

STATE OF MINNESOTA
COUNTY OF RICE

DISTRICT COURT
THIRD JUDICIAL DISTRICT

COURT FILE NO.: UU-CR-12-1164
PROSECUTOR FILE NO.: A-12-0368

State of Minnesota,

Plaintiff,

v.

Adrian Michael Thomas DOB: 02/15/1991
10 4th Street E, Apt. 201
St. Paul, MN 55102

Defendant.

☐ Summons ☐ Warrant
☒ Order of Detention
☐ Amended
☐ Tab charge Previously Filed

The Complainant, being duly sworn, makes complaint to the above-named Court and states that there is probable cause to believe that the Defendant committed the following offense(s):

Count 1

1D Cont. Sub. Crime - Sale - 10 Grams or More-Cocaine

In Violation Of: 152.021 subd. 1(1); 152.021 subd. 3(a)

Penalty: Not more than 30 years in prison, a fine of not more than \$1,000,000, or both

On or about April 10, 2012, in Rice County, defendant Adrian Michael Thomas did unlawfully and feloniously sell (as defined by M.S. 152.01, subd. 15a) one or more mixtures of a total weight of 10 grams or more containing cocaine.

Count 2

1D Cont. Sub. Crime - Sale - 10 Grams or More-Cocaine

In Violation Of: 152.021 subd. 1(1); 152.021 subd. 3(a)

Penalty: Not more than 30 years in prison, a fine of not more than \$1,000,000, or both

On or about April 18, 2012, in Rice County, defendant Adrian Michael Thomas did unlawfully and feloniously sell (as defined by M.S. 152.01, subd. 15a) one or more mixtures of a total weight of 10 grams or more containing cocaine.

Count 3

1D Cont. Sub. Crime - Sale - 10 Grams or More-Cocaine w/in 90-Day Period

In Violation Of: 152.021 subd. 1(1); 152.021 subd. 3(a)

Penalty: Not more than 30 years in prison, a fine of not more than \$1,000,000, or both

Between on or about April 10, 2012, and continuing through on or about April 18, 2012, in Rice County, defendant Adrian Michael Thomas did, on one or more occasions within a 90-day period, unlawfully and feloniously sell (as defined by M.S. 152.01, subd. 15a) one or more mixtures of a total weight of 10 grams or more containing cocaine.

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

Your Complainant and/or Signing Officer designated below, being duly sworn, 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.

During April 2012, the Minnesota River Valley Drug Task Force ("MRVDTF") and the Rice County Drug Task Force ("DTF") have been involved in an ongoing investigation into cocaine sales and trafficking in Rice County. During the investigation, an undercover MRVDTF investigator ("UC") had been introduced to **Defendant ADRIAN MICHAEL THOMAS (02/15/91)** as a supplier of cocaine.

On 04/10/12, THOMAS sold to the UC 14.9 grams of cocaine (with packaging), which later field-tested positive for cocaine, in exchange for \$650 in pre-recorded government buy funds, at the Big Steer parking lot at 8051 Bagley Ave in Northfield, Rice County. Investigators visually observed and videotaped THOMAS arrive at the Big Steer in a vehicle with MN Plate No. "SJP 064". Investigators visually observed and videotaped THOMAS park, exit his vehicle, and enter the UC's vehicle. THOMAS was observed looking around left to right prior to entering the UC's vehicle in an apparent attempt to determine whether he was being surveilled by police. Investigators monitored the concealed audio recording device from the UC's vehicle and confirmed that a controlled substance sale was occurring between THOMAS and the UC. Following the sale, Investigators followed THOMAS's vehicle from the Big Steer parking lot to his residence in St. Paul.

Following the 04/10/12 controlled purchase of cocaine from THOMAS, the UC and THOMAS exchanged texts and calls and set up another controlled purchase of approximately one ounce of cocaine. THOMAS agreed to sell to the UC one ounce of cocaine in exchange for \$1200 on 04/18/12.

On 04/18/12, THOMAS sold to the UC 22 grams of cocaine (with packaging), which later field-tested positive for cocaine, in exchange for \$1,000 in pre-recorded government buy funds, at the Big Steer parking lot at 8051 Bagley Ave in Northfield, Rice County. Investigators visually observed and videotaped THOMAS arrive at the Big Steer in the same vehicle with MN Plate No. "SJP 064". Investigators visually observed and videotaped THOMAS park, exit his vehicle, and enter the UC's vehicle. Investigators monitored the concealed audio recording device from the UC's vehicle and confirmed that a controlled substance sale was occurring between THOMAS and the UC. Investigators learned that THOMAS did not have a full ounce, and the price was then further negotiated for \$1,000 in exchange for the amount of cocaine that THOMAS did have. Following the sale, Investigators followed THOMAS's vehicle from the Big Steer parking lot to his residence in St. Paul.

After the second sale of cocaine on 04/18/12, THOMAS told the UC that he was not making enough money selling cocaine and that THOMAS was really a "weed guy," which the UC understood based on the UC's training and experience as a reference to marijuana. THOMAS then gave the UC "his guy's" (i.e., meaning THOMAS's cocaine supplier) phone number and told the UC his supplier's name was "Junior."

Further investigation determined that "Junior" was in fact **Defendant LEOBARDO SANDOVAL JR. (09/10/88)**. The UC later called/texted "Junior" and ultimately arranged to meet "Junior" on 04/19/12 in the parking lot of the Big Steer to purchase approximately 3 ounces of cocaine for \$2700.00.

On 04/19/12, DTF and MRVDTF Investigators drove to the area of the Big Steer and set up audio and video surveillance in advance of the controlled purchase by the UC from "Junior." Other Investigators followed the UC into the Big Steer parking lot. The UC spoke with "Junior" on the phone. "Junior" said he would be arriving in a blue Sebring. "Junior" also told the UC that they would have to do a line or try some of the cocaine before completing the sale.

At approximately 12:45 PM on 04/19/12, Investigators conducting surveillance observed and videotaped a blue Sebring with MN Plate "038 HJN" pull into the Big Steer lot in Northfield, Rice County. The vehicle was driven by a Hispanic male and there was also another Hispanic male front passenger. The suspect/driver in the blue Sebring was eventually identified as SANDOVAL. And the male front passenger was eventually identified as **Defendant MAURICIO DEJESUS GARCIA (03/10/91)**.

The suspect vehicle parked close to the UC's vehicle. Surveillance and video observed the male passenger (GARCIA) exit the blue Sebring, walk over to the UC's vehicle, and get in the front passenger seat. GARCIA was observed carrying two Gatorade bottles.

Investigators monitored the concealed audio device in the UC's vehicle. GARCIA told the UC that they would have to try a line or dip into the bag and rub their gums with the cocaine before completing the transaction. GARCIA told the UC that there were "lots of red flags" meeting someone new. Despite the UC's attempts to avoid having to try the cocaine, GARCIA continued to insist that the UC try the cocaine or he would not be able to do the deal. Because of GARCIA's continued insistence, the UC gave the predetermined bust signal to the other Investigators in the area monitoring the transaction.

Investigators moved in and arrested GARCIA as he sat in the UC's vehicle, and arrested SANDOVAL, as he sat in the driver's seat of the blue Sebring. Investigators discovered that the Gatorade bottles were a "hide," which dealers of illicit narcotics often use to secrete the narcotics by using every day common items to attempt to avoid detection by law enforcement or the public. Investigators knew that THOMAS had used similar bottles as a hide during his sales of cocaine to the UC.

MRVDTF Investigator Andy Johnson opened the "hide" that GARCIA had brought into the UC vehicle and inside discovered a baggie containing white chunky substance that appeared to be cocaine. The substance later field-tested positive for cocaine and was determined to weigh 22 grams (with the baggie).

MRVDTF Investigators later arrested THOMAS near his residence in St. Paul.

During a taped post-Miranda statement, GARCIA admitted that he was "doing a favor for a friend." Investigators believed that the driver, SANDOVAL, was the supplier, and he employed GARCIA as the person to go meet with the UC to complete the sale of the cocaine.

Electronic court and law enforcement records show that GARCIA currently has an ICE hold. Electronic court and law enforcement records show that SANDOVAL currently has two active Ramsey County warrants for his arrest from February 2012.

