

State of Minnesota
County of Rice

District Court
3rd Judicial District

Prosecutor File No. 0660041628
Court File No. 66-CR-17-3052

State of Minnesota,

Plaintiff,

vs.

JAMES JOSEPH SCHMIDT JR DOB: 02/12/1971

8410 97th St W
Bloomington, MN 55438

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: Check Forgery-Falsely Endorse

Minnesota Statute: 609.631.2(2)

Maximum Sentence: 5 years or \$10,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 10/12/2017 to 10/27/2017

Control #(ICR#): 17006990

Charge Description: On or between October 12, 2017 and October 27, 2017, in the County of Rice, Minnesota, James Joseph Schmidt Jr did, with intent to defraud , falsley endorse or alter a check so that it purports to have been endorsed by another, and the forged check or checks had an aggregate face amount of, or were used to obtain or attempt to obtain property or services of more than \$250.

COUNT II

Charge: Check Forgery-Offer/Possess W/Intent to Defraud

Minnesota Statute: 609.631.3

Maximum Sentence: 5 years or \$10,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 10/12/2017 to 10/27/2017

Control #(ICR#): 17006990

Charge Description: On or between October 12, 2017 and October 27, 2017, in the County of Rice, Minnesota, James Joseph Schmidt Jr did with intent to defraud, offer, or possess with intent to offer, a forged check and the forged check or checks had an aggregate face amount of, or were used to obtain or attempt to obtain property or services of, more than \$250.

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 November 14, 2017, the Faribault Police Department received a report of check fraud. J.D.C. stated his checkbook was stolen out of his vehicle but he doesn't know when or where it was taken. J.D.C. said he doesn't know who would have taken it and the account is old and has been closed for a while. J.D.C. received two letters in the mail from Kwik Trip demanding money owed from several bad checks that were written at various Kwik Trip stores. J.D.C. did not write any of those checks and did not authorize anyone to write those checks.

Kwik Trip provided copies of surveillance video, photographs, and receipts. Faribault detectives were able to positively identify the person writing the checks as James Joseph Schmidt Jr, DOB: 02/12/1971 (hereinafter the defendant).

On October 12, 2017, around 12:15am the defendant entered Kwik Trip store 772 in Faribault. The defendant wrote a check in the amount of \$127.67 and handed it to the cashier. The check was one of the checks stolen from J.D.C. The check contained the forged signature of J.D.C. Above the name block was the driver's license number 38 008 658 312. It is unknown who that number would belong to, however it is known that is not the driver's license number of the defendant. A receipt detailing the items in the transaction was provided by Kwik Trip.

On October 17, 2017, around 12:06am the defendant entered Kwik Trip store 772 in Faribault. The defendant wrote a check in the amount of \$40.00 and handed it to the cashier. The check was one of the checks stolen from J.D.C. The check contained the forged signature of J.D.C. Above the name block was the driver's license number F476 075 602 317. That driver's license number belonged to a Lois Palmer of Faribault who was deceased at the time the number was being used. A receipt detailing the items in the transaction was provided by Kwik Trip.

On October 17, 2017, around 9:10pm the defendant entered Kwik Trip store 489 in Northfield. The defendant wrote a check in the amount of \$93.64 and handed it to the cashier. The check was one of the checks stolen from J.D.C. The check contained the forged signature of J.D.C.

On October 17, 2017, around 12:33pm the defendant entered Kwik Trip store 745 in Faribault. The defendant wrote a check in the amount of \$67.06 and handed it to the cashier. The check was one of the checks stolen from J.D.C. The check contained the forged signature of J.D.C. Above the name block was the driver's license number F476 075 602 317. That driver's license number belonged to a Lois Palmer of Faribault who was deceased at the time the number was being used. A receipt detailing the items in the transaction was provided by Kwik Trip.

On October 19, 2017, around 7:52am the defendant entered Kwik Trip store 793 in Faribault. The defendant wrote a check in the amount of \$19.40 and handed it to the cashier. The check was one of the checks stolen from J.D.C. The check contained the forged signature of J.D.C. Above the name block was the driver's license number F476 075 602 317. That driver's license number belonged to a Lois Palmer of Faribault who was deceased at the time the number was being used. A receipt detailing the items in the transaction was provided by Kwik Trip.

On October 20, 2017, around 4:38am the defendant entered Kwik Trip store 772 in Faribault. The defendant wrote a check in the amount of \$96.23 and handed it to the cashier. The check was one of the checks stolen from J.D.C. On the signature line of the check, instead of a signature were the words "Kwik Trip 772." Above the name block was the driver's license number F476 075 602 317. That driver's license number belonged to a Lois Palmer of Faribault who was deceased at the time the number was being used. A receipt detailing the items in the transaction was provided by Kwik Trip.

On October 20, 2017, around 3:38pm the defendant entered Kwik Trip store 793 in Faribault. The defendant wrote a check in the amount of \$63.79 and handed it to the cashier. The check was one of the checks stolen from J.D.C. The check contained the forged signature of J.D.C. Above the name block was the driver's license number F476 075 602 317. That driver's license number belonged to a Lois Palmer of Faribault who was deceased at the time the number was being used. A receipt detailing the items in the transaction was provided by Kwik Trip.

On October 20, 2017, around 8:39pm the defendant entered Kwik Trip store 793 in Faribault. The defendant wrote a check in the amount of \$87.52 and handed it to the cashier. The check was one of the checks stolen from J.D.C. The check contained the forged signature of J.D.C. Above the name block was the driver's license number F476 075 602 317. That driver's license number belonged to a Lois Palmer of Faribault who was deceased at the time the number was being used. A receipt detailing the items in the transaction was provided by Kwik Trip.

On October 22, 2017, around 5:27pm the defendant entered Kwik Trip store 793 in Faribault. The defendant wrote a check in the amount of \$93.58 and handed it to the cashier. The check was one of the checks stolen from J.D.C. The check contained the forged signature of J.D.C. Above the name block was the driver's license number F476 075 602 317. That driver's license number belonged to a Lois Palmer of Faribault who was deceased at the time the number was being used. A receipt detailing the items in the transaction was provided by Kwik Trip.

On October 23, 2017, around 7:48am the defendant entered Kwik Trip store 745 in Faribault. The defendant wrote a check in the amount of \$55.04 and handed it to the cashier. The check was one of the checks stolen from J.D.C. The check contained the forged signature of J.D.C. Above the name block was the driver's license number F476 075 602 317. That driver's license number belonged to a Lois Palmer of Faribault who was deceased at the time the number was being used. A receipt detailing the items in the transaction was provided by Kwik Trip.

On October 23, 2017, around 2:50pm the defendant entered Kwik Trip store 793 in Faribault. The defendant wrote a check in the amount of \$66.34 and handed it to the cashier. The check was one of the checks stolen from J.D.C. The check contained the forged signature of J.D.C. Above the name block was the driver's license number F476 075 602 317. That driver's license number belonged to a Lois Palmer of Faribault who was deceased at the time the number was being used. A receipt detailing the items in the transaction was provided by Kwik Trip.

On October 23, 2017, around 6:39pm the defendant entered Kwik Trip store 793 in Faribault. The defendant wrote a check in the amount of \$19.18 and handed it to the cashier. The check was one of the checks stolen from J.D.C. The check contained the forged signature of J.D.C. Above the name block was the driver's license number F476 075 602 317. That driver's license number belonged to a Lois Palmer of Faribault who was deceased at the time the number was being used. A receipt detailing the items in the transaction was provided by Kwik Trip.

On October 24, 2017, around 7:22am the defendant entered Kwik Trip store 745 in Faribault. The defendant wrote a check in the amount of \$42.38 and handed it to the cashier. The check was one of the checks stolen from J.D.C. The check contained the forged signature of J.D.C. Above the name block was the driver's license number F476 075 602 317. That driver's license number belonged to a Lois Palmer of Faribault who was deceased at the time the number was being used. A receipt detailing the items in the transaction was provided by Kwik Trip.

On October 26, 2017, around 6:51am the defendant entered Kwik Trip store 793 in Faribault. The defendant wrote a check in the amount of \$37.03 and handed it to the cashier. The check was one of the checks stolen from J.D.C. The check contained the forged signature of J.D.C. Above the name block was the driver's license number F476 075 602 307. A receipt detailing the items in the transaction was provided by Kwik Trip.

On October 26, 2017, around 5:20pm the defendant entered Kwik Trip store 745 in Faribault. The defendant wrote a check in the amount of \$84.95 and handed it to the cashier. The check was one of the checks stolen from J.D.C. The check contained the forged signature of J.D.C. Above the name block was the driver's license number F476 075 602 319. A receipt detailing the items in the transaction was

provided by Kwik Trip.

On October 26, 2017, around 5:40pm, 10 minutes after the defendant left Kwik Trip store 745, the defendant entered Kwik Trip store 744 in Faribault. The defendant wrote a check in the amount of \$73.75 and handed it to the cashier. The check was one of the checks stolen from J.D.C. The check contained the forged signature of J.D.C. Above the name block was the driver's license number F476 075 602 317. That driver's license number belonged to a Lois Palmer of Faribault who was deceased at the time the number was being used. A receipt detailing the items in the transaction was provided by Kwik Trip.

On October 27, 2017, around 6:52am the defendant entered Kwik Trip store 237 in Owatonna. The defendant wrote a check in the amount of \$95.22 and handed it to the cashier. The check was one of the checks stolen from J.D.C. The check contained the forged signature of J.D.C. Above the name block was the driver's license number F476 075 602 317. That driver's license number belonged to a Lois Palmer of Faribault who was deceased at the time the number was being used. A receipt detailing the items in the transaction was provided by Kwik Trip.

The total amount of fraudulent checks passed by the defendant was \$1,162.78. All but one of the transactions occurred in Rice County. One of the transactions occurred in Steele County within the same six month period as all the Rice County transactions.

In each of the transactions the defendant received either merchandise, fuel, lottery tickets, cash or a combination of all or some of the items.

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:
12/14/2017 10:03 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:
12/14/2017 09:49 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: December 14, 2017.

Judicial Officer

Christine A Long
Judge

Electronically Signed: 12/14/2017 10:18 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.

James Joseph Schmidt Jr

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: James Joseph Schmidt Jr
DOB: 02/12/1971
Address: 8410 97th St W
Bloomington, MN 55438

Alias Names/DOB:

SID: MN91001654

Height:

Weight: 200lbs.

Eye Color:

Hair Color:

Gender:

Race:

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Handgun Permit: No

Driver's License #: B322041369907 (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 | 10/12/2017 | 609.631.2(2) Check Forgery-Falsely Endorse | Felony | C17G2 | | MN0660100 | 17006990 |
| 2 | Charge | 10/12/2017 | 609.631.3 Check Forgery-Offer/Possess W/Intent to Defraud | Felony | C12G2 | | MN0660100 | 17006990 |