsh did on one or more occasions within a 90 day period, unlawfully possess one or more mixtures of a total weight of ten

grams or more containing a narcotic drug other than heroin.

STATEMENT OF PROBABLE CAUSE

On August 4, 2016, agents of the Minnesota River Valley Drug Task Force executed a lawful narcotics search warrant at Residence 1 after the arrest of Alison Alexis Donnelly and Kevin James Welsh.

Earlier in the day, Commander Wersal was in contact with a confidential informant, hereinafter CI, who advised that there were several individuals currently at Motel 1 in North Mankato that were actively using and selling methamphetamine. The CI informed agents that a female had recently driven to the motel to meet the individuals who were in possession.

Agents went inside Motel 1 and were able to observe a female leaving the hotel and verified that the room was currently registered to Welsh and that he had an address in the City of Mankato. Officers were also able to learn that Welsh is on supervised release with the Minnesota Department of Corrections for a prior controlled substance offense. The CI informed agents that Welsh was supposed to be in possession of a large amount of methamphetamine.

It was further learned that Welsh had an active warrant out of Olmsted County as well as a Department of Corrections warrant and that Donnelly had a gross misdemeanor warrant out for her arrest. After reviewing hotel surveillance cameras, Donnelly was verified as the female in the hotel. Later, Agents and officers went to Welsh's residence, Residence 1, where he and Donnelly were ultimately detained on outstanding Warrants and the search warrant was drafted, signed and executed.

Officers and agents made entry through the unlocked door to Residence 1 and noted Welsh came out of the bedroom that was presumed to be his room. In the same room, Donnelly was laying on the bed. Next to her was a bubble/meth pipe in plain view. After both were detained, Donnelly expressed there were more narcotics in the residence. She stated that there was some methamphetamine on the mirror of the bedroom.

The following items of evidence were collected:

-two glass bubble/meth pipes, one was found on the bed, and one was next to Donnelly at the time of her arrest;

-0.3 grams of a crystal-like substance that field tested positive for meth wrapped in a \$5.00 bill that was inside of Donnelly's purse;

-0.2 grams of a crystal-like substance that field tested positive for methamphetamine found in the closet on a mirror in Welsh's bedroom;

-5.4 grams of a crystal-like substance that field tested positive for meth found in a jar on the nightstand next to Welsh's bed;

-6.3 grams of a crystal-like substance that field tested positive for meth were found in the same jar on the nightstand next to Welsh's bed;

-a Visa debit card belonging to Welsh found in the bedroom;

-residency documents for Welsh found in the bedroom; and

-a \$5.00 bill that contained purported meth that was found in Donnelly's purse.

A total of 12.2 grams of methamphetamine were recovered.

Welsh does have prior narcotics conviction and is currently on Department of Corrections release. (See Court File No.: 22-CR-06-246)

After the residence was searched pursuant to the warrant, Agent Chad Ruch with the Minnesota River Valley Drug Task Force conducted a Mirandized interview of Donnelly. Donnelly expressed that they found "dope" at the house. She guessed about a quarter ounce was found on the mirror. When asked about the crystalized substance found in her purse, she stated that it was a \$5.00 bill and that she got the meth from Welsh. When Donnelly was asked about the other purported meth found in the room, she claimed to know nothing about it but said she was not surprised.

Donnelly explained that earlier in the day she and Welsh were at Motel 1 in North Mankato and got into an argument, and then Welsh left the motel. Donnelly stated she went to Mankato to the bars and met up later with Welsh around 4:00 a.m., and they went back to the hotel. Donnelly stated that another female came over and was asking about getting meth from Welsh but then said that Welsh didn't want to deal with her. Donnelly stated that she and Welsh argue about selling meth all of the time and that this was the last time they were going to sell meth. Donnelly explained that she had given a male a ride to Welsh's house. She also explained that this male purchased meth.

Donnelly does have a prior narcotic conviction (see Court File No.: 46-CR-13-365)

Agent Ruch and Commander Wersal conducted a recorded interview with Welsh at the Blue Earth County Jail. Welsh was read his Miranda warning and agreed to speak with agents. When asking Welsh how much meth he felt was found in his home, he thought maybe a couple of grams. Agents informed him that they had found all of it, almost a half-ounce with glass pipes and other items. Welsh admitted he has been selling "dope" off and on and agreed that a half ounce is obviously not for personal use. Welsh stated he sells to a select group of people and agreed the half-ounce that was found was probably going to go to someone else. Welsh agreed he was going to make some money. Welsh stated he does facilitate larger deals as well between individuals.

Welsh stated he has served prison time for past controlled substance crimes and then proceeded to state he wasn't planning on selling the methamphetamine and started taking back his earlier statements after he was informed what his charges were.

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

Matthew DuRose
Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3141

Electronically Signed:
08/05/2016 12:21 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:
08/05/2016 12:06 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 5, 2016.

Judicial Officer

Kurt D Johnson
District Court Judge

Electronically Signed: 08/05/2016 12:55 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.

KEVIN JAMES WELSH

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: