

State of Minnesota  
County of Rice

District Court  
3rd Judicial District

Prosecutor File No. 0660040991  
Court File No. 66-CR-17-2116

---

**State of Minnesota,**  
Plaintiff,

**COMPLAINT**  
Order of Detention

vs.

**EMILY ANNE WAGNER DOB: 06/14/1988**

14 Third St NW, Apt 6  
Faribault, MN 55021

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: Burglary-1st Degree**

Minnesota Statute: 609.582.1, with reference to: 609.582.1a  
Maximum Sentence: 6 months to 20 years or \$35,000 fine, or both  
Offense Level: Felony

Offense Date (on or about): 08/23/2017

Control #(ICR#): 17000786

Charge Description: On or about August 23, 2017, in the County of Rice, Minnesota, Emily Anne Wagner did enter a building without consent of the lawful possessor with intent to commit a crime or committed a crime while in the building, either directly or as an accomplice, and the building was a dwelling and another person, not an accomplice, was present in it when the burglar entered.

## 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 August 23, 2017 at approximately 12:42 pm, deputies from the Rice County Sheriff's Office responded to 20781 Davis Avenue in Cannon City Township, Rice County. R.S. wanted to report somebody had broken into her house less than an hour prior. R.S. reported the person who broke into the house had left and was no longer around.

Upon arrival, deputies met with R.S. and R.B. in the driveway of the residence. R.S. said her daughter was home when someone broke into their house. The daughter is 13 years old with initials G.P. G.P. called her mom, R.S., at about 12:05pm and told her someone had been in their house. G.P. said she was the only person in the house at the time it happened. G.P. said the backdoor was broken and somebody had forced their way into the house. R.S. found a brown wallet lying on the front sidewalk when she got home. The wallet was picked up by R.B.

Deputies looked at the door. The door appeared broken and looked like someone used a crowbar to gain entry into the house. Deputies also noted the deadbolt lock was still in the lock position after the door had been broken open. Some of the door trim was broken off on the inside of the door frame.

Deputies then looked through the interior of the house. In the kitchen there was a drawer open that was not normally left open. In the living room there was a cabinet that had two drawers partly left open which are not normally left open. There was a desk in the living room that had a drawer open which was not normally left open. This indicated the burglars were rummaging through drawers.

Deputies spoke to G.P. about the incident. G.P. said around 11:12 am she heard knocking on the front door. She did not answer the door because she was home alone and was told not to answer the door. She said whoever it was knocked six or seven times. After a bit, she heard the doorbell ring at the front door. Again, she did not answer the door and went into her bedroom and closed the bedroom door. Whoever rang the doorbell rang it about twelve times. About twenty minutes later, G.P. said somebody opened the door to the bedroom she was in. The person who opened the door was a female. The female said, "Oh" when she saw G.P. and then closed the bedroom door. G.P. heard what she thought were two people walking around the kitchen area. She did not hear anybody talking. G.P. stayed in her room for a few minutes before going out into the kitchen. G.P. did not see anyone in the house or outside when she came out of her bedroom. She noticed the back door was broken.

G.P. said the female was between 5'8 and 5'10, having a skinny face, short red/blonde hair, wearing a light blue t-shirt and blue jeans.

Deputies looked through the wallet that was found on the sidewalk. Inside the wallet was a Minnesota EBT card with the name of Emily A Wagner. There was also a gold MasterCard with the name of Nathan Quast. Deputies also found a Menards receipt in the wallet which showed a sale of a 12" pry bar on August 19, 2017. The wallet was collected and logged as evidence.

An agent from the Cannon River Drug and Violent Offender Task Force confirmed Emily Wagner was the current girlfriend of Nathan Quast. The agent also stated that Nathan Quast possibly drives a white Chevrolet Lumina with a spoiler on it.

A deputy pulled up the MN driver's license photo on DVS of Emily Anne Wagner, DOB: 06/14/1988. The deputy showed that photograph to G.P. G.P. immediately responded, "That's exactly her."

Nathan Quast and Emily Wagner were located at an Owatonna hotel in the afternoon of August 23, 2017. Both Nathan Quast and Emily Wagner were taken into custody and transported to the Rice County Jail. Emily Wagner made post Miranda admissions to the burglary at 20781 Davis Avenue in Cannon City Township. Emily Wagner admitted Nathan Quast and herself were the two individuals that broke into the house. Emily Wagner admitted they went in there with the intent to find and take money. Emily Wagner admitted neither had permission to be at the residence. Emily Wagner admitted she walked into a bedroom where G.P. was located. Emily Wagner admitted to seeing G.P. in the bedroom. Emily Wagner admitted the vehicle they drove, which was located and seized by Owatonna Police and towed to Faribault, contained tools and very well could have the pry bar used to get into the residence.

**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**

Jesse Thomas  
Chief Deputy  
118 NW 3rd Street  
Faribault, MN 55021  
Badge: 1102

Electronically Signed:  
08/25/2017 08:47 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:  
08/25/2017 08:41 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: August 25, 2017.

**Judicial Officer**

John T Cajacob

Electronically Signed: 08/25/2017 09:04 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.

**Emily Anne Wagner**

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:** Emily Anne Wagner  
**DOB:** 06/14/1988  
**Address:** 14 Third St NW, Apt 6  
Faribault, MN 55021

**Alias Names/DOB:**

**SID:** MN09C34164

**Height:**

**Weight:** 170lbs.

**Eye Color:**

**Hair Color:**

**Gender:**

**Race:**

**Fingerprints Required per Statute:** Yes

**Fingerprint match to Criminal History Record:** Yes

**Handgun Permit:** No

**Driver's License #:** E975047411921 (MN)

**Alcohol Concentration:**

## STATUTE AND OFFENSE GRID

<b>Cnt Nbr</b>	<b>Statute Type</b>	<b>Offense Date(s)</b>	<b>Statute Nbrs and Descriptions</b>	<b>Offense Level</b>	<b>MOC</b>	<b>GOC</b>	<b>Controlling Agencies</b>	<b>Case Numbers</b>
1	Charge	8/23/2017	609.582.1 Burglary-1st Degree	Felony	B1164		MN0660000	17000786
	Penalty	8/23/2017	609.582.1a Burglary-1st Deg-Occupied Dwelling-Mandatory Minimum	Felony	B1164		MN0660000	17000786