

State of Minnesota
County of Rice

District Court
3rd Judicial District

Prosecutor File No. 0660041328
Court File No. 66-CR-17-2585

State of Minnesota,

Plaintiff,

vs.

JESSE ANDREW FYNBOH DOB: 09/26/1976

8725 Chester Ave
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: Fleeing a Peace Officer in a Motor Vehicle

Minnesota Statute: 609.487.3, with reference to: 609.487.3

Maximum Sentence: 3 years and one day or \$5,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 10/21/2017

Control #(ICR#): 17104699

Charge Description: On or about October 21, 2017, in Rice County, Minnesota, Jesse Andrew Fynboh, the defendant, did by means of a motor vehicle flee or attempt to flee a peace officer acting in the lawful discharge of an official duty, and knew or should reasonably have known the same to be a peace officer.

COUNT II

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

Minnesota Statute: 169A.20.1(1), with reference to: 169A.27.2

Maximum Sentence: 90 days and/or \$1,000 fine

Offense Level: Misdemeanor

Offense Date (on or about): 10/21/2017

Control #(ICR#): 17104699

Charge Description: On or about October 21, 2017, in Rice County, Minnesota, Jesse Andrew Fynboh, the defendant, the did drive, operate or be in physical control of a motor vehicle when under the influence of alcohol.

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 August 21, 2017, at about 1:42 a.m., Trooper LaBere of the Minnesota State Patrol was monitoring traffic in Rice County, Minnesota. Trooper LaBere was parked in his squad car near the intersection of Highway 19 and 8th Avenue NE in Lonsdale, Rice County. Trooper LaBere saw a silver BMW (MN license plate no. 037UPH) traveling eastbound on Highway 19. The trooper saw the BMW swerving sharply and crossing the fog line. The BMW made a U-turn on Highway 19. Trooper LaBere activated his emergency lights to conduct a traffic stop of the vehicle. The BMW accelerated quickly and continued traveling westbound. The vehicle was traveling at speeds of more than 60 mph. The speed limit is 30 mph. The trooper activated his siren. The vehicle continued to accelerate and passed a vehicle on the wrong side of the road. The vehicle continued traveling westbound on Highway 19. The vehicle left the city limits of Lonsdale. The vehicle continued to travel at speeds of over 110 mph in a 55 mph zone.

The vehicle drove around the concrete roundabout at Highway 19 and 30th Street West at a high rate of speed. The vehicle continued northbound on Panama Avenue into Scott County. The vehicle continued traveling at speeds of over 120 mph in a 55 mph zone. The vehicle was swerving and driving on the wrong side of the road at times. The vehicle did not stop at a stop sign at 26th Street E. The vehicle was still traveling at about 120 mph. The vehicle continued northbound. One of the tires on the vehicle came apart and the vehicle slowed to about 80 mph.

At about 1:49 a.m., the vehicle made a right turn onto eastbound 200th Street East. The vehicle lost control and entered the ditch and struck a fence. The driver exited the vehicle and ran to a wooded swamp area. There were no other occupants in the vehicle.

At about 2:24 a.m., the driver was located in the swamp water near the area Trooper LaBere saw the driver run towards. The driver was placed under arrest. The driver was identified by his MN DL as JESSE ANDREW FYNBOH, date of birth 9/26/1976, the defendant here. Trooper LaBere noted that Dispatch confirmed that the defendant had an outstanding felony warrant for his arrest.

Trooper LaBere detected an odor of an alcoholic beverage coming from the defendant. The defendant's eyes were bloodshot. During the HGN test, the trooper saw indicators or clues of intoxication.

At 3:58 a.m., a Rice County District Court Judge signed a search warrant authorizing law enforcement to obtain a blood sample from the defendant.

The defendant was transported to the local hospital. A medical technologist obtained the defendant's blood sample at 4:59 a.m.

The defendant made the following post-Miranda statement: He did not remember anything about the pursuit.

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

Jon C Danielson
District Investigator
2900 48th Street NW
Rochester, MN 55901
Badge: 214

Electronically Signed:
10/23/2017 09:47 AM
Olmsted County, MN

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:
10/23/2017 09:42 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: October 23, 2017.

Judicial Officer Christine A Long Electronically Signed: 10/23/2017 10:14 AM
Judge

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

**COUNTY OF RICE
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Jesse Andrew Fynboh

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: Jesse Andrew Fynboh
DOB: 09/26/1976
Address: 8725 Chester Ave
Northfield, MN 55057

Alias Names/DOB:

SID: MN99009008

Height:

Weight: 0lbs.

Eye Color:

Hair Color:

Gender: MALE

Race: White

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Handgun Permit: No

Driver's License #: G667010648019 (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	10/21/2017	609.487.3 Fleeing a Peace Officer in a Motor Vehicle	Felony	E2173		MNMHP0200	17104699
	Penalty	10/21/2017	609.487.3 Fleeing a Peace Officer in a Motor Vehicle	Felony	E2173		MNMHP0200	17104699
2	Charge	10/21/2017	169A.20.1(1) Traffic - DWI - Operate Motor Vehicle Under Influence of Alcohol	Misdemeanor	JG501		MNMHP0200	17104699
	Penalty	10/21/2017	169A.27.2 Traffic - DWI - Fourth-Degree Driving While Impaired; Criminal Penalty	Petty Misdemeanor	JG501		MNMHP0200	17104699