

State of Minnesota
County of Dakota

District Court
1st Judicial District

Prosecutor File No. CA-2018-00274
Court File No. 19HA-CR-18-308

State of Minnesota,

Plaintiff,

vs.

BRIAN DAVID HILTNER DOB: 08/17/1989

3898 Mersey Pt
Eagan, MN 55123

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: Controlled Substance Crime in the 1st Degree (Sale) (Marijuana or Tetrahydrocannabinols) (25 or More Kilograms)

Minnesota Statute: 152.021.1(6), with reference to: 152.021.3(a)

Maximum Sentence: 0-30 Years and/or \$300,000.00 - \$1,000,000.00

Offense Level: Felony

Offense Date (on or about): 01/31/2018 to 01/31/2018

Control #(ICR#): 18000355

Charge Description: On or about January 31, 2018, in the County of Dakota, Minnesota, BRIAN DAVID HILTNER, did on one or more occasions within a 90-day period unlawfully sell one or more mixtures of a total weight of 25 kilograms or more containing marijuana or Tetrahydrocannabinols.

STATEMENT OF PROBABLE CAUSE

2/2/2018 01:40:31 PM
Dakota County, MN

On January 31, 2018, law enforcement officers assigned to the Southwest Metro Drug Task force, with the assistance of officers from the Lakeville Police Department, executed a search warrant on a residence located in the city of Lakeville, Dakota County, Minnesota. Prior to executing the search warrant, an officer observed a vehicle leave the residence. The vehicle was stopped by the officer and the driver was identified as Brian David Hiltner, DOB: 8/17/89. While speaking with Hiltner, the officer detected an order of marijuana coming from the vehicle. Investigating officers located 9 vacuum sealed plastic bags containing a substance which the officer believed to be marijuana during a subsequent search of the vehicle. From the officer's training and experience, it was estimated that each bag contained approximately one pound of marijuana. Also in the vehicle, officers located 14 gallon size plastic bags. Each of the 14 gallon size bags contained a large amount of edible "gummies" containing Tetrahydrocannabinols (THC) edible "gummies". One of the "gummies" was removed and field tested using a Narcotics Identification Kit (NIK). The field test was positive for the presence of THC. The plastic bags containing gummies and the contents were subsequently weighed. The approximate gross weight of all the bags and containing gummies is well in excess of 50 pounds.

During the search of the residence, officers located 183 vacuum sealed bags inside the residence. Each of the bags contained approximately one pound of a substance the officers, from their training and experience, believed to be marijuana. Inside the residence, officers also located additional edible "gummies" believed to contain THC and a large number of containers containing what officer believed to be THC concentrate in wax form. The wax in one of the containers NIK tested positive for the presence of THC. In the residence, officers located a numerous items of drug paraphernalia and a digital scale. In a cardboard box in the bedroom, officers located approximately \$26,000. In a subsequent statement to officers, Hiltner admitted that he lived in the Lakeville residence and that all of the items, including the marijuana and THC concentrates, belonged to him. Hiltner further admitted that he sells marijuana and that when he was stopped by the officer he was bringing marijuana to a friend. The total amount of marijuana and substances containing THC was well in excess of 25 kilograms.

SIGNATURES AND APPROVALS

2/2/2018 01:40:31 PM
Dakota County, MN

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, subs. 1, 2.

Complainant

Jim Puncochar
Lieutenant
9237 183rd Street W
Lakeville, MN 55044
Badge: 4807

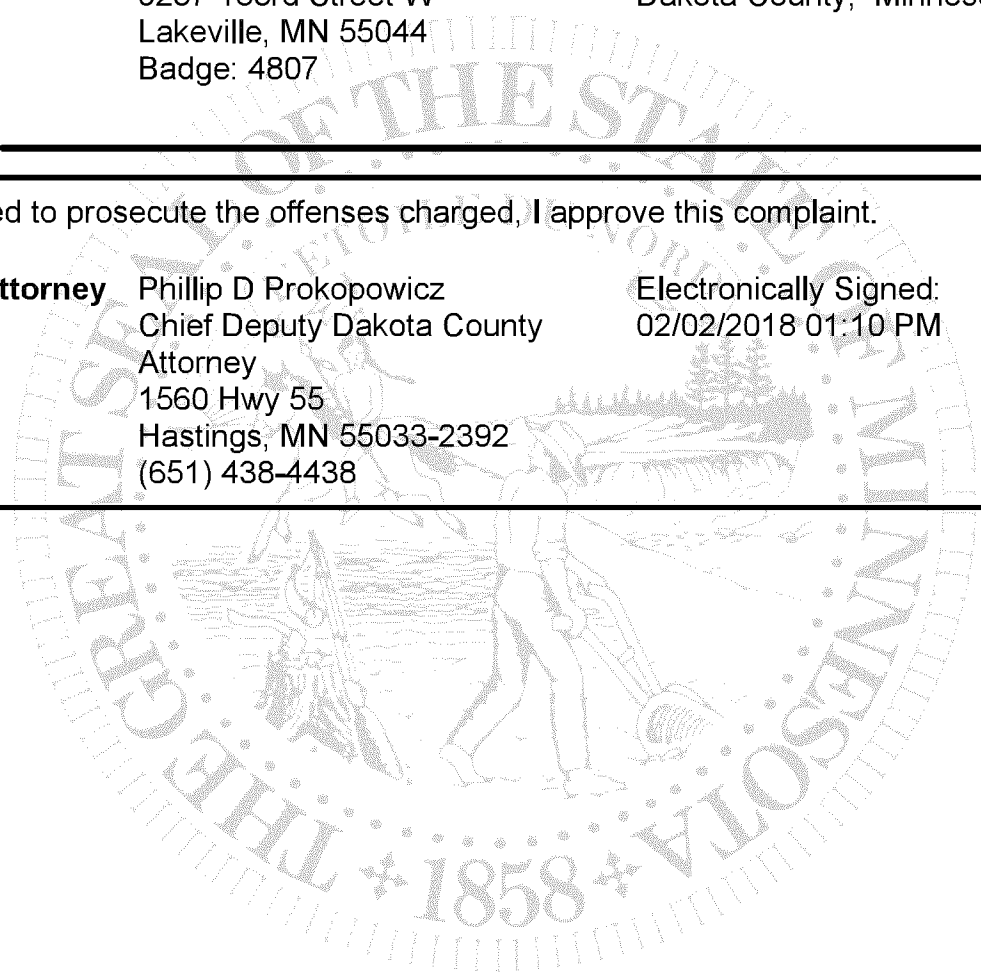
Electronically Signed:
02/02/2018 01:18 PM
Dakota County, Minnesota

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

Prosecuting Attorney

Phillip D Prokopowicz
Chief Deputy Dakota County
Attorney
1560 Hwy 55
Hastings, MN 55033-2392
(651) 438-4438

Electronically Signed:
02/02/2018 01:10 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 1560 W Highway 55 Dakota County Judicial Center, Hastings, MN 55033 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 2, 2018.

Judicial Officer Shawn M. Moynihan
 Judge of District Court

Electronically Signed: 02/02/2018 01:29 PM

Sworn testimony has been given before the Judicial Officer by the following witnesses:

**COUNTY OF DAKOTA
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Brian David Hiltner

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: