

State of Minnesota
County of HennepinDistrict Court
4th Judicial DistrictProsecutor File No. 20502479
Court File No. 27-CR-20-11638

State of Minnesota,

Plaintiff,

vs.

JOHN EMIL STICHA DOB: 08/19/1961416 3rd Street NW
Faribault, MN 55021

Defendant.

COMPLAINT

Summons

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: Third Degree Driving While Impaired - Any Amount Schedule I or II Controlled Substance**

Minnesota Statute: 169A.26.1(a), with reference to: 169A.20.1(2)

Maximum Sentence: 0-1 year imprisonment and/or 0-\$3000 fine

Offense Level: Gross Misdemeanor

Offense Date (on or about): 03/01/2020

Control #(ICR#): 20502479

Charge Description: . . . drive, operate or be in physical control of a motor vehicle at a time when there is present in the driver's body any amount of a controlled substance listed in Schedule I or II, or its metabolite, and one aggravating factor is present.

COUNT II**Charge: Driving While Under the Influence of a Controlled Substance - Third Degree - Gross Misdemeanor**

Minnesota Statute: 169A.20.1(2), with reference to: 169A.26.1(a)

Maximum Sentence: Penalty: 0-365 days imprisonment and/or 0-\$3,000 fine.

Offense Level: Gross Misdemeanor

Offense Date (on or about): 03/01/2020

Control #(ICR#): 20502479

Charge Description: . . . drive, operate or be in physical control of a motor vehicle at a time when the driver was under the influence of a controlled substance and with one aggravating factor present, namely a prior impaired driving incident within ten years.

COUNT III**Charge: Careless Driving - Misdemeanor**

Minnesota Statute: 169.13.2(a)

Maximum Sentence: Penalty: 0-90 days imprisonment and/or 0-\$1,000 fine.

Offense Level: Misdemeanor

Offense Date (on or about): 03/01/2020

Control #(ICR#): 20502479

Charge Description: . . . operate or halt a vehicle upon a street or highway carelessly or heedlessly in disregard of the rights of others, or in a manner that endangers or is likely to endanger any property or any person, including the driver or passengers of the vehicle.



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STATEMENT OF PROBABLE CAUSE

On March 1, 2020 at approximately 5:10 a.m., Minnesota State Patrol Trooper Nathan Faust was dispatched to Highway 169 in the City of Hopkins, Count of Hennepin for a driving complaint. A caller reported that a northbound Chrysler Town & Country minivan was drastically varying speeds and weaving over lane lines multiple times. Trooper Faust located the Chrysler at 2nd Avenue South and Fifth Street South in the City of Hopkins, Hennepin County, stopped the vehicle and identified the driver as JOHN EMIL STICHA, dob 08/19/1961 ("Defendant"). Trooper Faust observed that the Defendant's eyes were completely glazed over and he was unusually disheveled. The Defendant said that he had just left Mystic Lake Casino and was driving to a friend's house. The Defendant denied consuming any alcohol. Trooper Faust had the Defendant exit the vehicle to perform field sobriety tests. Trooper Faust attempted to administer the horizontal gaze nystagmus test, but the Defendant had an extremely difficult time tracking Trooper Faust's finger with his eyes, and his eyes rapidly snapped to different points, including the opposition direction of his finger. Trooper Faust then administered the One Leg Stand Test. The Defendant became very agitated and began to curse. The Defendant was unable to raise his foot even a few inches without completely losing balance. Trooper Faust then administered the Walk and Turn Test. The Defendant attempted to walk heel to toe, however, he swung his arms in the air erratically attempting to balance and again became agitated. The Defendant then stated, "Just fucking arrest me, my arms and shit are sore as hell." Trooper Faust administered the Modified Romberg Balance Test. The Defendant estimated the passing of 30 seconds in 20 seconds and his eyelids were fluttering while his head was tilted back. Trooper Faust observed him sway while he was balancing. Trooper Faust administered a preliminary breath test to the Defendant and obtained a 0.00 reading. Trooper Faust asked the Defendant about drug use and the Defendant stated that he had used crack a few months ago and then said he smoked crack earlier in the afternoon yesterday and had been up for the past day and a half. Trooper Faust arrested the Defendant for driving under the influence and placed him in the back seat of his squad car. Trooper Faust inventoried the Chrysler and found a crack pipe along with steel wool in the glovebox of the vehicle. Trooper Faust then transported the Defendant to Hennepin County Medical Center and obtained a search warrant to take a blood sample from the Defendant. Trooper Faust told the Defendant refusal to provide a blood sample was a crime. The Defendant agreed to give a blood sample and one was taken using BCA Blood Kit #B424244. The BCA analysis of the Defendant's blood sample indicated the presence of amphetamines and methamphetamines, both a Schedule I or II controlled substance. A records check showed that the Defendant had a previous DUI Conviction from November 15, 2018.

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

P. Jergenson
Sergeant
2005 N Lilac Drive
Golden Valley, MN 55422
Badge: 211

Electronically Signed:
05/13/2020 04:03 PM
Hennepin County, Minnesota

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

Prosecuting Attorney

Wynn Curtiss
100 Washington Avenue S
Suite 1700
Minneapolis, MN 55401
(612) 336-2905

Electronically Signed:
05/13/2020 02:47 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 on **June 29, 2020 at 8:30 AM** before the above-named court at 12601 Ridgedale Drive Suite 300, Minnetonka, MN 55305 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: May 13, 2020.

Judicial Officer

Edward Thomas Wahl
District Court Judge

Electronically Signed: 05/13/2020 04:06 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.

John Emil Sticha

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: John Emil Sticha
DOB: 08/19/1961
Address: 416 3rd Street NW
Faribault, MN 55021

Alias Names/DOB:

SID: MN07127623

Height:
Weight:
Eye Color:
Hair Color:
Gender:
Race:
Fingerprints Required per Statute: Yes
Fingerprint match to Criminal History Record: Yes
Driver's License #: B272067016311 (MN)
License Plate #: WX5135 (MN)
Vehicle Info: 2009 Chrysler TOWN & COUNTRY MINIVAN,VAN POO Passenger Vehicle
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	3/1/2020	169A.26.1(a) Traffic - DWI - Third-Degree Driving While Impaired; 1 Aggravating Factor	Gross Misdemeanor	JFS01		MNMHP0400	20502479
	Charge	3/1/2020	169A.20.1(2) Traffic - DWI - Operate Motor Vehicle Under Influence of Controlled Substance	Gross Misdemeanor	JFS01		MNMHP0400	20502479
2	Charge	3/1/2020	169A.20.1(2) Traffic - DWI - Operate Motor Vehicle Under Influence of Controlled Substance	Gross Misdemeanor	JF6A1		MNMHP0400	20502479
	Charge	3/1/2020	169A.26.1(a) Traffic - DWI - Third-Degree Driving While Impaired; 1 Aggravating Factor	Gross Misdemeanor	JF6A1		MNMHP0400	20502479
3	Charge	3/1/2020	169.13.2(a) Traffic - Careless Driving - Operate any vehicle carelessly on street or highway	Misdemeanor			MNMHP0400	20502479

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