
State of Minnesota,

COMPLAINT

Plaintiff,

Summons

vs.

JOSEPH JONQUIL OATES DOB: 03/27/1968

1509 E 80TH ST
BLOOMINGTON, MN 55425

Defendant.

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: Insurance Fraud-Present False Representation/Conceals Facts-Claim for Payment

Minnesota Statute: 609.611.1(a)(2), with reference to: 609.52.3(2)

Maximum Sentence: 10 YEARS AND/OR \$20,000

Offense Level: Felony

Offense Date (on or about): 01/04/2012

Control #(ICR#): 14000401

Charge Description: That on or about 1/12/2012, at 9516 12th Avenue South, City of Bloomington in Hennepin County, Minnesota, JOSEPH JONQUIL OATES , with intent to defraud, presented or caused to be presented, or prepared with knowledge or reason to believe that it would be presented, on behalf of an insured, claimant, or applicant to an insurer, insurance professional, or premium finance company, information that contained a false representation as to a material fact, or concealed a material fact concerning a claim for payment or benefit under an insurance policy for the purpose of depriving another of property or for pecuniary gain that had a value in excess of Five Thousand Dollars (\$5,000.00).

COUNT II

Charge: Theft-Take/Use/Transfer Movable Prop-No Consent

Minnesota Statute: 609.52.2(a)(1), with reference to: 609.52.3(2)

Maximum Sentence: 10 YEARS AND/OR \$20,000

Offense Level: Felony

Offense Date (on or about): 11/13/2013

Control #(ICR#): 14000401

Charge Description: That on or about 11/13/2013, at 8008 Minnetonka Boulevard, City of St. Louis Park in Hennepin County, Minnesota, JOSEPH JONQUIL OATES intentionally and without claim of right, took, used, transferred, concealed or retained possession of movable property belonging to USAA without consent and with the intent to deprive the owner/entity permanently of possession of the property, and the property had a value in excess of Five Thousand Dollars (\$5,000.00).

COUNT III

Charge: Receiving Stolen Property

Minnesota Statute: 609.53.1, with reference to: 609.52.3(2)

Maximum Sentence: 10 YEARS AND/OR \$20,000

Offense Level: Felony

Offense Date (on or about): 11/13/2013

Control #(ICR#): 14000401

Charge Description: That on or about 11/13/2013, at 8008 Minnetonka Boulevard, City of St. Louis Park in Hennepin County, Minnesota, JOSEPH JONQUIL OATES received, possessed, transferred, bought or concealed stolen property or property obtained by robbery, and JOSEPH JONQUIL OATES knew or had reason to know the property was stolen or obtained by robbery, and the property had a value in excess of Five Thousand Dollars (\$5,000.00).

STATEMENT OF PROBABLE CAUSE

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

In April of 2014, agents from the Minnesota Department of Commerce Fraud Bureau were asked to investigate JOSEPH JONQUIL OATES, DOB 3/27/1958, Defendant, for possible insurance fraud.

On February 24, 2014, Defendant provided a sworn statement to IDS Property Casualty Insurance Company ("IDS") claiming he lost jewelry, including a Rolex Oyster Perpetual Datejust watch with a reported replacement cost of \$13,700. Defendant submitted an appraisal for the watch which indicated a serial number of D744495.

When processing the claim, IDS learned that Defendant had filed and collected on an additional claim for loss of the same watch. On January 4, 2012, Defendant submitted a claim for loss of the watch to USAA Insurance under his policy there. During a telephone interview with a USAA claims adjuster, Defendant claimed that the watch went missing during a move. USAA paid Defendant \$11,300 for loss of the watch. The USAA policy provided that when a claim is paid for by USAA, USAA has an interest in the property and has the option to take title. The policy required Defendant to notify USAA if he ever found the lost property. No such notice was ever given to USAA. At this time, Defendant's registered address with USAA was 9516 12th Avenue South, City of Bloomington, Hennepin County, Minnesota.

On or about November 13, 2013, Defendant pawned a Rolex watch with serial number D744495 at Excel Pawn located at 8008 Minnetonka Boulevard, City of St. Louis Park, Hennepin County, Minnesota. Commerce Fraud Bureau officials seized the watch from Excel Pawn on May 2, 2014.

Defendant is not in custody.

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

Chris Huhn
85 7th Place East
Suite 500
St. Paul, MN 55101

Electronically Signed:
08/28/2015 09:59 AM

Subscribed and sworn to before the undersigned.

**Notary Public or
Judicial Official**

Jonathan J. Ferris, Peace Officer
License Number: 15596,
Ramsey County, Minnesota.
My license expires: 06/30/2016
Supervisory Special Agent
85 7th Place East
Suite 500
St. Paul, MN 55101

Electronically Signed:
08/28/2015 10:01 AM

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

Prosecuting Attorney

Kevin Biegging
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
08/27/2015 11:11 AM

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 on _____, _____ at _____ AM/PM before the above-named court at 401 Fourth Avenue S, Minneapolis, MN 55415 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: \$0.00

Conditions of Release:

This complaint is issued by the undersigned Judge as of the following date: _____, _____.

Judicial Officer <judge name>

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

JOSEPH JONQUIL OATES

Defendant

Clerk's Signature or File Stamp:

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: