

OFFICE OF THE RAMSEY COUNTY ATTORNEY

Susan Gaertner, County Attorney



50 West Kellogg Boulevard, Suite 315 • St. Paul, Minnesota 55102-1657
Telephone (651) 266-3222 • Fax (651) 266-3010

Prosecution Division

April 9, 2009

The Honorable Teresa R. Warner
Ramsey County District Court
1070 Ramsey County Courthouse
St. Paul, MN 55101

Re: State of Minnesota v. Monica Rachel Bicking
District Court File No.: 62-CR-08-10515
County Attorney File No.: 2073776
Ramsey Co. Sheriff Dept. (LEC) Incident CN: 08021832

State of Minnesota v. Robert Joseph Czernik
District Court File No.: 62-CR-08-10338
County Attorney File No.: 2073782
Ramsey Co. Sheriff Dept. (LEC) Incident CN: 08021832

State of Minnesota v. Garrett Scott Fitzgerald
District Court File No.: 62-CR-08-10335
County Attorney File No.: 2073783
Ramsey Co. Sheriff Dept. (LEC) Incident CN: 08021832

State of Minnesota v. Luce Guillen-Givins
District Court File No.: 62-CR-08-10342
County Attorney File No.: 2073787
Ramsey Co. Sheriff Dept. (LEC) Incident CN: 08021832

State of Minnesota v. Erik Charles Oseland
District Court File No.: 62-CR-08-10345
County Attorney File No.: 2073778
Ramsey Co. Sheriff Dept. (LEC) Incident CN: 08021832

State of Minnesota v. Nathanael David Secor
District Court File No.: 62-CR-08-10365
County Attorney File No.: 2073785
Ramsey Co. Sheriff Dept. (LEC) Incident CN: 08021832

The Honorable Teresa R. Warner
Page 3 of 3
April 9, 2009

R Travis Snider, Esq.
Snider Law Firm
1005 West Franklin Avenue #3
Minneapolis, MN 55405

James S Dahlquist, Esq.
Dahlquist Law Office
310 Fourth Ave So #1150
Minneapolis, MN 55415

Jordan Kushner, Esq.
Attorney at Law
431 S. Seventh Street #2446
Minneapolis, MN 55415

Theodore D Dooley, Esq.
Peter Nichitas, Esq.
Dooley Law Office
1595 Selby Avenue #100
St. Paul, MN 55104

Robert J. Kolstad, Esq.
Kolstad Law Office
Suite 3, 1005 W. Franklin Ave.
Minneapolis, MN 55405

Barbara Ann Nimis, Esq.
Nimis Law Office
350 River Rd
PO Box 50812
Mendota, MN 55150

Larry B. Leventhal, Esq.
Attorney at Law
319 Ramsey Street
St. Paul, MN 55102

Luce Guillen-Givins Co. Atty Complaint No: 2073787-3 Court File No.: 62-CR-08-10342

Page: 1 of 8



STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

COURT FILE NO.: 62-CR-08-10342

PROSECUTOR FILE NO.: 2073787

State of Minnesota,

Plaintiff,

v.

Luce Guillen-Givins



Defendant.

FELONY
CRIMINAL COMPLAINT

Summons Warrant
 Order of Detention

Amended
 Certified Juvenile
 EJJ

Co-Defendant(s):	Monica Rachel Bicking	Co. Atty File No.:	2073776
	Erik Charles Oseland		2073778
	Robert Joseph Czernik		2073782
	Garrett Scott Fitzgerald		2073783
	Nathanael David Secor		2073785
	Max Jacob Spektor		2073786
	Erin Chase Trimmer		2073788

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

On or about between November 1, 2006, and September 1, 2008, in Ramsey County, Minnesota, the defendants, LUCE GUILLEN-GIVINS, NATHANAEL DAVID SECOR, ERIK CHARLES OSELAND, MONICA RACHEL BICKING, ROBERT JOSEPH CZERNIK, GARRETT SCOTT FITZGERALD, MAX JACOB SPEKTOR, AND ERYN TRIMMER did wrongfully and unlawfully conspire with one another and others to commit the felony of Criminal Damage to Property in the First Degree, and did an overt act in furtherance of the conspiracy.

Said acts constituting the offense of Conspiracy to Commit Criminal Damage to Property in the First Degree in violation of MN Statute: §609.595.1(1); 609.595.1(3); 609.175.2(3)

Maximum Sentence: 5 years or \$10,000 fine or both

Luce Guillen-Givins Co. Atty Complaint No: 2073787-3 Court File No.: 62-CR-08-10342

Page: 2 of 8



COUNT 2

On or about between November 1, 2006, and September 1, 2008, in Ramsey County, Minnesota, the defendants, **LUCE GUILLEN-GIVINS, NATHANAEL DAVID SECOR, ERIK CHARLES OSELAND, MONICA RACHEL BICKING, ROBERT JOSEPH CZERNIK, GARRETT SCOTT FITZGERALD, MAX JACOB SPECKTOR, AND ERYN TRIMMER** did wrongfully and unlawfully together with two or more other persons assembled, disturb the peace by an intentional act or threat of unlawful force or violence to person or property knowing that any other participant was armed with a dangerous weapon.

