

**COPY**

STATE OF MINNESOTA  
COUNTY OF CARVER

DISTRICT COURT  
FIRST JUDICIAL DISTRICT

COURT FILE NO.: \_\_\_\_\_  
PROSECUTOR FILE NO.: FE-16-48133

State of Minnesota,  
Plaintiff,

v.

**COMPLAINT- WARRANT**

Brandon Lee Hawley, DOB 9/20/1979 (36)  
2445 Acorn Run  
Victoria, MN 55386  
Defendant.

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                      Theft-By Swindle  
In Violation of:            609.52 subd. 2(a)(4)  
Penalty Statute:            609.52 subd. 3(3)(a) - Theft-Value of Property or Services \$1001-\$5,000  
MOC:                          U106H  
ICR:                            15001539  
Penalty:                      5 years and/or \$10,000

On or about April 7, 2015 through April 10, 2015 within the County of Carver, the defendant by swindling, whether by artifice, trick, device, or any other means, obtained property or services from another person and the value of the property or services stolen was more than \$1,000 but not more than \$5,000, to wit: Victoria Autowerks, \$2,152.13.

Count: 2                      Issue Dishonored Check-Offense  
In Violation of:            609.535 subd. 2  
Penalty Statute:            609.535 subd. 2a(a)(1) - Issue Dishonored Check-Value More Than \$500  
MOC:                          U101E  
ICR:                            15001539  
Penalty:                      5 years and/or \$10,000

On or about May 26, 2015 through June 18, 2015, within the County of Carver, the defendant issue a dishonored check or checks which, at the time of issuance, the defendant intended should not be paid and the amount of the check or aggregate amount of the checks was greater than \$500, to wit: 5/26 Wells Fargo, 6/6 Deer Run, 6/18 Waconia Marine ,for a total of \$880.69.

Count: 3 Possession or Sale of Stolen or Counterfeit Check; Crimes  
 In Violation of: 609.528 subd. 2  
 Penalty Statute: 609.528 subd. 3(3) - Stolen Checks-Penalties-2 or 3 Direct Victims/Value to Direct and Indirect Victims \$501-\$2,500  
 MOC: U1743  
 ICR: 15001539  
 Penalty: 5 years and/or \$10,000 Fine

On or about 6/8/2015, within the County of Carver, defendant sold, possessed, received, or transferred a check that was stolen or counterfeit, and knew or had reason to have known the check was stolen or counterfeit, and the offense involved two or three direct victims or the total, combined loss to the direct and indirect victims was more than \$500 but not more than \$2,500, to wit: Wells Fargo \$800.

Count: 4 Possession or Sale of Stolen or Counterfeit Check; Crimes  
 In Violation of: 609.528 subd. 2  
 Penalty Statute: 609.528 subd. 3(3) - Stolen Checks-Penalties-2 or 3 Direct Victims/Value to Direct and Indirect Victims \$501-\$2,500  
 MOC: U1743  
 ICR: 15001539  
 Penalty: 5 years and/or \$10,000 Fine

On or about 6/10/2015, within the County of Carver, defendant sold, possessed, received, or transferred a check that was stolen or counterfeit, and knew or had reason to have known the check was stolen or counterfeit, and the offense involved two or three direct victims or the total, combined loss to the direct and indirect victims was more than \$500 but not more than \$2,500, to wit: Wells Fargo, \$625.

Count: 5 Possession or Sale of Stolen or Counterfeit Check; Crimes  
 In Violation of: 609.528 subd. 2  
 Penalty Statute: 609.528 subd. 3(4) - Stolen Cks.-Penalties-4 or More Direct Victims/Value to Direct and Indirect Victims \$2,501 or More  
 MOC: U1742  
 ICR: 15001539  
 Penalty: 10 years in prison and/or \$5,000 fine.

On or about 6/8/2015, within the County of Carver, defendant sold, possessed, received, or transferred a check that was stolen or counterfeit, and knew or had reason to have known the check was stolen or counterfeit, and the offense involved four or more direct victims, or the total, combined loss to the direct and indirect victims was more than \$2,500, to wit: TCF \$3,920.15.

Count: 6 Possession or Sale of Stolen or Counterfeit Check; Crimes  
 In Violation of: 609.528 subd. 2

Penalty Statute: 609.528 subd. 3(4) - Stolen Cks.-Penalties-4 or More Direct Victims/Value to Direct and Indirect Victims \$2,501 or More  
 MOC: U1742  
 ICR: 15001539  
 Penalty: 10 years in prison and/or \$5,000 fine.

On or about 7/16/2015, within the County of Carver, defendant sold, possessed, received, or transferred a check that was stolen or counterfeited, and knew or had reason to have known the check was stolen or counterfeited, and the offense involved four or more direct victims, or the total, combined loss to the direct and indirect victims was more than \$2,500, to wit: TCF \$16, 256.

Count: 7 Possession or Sale of Stolen or Counterfeit Check; Crimes  
 In Violation of: 609.528 subd. 2  
 Penalty Statute: 609.528 subd. 3(4) - Stolen Cks.-Penalties-4 or More Direct Victims/Value to Direct and Indirect Victims \$2,501 or More  
 MOC: U1742  
 ICR: 15001539  
 Penalty: 10 years in prison and/or \$5,000 fine.

On or about 11/4/2015, within the County of Carver, defendant sold, possessed, received, or transferred a check that was stolen or counterfeited, and knew or had reason to have known the check was stolen or counterfeited, and the offense involved four or more direct victims, or the total, combined loss to the direct and indirect victims was more than \$2,500, to wit: Mid Country \$13, 987.65.

Count: 8 Check Forgery-Offer/Possess W/Intent to Defraud  
 In Violation of: 609.631 subd. 3  
 Penalty Statute: 609.631 subd. 4(2) - Check Forgery-Prop/Services Val More Than \$2,500  
 MOC: C1212  
 ICR: 15001539  
 Penalty: 10 years in prison, a \$20,000 fine, or both

On or about 11/8/15, within the County of Carver, the defendant with intent to defraud, offered, or possessed with intent to offer, a forged check, whether or not it was accepted, and the forged check or checks were used to obtain or in an attempt to obtain, property or services of more than \$2,500 or the aggregate amount of the forged check or checks was more than \$2,500, to wit: Mid Country \$7,500.

Count: 9 Check Forgery-Offer/Possess W/Intent to Defraud  
 In Violation of: 609.631 subd. 3  
 Penalty Statute: 609.631 subd. 4(2) - Check Forgery-Prop/Services Val More Than \$2,500

MOC: C1212  
ICR: 15001539  
Penalty: 10 years in prison, a \$20,000 fine, or both

On or about 11/8/15, within the County of Carver, the defendant with intent to defraud, offered, or possessed with intent to offer, a forged check, whether or not it was accepted, and the forged check or checks were used to obtain or in an attempt to obtain, property or services of more than \$2,500 or the aggregate amount of the forged check or checks was more than \$2,500, to wit: Mid Country \$7,500.

Count: 10 Possession or Sale of Stolen or Counterfeit Check; Crimes  
In Violation of: 609.528 subd. 2  
Penalty Statute: 609.528 subd. 3(3) - Stolen Checks-Penalties-2 or 3 Direct Victims/Value to Direct and Indirect Victims \$501-\$2,500

MOC: U1743  
ICR: 15001539  
Penalty: 5 years and/or \$10,000 Fine

On or about 1/12/2016, within the County of Carver, defendant sold, possessed, received, or transferred a check that was stolen or counterfeit, and knew or had reason to have known the check was stolen or counterfeit, and the offense involved two or three direct victims or the total, combined loss to the direct and indirect victims was more than \$500 but not more than \$2,500, to wit: Top Dog \$511.30.

## STATEMENT OF PROBABLE CAUSE

Special Agent Sheila Owen, of the Minnesota Department of Commerce, Fraud Bureau, investigated crimes committed in Carver County from April 7, 2015, to January 12, 2016, by Brandon Lee Hawley (DOB 9/20/79), hereinafter the defendant.

On March 9, 2016, Agent Owen went to the Victoria Autowerks, located in the City of Victoria, Carver County, Minnesota, and spoke with N.S. According to N.S., the defendant came into the business on April 7, 2015, to have some work done on two vehicles. The defendant requested that N.S. bill his credit card. On April 10, 2015, N.S. ran the defendant's credit card, which was declined. The defendant promised to come back with a check, but never did. N.S. made numerous unsuccessful attempts to contact the defendant. The bill for the defendant's two vehicles was \$2,013.83. On March 10, 2016, Agent Owen spoke with R.D., a fraud investigator with Capital One Financial, who told her that the defendant's Capital One Account was flagged for fraud and no longer active.

