

State of Minnesota  
County of Rice

District Court  
3rd Judicial District

Prosecutor File No. 0660041050  
Court File No. 66-CR-17-2185

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**State of Minnesota,**

Plaintiff,

vs.

**SUZETTE BERNADINE BELGARDE DOB: 06/30/1965**

23604 Cates Ave  
Faribault, MN 55021

Defendant.

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**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: Damage to Prop-1st Deg-Value Reduced Over \$1000**

Minnesota Statute: 609.595.1(3), with reference to: 609.595.1

Maximum Sentence: Five years and/or \$10,000 fine

Offense Level: Felony

Offense Date (on or about): 09/02/2017

Control #(ICR#): 17000827

Charge Description: On or about September 2, 2017, in Rice County, Minnesota, Suzette Bernadine Belgarde, the defendant, did intentionally, and without the consent of the owner or person in lawful possession, cause damage to physical property and the damage reduced the value of the property by more than \$1,000 measured by the cost of repair and replacement, to wit: damage at the Straight River Golf course.

**COUNT II**

**Charge: Traffic - DWI - Second-Degree Driving While Impaired; Refuse to submit to chemical test**

Minnesota Statute: 169A.25.1(b)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 09/02/2017

Control #(ICR#): 17000827

Charge Description: On or about September 2, 2017, in Rice County, Minnesota, Suzette Bernadine Belgarde, the defendant, did refuse to submit to a chemical test of blood, breath, or urine, pursuant to 169A.51 or 169A.52, after having driven, operated or been in physical control of a motor vehicle and one aggravating factor was present, to wit: prior DWI conviction in 2012.

### COUNT III

**Charge: Traffic - Third Degree DWI - Operate Motor Vehicle Under Influence of Alcohol**

Minnesota Statute: 169A.20.1(1), with reference to: 169A.26.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 09/02/2017

Control #(ICR#): 17000827

Charge Description: On or about September 2, 2017, in Rice County, Minnesota, Suzette Bernadine Belgarde, the defendant, did drive, operate or be in physical control of a motor vehicle when under the influence of alcohol and one aggravating factor was present, to wit: prior DWI conviction in 2012.

## STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

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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 September 2, 2017, at about 7:01 p.m., Rice County Sheriff's Deputies received a report of a woman driving an ATV on the Straight River Golf Course, in Faribault, Rice County, Minnesota. It was reported that the woman caused damage to the golf course. The reporting party and staff person at the golf course said the woman caused over \$1,000 worth of damage to the golf course. The reporting party said the woman lives next to the golf course.

Deputy Malecha arrived at the golf course. The deputy saw that the golf course had damaged several flags and that the green course was torn up by deep treaded ATV tires in several areas. The staff person said the woman narrowly missed hitting a few people on the golf course. The deputy located a piece of mail on the ground that was addressed to Suzette Belgarde.

At about 8:01 p.m., Deputy Malecha went to Suzette Belgarde's residence. The deputy saw an ATV in the driveway. A woman, later identified as SUZETTE BERNADINE BELGARDE, date of birth 6/30/1965, the defendant herein, answered the door. She denied driving the ATV tonight. The deputy informed her that there was video of her driving on the golf course. The defendant said, "If there is anything that needs to be repaired then I'll repair it." She said they were hitting her horses with golf balls. She said she did not intend to hit anyone on the golf course. The defendant had bloodshot and watery eyes. The defendant's speech was slurred. The defendant was swaying as she was speaking to the deputy.

The defendant agreed to perform some field sobriety tests. The defendant provided a PBT sample. The result was 0.266 AC. Based on the field sobriety test results, it appeared that the defendant was under the influence. The defendant was placed under arrest for DWI and transported to the Rice County Jail.

At about 8:37 p.m., the deputy read the Breath Test Advisory to the defendant. The defendant concluded her time to contact an attorney at about 8:56 p.m. The defendant was asked if she would take the breath test. She said no. She said all she did was have a glass of wine with her salad for supper.

The defendant was transported to a detox facility in Hastings, MN, prior to be returned to the Rice County Jail.

The defendant has the following impaired driving conviction within 10 years:

On February 14, 2012, the defendant was convicted of Third Degree DWI (gross misdemeanor) in Hennepin County District Court File No. 27-CR-11-35775.

**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**

Troy Dunn  
Sheriff  
118 NW 3rd Street  
Faribault, MN 55021  
Badge: 1101

Electronically Signed:  
09/05/2017 10:51 AM  
Rice County, Minnesota

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

**Prosecuting Attorney**

Thao N. Trinh  
Assistant Rice County Attorney  
218 NW 3rd Street  
Faribault, MN 55021  
(507) 332-6103

Electronically Signed:  
09/05/2017 10:28 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: September 5, 2017.

**Judicial Officer**

Thomas M Neuville  
Judge of District Court

Electronically Signed: 09/05/2017 11:28 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.

**Suzette Bernadine Belgarde**

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:** Suzette Bernadine Belgarde  
**DOB:** 06/30/1965  
**Address:** 23604 Cates Ave  
Faribault, MN 55021

**Alias Names/DOB:**

**SID:** MN07945760

**Height:**

**Weight:** 195lbs.

**Eye Color:**

**Hair Color:**

**Gender:** FEMALE

**Race:** White

**Fingerprints Required per Statute:** Yes

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

**Handgun Permit:** No

**Driver's License #:** G727003306516 (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	9/2/2017	609.595.1(3) Damage to Property - 1st Degree - Public Utility/Common Carrier	Felony	P1114		MN0660000	17000827
	Penalty	9/2/2017	609.595.1 Damage to Property-1st Degree	Felony	P1114		MN0660000	17000827
2	Charge	9/2/2017	169A.25.1(b) Traffic - DWI - Second-Degree Driving While Impaired; Refuse to submit to chemical test	Gross Misdemeanor	JER01		MN0660000	17000827
3	Charge	9/2/2017	169A.20.1(1) Traffic - DWI - Operate Motor Vehicle Under Influence of Alcohol	Gross Misdemeanor	JF501		MN0660000	17000827
	Penalty	9/2/2017	169A.26.2 Traffic - DWI - Third-Degree Driving While Impaired; Criminal Penalty	Gross Misdemeanor	JF501		MN0660000	17000827