Said acts constituting the offense of **Conspiracy to Commit Riot in the Second Degree** in violation of MN Statute: §609.71.2; 609.175.2(3)

Maximum Sentence: 5 years or \$10,000 fine or both

Luca Guillen-Givins Co. Atty Complaint No: 2073787-3 Court File No.: 62-CR-08-10342

Page: 3 of 8



STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

PLEASE SEE ORIGINAL COMPLAINT



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:

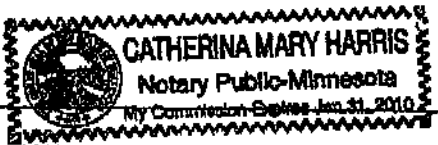
Heidi Westby

COMPLAINANT'S SIGNATURE:

Heidi Westby

Subscribed and sworn to before the undersigned this 9th day of April, 2009.

NAME/TITLE:



SIGNATURE:

Catherina M. Harris

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

Date: 04/09/2009

PROSECUTING ATTORNEY'S SIGNATURE:

Heidi Westby

Name: Heidi Westby
Assistant Ramsey County Attorney
50 West Kellogg Blvd, #315
St. Paul, MN 55102
651-266-3222/th
Attorney Registration #241672



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 _____ 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 MN Only *Execute Nationwide* *Execute in Border States*

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.

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.

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:

COUNTY OF RAMSEY
STATE OF MINNESOTA

Clerk's Signature or File Stamp:

STATE OF MINNESOTA

Plaintiff,

vs.

LUCE GUILLEN-GIVINS

Defendant.

RETURN OF SERVICE

I hereby Certify and Return that I have served a copy of this COMPLAINT - upon the Defendant herein named.

Signature of Authorized Service Agent:

Luce Guillen-Givins Co. Atty Complaint No: 2073787-3 Court File No.: 62-CR-08-10342

Page: 6 of 8



FINDINGS OF FACT

Probable cause found that defendant committed the offenses charged.

Ordered defendant's motion to dismiss denied.

Plea of not guilty to all counts entered.

Trial and hearing on all issues set.

Dated: _____

JUDGE OF DISTRICT COURT



DEFENDANT DATA / CHARGE SHEET - ATTACHMENT A

DEFENDANT NAME: LUCE GUILLEN-GIVINS



Defendant alias name(s):

Alias DOB(s):

Defendant last known address:



State ID:

Fingerprint ID:

FBI ID:

St. Paul PD ID:

Offender ID:

OTHER DEFENDANT / CASE IDENTIFIERS:

Fingerprinted? No Yes

Handgun permit? No Yes (Issuing Agency:)

Location of violation:

IF DRIVING OFFENSE:

Driver's License Number:

Issuing State:

License Plate Number:

Issuing State:

Accident Type: No injury/no damage

Property Damage

check all that apply

Personal Injury

Fatality

Blood Alcohol Concentration (BAC):

Luce Guillen-Givins Co. Atty Complaint No: 2073787-3 Court File No.: 62-CR-08-10342

Page: 8 of 8



FELONY COMPLAINT AMENDED

CT NO	OFFENSE DATE	STATUTE TYPE	STATUTE NBR	STATUTE DESCRIPTION	OFFENSE LEVEL	MOC	G O C	AGENCY ORI CN NBR FUNCTION
1	11/01/2006 to 08/30/2008	Charge	609.595.1(1)	Damage to Prop-1st Deg- Forseeable Risk Bodily Harm	F	P1120	C	Ramsey Co. Sheriff Dept. (LEC) ORI - MN0620000 CN - 08021832 Charging
		Penalty	609.595.1(3)	Damage to Prop-1st Deg- Value Reduced Over \$1,000				
		Penalty	609.175.2(3)	Conspiracy to Commit Felony - Penalty 1/2 of Intended Crime				
2	11/01/2006 to 08/30/2008	Charge	609.71.2	Riot-2nd Degree-Armed w/Dangerous Weapon	F	N1010	C	Ramsey Co. Sheriff Dept. (LEC) ORI - MN0620000 CN - 08021832 Charging
		Penalty	609.175.2(3)	Conspiracy to Commit Felony - Penalty 1/2 of Intended Crime				

V. 8/07

TOTAL P.011