

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 21006385
Court File No. 27-CR-21-9235

State of Minnesota,

Plaintiff,

vs.

GRAHM MARK FLETCHER DOB: 09/06/1990

4349 Shoreline Drive
Spring Park, MN 55384

Defendant.

COMPLAINT

Summons

[X] 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: Traffic - 3rd Degree DWI - Operate Motor Vehicle Under Influence of Alcohol - One Prior

Minnesota Statute: 169A.20.1(1)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 05/15/2021

Control #(ICR#): 21006385

Charge Description: It is a crime for any person to drive, operate, or be in physical control of any motor vehicle, as defined in section 169A.03, subdivision 15, except for motorboats in operation and off-road recreational vehicles, within this state or on any boundary water of this state when: (1) the person is under the influence of alcohol; (2) the person is under the influence of a controlled substance; (3) the person is under the influence of an intoxicating substance and the person knows or has reason to know that the substance has the capacity to cause impairment; (4) the person is under the influence of a combination of any two or more of the elements named in clauses (1) to (3); (5) the person's alcohol concentration at the time, or as measured within two hours of the time, of driving, operating, or being in physical control of the motor vehicle is 0.08 or more; (6) the vehicle is a commercial motor vehicle and the person's alcohol concentration at the time, or as measured within two hours of the time, of driving, operating, or being in physical control of the commercial motor vehicle is 0.04 or more; or (7) the person's body contains any amount of a controlled substance listed in schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, one aggregating factor was present when the violation occurred, to wit: a prior alcohol-related driver's license revocation, or a prior driving while intoxicated conviction within the preceding ten years.

COUNT II

Charge: Traffic - 3rd Degree DWI - Operate Motor Vehicle - Alcohol Concentration 0.08 Within 2 Hours - 1 Prior

Minnesota Statute: 169A.20.1(5)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 05/15/2021

Control #(ICR#): 21006385

Charge Description: It is a crime for any person to drive, operate, or be in physical control of any motor vehicle, as defined in section 169A.03, subdivision 15, except for motorboats in operation and off-road recreational vehicles, within this state or on any boundary water of this state when: (1) the person is under the influence of alcohol; (2) the person is under the influence of a controlled substance; (3) the person is under the influence of an intoxicating substance and the person knows or has reason to know that the substance has the capacity to cause impairment; (4) the person is under the influence of a combination of any two or more of the elements named in clauses (1) to (3); (5) the person's alcohol concentration at the time, or as measured within two hours of the time, of driving, operating, or being in physical control of the motor vehicle is 0.08 or more; (6) the vehicle is a commercial motor vehicle and the person's alcohol concentration at the time, or as measured within two hours of the time, of driving, operating, or being in physical control of the commercial motor vehicle is 0.04 or more; or (7) the person's body contains any amount of a controlled substance listed in schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols.

COUNT III

Charge: Careless Driving - Operate any vehicle carelessly on street or highway

Minnesota Statute: 169.13.2(a)

Maximum Sentence: 0-90 days imprisonment and/or 0-\$1000 fine

Offense Level: Misdemeanor

Offense Date (on or about): 05/15/2021

Control #(ICR#): 21006385

Charge Description: Any person who operates or halts any vehicle upon any 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, is guilty of a misdemeanor. (b) Any person who operates or halts a light rail transit vehicle 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 operator or passengers on the light rail transit vehicle, is guilty of a misdemeanor.

STATEMENT OF PROBABLE CAUSE

Your complainant is Maple Grove Police Detective Jim Kirkey. Your complainant states that on May 15, 2021, at approximately 1:49 a.m., Maple Grove Police Officer Alexa Nettell observed an ivory Chevrolet Cruze displaying Minnesota registration MWB346 exit the parking lot of the Brick and Bourbon restaurant and drive onto Elm Creek Boulevard. Officer Nettell followed the Chevrolet on Elm Creek Boulevard and observed it swerve over the lane divider line multiple times. As the Chevrolet approached a red semaphore at the intersection of Elm Creek Boulevard and Main Street, it failed to stop prior to the intersection and came to a stop in the middle of the crosswalk. Officer Nettell activated her squad car's emergency lights and stopped the Chevrolet. Officer Nettell approached the driver and identified him as Grahm Mark Fletcher, DOB: 09/06/90, the defendant herein. Officer Nettell observed that Mr. Fletcher smelled strongly of a consumed alcoholic beverage, his eyes were bloodshot and watery and his speech was slurred. Mr. Fletcher stated that he had consumed one beer and one shot of alcohol. Mr. Fletcher was unable to successfully perform field sobriety tests as requested by , and submitted to a preliminary breath test, which registered an alcohol concentration of .125. Based on his observations, Officer Nettell formed the opinion that Mr. Fletcher was under the influence of alcohol and placed him under arrest for driving while under the influence of alcohol. Mr. Fletcher was read the Minnesota Breath Test Advisory and elected to submit a sample of his breath for testing, the result of which revealed his alcohol concentration to be .11 at 3:24 a.m.

State records reveal that Mr. Fletcher's driving privileges had previously been revoked because of a driving while impaired offense on April 22, 2013.

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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

James Kirkey
Police Officer
12800 Arbor Lakes Pkwy
Maple Grove, MN 55369
Badge: 81

Electronically Signed:
05/27/2021 03:11 PM
Hennepin County, Minnesota

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

Prosecuting Attorney

Steven M. Tallen
Prosecuting Attorney
920 Second Avenue S
Minneapolis, 55402-2224

Electronically Signed:
05/27/2021 03:05 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: \$

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 27, 2021.

Judicial Officer

M. Jacqueline Regis
District Court Judge

Electronically Signed: 05/27/2021 03:14 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.

Grahm Mark Fletcher

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: Grahm Mark Fletcher
DOB: 09/06/1990
Address: 4349 Shoreline Drive
Spring Park, MN 55384

Alias Names/DOB:

SID: MN09C53941

Height:

Weight:

Eye Color:

Hair Color:

Gender:

MALE

Race:

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #: T660276291412 (MN)

Case Scheduling Information: Court is May 28, 2021 at 9:30 a.m.

License Plate #: MWB346 (MN)

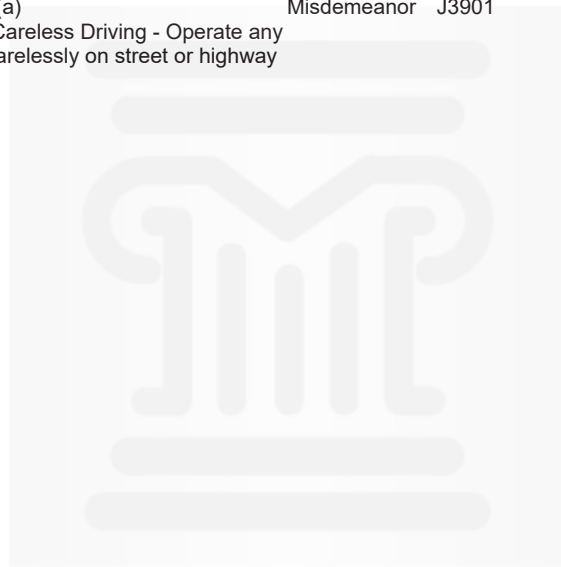
Alcohol Concentration: PBT: 0.12

Breath Machine: 0.11

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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	5/15/2021	169A.20.1(1) Traffic - DWI - Operate Motor Vehicle Under Influence of Alcohol	Gross Misdemeanor	JF501	N	MN0272700	21006385
2	Charge	5/15/2021	169A.20.1(5) Traffic - DWI - Operate Motor Vehicle - Alcohol Concentration 0.08 Within 2 Hours	Gross Misdemeanor	JFW01	N	MN0272700	21006385
3	Charge	5/15/2021	169.13.2(a) Traffic - Careless Driving - Operate any vehicle carelessly on street or highway	Misdemeanor	J3901	N	MN0272700	21006385



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