As part of the on-going investigation, Agent Owens spoke with a representative from the Wells Fargo Bank, located in the City of Chanhassen, Carver County, Minnesota, to take a report regarding the defendant's bank account. According to Wells Fargo records, the defendant wrote out three checks that were returned "unpaid." On May 26, 2015, a check made out to "DSC MN LLC", a limited liability company the defendant created, which according to records is registered in the City of Victoria, Carver County, in the amount of \$500; on June 6, 2015, a check from "DSC" to "Deer Run" in the amount of \$225.23; and on June 18, 2015, a check in the amount of \$155.46 dollars, written from the same LLC account, and made out to Waconia Marine. The combined total of the three checks is \$880.69

On June 8, 2015, records show a check in the amount of \$800, made out to "DSC", from an account listed as "Wholesale Carts," located in the State of Illinois, was deposited by the defendant into his account. On June 10, 2015, records show a check in the amount of \$625, made out to "DSC", from an account listed as "Railway to Roadway," and deposited into the defendant's account. According to Wells Fargo records, both checks deposited by the defendant came from accounts that could not be located by Wells Fargo and were deemed fraudulent.

Agent Owen subpoenaed the defendant's bank records from the TCF Bank located in City of Chanhassen, Carver County, Minnesota. On May 12, 2015, the defendant deposited a check for \$3,920.15, made out to "DSC MN LLC," and issued from an account listed as "Win Rental and Remodeling." On July 16, 2015, the defendant deposited a check for \$16,256, made out to "Signature Carts," a second LLC in the defendant's name, also listed as headquartered in the City of Victoria. The check was from an account listed as "Pro Drives, LLC". According to TCF Bank records, neither "Win Rental and Remodeling" or "Pro Drives" had bank accounts that could be located by their system.

On November 10, 2015, MidCounty Bank, located in the City of Waconia, Carver County, Minnesota, reported to Agent Owen that the defendant and a male identified as B.H. came into the bank to open an account in the name of "Bright Futures, LLC." B.H. told Branch Manager M.N. that the defendant had recently purchased two golf courses in the City of Independence. The defendant deposited three checks into his "Bright Futures" account and attempted negotiate receiving funds prior to the checks clearing; none of the checks cleared

On November 4, 2015, the defendant deposited a check into his MidCounty "Bright Futures" account. The cashier's check was for \$13,987.65, made out to the "Bright Futures, LLC" and issued by the PNC Bank. Agent Owen received records from the PNC Bank showing that the account never existed.

On November 10, 2015, the defendant deposited two checks, each for \$7,500, both signed by a female with the initials L.Z. The first check was made out to "Bright Futures, LLC" and issued from L.Z.'s Union State Bank Account. Agent Owen spoke with Union Bank who reported that the Union account had been closed for some time, and that L.Z.'s signature did not match. The second check was from L.Z.'s account at TCF Bank. Agent Owen spoke with L.Z. who reported that she did not write out or sign the two checks.

On December 28, 2015, the defendant came into the Top Dog Country Club, a kennel located in the City of Hollywood Township, Carver County, Minnesota, to board his three dogs. The defendant told the

owner, J.B., that he was heading to the Caribbean. When the defendant returned to get his dogs he wrote a check in the amount of \$511.30, issued from an account listed as "Two Pups MN, LLC/Brandon Hawley." The check was returned because no account under "Two Pups' ever existed.

The State respectfully requests a complaint warrant. The defendant has an active warrant at this time and recently assaulted an Agent trying to bring him in. The defendant's whereabouts are unknown.

PLEASE TAKE NOTICE: Pursuant to Minn. Stat. 609.49., intentional failure to appear for duly scheduled court appearances may result in additional criminal charges, and in addition to any arrest warrant that may otherwise be issued by the Court.

Complainant requests that Defendant, subject to bail or conditions of release, be:

- (1) Arrested or 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 \_\_\_\_\_, 2016.

NAME/TITLE:

SIGNATURE:

\_\_\_\_\_



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

PROSECUTING ATTORNEY'S SIGNATURE:

Date: 4/21/16

  
\_\_\_\_\_

Eric Doolittle 0394938  
Assistant Carver County Attorney  
604 East Fourth Street  
Chaska, MN 55318  
(952) 361-1062

Court File Number: \_\_\_\_\_

**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 604 East Fourth Street Chaska, MN 55318 to answer this complaint.

