

State of Minnesota
County of Rice

District Court
3rd Judicial District

Prosecutor File No. 0660041529
Court File No. 66-CR-17-2913

State of Minnesota,

Plaintiff,

vs.

MARTE IVAN QUINTERO ESPINO DOB: 03/12/1991

202 Central Ave, #5
Faribault, MN 55021

Defendant.

COMPLAINT

Order of Detention

Amended

Tab Charge/Citation Previously Filed

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: Indecent Exposure/Lewdnessor procure another to expose in presence of minor under 16

Minnesota Statute: 617.23.2(1)

Maximum Sentence: 1 year and/or \$3,000 fine

Offense Level: Gross Misdemeanor

Offense Date (on or about): 11/03/2017

Control #(ICR#): 17006811

Charge Description: On or about November 3, 2017, in the County of Rice, Minnesota, Marte Ivan Quintero-Espino did willfully and lewdly expose the private parts of his body, or the private parts thereof, in the presence of a minor under the age of 16, to wit: K.J.H.

COUNT II

Charge: Indecent Exposure-Public Place Willfully/Lewdly

Minnesota Statute: 617.23.1(1)

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

Offense Level: Misdemeanor

Offense Date (on or about): 11/03/2017

Control #(ICR#): 17006811

Charge Description: On or about November 3, 2017, in the County of Rice, Minnesota, Marte Ivan Quintero-Espino did, in a public place or any place where others are present, willfully and lewdly expose the private parts of his body, to wit: M.M.H.

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 November 3, 2017, at approximately 6:27 p.m., Officer Tollefson was dispatched to Hy-Vee located at 1920 Grant Street, Faribault, Rice County. Upon arrival, Officer Tollefson met with the M.M.H. (DOB: 01/23/1980). M.M.H. stated that she was walking to her vehicle and heard a man say, "Hey lady." When M.M.H. looked around she noticed a male masturbating in a white Tahoe (MN license plate 423TAT). The male then took off and M.M.H. followed him in her vehicle. The male was driving at a high rate of speed and M.M.H. lost him near I-35. M.M.H. described the male as Mexican, approximately 30 years old. M.M.H. stated she would be able to identify the male if she saw him again.

On November 14, 2017, Detective Burbank was assigned to follow up on this incident. Surveillance obtained from Hy-Vee confirmed that a white Tahoe (MN license plate 423TAT) entered the parking lot at 6:14 p.m. The white Tahoe circles the lot for approximately 10 minutes and pulls up next to several vehicles before pulling next to M.M.H.'s vehicle. Around a minute later, the vehicle takes off. M.M.H. vehicle follows the white Tahoe out of the parking lot.

Detective Burbank ran the Tahoe's plates which registered to Hugo Antonio Ruiz Lugo. Detective Burbank located the registered owner on November 17, 2017. Ruiz Lugo spoke limited English, but Detective Burbank was able to take a photo of him to show to the victim. Detective Burbank followed up with M.M.H. later that day and show her the photo of Ruiz Lugo. M.M.H. stated that this was not the same man who was masturbating in the Hy-Vee parking lot.

M.M.H. then went into further detail about the incident. M.M.H. stated that she and her two daughters, K.J.H. (YOB: 2009) and L.M.H. (YOB: 2007), had dinner at Hy-Vee. M.M.H. walked out of the store with her children and put them in her vehicle. M.M.H. then walked her shopping cart to the cart return. As M.M.H. was walking back towards her vehicle she noticed a white Tahoe parked right next to it. M.M.H. was getting into the driver's seat when she heard a male voice from the white Tahoe say, "Hey lady." M.M.H. turned to look and noticed the dome light was on in the Tahoe. M.M.H. observed a male with a white shirt. M.M.H. noted that his shirt was up and his stomach was exposed. M.M.H. then realized that the male was masturbating. M.M.H. initially stood there in shock. When M.M.H. got back into her vehicle K.J.H. said, "Mom, who was that?" The male then took off and M.M.H. followed. M.M.H. described the male as Hispanic with short brown hair with a smaller build. M.M.H. believed the male to be in his early 30's.

On November 20, 2017, Detective Burbank followed up with Ruiz Lugo. A Faribault Police Department interpreter was also present. Ruiz Lugo stated he was selling his white Chevy Tahoe to Marte Ivan Quintero Espino (DOB: 03/12/1991) and that Quintero Espino would have had the vehicle on the night of the incident. Detective Burbank showed Ruiz Lugo a Facebook photo of Quintero Espino. Ruiz Lugo confirmed that the photo was of Quintero Espino.

On November 23, 2017, a woman contacted Detective Burbank and identified herself as a friend of Quintero Espino. The woman asked if Detective Burbank was looking for Quintero Espino and stated that she could arrange to bring Quintero Espino to the police department.

On November 27, 2017, Quintero Espino came into the Faribault Police Department for a voluntary interview. A FPD translator was also present. Detective Burbank told Quintero Espino that he was not under arrest and that he was free to leave at any time. Quintero Espino admitted that he was at Hy-Vee on November 3, 2017. Quintero Espino claimed he was "video chatting" with a woman who wanted to see his penis. Detective Burbank told Quintero Espino that he was going to follow up with the woman he identified. Quintero Espino then changed his story and stated he was video chatting with a woman in Mexico. Quintero Espino agreed to let Detective Burbank look through his video chat logs. Detective Burbank did not see any logs for November 3, 2017. Quintero Espino then stated he deleted the logs. Quintero Espino also had no explanation for why he was circling the Hy-Vee parking lot before pulling up next to M.M.H.'s vehicle.

Detective Burbank followed up with M.M.H. later that day and showed her a photo of Quintero Espino. M.M.H. positively identified him as the man who was masturbating in the Tahoe. M.M.H. again confirmed that the Tahoe's window was down, that Quintero Espino called out to her, and that M.M.H. could see Quintero Espino masturbating.

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

Neal Pederson
Captain
25 NW 4th Street
Faribault, MN 55021
Badge: 3202

Electronically Signed:
11/28/2017 09:53 AM
Rice County, Minnesota

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

Prosecuting Attorney

Natalie B Staeheli
218 NW 3rd Street
Faribault, MN 55021
(507) 332-6103

Electronically Signed:
11/28/2017 09:45 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: November 28, 2017.

Judicial Officer

Christine A Long
Judge

Electronically Signed: 11/28/2017 10:10 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.

Marte Ivan Quintero Espino

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: Marte Ivan Quintero Espino
DOB: 03/12/1991
Address: 202 Central Ave, #5
Faribault, MN 55021

Alias Names/DOB:

SID: MN17L67727

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 #: Q536585347189 (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	11/3/2017	617.23.2(1) Indecent Exposure/Lewdnessor procure another to expose in presence of minor under 16	Gross Misdemeanor	O2691		MN0660100	17006811
2	Charge	11/3/2017	617.23.1(1) Indecent Exposure-Public Place Willfully/Lewdly	Misdemeanor	O3692		MN0660100	17006811