

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. MKC0011133
Court File No. 27-CR-23-21797

State of Minnesota,

Plaintiff,

vs.

NICHOLAS TAYLOR MINASSI DOB: 08/23/1985

500 17th Ave E
Ely, MN 55731

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 - DWI - Refuse to submit to chemical test; Blood or urine as required by search warrant

Minnesota Statute: 169A.20.2(2), with reference to: 169A.25.1(b), 169A.25.2

Maximum Sentence: 364 days or \$3000, or both.

Offense Level: Gross Misdemeanor

Offense Date (on or about): 10/11/2023

Control #(ICR#): 23511777

Charge Description: On or about October 11, 2023 in the city of Minnetonka, county of Hennepin, Minnesota Nicholas Taylor Minassi did refuse to submit to a chemical test of the person's blood or urine as required by a search warrant under sections 626.04 to 626.18 and 171.177 when one aggravating factor was present, a Gross Misdemeanor, in violation of Minnesota Statutes Sections 169A.20.2(2), 169A.25.1(b) and 169A.25.2.

STATEMENT OF PROBABLE CAUSE

On October 11, 2023 at approximately 6:29 p.m., Trooper Stillings was on patrol and dispatched to a report of a black RAM truck crossing lane lines and traveling visibly faster than other motorists on the roadway.

Trooper Stillings located the truck bearing California temporary plate #CT36C86 and stopped it on I-494 at Stone Road in the city of Minnetonka, county of Hennepin, Minnesota. Trooper Stillings approached the driver's side of the vehicle and detected an odor of an alcoholic beverage emitting from the vehicle. The driver was identified as Nicholas Taylor Minassi, DOB 08/23/1985, the defendant herein. Trooper Stillings observed the defendant's eyes were watery and his speech slurred.

The defendant performed the one leg stand test. During the test, Trooper Stillings observed the defendant swayed while balancing, used his arms for balance, and put his foot down. During the walk and turn test, the defendant lost his balance during instructions, stopped while he walked, stepped off line, used his arms for balance, took an incorrect number of steps and made an improper turn. When Trooper Stillings explained the modified Romberg test to him the defendant stated, "I feel a little bit contradictory to the test you've been giving me because I haven't done anything I don't feel that you haven't asked me to do." During the modified Romberg test during the defendant estimated the passage of 30 seconds in 20 actual seconds and Trooper Stillings observed the defendant's eyes fluttered. The defendant refused a P.B.T. The defendant was placed under arrest for driving while impaired.

During a search of the defendant's vehicle, Trooper Stillings located inside the center console a glass pipe with ashes and a container with suspected cannabis flower that was labeled indicating that it held 3.5 grams of marijuana flower.

Trooper Stillings transported the defendant to the Hennepin County Medical Center. During transport, the defendant talked about gold being under Minnesota, the North Pole, the Mason-Dixon line and "quantum entanglement". The defendant also stated, "I was speeding and reckless driving", "I'm going to fuck you over" and "There ain't enough alcohol in my system to piss dirty."

Judge Houghtaling signed a search warrant to obtain a sample of the defendant's blood or urine. Trooper Stillings told the defendant he could provide a blood or urine sample and the defendant responded, "I'm going to fail to go by your demand." Trooper Stillings informed the defendant that failing to submit to a blood or urine test is a crime and the defendant then asked "But you can't like force it physically, correct?" Trooper Stillings again asked the defendant if he would submit to a blood or urine sample and the defendant stated he refused.

A record check revealed the defendant was convicted of OWI (4th) Wisconsin Statute Sec. 346.63(1)(a) Felony H on February 27, 2019 in Lincoln County Court Case #18CM211 and convicted of OWI (3rd) Wisconsin Statute Sec. 346.63(1)(a) Misdemeanor, on February 18, 2019 in Marathon County Court Case #18CM2303.

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

Daniel Ryan
State Trooper
2005 N Lilac Drive
Golden Valley, MN 55422
Badge: 198

Electronically Signed:
12/11/2023 07:08 AM
Hennepin County, Minnesota

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

Prosecuting Attorney

Rolf A Sponheim
Associate City Attorney
14600 Minnetonka Blvd
Minnetonka, MN 55345
(952) 939-8265

Electronically Signed:
12/10/2023 08:12 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: December 11, 2023.

Judicial Officer

Frank Magill
District Court Judge

Electronically Signed: 12/11/2023 08:57 AM

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Nicholas Taylor Minassi

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: Nicholas Taylor Minassi
DOB: 08/23/1985
Address: 500 17th Ave E
Ely, MN 55731

Alias Names/DOB:

SID: MN23EH1789

Height:

Weight:

Eye Color:

Hair Color:

Gender:

Race:

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #: Z000128100900 (MN)

License Plate #: CT36C86 (MN)

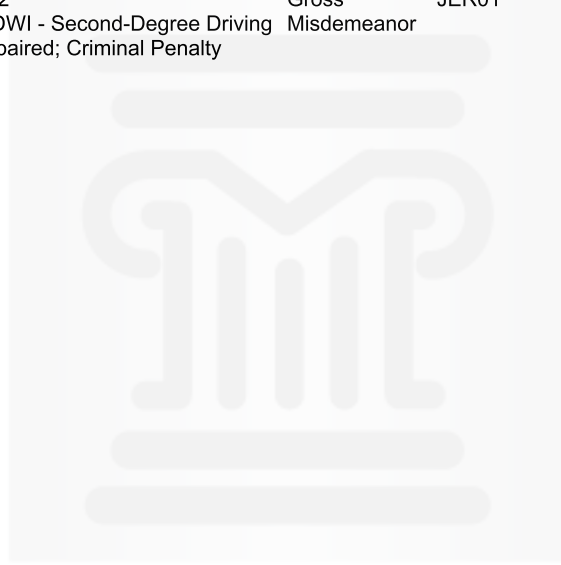
Vehicle Info: Dodge TRX Passenger Vehicle

Alcohol Concentration: Refused Test

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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	10/11/2023	169A.20.2(2) Traffic - DWI - Refuse to submit to chemical test; Blood or urine as required by search warrant	Gross Misdemeanor	JER01		MNMHP0400	23511777
	Charge	10/11/2023	169A.25.1(b) Traffic - DWI - Second-Degree Driving While Impaired; Refuse to submit to chemical test	Gross Misdemeanor	JER01		MNMHP0400	23511777
	Penalty	10/11/2023	169A.25.2 Traffic - DWI - Second-Degree Driving While Impaired; Criminal Penalty	Gross Misdemeanor	JER01		MNMHP0400	23511777



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