

State of Minnesota
County of Dakota

District Court
1st Judicial District

Prosecutor File No. CA-2018-01090
Court File No. 19HA-CR-18-1094

State of Minnesota,

Plaintiff,

vs.

JOSHUA NICHOLAS FOX DOB: 02/10/1977

509 Kimble Ct
Northfield, MN 55057

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) (Cocaine/Meth) (17 or More Grams) (Offense Involves 100 or More Grams or 500 or More Dosage Units)

Minnesota Statute: 152.021.1(1), with reference to: 152.021.3(c), 609.11.5

Maximum Sentence: 65 Months to 40 Years and/or \$300,000.00 - \$1,000,000.00

Offense Level: Felony

Offense Date (on or about): 05/02/2018 to 05/02/2018

Control #(ICR#): 18000591

Charge Description: On or about May 2, 2018, in the County of Dakota, Minnesota, JOSHUA NICHOLAS FOX, did on one or more occasions within a 90-day period unlawfully sell one or more mixtures of a total weight of 17 grams or more containing cocaine or methamphetamine, and the defendant or an accomplice sold or possessed 100 or more grams or 500 or more dosage units of a mixture containing the controlled substance at issue and at the time of offense, the Defendant or an accomplice did use or possess a firearm.

COUNT II

Charge: Controlled Substance Crime in the 1st Degree (Possession) (Cocaine/Meth) (50 or More Grams) (Offense Involves 100 or More Grams or 500 or More Dosage Units)

Minnesota Statute: 152.021.2(a)(1), with reference to: 152.021.3(c), 609.11.5

Maximum Sentence: 65 Months to 40 Years and/or \$300,000.00 - \$1,000,000.00

Offense Level: Felony

Offense Date (on or about): 05/02/2018 to 05/02/2018

Control #(ICR#): 18000591

Charge Description: On or about May 2, 2018, in the County of Dakota, Minnesota, JOSHUA NICHOLAS FOX, did unlawfully possess one or more mixtures of a total weight of 50 grams or more containing

cocaine or methamphetamine, and the defendant or an accomplice sold or possessed 100 or more grams or 500 or more dosage units of a mixture containing the controlled substance at issue and at the time of offense, the Defendant or an accomplice did use or possess a firearm.

5/4/2018 09:18:18 AM
Dakota County, MN

COUNT III

Charge: Controlled Substance Crime in the 5th Degree (Possession) (Sch I, II, III, or IV/Except Small Amount of Marijuana)

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

Maximum Sentence: 0-5 Years and/or \$3,000.00 - \$10,000.00

Offense Level: Felony

Offense Date (on or about): 05/02/2018 to 05/02/2018

Control #(ICR#): 18000591

Charge Description: On or about May 2, 2018, in the County of Dakota, Minnesota, JOSHUA NICHOLAS FOX, did unlawfully possess one or more mixtures containing a controlled substance classified in Schedule I, II, III, or IV, except a small amount of marijuana.

STATEMENT OF PROBABLE CAUSE

5/4/2018 09:18:18 AM
Dakota County, MN

On May 2, 2018, law enforcement officers assigned to the Cannon River Drug and Violent Offender Task Force executed a search warrant on a residence located in the City of Northfield, Dakota County, Minnesota. A person later identified as Joshua Nicholas Fox, DOB: 2/10/1977, was inside the residence when the search warrant was executed. While searching a bedroom, officers located a safe. Inside the safe, was a plastic bag containing approximately 129 grams of substance that was preliminarily tested using a Narcotics Identification Kit (NIK). The preliminary test indicated the substance contained methamphetamine. Also in the safe, was a driver's license for Fox. In the bedroom, officers observed a digital scale, miscellaneous drug paraphernalia, approximately 430 grams of a substance that was preliminarily tested using a NIK test as positive for marijuana, 14 grams of a brown wax substance that preliminarily tested positive using a NIK test for the presence of Tetrahydrocannabinols (THC). Under the bed in the bedroom, officer located a loaded 9mm handgun, and an automatic rifle. In a subsequent statement to police, Fox admitted that the controlled substances found in the bedroom belonged to him.

