

State of Minnesota
County of Rice

District Court
3rd Judicial District

Prosecutor File No. 0660041970
Court File No. 66-CR-18-301

State of Minnesota,

Plaintiff,

vs.

ANTHONY WILLIAM NELSON DOB: 05/06/1974

2445 South Ave E
North St. Paul, MN 55109

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 - 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 or \$250,000, or both

Offense Level: Felony

Offense Date (on or about): 02/07/2018

Control #(ICR#): 18000063

Charge Description: On or about February 7, 2018, in Rice County, Minnesota, Anthony Nelson did unlawfully possess one or more mixtures containing cocaine, weighing 10 grams or more.

COUNT II

Charge: Gross Misdemeanor 5th Degree Controlled Substance- Possess Schedule 1,2,3,4

Minnesota Statute: 152.025.2(1), with reference to: 152.025.4(a)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 02/07/2018

Control #(ICR#): 18000063

Charge Description: On or about February 7, 2018, in Rice County, Minnesota, Anthony Nelson did unlawfully possess one or more mixtures containing a schedule II controlled substance, to wit: methamphetamine.

COUNT III

Charge: Pharmacy - Possess/Control/Manufacture/Sell/Furnish/Dispense/Dispose of Hypodermic Syringes/Needles

Minnesota Statute: 151.40.1

Maximum Sentence: 90 days jail, or \$1,000 fine, or both

Offense Level: Misdemeanor

Offense Date (on or about): 02/07/2018

Control #(ICR#): 18000063

Charge Description: On or about February 7, 2018, in the County of Rice, Minnesota, Anthony William Nelson did unlawfully possess hypodermic needles.

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

Complainant and/or Signing Officer designated below, declares under penalty of perjury, that he/she has reviewed police reports relating to the above-named Defendant and the allegations contained herein, and/or has spoken with peace officers having knowledge of the incident, and based upon that information, believes the following to be true and correct.

On or about February 7, 2018, Lonsdale Police Department received a report from a City of Lonsdale maintenance worker of a vehicle in the ditch at Gibbon Ave and Fig Street NE in the City of Lonsdale. The reporter, a plow driver, said he observed a white vehicle, occupied by one person, with windows iced over, stuck in the ditch. An officer arrived on scene and found a white Chevrolet Malibu, with MN plate 631JDG, down in the ditch. The officer noticed a single pair of foot prints around the vehicle and a pair of pink women's underwear laying on the ground. The officer noticed the vehicle was running, and the driver side rear window was broken out of the vehicle. There was an adult male laying down in the driver seat.

The officer made contact with the male occupant. The occupant told the officer he got lost and slid off into the ditch. The occupant said he did not have his wallet on him. The officer advised the occupant that he was going to remove the open pocket knife that was sitting on the dash and place it on the roof for safety. The occupant of the vehicle was identified as Anthony William Nelson, DOB: 05/06/1974 (hereinafter the defendant). While speaking with the defendant, the officer noticed a needles cover and plunger inside of a cup in the driver's side door. The officer also noticed a syringe in the center dash storage compartment. The officer also noticed small containers of Iodine all over inside of the vehicle. The defendant told the officer he uses them to clean himself. The officer then asked when the defendant last used meth, and the defendant stated 8 months ago.

The officer returned to his squad to verify the defendant's identity, and returned to the defendant's vehicle. The officer asked where the defendant was coming from. The defendant told the officer he got lost because he wanted to go north on I-35 but went south and figured he would go through the country to get back home. The officer asked the defendant why there was a large amount of women's clothing in the vehicle and why there was pink women's underwear laying outside of the vehicle in the snow. The defendant stated the clothing was his.

The officer had the defendant step out of the vehicle. Due to the needle covers in the door, and the syringe in the center dash, the officer was going to search the vehicle. The defendant objected stating a search would be an invasion of his privacy.

The officer did search the vehicle. The officer immediately noticed another hypodermic needle plunger cover on the floor next to more packets of Iodine. The officer opened the center console and found multiple

hypodermic needles with fluid inside of them. There was a large amount of loose white powder throughout the center console. There were multiple loose green and tan pills. The officer also found small baggies with a white powder in them that tested positive for cocaine. Also found in the search was a plastic bag in the passenger door with two small crystals inside. The crystals tested positive for methamphetamine.

The total weight of the cocaine was 12.6 grams.

PLEASE TAKE NOTICE: Pursuant to Minn. Stat. 609.49., intentional failure to appear for duly scheduled court appearances may result in additional criminal charges, and in addition to any arrest warrant that may otherwise be issued by the Court.

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

Jason Schmitz
Lonsdale Police Chief
115 Alabama St SW
PO Box 357
Lonsdale, MN 55046
Badge: 3401

Electronically Signed:
02/08/2018 09:49 AM
Rice County, Minnesota

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

Prosecuting Attorney

Brian M Mortenson
218 NW 3rd Street
Faribault, MN 55021
(507) 332-6103

Electronically Signed:
02/08/2018 09:21 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 218 NW 3rd Street, Faribault, MN 55021 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 8, 2018.

Judicial Officer

Christine A Long
Judge

Electronically Signed: 02/08/2018 10:02 AM

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

**COUNTY OF RICE
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Anthony William Nelson

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:

DEFENDANT FACT SHEET

Name: Anthony William Nelson
DOB: 05/06/1974
Address: 2445 South Ave E
North St. Paul, MN 55109

Alias Names/DOB:

SID:

Height:

Weight: 185lbs.

Eye Color:

Hair Color:

Gender:

Race:

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: No

Driver's License #: Y315297641309 (MN)

Alcohol Concentration:

STATUTE AND OFFENSE GRID

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	2/7/2018	152.023.2(a)(1) Drugs - 3rd Degree - Possess 10 grams or more a narcotic drug other than heroin	Felony	DF558		MN0660400	18000063
	Penalty	2/7/2018	152.023.3(a) Drugs - 3rd Degree - Sale or Possession - Penalty - 20 Years/\$250,000	Felony	DF558		MN0660400	18000063
2	Charge	2/7/2018	152.025.2(1) Drugs - 5th Degree - Possess Schedule 1,2,3,4 - Not Small Amount Marijuana	Gross Misdemeanor	DHJC8		MN0660400	18000063
	Penalty	2/7/2018	152.025.4(a) Drugs - 5th Degree Controlled Substance - Conviction under Subd 2(1) previously not convicted	Gross Misdemeanor	DHJC8		MN0660400	18000063
3	Charge	2/7/2018	151.40.1 Pharmacy - Possess/Control/Manufacture/Sell/Furnish/Dispense/Dispose of Hypodermic Syringes/Needles	Misdemeanor	DC500		MN0660400	18000063