

State of Minnesota  
County of Ramsey

District Court  
2nd Judicial District

Prosecutor File No.  
Court File No.

0620366204

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State of Minnesota,

Plaintiff,

vs.

**NOVALE LANECE STEWART DOB: 10/18/1980**

209 Capitol View  
Roseville, MN 55113

Defendant.

**COMPLAINT**

Summons

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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(3)(a)

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

Offense Level: Felony

Offense Date (on or about): 06/23/2016

Control #(ICR#): 15001897

Charge Description: On or about March 6, 2014 in the County of Ramsey, Minnesota, the defendant, Novale Lanece Stewart did with intent to defraud for the purpose of depriving another of property or for pecuniary gain, cause to be presented information containing a false representation as to any material fact or conceals a material fact concerning a claim under an insurance policy for payment or benefit of more than \$1,000.

## STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

Your complainant is an investigator with the Minnesota Department of Commerce Fraud Bureau and bases this complaint on her own investigation, witness interviews, financial records, law enforcement reports and other evidence:

On March 6, 2014 **NOVALE LANECE STEWART** (DOB: 10/15/1980; 998 Bush Ave., St. Paul, MN 55106) filed a claim with her automobile insurer Nationwide Insurance Company (hereinafter Nationwide) to report that her 2007 Mazda CX-7 was stolen and was currently in an impound lot in Las Vegas. The Las Vegas Metropolitan Police Department (LVMPD) and Nationwide Special Investigation Unit (SIU) investigated the claim and found that in fact **STEWART** brought the insured vehicle to a Las Vegas mechanic several months earlier, but never paid for the agreed upon service and failed to pick up the vehicle. Eventually the mechanic had the vehicle towed to an impound lot.

**STEWART** is a Ramsey County resident and was living in St. Paul at the time she filed the claim. **STEWART's** Nationwide Auto Insurance Policy (#0037275019PPNM) is a Minnesota Policy. In her claim, **STEWART** informed Nationwide that she lives part-time in Minnesota and part-time in Las Vegas. She further claimed that in early February 2014 she needed to go to Los Angeles for business so she rented a car on January 31, 2014 to drive from Las Vegas. **STEWART** reported that on February 2, 2014 she parked her 2007 Mazda on the street in front of a commercial area in the 4200 block of Tompkins Avenue in Las Vegas. **STEWART** told Nationwide that this was the last time she saw her car until early March, when, she was notified by her lien holder that her vehicle had been impounded. **STEWART** states that when she visited the impound lot her vehicle had been stripped, at which point she contacted the LVMPD and first reported her vehicle as stolen. **STEWART** then filed a claim with Nationwide (claim# 383320-GA) and signed an Affidavit of Vehicle Theft (AOVT) in Ramsey County in front of a licensed Minnesota notary. On March 13, 2014 Nationwide paid \$2,470.80 to have **STEWART's** vehicle released from the impound lot. **STEWART** told LVMPD that she only had one key and that nobody else had permission to drive her car.

LVMPD conducted a follow up investigation based on **STEWART's** report. Although **STEWART** reported leaving her vehicle at the 4200 block of Tompkins Avenue, the tow report shows that **STEWART's** vehicle was towed from 7070 E. Charleston Blvd. on February 3, 2014, which is approximately 10-20 miles away from where **STEWART** reported parking her car. The tow request shows that the requester was D.V.P. of Las Vegas (DOB: 08/08/86). The LVMPD detective contacted D.V.P., a car mechanic, who confirmed that he had **STEWART's** vehicle towed from his repair shop but clarified that his shop was located at 4305 E. Sahara Avenue in Las Vegas.

D.V.P. further explained that in October 2013, a man claiming to be **STEWART**'s brother had **STEWART**'s vehicle towed to D.V.P.'s repair shop. A short time later, a female matching **STEWART**'s description came to the shop, paid for the tow and asked D.V.P. to do a total rework of the car, which included taking out the engine and all related parts. D.V.P. said after that **STEWART** never returned to his shop and never paid for the work that was requested by **STEWART**.

On March 19, 2014, LVMPD detective met with D.V.P. at his repair shop. The detective asked D.V.P. to again describe the woman who asked D.V.P. to strip his car. D.V.P. again provided a description that matched **STEWART**. The detective then conducted a six-person photo lineup. After reviewing the photos, D.V.P. selected the photo of **STEWART** and identified her as the woman who paid for the 2007 Mazda that had been towed into his shop and asked for a total rework. D.V.P. did note that **STEWART**'s hair was different when he saw her – to his recollection **STEWART**'s hair was braided at the time. The detective had additional photos of **STEWART** with braided hair and showed them to D.V.P., who again stated that **STEWART** was the person who had come into his shop. D.V.P. stated that he stored **STEWART**'s car on his car repair lot for several months after performing the service **STEWART** requested but eventually had it towed when he did not hear from her. D.V.P. stated that **STEWART**'s vehicle had remained at his shop during this entire period – directly contradicting **STEWART**'s story that she parked the car on Tompkins Avenue in February.

On April 15, 2014 an SIU Agent conducted an interview with **STEWART** at her insurance agent's office in Ramsey County. In the recorded statement, **STEWART** again claimed that she parked her car at the 4200 block of Tomkins Avenue. The SIU agent attempted to verify **STEWART**'s story by asking her for contact information for **STEWART**'s Las Vegas roommates, her business associates in Los Angeles, cell phone records, copies of airline tickets or anything to corroborate **STEWART**'s version of events. **STEWART** did not provide anything to the SIU agent or any other investigating party. During the interview, **STEWART** also filled out an AOVT which indicated that **STEWART**'s vehicle was originally purchased for \$18,700 and had a remaining balance of \$6,140.07 (\$396.21 per month). After receiving the AOVT, Nationwide noted that several portions were filled out incorrectly and sent it back to **STEWART** to correct. Nationwide never received a corrected version or any corroboration from **STEWART** as to her version of events. On May 30, 2014, Nationwide closed out the claim. D.V.P. never received payment from **STEWART** for the auto mechanic service he performed and Nationwide never received any reimbursement for the \$2,470.80 that they paid to have **STEWART**'s vehicle released.

## 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**

Sheila Owen  
Special Agent  
85 7th Place East  
Suite 500  
St. Paul, MN 55101  
Badge: 105

Electronically Signed:  
06/29/2016 03:02 PM  
Ramsey County, Minnesota

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

**Prosecuting Attorney**

Lee Atakpu  
345 Wabasha Street N  
Suite 120  
St Paul, MN 55102  
(651) 266-3222

Electronically Signed:  
06/29/2016 02:55 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 on **August 3, 2016 at 1:20 PM** before the above-named court at 15 W Kellogg Blvd, St Paul, MN 55102 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: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

Judicial Officer                      <judge name>

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

**COUNTY OF RAMSEY  
STATE OF MINNESOTA**

**State of Minnesota**

Plaintiff

vs.

**Novale Lanece Stewart**

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: