

**State of Minnesota  
County of Hennepin**

**District Court  
Fourth Judicial District**

CCT 1	LIST CHARGE STATUTE ONLY 609.21	MOC J1B11	GOC N	CTY ATTY FILE NO. 14-4535	CONTROLLING AGENCY MN0271100	CONTROL NO 14036452
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COURT CASE NO.                      DATE FILED

✓if more than 6 counts (see attached)     ✓if Domestic Assault as defined by MS 518B01, sub2a,b

**State of Minnesota,**

**PLAINTIFF,**

VS.

- |  |  |
|--|--|
| <input type="checkbox"/> Amended                   | <input type="checkbox"/> Tab Charge Previously Filed |
| <input checked="" type="checkbox"/> SERIOUS FELONY | <input type="checkbox"/> SUMMONS                     |
| <input type="checkbox"/> FELONY                    | <input checked="" type="checkbox"/> WARRANT          |
| <input type="checkbox"/> GROSS MISDM DWI           | <input type="checkbox"/> ORDER OF DETENTION          |
| <input type="checkbox"/> GROSS MISDM               | <input type="checkbox"/> EXTRADITION                 |

NAME: first, middle, last

**JOHN IVERSON**

Date of Birth  
**10/16/64**

**MNCIS #:**        **27-CR-**  
**LE#:**            14-14447  
**SILS ID:**        35078  
**TRACK ID:**     2709903

**DEFENDANT,**

2200 PILLSBURY AVE APT 206  
MINNEAPOLIS, MN

**COMPLAINT**

*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). The complainant states that the following facts establish PROBABLE CAUSE:*

Complainant, Sgt. John Engle, of the Minneapolis Police Department, has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

That on February 3, 2014, at approximately 9:50 p.m., officers were dispatched to Franklin Avenue near Lyndale Avenue South in Minneapolis, Hennepin County, Minnesota, to investigate a traffic fatality. In route, officers were advised by dispatch that a motor vehicle traveling on Franklin Avenue struck a cyclist and that the cyclist was believed to be pinned under the vehicle. Upon arrival, officers observed a 1994 Ford Van, MN License Plate 821-BNY, had left the roadway and came to rest on the (north) sidewalk of westbound Franklin Avenue. The vehicle was occupied by its driver, **JOHN IVERSON**, hereafter Defendant. Officers observed a male, subsequently identified as M.L.N., hereafter victim, pinned underneath the rear passenger side tire of the van. EMS arrived and confirmed the victim was deceased.

Officers spoke with several eyewitnesses. These witnesses reported observing Defendant's vehicle traveling westbound on Franklin Avenue from Harriet Avenue South towards Lyndale Avenue South. One witness also reported Defendant's vehicle appeared to be traveling at a high rate of speed. They reported the victim was also westbound on Franklin Avenue by bicycle and was cycling close to the shoulder. The witnesses reported Defendant's vehicle suddenly swerved towards the curb, struck the victim, knocked the victim from his bicycle, and ran over the victim's body. Witnesses reported Defendant's vehicle continued westbound, struck a parked vehicle, pushed that vehicle aside, left the roadway by jumping the curb, traveled down the sidewalk, struck a garbage dumpster, and then came to rest on the (north) sidewalk of westbound Franklin Avenue near Lyndale Avenue. Officers determined the victim was dragged underneath Defendant's vehicle from initial impact to final rest.

**JOHN IVERSON CCN# 14036452**

Officers also identified a parked vehicle in the area that had been struck and pushed aside as described by eyewitness accounts.

Officers spoke with Defendant. Defendant had the strong odor of an alcohol-type beverage on his breath and admitted he had “too much” to drink. Defendant’s eyes were bloodshot and watery. Officers observed the Defendant stumble when he exited his vehicle. Defendant had difficulty walking and maintaining his balance. Officers administered a digital preliminary breath test on Defendant and obtained a reading of .27. Officers arrested Defendant.

Officers obtained a search warrant for a sample of Defendant’s blood. The warrant was executed at HCMC. On February 3, 2014, at 11:52 p.m., a registered nurse at HCMC withdrew a sample of Defendant’s blood. The sample was sealed and delivered to the Minnesota Bureau of Criminal Apprehension for analysis. At present, toxicology results are pending.

Due to the nature of the incident and Defendant’s high alcohol concentration (as measured by his PBT results), your complainant believes it in the interests of public safety to have this complaint issue by warrant rather than by summons, so bail and other conditions of release may be imposed that are in the interests of public safety.

## COMPLAINT SUPPLEMENT

CCT	SECTION/Subdivision	M.O.C.	GOC

**O F F E N S E**

COUNT 1: CRIMINAL VEHICULAR HOMICIDE:(FELONY)  
MINN. STAT. § 609.21, SUBDS. 1(2) (i), 1a(a)  
PENALTY: 0-10 YEARS AND/OR \$20,000

That on or about February 3, 2014, in Hennepin County, Minnesota, **JOHN IVERSON** did, by operating a vehicle in a negligent manner while under the influence of alcohol, cause the death of victim, M.L.N.

**NOTICE: You must appear for every court hearing on this charge. A failure to appear for court on this charge is a criminal offense and may be punished as provided in Minn. Stat. § 609.49.**

<i>THEFORE, Complainant requests that said Defendant, subject to bail or conditions of release be:</i>	
1) <i>arrested or that other lawful steps be taken to obtain defendant's appearance in court; or</i>	
2) <i>detained, if already in custody, pending further proceedings;</i>	
<i>and that said Defendant otherwise be dealt with according to law.</i>	
COMPLAINANT'S NAME: <b>Sgt. John Engle</b>	COMPLAINANT'S SIGNATURE:
<i>Being duly authorized to prosecute the offense(s) charged, I hereby approve this Complaint.</i>	
DATE: <b>February 6, 2014</b> <b>red</b>	PROSECUTING ATTORNEY'S SIGNATURE:
<b>PROSECUTING ATTORNEY:</b>	
NAME/TITLE: <b>DARREN C. BORG (025681X)</b> <b>Assistant County Attorney</b>	ADDRESS/TELEPHONE: <b>C2100 Government Center, Minneapolis, MN 55487</b> <b>Telephone: 612-348-6413</b>

Court Case # \_\_\_\_\_

This COMPLAINT was subscribed and sworn to before the undersigned this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

NAME:

SIGNATURE:

TITLE:

**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 his detention, if already in custody, pending further proceedings. The Defendant(s) is/are thereof charged with the above-stated offense.*

**SUMMONS**

THEREFORE YOU, THE ABOVE-NAMED DEFENDANT(S), ARE HEREBY SUMMONED to appear on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ AM/PM before the above-named court at \_\_\_\_\_ to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

**WARRANT**

**EXECUTE IN MINNESOTA ONLY**

*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(s) 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 thereafter as such Judge or Judicial Officer is available) to be dealt with according to law.*

**ORDER OF DETENTION**

Since the above-named Defendant(s) is already in custody; I hereby order, subject to bail or conditions of release, that the above-named Defendant(s) continue to be detained pending further proceedings.

Bail: \$150,000 + CR

Conditions of Release: **No driving without a license; Alcosensor/scram; No use of drugs/alcohol; Random Ua's; Make all appearances; Remain law abiding.**

This COMPLAINT-   WARRANT     duly subscribed and sworn to, is issued by the undersigned Judicial Officer this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

NAME:

SIGNATURE

TITLE: **JUDGE OF DISTRICT COURT**

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

STATE OF MINNESOTA COUNTY OF HENNEPIN

STATE OF MINNESOTA

Plaintiff

vs.

**JOHN IVERSON**

Defendant.

*Clerk's Signature or File Stamp:*

**RETURN OF SERVICE**

I hereby Certify and Return that I have served a copy of this COMPLAINT – SUMMONS, WARRANT, ORDER OF DETENTION upon Defendant(s) herein-named.

Signature of Authorized Service Agent:

