

WASECA COUNTY ATTORNEY'S OFFICE

Waseca County Courthouse
307 North State Street
Waseca, Minnesota 56093
Telephone 507-835-0520
Fax 507-835-0533

County Attorney

Paul M. Dressler

Victim-Witness Coord./Paralegal

Joely A. Patten Eskens

Assistant County Attorneys

Brenda Miller, Chief Deputy

Rachel V. Cornelius

David Hemming

Legal Assistants

Joette K. Breck

Mary Kanewischer

INVOICE

January 6, 2011

WCCO TV

Attn: Esme Murphy

RE: State of Minnesota vs. Terry Allen Lester

Complaint \$5.00

TOTAL: \$5.00 (Minimum Charge)

Thank You!

"An Equal Opportunity Employer"

EFile ID: 343

STATE OF MINNESOTA
COUNTY OF WASECA

DISTRICT COURT
THIRD JUDICIAL DISTRICT

COURT FILE NO.: _____

PROSECUTOR FILE NO.: 11CR00003

State of Minnesota,

Plaintiff,

v.

Terry Allen Lester DOB: 09/18/1973
Address Unknown

Defendant.

☐ Summons ☐ Warrant
☒ Order of Detention

☐ Amended
☐ Tab charge Previously Filed

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**Explosive/Incendiary Device - Possess/Make/Store**

In Violation Of: 609.668 subd. 6(a)

Penalty: 10 Years, \$20,000 fine, or both

On or about December 29, 2010, within the County of Waseca, defendant possessed, manufactured, transported, or stored an explosive device or incendiary device in violation of this section.

Count 2**Terroristic Threats - Explosives/Incendiary Device**

In Violation Of: 609.713 subd. 2

Penalty: Three Years, \$3,000 fine, or both

On or about December 29, 2010, within the County of Waseca, defendant communicated to another with purpose to terrorize another or in reckless disregard of the risk of causing such terror, that explosives or an explosive device or an incendiary device is present at a named place or location, whether or not the same is in fact present, to-wit: Defendant communicated to Patricia Ross that he had placed a bomb in T.R.'s house.

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

Complainant is Kris Markeson, Captain of the Waseca Police Department. In that capacity, Complainant reviewed reports prepared by Officer Kari Kalow and Sergeant Scott Girtler, and is aware of the following: on January 1, 2011 at approximately 6:18 PM, Officer Kalow returned a telephone call to P.R. (DOB: 9/15/65) regarding a civil matter. P.R. stated she wanted Officer Kalow to come to her apartment regarding some items that TERRY LESTER had left behind.

Officer Kalow responded to P.R.'s apartment located in the City and County of Waseca. She met with P.R. and Q.B. (DOB: 3/25/62), who stated that TERRY ALLEN LESTER had recently been staying with them. The property manager found out he was there, and told them LESTER could not stay with them. They told LESTER he needed to leave. LESTER left the premises on Wednesday, December 29, 2010, but left several bags of property behind in their spare room. On December 31, 2010 they looked through the bags and discovered items that made them uncomfortable. P.R. said she tried calling everyone they knew associated with LESTER, however no one knew where he was staying.

Q.B. then went and retrieved the container of items, which included a cream-colored Coffee Mate container with a red lid. The lid has "Christmas Gifts" written in black marker. Q.B. opened the lid and explained to Officer Kalow that LESTER had told them about one of the items. LESTER told P.R. and Q.B. that he made some modifications to a vibrator. He put gun powder, BB shot and buck shot from shotgun shells into the vibrator, along black and red wires that connected to a trigger with a battery port. There was no battery. LESTER explained to them that he was going to give it to either L.S. (DOB: 9/29/59), T.R. (DOB: 9/21/77) or Jennifer (last name unknown). LESTER was planning to give it to one of them because his relationship with those females had ended badly. He told them when the device was inserted into the female he would pull the trigger and it would blow them up. P.R. said she did not want anyone to get hurt, so she wanted the items out of her apartment. Among the property items were a cords, cables, small tool kit, drill case with drill parts (the drill was taken apart to use the parts for the vibrator bomb), one black vibrator with gun powder, BB shot and buck shot inside, trigger attached and battery connector, one pink vibrator with "Merry X-mas Bitch" written in black ink, and one cream-colored vibrator.

The Bloomington Bomb Squad was contacted by Sergeant Girtler and responded. The squad said they were going to take x-ray photos and developed those photos. The device was dismantled and the contents were taken out.

Officer Kalow had also received information from P.R. that LESTER claimed to have put a bomb in T.R.'s house. Officer Kalow called T.R. and asked if she was aware of this. T.R. said she had checked, but did not see anything. Officer Kalow advised T.R. that she wanted to check the residence, to which T.R. agreed. Officer Kalow checked T.R.'s residence, but did not find anything.

Sergeant Girtler analyzed the devices and found that one of the vibrators appeared to be a home-made explosive. The device had been filled with a type of material, was capped, and had two wires coming out of it. The wires were then connected to what appeared to be a trigger from a cordless drill. There was also an area for possibly connecting a battery. A second pink device did not visually appear to be altered, but had "Merry X-mas Bitch" written on it in black ink. The third device was still in its packaging and also did not appear altered. Sergeant Girtler observed a cordless drill box containing broken drill parts. Two 12-gauge shotgun shells in the box had been cut apart, and it appeared that the shot and gun powder had been removed from the shells.

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Sergeant Girtler contacted the Bomb Squad commander, who stated they would definitely want to send a unit down to inspect and deal with the devices. Within two hours, the Bomb Squad arrived. After an initial inspection, they decided to x-ray the devices. The two devices appearing to be unaltered checked out okay. The one with the wires appeared to contain bb's and possibly gun powder. They decided to cut the one containing the bb's and gun powder open.

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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:

COMPLAINANT'S SIGNATURE:

Kris MarkesonK. MarkesonSubscribed and sworn to before the undersigned this 57th day of JANUARY, 2011

NAME/TITLE:

SIGNATURE:

Jody Buckmeier, DeputyJody Buckmeier

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

Date:

January 5, 2011

PROSECUTING ATTORNEY'S SIGNATURE:

Paul M. Hemming

Name: David W. Hemming

307 North State Street

Waseca, Minnesota 56093

Waseca, MN 56093

507-835-0520

Attorney Registration Number: 0389401

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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 _____ to answer this complaint.

☐ WARRANT

To the Sherriff 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 5 day of January, 2011.

JUDICIAL OFFICER:

NAME: Larry Collins

TITLE: J-2

SIGNATURE:

Larry Collins

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

COUNTY OF WASECA
STATE OF MINNESOTA

State of Minnesota

Plaintiff

vs.

Terry Allen Lester

Defendant

Clerk's Signature **FILED** File Stamp:

JAN - 5 2011

RETURN OF SERVICE

I hereby Certify and Return a copy of this Order of Detention upon the Defendant(s) herein-named.

Signature of Authorized Service Agent:

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STATUTE AND OFFENSE GRID

Cnt	Statute Type	Offense Date	Statute Number & Description	Offense Level	MOC	GOC	Controlling Agencies	Control Number(s)
1	Chrg/Penalty	12/29/2010	609.668 subd. 6(a) Explosive/Incendiary Device - Possess/Make/Store	F	W1650	N	MN0810300 Arresting	11000010
	Chrg/Penalty		609.668 subd. 6(a) Explosive/Incendiary Dev-Possess/Make/Transp/St ore					
2	Chrg/Penalty	12/29/2010	609.713 subd. 2 Terroristic Threats - Explosives/Incendiary Device	F	A9D62	N	MN0810300 Arresting	11000010
	Chrg/Penalty		609.713 subd. 2 Terroristic Threats-Explosives/Incendi ary Device					