

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0233
07-CR-16-590

State of Minnesota,

Plaintiff,

vs.

BRANDON DEWAINE THORNBURG-SPEAR DOB: 06/15/1991

502 W Radichel St
Lake Crystal, MN 56055

Defendant.

COMPLAINT

Warrant

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: Obstruct Legal Process-Interfere w/Peace Officer

Minnesota Statute: 609.50.1(2), with reference to: 609.50.2(2)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 02/14/2016

Control #(ICR#): 16004278

Charge Description: Brandon Dewaine Thornburg-Spear Also Known As Brandon Dewaine Thornburg, Brandon Dwain Thorburg-Spear, Brandon Thornburg-Spear, Brandon Dewai Thornburg-Spear, Brandon Dewai Thornburg Spear, Brandon Thornburgspear, Brandon D Thornburg-Spear, Brandon Dewaine Thornberg-Spear, Brandon Dewaine Thornburg Spear And Brandon Dwaine Thornburg-Spear

On or about February 14, 2016, in the County of Blue Earth, said Defendant, Brandon Dewaine Thornburg-Spear did, intentionally, obstruct, resist, or interfere with a peace officer while the officer was engaged in the performance of official duties and the act was accompanied by force or violence or the threat thereof.

COUNT II

Charge: Fleeing a Peace Officer By a Means Other Than a Motor Vehicle

Minnesota Statute: 609.487.6

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

Offense Level: Misdemeanor

Offense Date (on or about): 02/14/2016

Control #(ICR#): 16004278

Charge Description: Brandon Dewaine Thornburg-Spear Also Known As Brandon Dewaine Thornburg, Brandon Dwain Thorburg-Spear, Brandon Thornburg-Spear, Brandon Dewai Thornburg-Spear, Brandon Dewai Thornburg Spear, Brandon Thornburgspear, Brandon D Thornburg-Spear, Brandon Dewaine Thornberg-Spear, Brandon Dewaine Thornburg Spear And Brandon Dwaine Thornburg-Spear

On or about February 14, 2016, in the City of Mankato, County of Blue Earth, said Defendant, Brandon Dewaine Thornburg-Spear, did for the purpose of avoiding arrest, detention, or investigation, attempted to evade or elude a peace officer who was acting in a lawful discharge of an official duty by means of running, hiding, or by any other means other than fleeing in a motor vehicle.

COUNT III

Charge: Theft-Take/Use/Transfer Movable Prop-No Consent

Minnesota Statute: 609.52.2(a)(1), with reference to: 609.52.3(5)

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

Offense Level: Misdemeanor

Offense Date (on or about): 02/14/2016

Control #(ICR#): 16004278

Charge Description: Brandon Dewaine Thornburg-Spear Also Known As Brandon Dewaine Thornburg, Brandon Dwain Thorburg-Spear, Brandon Thornburg-Spear, Brandon Dewai Thornburg-Spear, Brandon Dewai Thornburg Spear, Brandon Thornburgspear, Brandon D Thornburg-Spear, Brandon Dewaine Thornberg-Spear, Brandon Dewaine Thornburg Spear And Brandon Dwaine Thornburg-Spear

On or about February 14, 2016, in the County of Blue Earth, said Defendant, Brandon Dewaine Thornburg-Spear did, intentionally and without claim of right, take, use, transfer, conceal or retain possession of the movable property of another without the other's consent and with intent to deprive the owner permanently of possession of the property.

STATEMENT OF PROBABLE CAUSE

On February 14, 2016, at approximately 3:34 p.m., Sergeant Justin Neumann with the Mankato Department of Public Safety responded to a call from Shopko loss prevention advising that a male party, later identified as Brandon Dewaine Thornburg Spear, was in the store opening packages and concealing items on his person. Shopko is located at 1850 Madison Avenue in the City of Mankato.

According to asset protection, Spear later passed all points of sale with the merchandise on his person. When confronted by loss prevention, Spear fled on foot across the parking lot and was later taken to the ground by loss prevention. After hearing about the theft in progress, Officer Myers and Sergeant Neumann arrived at the front of the parking lot at Shopko and observed loss prevention chasing the male party, who was later identified as Spear, through the Shopko parking lot. Sergeant Neumann activated his lights and siren at this time and observed that Spear looked over at Sergeant Neumann on several occasions but continued to run south through the parking lot toward Culvers. As Sergeant Neumann continued driving toward loss prevention and Spear, he observed that loss prevention was getting closer to Spear. A short time later, loss prevention caught up to Spear and tackled him to the ground and was struggling with Spear and trying to get up.

Sergeant Neumann exited his vehicle and withdrew his department-issued tazer and pointed it towards Spear and advised him that he was going to be tazed if he did not comply. Spear continued to attempt to get away from loss prevention, and Sergeant Neumann moved in closer in an effort to control him. Sergeant Neumann placed a left knee onto Spear's legs in an effort to control him while Spear continued to resist and attempted to free himself. Sergeant Neumann grabbed onto Spear's right arm and was yelling for him to place his hands behind his back. Spear continued to struggle for a short time before calming down and next allowed Sergeant Neumann to bring Spear's hands behind his back where he was ultimately handcuffed.

Spear initially refused to provide his name. At this time, Sergeant Neumann observed that Spear did not look well and appeared to be sick. Sergeant Neumann asked Spear if he had any medical conditions, and Spear stated he didn't. Spear was assisted to his feet; and while Sergeant Neumann escorted him over to his squad car, Spear advised that he was dizzy. Sergeant Neumann again asked if he had any medical problems. Spear advised that he had taken "a bunch of meth." Sergeant Neumann asked him when he took the meth, and he stated he swallowed the meth before leaving the store so that he wouldn't get in trouble for having it. Spear advised that he swallowed between three and four grams of meth along with several prescription pills.

Based on this information, Sergeant Neumann immediately called for Gold Cross Ambulance and placed Spear in the rear of his car where he continued to monitor his welfare; Sergeant Neumann made sure Spear was breathing and had a pulse. Spear lost consciousness a couple of times before Spear was ultimately taken to Mayo Clinic Health Systems Hospital to be treated for the methamphetamine and other drugs he had ingested.

After clearing from Mayo Clinic Health Systems, Sergeant Neumann spoke with loss prevention, who advised that Spear had stolen less than \$500.00 worth of merchandise. It is unknown when Spear will be released from the hospital, therefore a Warrant is requested.

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

Sandra J Schnorenberg
Public Safety Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3133

Electronically Signed:
02/16/2016 12:05 PM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Stefanie Menning
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
02/16/2016 10:47 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 401 Carver Rd, Mankato, MN 56002-0347 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: \$1,000.00

Conditions of Release: no use or possession; random testing/

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: February 16, 2016.

Judicial Officer

Kurt D Johnson
District Court Judge

Electronically Signed: 02/16/2016 01:58 PM

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

**COUNTY OF BLUE EARTH
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

**BRANDON DEWAINÉ
THORNBURG-SPEAR**

Defendant

*LAW ENFORCEMENT OFFICER RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this Warrant
upon the Defendant herein named.*

Signature of Authorized Service Agent: