

**STATE OF MINNESOTA
COUNTY OF HENNEPIN**

**DISTRICT COURT
FOURTH JUDICIAL DISTRICT**

COURT FILE NO.
PROSECUTOR CASE NO. 15A04304
SILS ID. 340426
SILS TRACKING. 2813159
CONTROLLING AGENCY. MN0820000
CONTROL NO. 14024637

State of Minnesota,

Plaintiff,

v.

CRIMINAL COMPLAINT

JOHN DUANE MOLTZEN (DOB: 02/14/1979)
609 79TH AVE

Summons Warrant
 Order of Detention

BROOKLYN PARK, MN 55444,
Defendant.

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 Defendant committed the following offense(s):

Count I

Charge: **Drugs - 1st Degree - Sale 50 Grams-Amphe Phencyclidine, Halluc or 200 DU (X)**
Minnesota Statute: **152.021.1(3)**, with reference to: 152.021.3(a), 609.05.1, 609.05.2, 609.101.3
Offense Level: **Felony**
Maximum Sentence: **30 YEARS AND/OR \$300,000-\$1,000,000**
Offense Date (on or about): **10/11/2014**

Charge Description: That on or about 10/11/2014, in Hennepin County, Minnesota, JOHN DUANE MOLTZEN , 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 containing amphetamine, phencyclidine or a hallucinogen of a total weight of 50 grams or more or, if the controlled substance was packaged in dosage units, equaling 200 or more dosage units.

Count II

Charge: **Drugs - 2nd Degree - Sale 10 Grams/50 Doses-Amphe/PCP/Halluc. w/in 90-Day Period**
Minnesota Statute: **152.022.1(3)**, with reference to: 152.022.3(a), 609.101.3
Offense Level: **Felony**

Maximum Sentence: **25 YEARS AND/OR \$150,000-\$500,000**

Offense Date (on or about): **10/11/2014**

Charge Description: That on or about 10/11/2014, in Hennepin County, Minnesota, JOHN DUANE MOLTZEN , acting alone or intentionally aiding, advising, hiring, counseling or conspiring with another or otherwise procures the other to commit the crime, unlawfully possessed with intent to sell one or more mixtures containing amphetamine, phencyclidine or a hallucinogen of a total weight of 10 grams or more or, if the controlled substance was packaged in dosage units, equaling 50 or more dosage units.

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

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

In January of 2014, a teenager in Woodbury, Minnesota, died as a result of complications from a drug identified as 25i-NBOMe (2-(4-iodo-2, 5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine). 25i-NBOMe is a Schedule I controlled substance and a designated hallucinogen. 25i-NBOMe is a highly potent psychedelic drug that is often characterized as synthetic LSD, although 25i-NBOMe carries a more significant risk of pharmacological and behavioral toxicity than LSD and places users at a greater risk of overdose due to its methods of administration and the difficulty in accurately measuring dosage.

That investigation led to information from a Cooperating Defendant (CD) that a male identified as DOMINIC ANTONIO BELTRANTE, DOB 07/31/1974, Defendant Beltrante herein, was distributing 25i-NBOMe. The CD also reported that Defendant Beltrante had a marijuana grow operation at his home address at 2611 Dupont Avenue North, Apartment 1, in Minneapolis, Hennepin County, Minnesota.

The CD further reported that Defendant Beltrante gets his supply of 25i-NBOMe from a chemist who manufactures the drug from his home. The chemist was identified as JOHN DUANE MOLTZEN, DOB 02/14/1979, Defendant Moltzen herein. Officers were able to determine Defendant Moltzen's home address as 609 79th Avenue North in Brooklyn Park, Hennepin County, Minnesota. The information received from the CD was independently corroborated by officers.

On August 7, 2014, officers arranged a controlled buy between the CD and DOMINIC BELTRANTE and JOHN MOLTZEN. The CD was equipped with pre-recorded buy money and an audio monitoring device.

The CD met with DOMINIC BELTRANTE at DOMINIC BELTRANTE's residence at 2611 Dupont Avenue North in Minneapolis. The CD ordered up 300 dosage units of 25i-NBOMe. DOMINIC BELTRANTE was unable to contact JOHN MOLTZEN directly. DOMINIC BELTRANTE explained that an individual later identified as JACOB STEPHEN GRANGER, DOB 03/12/1978, would pick up the 300 dosage units of 25i-NBOMe from JOHN MOLTZEN's residence and bring it to DOMINIC BELTRANTE's residence. Officers maintained surveillance at both residences.

Soon thereafter, officers observed JACOB GRANGER arrive at JOHN MOLTZEN's residence. JACOB GRANGER met with KIMBERLY ANN GRABOWSKA, DOB 05/14/1979, at the front door of the residence at 609 79th Avenue North in Brooklyn Park. Minutes later, JACOB GRANGER exited the residence with a speaker box and a baggie containing what appeared to be sheets of blotter paper. He placed the sheets of blotter paper inside the speaker box, pressing the sheets near the open top lip of the box. JACOB GRANGER then drove directly to DOMINIC

BELTRANTE's residence.

At DOMINIC BELTRANTE's residence, officers observed DOMINIC BELTRANTE approach the driver's side window of JACOB GRANGER's vehicle before the two entered DOMINIC BELTRANTE's residence. JACOB GRANGER brought the speaker box into the residence. Officers heard over the audio monitoring device discussion regarding the potency of the drug. DOMINIC BELTRANTE then handed the CD three sheets of blotter paper containing suspected 25i-NBOMe in exchange for \$320.00 worth of pre-recorded buy money. The CD left DOMINIC BELTRANTE's residence. The CD immediately provided officers with the three sheets of blotter paper containing suspected 25i-NBOMe.

Later that same day, officers executed search warrants at the above-named residences.

During the search of DOMINIC BELTRANTE's residence at 2611 Dupont Avenue North in Minneapolis, officers recovered nearly 100 suspected marijuana plants, marijuana grow equipment, marijuana grow lamps, a marijuana grow tent, boxes of chemicals, additional marijuana grow equipment, a grow calendar, a digital scale, aluminum tubing, tin foil with burnt residue, drug paraphernalia, a syringe with a fungal spore suspension biological specimen, suspected heroin, identification in DOMINIC BELTRANTE's name, and multiple firearms. Officers located the pre-recorded buy money in DOMINIC BELTRANTE's wallet.

During the search of JOHN MOLTZEN's residence at 609 79th Avenue North in Brooklyn Park, officers recovered a substance identified as ethylphenidate (a psychostimulant), sheets of blotter paper containing suspected 25i-NBOMe, additional suspected 25i-NBOMe inside a computer bag, baggies with suspected drug residue, digital scales, magazines that included information about 25i-NBOMe, a pharmacology book, a dosage calculation book, an LSD information book, a newsletter to MAPS (Multidisciplinary Association for Psychedelic Studies), two packaging cards for an illegal psychedelic "2C-B," a capsule maker, glass and plastic vials, a propane bottle, lighter fluid, super glaze resin and activator, a metal grid suspected to be used to dry blotter paper after dosing, synthetic urine kits, additional drug paraphernalia, identification in JOHN MOLTZEN's name, and a firearm. Complainant is aware that the recovered items are commonly used in the manufacturing process of 25i-NBOMe. JOHN MOLTZEN and KIMBERLY GRABOWSKA were present during the execution of the search warrant. Officers recovered a baggie containing suspected methamphetamine from KIMBERLY GRABOWSKA's person.

The suspected 25i-NBOMe from the controlled buy was tested by the Bureau of Criminal Apprehension (BCA). The BCA determined the substance to be 300 units (2.89 grams) of 25i-NBOMe.

The suspected marijuana recovered from 2611 Dupont Avenue North field-tested positive for marijuana, weighing approximately 472 grams (1.04 pounds) after the marijuana was dried and harvested.

The suspected heroin recovered from 2611 Dupont Avenue North was tested by the BCA. The BCA determined the substance to be .58 gram containing heroin.

The blotter sheets containing suspected 25i-NBOMe recovered from 609 79th Avenue North were tested by the BCA. The BCA determined the substance to be 76 units (.75 gram) of 25i-NBOMe.

The suspected 25i-NBOMe recovered from inside a computer bag at 609 79th Avenue North was tested by the BCA. The BCA determined the substance to be 1.39 grams of 25i-NBOMe.

The suspected controlled substance recovered from 609 79th Avenue North was tested by the BCA. The BCA determined the substance to be .53 gram containing ethylphenidate, a psychostimulant that is an analog of methylphenidate (Schedule II).

The suspected methamphetamine recovered from KIMBERLY MOLTZEN's person was tested by the BCA. The BCA determined the substance to be .14 gram containing methamphetamine.

In a post-Miranda statement, JACOB GRANGER stated he was asked to stop at JOHN MOLTZEN's house to pick up a speaker box to bring to DOMINIC BELTRANTE's house. He stated he got the speaker box from JOHN MOLTZEN. He stated KIMBERLY GRABOWSKA physically handed it to him. He admitted he may have known what was going on but did not ask any questions. He further admitted the speaker box contained "paper, they call it paper," referring to 25i-NBOMe. He admitted he knew it was illegal. He also stated JOHN MOLTZEN has been into LSD and acid for "as long as I've known him" and has heard that JOHN MOLTZEN makes the hallucinogenic "acid."

In a post-Miranda statement, DOMINIC BELTRANTE referred to 25i-NBOMe as "acid" and "paper." He did not deny he was involved with trafficking "acid" along with JOHN MOLTZEN and JACOB GRANGER. He further admitted he grows marijuana instead of purchasing it on the street.

In a post-Miranda statement, JOHN MOLTZEN said he had a hunch what was going on and believed it had something to do with the girl who died in Woodbury. He confirmed JACOB GRANGER went to his residence that day. He made reference to a speaker box at his home that did not have a speaker in it. He admitted to being involved with LSD and said he has "always taken an interest in psychedelic culture." He admitted to possessing ethylphenidate in his home and stated his possession of the substance was "for research purposes only." He denied ever seeing the blotter paper in tin foil that was found in his home. He denied ever "knowingly" encountering 25i-NBOMe but was quick to point out that, while an individual may die from it, 5 million other people across the world have taken it safely. He also could recite studies involving 25i-NBOMe.

The defendants are out of custody.

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:

Subscribed and sworn to before the undersigned this ____ day of _____, 20__.

NAME/TITLE:

SIGNATURE:

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

Date: _____

PROSECUTING ATTORNEY'S SIGNATURE:

Name: Jillian M. Dease
Assistant County Attorney
C2300 Government Center
300 South Sixth Street
Minneapolis, MN 55487
612-348-3111
Attorney Registration # 0390099

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.

SUMMONS

THEREFORE YOU, THE ABOVE-NAMED DEFENDANT, ARE HEREBY SUMMONED to appear on the ____ day of _____, 20__ at _____ a.m./p.m. 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

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: \$No bail required
Conditions of Release:

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

JUDICIAL OFFICER:
NAME:
TITLE:

SIGNATURE:

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

<p>COUNTY OF HENNEPIN STATE OF MINNESOTA</p> <p>STATE OF MINNESOTA</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>JOHN DUANE MOLTZEN,</p> <p style="text-align: right;">Defendant</p>	<p><i>Clerk's Signature or File Stamp:</i></p> <p style="text-align: center;">RETURN OF SERVICE</p> <p><i>I hereby Certify and Return that I have served a copy of this COMPLAINT upon Defendant herein named.</i></p> <p>Signature of Authorized Service Agent:</p> <p>_____</p>
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