NOTICE: FAILURE TO APPEAR FOR A COURT APPEARANCE IS A CRIMINAL OFFENSE UNDER MINN. STAT. S. 609.49.

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'S NAME:

COMPLAINANT'S SIGNATURE:

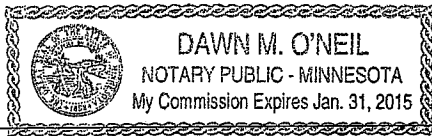
Investigator Scott Robinson

Scott Robinson

Subscribed and sworn to before the undersigned this 20th day of April, 2012

NAME/TITLE:

SIGNATURE:



Dawn M. O'Neil

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

Date:

APRIL 20, 2012

PROSECUTING ATTORNEY'S SIGNATURE:

Benjamin Bejar

Name: Benjamin Bejar
Assistant County Attorney
Rice County Attorney's Office
218 N.W. Third Street
Faribault, MN 55021
(507) 332-6103
Attorney Registration Number: 351131

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 to 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 ABOVE-NAMED DEFENDANT, ARE HEREBY SUMMONED to appear on the _____ day of _____, 20__ at _____ before the above-named court at _____ to answer this complaint.

☐ **WARRANT**

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I hereby order, in the name of the State of Minnesota, that the above-named Defendant be apprehended and arrested without delay and brought promptly before the above-named 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 above-named Defendant is already in custody, I hereby order, subject to bail or conditions of release, that the above-named Defendant continue to be detained pending further proceedings.

Bail: _____

Conditions of Release:

This complaint, duly subscribed and sworn to, is issued by the undersigned Judicial Officer this 20 day of April, 2012.

JUDICIAL OFFICER:

NAME: Thomas M. Newell

TITLE: Judge

SIGNATURE:

Thomas M. Newell

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

COUNTY OF RICE
STATE OF MINNESOTA

State of Minnesota

Plaintiff

vs.

Adrian Michael Thomas

Defendant

Clerk's Signature or File Stamp:

APR 20 2012

RETURN OF SERVICE

I hereby Certify and Return that I have served a copy of this Order of Detention upon the Defendant(s) herein named.

Signature of Authorized Service Agent:

STATUTE AND OFFENSE GRID

Cnt	Statute Type	Offense Date	Statute Number & Description	Offense Level	MOC	GOC	Controlling Agencies	Control Number(s)
1	Charge	04/10/2012	152.021 subd. 1(1) 1D Cont. Sub. Crime - Sale - 10 Grams or More-Cocaine	F	DD258	N	MN0660000 Arresting	12000367
	Penalty		152.021 subd. 3(a) Drugs - 1st Degree - Sale/Possession - Penalty - 30 Years/\$1,000,000.					
2	Charge	04/18/2012	152.021 subd. 1(1) 1D Cont. Sub. Crime - Sale - 10 Grams or More-Cocaine	F	DD258	N	MN0660000 Arresting	12000367
	Penalty		152.021 subd. 3(a) Drugs - 1st Degree - Sale/Possession - Penalty - 30 Years/\$1,000,000.					
3	Charge	04/10/2012 to 04/18/2012	152.021 subd. 1(1) 1D Cont. Sub. Crime - Sale - 10 Grams or More-Cocaine w/in 90-Day Period	F	DD258	N	MN0660000 Arresting	12000367
	Penalty		152.021 subd. 3(a) Drugs - 1st Degree - Sale/Possession - Penalty - 30 Years/\$1,000,000.					

STATE OF MINNESOTA vs. Adrian Michael Thomas

Prosecutor File Number: A-12-0368

DEFENDANT FACT SHEET

1. **Address:** 10 4th Street E, Apt. 201
 St. Paul, MN 55102
2. **DOB:** 02/15/1991
3. **Other DOBs:**
4. **Race/Ethnicity:** Race: Ethnicity:
5. **SID:** 12F50628
6. **WID:**
7. **Alias Information:**
8. **Fingerprinted:** Yes
9. **Handgun Permit:** No
10. **Location of Violation:** Rice County
11. **Drivers License #:** D814059939013 (MN)
12. **Accident Type:**
13. **License Plate #**
14. **Alcohol Concentration:**