**X 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**JUDICIAL OFFICER:**

**SIGNATURE:**

**NAME:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

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

COUNTY OF CARVER STATE OF MINNESOTA  State of Minnesota Plaintiff,  vs.  Brandon Lee Hawley Defendant.	Clerk's Signature or File Stamp:  <hr/> RETURN OF SERVICE <i>I hereby Certify and Return that I have served a copy of this Summons upon the Defendant(s) herein-named.</i> Signature of Authorized Service Agent:
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**DEFENDANT FACT SHEET**

**Other DOBs:**

**Race/Ethnicity:**

**CID:**

**Alias Information:**

**Fingerprinted:**

**Handgun Permit:**

**Location of Violation:**

**Driver's License #:**

**Accident Type:**

**License Plate #:**

**BAC Status:**

**BAC Level:**

## Statute and Offense Grid

**Count: 10**

Ct	Statute Type	Offense Date	Statute #/Descr and Sup	Level	MOC	GOC	Rpt Ctrl Agency	Rpt Ctrl #
1	State Statute	4/7/2015- 1/12/2016	609.52 subd. 2(a)(4) - Theft-By Swindle  609.52 subd. 3(3)(a) - Theft-Value of Property or Services \$1001-\$5,000	F	U106H	NA	MN062001S	15001539
2	State Statute	4/7/2015- 1/12/2016	609.535 subd. 2 - Issue Dishonored Check-Offense  609.535 subd. 2a(a)(1) - Issue Dishonored Check-Value More Than \$500	F	U101E	NA	MN062001S	15001539
3	State Statute	4/7/2015- 1/12/2016	609.528 subd. 2 - Possession or Sale of Stolen or Counterfeit Check; Crimes  609.528 subd. 3(3) - Stolen Checks-Penalties-2 or 3 Direct Victims/Value to Direct and Indirect Victims \$501-\$2,500	F	U1743	NA	MN062001S	15001539
4	State Statute	4/7/2015- 1/12/2016	609.528 subd. 2 - Possession or Sale of Stolen or Counterfeit Check; Crimes  609.528 subd. 3(3) - Stolen Checks-Penalties-2 or 3 Direct Victims/Value to Direct and Indirect Victims \$501-\$2,500	F	U1743	NA	MN062001S	15001539
5	State Statute	4/7/2015- 1/12/2016	609.528 subd. 2 - Possession or Sale of Stolen or Counterfeit Check; Crimes  609.528 subd. 3(4) - Stolen Cks.-Penalties-4 or More Direct Victims/Value to Direct and Indirect Victims \$2,501 or More	F	U1742	NA	MN062001S	15001539
		4/7/2015-	609.528 subd. 2 - Possession or					

6	State Statute	1/12/2016	Sale of Stolen or Counterfeit Check; Crimes  609.528 subd. 3(4) - Stolen Cks.-Penalties-4 or More Direct Victims/Value to Direct and Indirect Victims \$2,501 or More	F	U1742	NA	MN062001S	15001539
7	State Statute	4/7/2015-1/12/2016	609.528 subd. 2 - Possession or Sale of Stolen or Counterfeit Check; Crimes  609.528 subd. 3(4) - Stolen Cks.-Penalties-4 or More Direct Victims/Value to Direct and Indirect Victims \$2,501 or More	F	U1742	NA	MN062001S	15001539
8	State Statute	4/7/2015-1/12/2016	609.631 subd. 3 - Check Forgery-Offer/Possess W/Intent to Defraud  609.631 subd. 4(2) - Check Forgery-Prop/Services Val More Than \$2,500	F	C1212	NA	MN062001S	15001539
9	State Statute	4/7/2015-1/12/2016	609.631 subd. 3 - Check Forgery-Offer/Possess W/Intent to Defraud  609.631 subd. 4(2) - Check Forgery-Prop/Services Val More Than \$2,500	F	C1212	NA	MN062001S	15001539
10	State Statute	4/7/2015-1/12/2016	609.528 subd. 2 - Possession or Sale of Stolen or Counterfeit Check; Crimes  609.528 subd. 3(3) - Stolen Checks-Penalties-2 or 3 Direct Victims/Value to Direct and Indirect Victims \$501-\$2,500	F	U1743	NA	MN062001S	15001539