SIGNATURES AND APPROVALS

5/4/2018 09:18:18 AM
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

Mark Dukatz
Deputy Chief
1615 Riverview Drive
Northfield, MN 55057
Badge: 6402

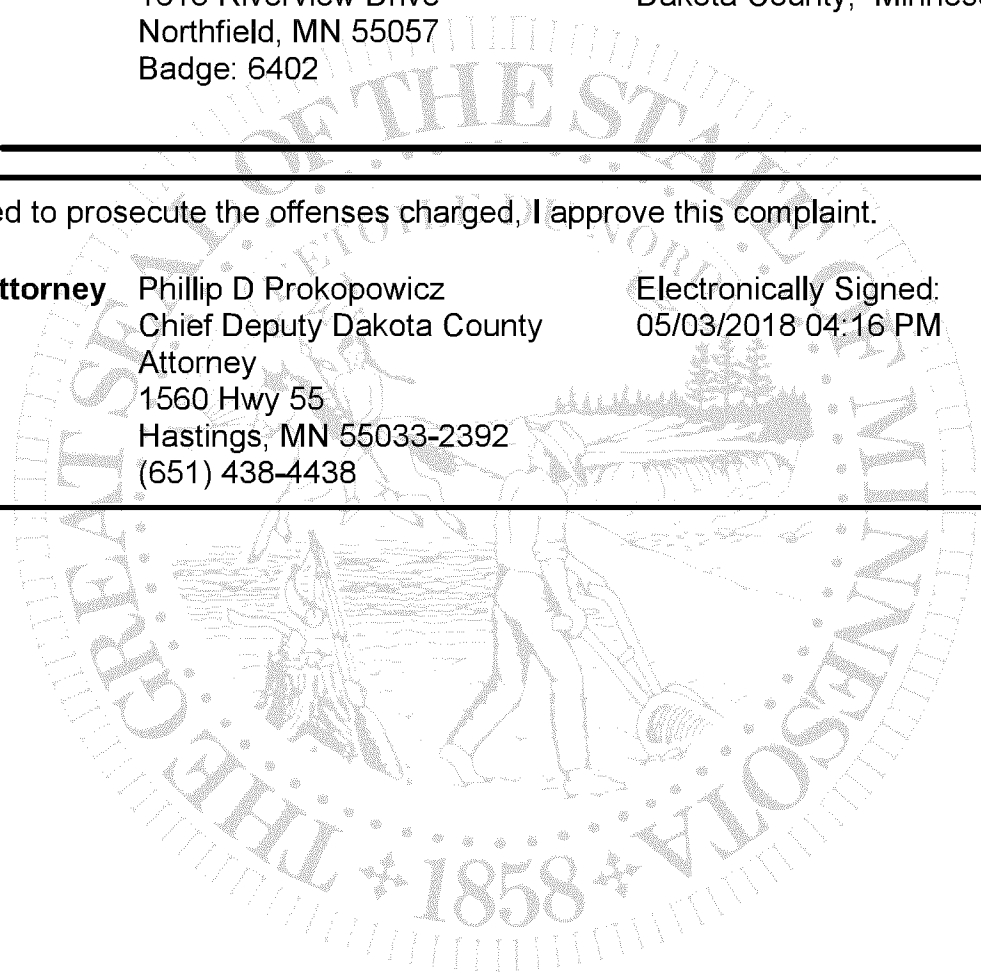
Electronically Signed:
05/03/2018 04:33 PM
Dakota County, Minnesota

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:
05/03/2018 04:16 PM



FINDING OF PROBABLE CAUSE

5/4/2018 09:18:18 AM
Dakota County, MN

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: May 4, 2018.

Judicial Officer

Arlene M. A. Perkkio
Judge of District Court

Electronically Signed: 05/04/2018 09:16 AM

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

**COUNTY OF DAKOTA
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Joshua Nicholas Fox

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: