

State of Minnesota
County of HennepinDistrict Court
4th Judicial District

Prosecutor File No.

21A07732

Court File No.

27-CR-21-17008

State of Minnesota,

COMPLAINT

Plaintiff,

Summons

vs.

NICOLLE LYNN FAWCETT DOB: 03/11/19831655 34TH ST NE
SAUK RAPIDS, MN 56379

Defendant.

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: Drugs - 1st Degree - Sale - 17 Grams or More-Cocaine or Meth w/in 90-Day Period**

Minnesota Statute: 152.021.1(1), with reference to: 609.05.1, 609.05.2, 609.101.3, 152.021.3(c)

Maximum Sentence: 40 YEARS AND/OR \$300,000-\$1,000,000

Offense Level: Felony

Offense Date (on or about): 10/16/2019

Control #(ICR#): 19001521

Charge Description: That on or about 10/16/2019, in Hennepin County, Minnesota, NICOLLE LYNN FAWCETT, acting alone or intentionally aiding, advising, hiring, counseling or conspiring with another or otherwise procures the other to commit the crime, unlawfully sold, gave away, bartered, delivered, exchanged, distributed, disposed of to another, offered to sell, agreed to sell, manufactured or possessed with intent to sell one or more mixtures of a total weight of 100 grams or more containing methamphetamine.

Minimum Sentence: 65 MONTHS

COUNT II**Charge: Drugs - 1st Degree - Possess 50 grams or more - cocaine or methamphetamine**

Minnesota Statute: 152.021.2(a)(1), with reference to: 609.05.1, 609.05.2, 609.101.3, 152.021.3(c)

Maximum Sentence: 40 YEARS AND/OR \$300,000-\$1,000,000

Offense Level: Felony

Offense Date (on or about): 10/16/2019

Control #(ICR#): 19001521

Charge Description: That on or about 10/16/2019, in Hennepin County, Minnesota, NICOLLE LYAN FAWCETT, acting alone or intentionally aiding, advising, hiring, counseling or conspiring with another or otherwise procures the other to commit the crime, unlawfully possessed one or more mixtures of a total weight of 100 grams or more containing cocaine or methamphetamine.

Minimum Sentence: 65 MONTHS



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STATEMENT OF PROBABLE CAUSE

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On October 16, 2019, at approximately 7:00 pm, officers completed a controlled buy at 2044 Oakdale Ave., West St. Paul, Minnesota where one pound of methamphetamine was purchased from a female. During the sale, the female asked whether the buyers only wanted "one", which indicated to police that she was carrying additional methamphetamine for sale.

Officers on scene observed the same female they had purchased the methamphetamine from enter a white Chevrolet HHR (MN plate 746TBD) parked in the same lot, where she remained inside of for just a few minutes before leaving in the vehicle. Officers followed the vehicle and ultimately initiated a traffic stop in Maple Grove, Hennepin County, Minnesota after observing the vehicle drift over the left skip stripe and continue to straddle the traffic lanes for several seconds. The vehicle was very slow to stop.

Officers made contact with the driver, identified as NICOLLE LYNN FAWCETT (DOB: 3/11/1983), Co-Defendant FAWCETT herein, the front seat passenger, identified as DAVID GEORGE LAUGHTON (DOB: 9/27/1981), Co-Defendant LAUGHTON herein, and the rear seat passenger, identified as RICHARD EARL FAWCETT II (DOB: 1/6/1983), Co-Defendant FAWCETT II herein. Co-Defendant FAWCETT informed police she did not have insurance and that insurance was listed on the temporary tag, which had expired. Officers asked Co-Defendant FAWCETT where they were coming from, and both Co-Defendants LAUGHTON and FAWCETT II answered "Eagan" and "St. Paul" at the same time. In plain view, officers observed a wad of small clear plastic baggies in Co-Defendant FAWCETT's clear clutch near the center console that officers recognized through their training and experience to be indicia of drug distribution paraphernalia. Officers further observed all three occupants appeared to be extremely nervous, and Co-Defendant LAUGHTON appeared to be visibly sweating and shaking, and avoiding eye contact with police. Co-Defendant FAWCETT further provided a story to police regarding their activity that evening that did not make sense, and stated she did not know Co-Defendant LAUGHTON's name because she had forgotten it.

Officers deployed a K9 to sniff around the exterior of the vehicle, where the K9 provided a positive alert for the presence of controlled substances inside. Officers let the K9 into the vehicle, and the K9 alerted on a small black duffle bag on the rear floorboard of the vehicle.

Officers searched the vehicle and recovered various drug paraphernalia, including hundreds of small resealable plastic baggies commonly used for narcotic distribution inside Co-Defendant FAWCETT's purse, which had been seen by the officer prior to entering the vehicle. Within these baggies, officers found a small plastic resealable bag containing .07 gram of field-tested positive methamphetamine. In the backseat area where the K9 had positively alerted, officers found a large zip-lock plastic bag inside the black duffle bag containing 223.30 grams of field-tested positive methamphetamine, and a digital scale with white residue on top of it on top of it sitting on the back seat.

All three Co-Defendants were placed under arrest. Officers recovered a working Zap Stick 800kv Stun Gun and baggie containing .05 gram of field-tested positive methamphetamine on Co-Defendant FAWCETT II's person. On Co-Defendant LAUGHTON's person, officers recovered a small resealable baggie of the same type found inside Co-Defendant FAWCETT's clutch that contained .75 gram of field-tested positive methamphetamine.

In a post-Miranda statement to police, Co-Defendant FAWCETT admitted she had driven her husband's

vehicle to 2044 Oakdale Avenue for the purpose of purchasing methamphetamine. She admitted on 9/10/2021 unknown female sold methamphetamine to Co-Defendant LAUGHTON, and admitted to knowing that he used approximately \$2,000 to purchase the methamphetamine.

In a post-Miranda statement to police, Co-Defendant FAWCETT II stated he did not know Co-Defendant LAUGHTON, but that he and his wife were giving him a ride to St. Paul in order to purchase an unknown amount of methamphetamine for \$2,950.00. Co-Defendant FAWCETT II stated that of that money, he had provided Co-Defendant LAUGHTON with \$250 to purchase an ounce of methamphetamine for himself, and further admitted to handling the plastic bag the methamphetamine was found inside of, admitting that he assumed the methamphetamine was inside.

In a post-Miranda statement to police, Co-Defendant LAUGHTON admitted he set up a deal to purchase one pound of methamphetamine in St. Paul, but that it turned into a half a pound of methamphetamine due to a previous debt being owed on a controlled buy. He stated this is the second or third time he has purchased narcotics from the female at 2044 Oakdale Ave, and further admitted he was given \$250 from Co-Defendant FAWCETT II for an ounce of methamphetamine, and that he was planning to give him another ounce for the ride.

None of the Co-Defendants are presently in custody.

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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 Grimes
Deputy
1580 Hwy 55 Highway
Hastings, MN 55033
Badge: 130

Electronically Signed:
09/08/2021 02:30 PM
Dakota County, Minnesota

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

Prosecuting Attorney

Sophia Vogt
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
08/26/2021 04:07 PM

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 as directed in the Notice of Hearing before the above-named court 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: \$0.00

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 8, 2021.

Judicial Officer

Ivy S. Bernhardson
District Court Judge

Electronically Signed: 09/08/2021 03:50 PM

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

NICOLLE LYNN FAWCETT

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE

*I hereby Certify and Return that I have served a copy of this
Summons upon the Defendant herein named.*

Signature of Authorized Service Agent:

DEFENDANT FACT SHEET

Name: NICOLLE LYNN FAWCETT
DOB: 03/11/1983
Address: 1655 34TH ST NE
SAUK RAPIDS, MN 56379

Alias Names/DOB:

SID:

Height:

Weight:

Eye Color:

Hair Color:

Gender:

FEMALE

Race:

Fingerprints Required per Statute:

Yes

Fingerprint match to Criminal History Record:

No

Driver's License #:

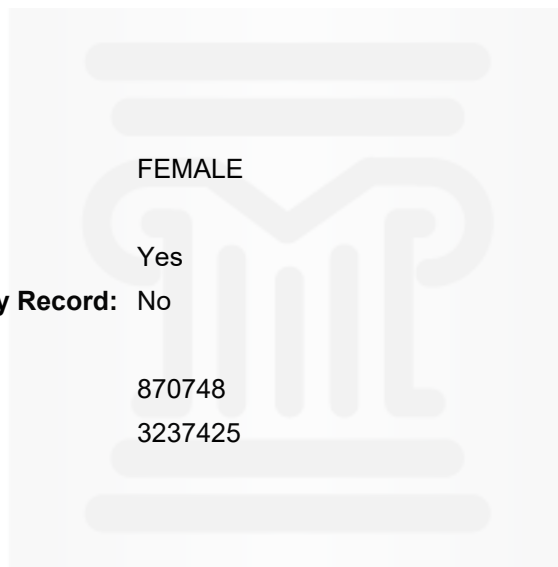
SILS Person ID #:

870748

SILS Tracking No.

3237425

Alcohol Concentration:



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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	10/16/2019	152.021.1(1) Drugs - 1st Degree - Sale - 17 Grams or More-Cocaine or Meth w/in 90-Day Period	Felony	DD2C0	X	MN0190000	19001521
	Definition	10/16/2019	609.101.3 Minimum Fines-Controlled Substance Offenses	No-Level	DD2C0	X	MN0190000	19001521
	Penalty	10/16/2019	152.021.3(c) Drugs - 1st Degree - Sale or Possession - Penalty; 100+G or 500+ DU	Felony	DD2C0	X	MN0190000	19001521
	Modifier	10/16/2019	609.05.1 Liability for Crimes of Another-Intentional	No-Level	DD2C0	X	MN0190000	19001521
	Modifier	10/16/2019	609.05.2 Liability for Crimes of Another-Reasonably Forseeable	No-Level	DD2C0	X	MN0190000	19001521
2	Charge	10/16/2019	152.021.2(a)(1) Drugs - 1st Degree - Possess 50 grams or more - cocaine or methamphetamine	Felony	DD5C0	X	MN0190000	19001521
	Definition	10/16/2019	609.101.3 Minimum Fines-Controlled Substance Offenses	No-Level	DD5C0	X	MN0190000	19001521
	Penalty	10/16/2019	152.021.3(c) Drugs - 1st Degree - Sale or Possession - Penalty; 100+G or 500+ DU	Felony	DD5C0	X	MN0190000	19001521
	Modifier	10/16/2019	609.05.1 Liability for Crimes of Another-Intentional	No-Level	DD5C0	X	MN0190000	19001521
	Modifier	10/16/2019	609.05.2 Liability for Crimes of Another-Reasonably Forseeable	No-Level	DD5C0	X	MN0190000	19001521