

State of Minnesota
County of Anoka

District Court
10th Judicial District

Prosecutor File No. CA-2017-01670
Court File No. 02-CR-17-5597

State of Minnesota,
Plaintiff,

COMPLAINT
Warrant

vs.

CURTIS LEE GEBHART DOB: 11/11/1980

NPA

Defendant.

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: Possession of Burglary or Theft Tools

Minnesota Statute: 609.59

Maximum Sentence: 0-3 Years and/or \$1,500.00 - \$5,000.00

Offense Level: Felony

Offense Date (on or about): 08/18/2017

Control #(ICR#): 17194270

Charge Description: On or about August 18, 2017, in the County of Anoka, Minnesota, CURTIS LEE GEBHART, did have in possession any device, explosive, or other instrumentality with intent to use or permit the use of the same to commit burglary or theft.

COUNT II

Charge: Possession of Burglary or Theft Tools

Minnesota Statute: 609.59

Maximum Sentence: 0-3 Years and/or \$1,500.00 - \$5,000.00

Offense Level: Felony

Offense Date (on or about): 08/31/2017

Control #(ICR#): 17194270

Charge Description: On or about August 31, 2017, in the County of Anoka, Minnesota, CURTIS LEE GEBHART, did have in possession any device, explosive, or other instrumentality with intent to use or permit the use of the same to commit burglary or theft.

COUNT III

Charge: Criminal Damage to Property in the Fourth Degree

Minnesota Statute: 609.595.3

Maximum Sentence: 0-90 Days and/or \$300.00 - \$1,000.00

Offense Level: Misdemeanor

Offense Date (on or about): 08/18/2017

Control #(ICR#): 17194270

Charge Description: On or about August 18, 2017, in the County of Anoka, Minnesota, CURTIS LEE GEBHART, did intentionally cause damage to another person's physical property without the other person's consent and the damage reduced the value of the property by not more than \$500.

COUNT IV

Charge: Criminal Damage to Property in the Fourth Degree

Minnesota Statute: 609.595.3

Maximum Sentence: 0-90 Days and/or \$300.00 - \$1,000.00

Offense Level: Misdemeanor

Offense Date (on or about): 08/31/2017

Control #(ICR#): 17194270

Charge Description: On or about August 31, 2017, in the County of Anoka, Minnesota, CURTIS LEE GEBHART, did intentionally cause damage to another person's physical property without the other person's consent and the damage reduced the value of the property by not more than \$500.

STATEMENT OF PROBABLE CAUSE

At approximately 4:17 PM on August 22, 2017, officers from the Anoka Police Department responded to a report of a theft which had occurred at Lehmann's Power and Equipment located at 620 East River Road, in the City of Anoka, within Anoka County.

Upon arrival, officers spoke with the store owner, who told police that at approximately 1:15 AM on August 18, 2017, someone entered the bait shack on the premises and broke into the payment box inside. The bait shack remains open continuously so customers can buy bait outside normal business hours, and there is an 'honor system' payment box.

The store owner provided the officers with date and time stamped surveillance video, (the images of which were very clear and of high quality) which showed a male entering at 1:25 and using a flexible pick-up to take money out of the box. The male then takes a bolt cutter out of a backpack he is wearing and cuts the hinges off the latch and steals the remaining money. The male's face can be clearly seen, as well as portions of tattoos on both arms. The store owner told officers that the box had been replaced and the camera reactivated. Approximately \$50 was stolen, and an undetermined amount of damage was done to the shack and payment box.

On August 31, 2017, officers returned to Lehmann's on a report of another theft from the bait shack. Again, officers viewed high quality surveillance video which shows the same male return to the bait shack at 4:15 AM that morning, and again use bolt cutters to enter the payment box and steal money. Approximately \$50 was again stolen, and more damage was done to the shack and payment box.

Anoka police then circulated the images and asked for help in identifying the suspect. A number of calls came in, and ultimately 3 separate persons identified the male as CURTIS LEE GEBHART (DOB 11-11-1980), the defendant. Officers obtained a driver's license photo of the defendant, as well as several booking photos from other counties which show the defendant's tattoos in detail. Those photos were then compared to the video. It was determined to be the defendant based on his face, as well as an identical match to two separate unique tattoos.

A warrant is being requested because the defendant has no permanent address, his whereabouts are unknown, and he remains out in the community committing crimes.

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

Derek Nelson
Investigator
275 Harrison St
Anoka, MN 55303
Badge: 46

Electronically Signed:
09/01/2017 11:53 AM
Anoka County, Minnesota

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

Prosecuting Attorney

Wade A. Kish
Assistant County Attorney
2100 3rd Ave
Anoka, MN 55303-2265
(763) 324-5550

Electronically Signed:
09/01/2017 11:14 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 325 E Main Street, Anoka, MN 55303 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*

This warrant may be executed at any time of the day or night and on Sundays or legal holidays.

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: body only

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: September 1, 2017.

Judicial Officer Todd R Schoffelman Electronically Signed: 09/01/2017 12:44 PM

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

**COUNTY OF ANOKA
STATE OF MINNESOTA**

State of Minnesota

Plaintiff
vs.

Curtis Lee Gebhart

Defendant

*LAW ENFORCEMENT OFFICER RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this Warrant
upon the Defendant herein named.*

Signature of Authorized Service Agent: