

EXHIBIT A

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF DAKOTA

FIRST JUDICIAL DISTRICT

State of Minnesota
(City of West St. Paul),

Court File No. 19WS-CR-09-15734

Plaintiff,

**COMPLAINT - SUMMONS
FOR MISDEMEANOR**

vs.

Mary Jane Duchene
1144 Ottawa Avenue
West St. Paul, MN 55118

DOB: 9/4/47

Defendant.

COMPLAINT

The Complainant being duly sworn, makes complaint to the above-named Court and states that there is probable cause to believe that the above-named Defendant committed the offense described below. The Complainant states that the following facts establish probable cause:

See attached Exhibit A, as well as police citation(s) and/or police report on file with the court which are incorporated herein by reference with the same force and effect as if fully set forth herein.

THEREFORE, Complainant requests that said Defendant, subject to bail or conditions of release where applicable:

- (1) be arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
- (2) be detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant: _____


West St. Paul Police Dept.

Being duly authorized to prosecute the offense charged, I hereby approve this complaint.

Charge: Noisy Dog

Statute or
City Ordinance No. 905.13

Offense Date: 7/24/09

Bridget McCauley Nason #347322
David G. Gates #386701
Prosecuting Attorneys
City of West St. Paul
633 S. Concord Street, Suite 400
South St. Paul, MN 55075
Telephone: (651) 451-2109

EXHIBIT A

Complainant is a duly authorized and appointed peace officer of the City of West St. Paul. Complainant has reviewed the investigatory report(s) of officer(s): Margaret Schult. Complainant believes that the source(s) of the aforesaid report(s) is a/are trustworthy and reliable person(s) and has/have proven to be so in the past. Based on the aforesaid report(s), complainant presents the following information, which he believes to be true, correct and reliable. Unless otherwise specified, all locations hereinafter mentioned are within the City of West St. Paul, County of Dakota, State of Minnesota.

Defendant Identified As: Mary Jane Duchene

Date of Offense: 7/24/09

Time of Offense: 8:20 a.m.

Location of Offense: 1144 Ottawa Avenue

Probable Cause for Charges: Officer responded to report of a barking dog. Officer parked her squad car three houses south of Defendant's residence and listened to the dog at Defendant's property bark constantly for five minutes with no more than a 20 to 30 second break between each bark.

Relevant Prior Charges: Permitting dog at large offense date: 7/9/00 (dismissed)
Violation of composting regulation offense date: 1/26/99 (dismissed)
Barking dog offense date: 5/2/01 (dismissed)

Offense(s) Charged: Noisy Dog

This Complaint was subscribed and sworn to before the undersigned this 28th day of July, 2009.

(Notary Seal)



Notary Public

FINDING OF PROBABLE CAUSE

From the above sworn facts, 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 detention, if already in custody, pending further proceedings. The Defendant is therefore charged with the above-stated offense.

This complaint-summons was sworn to, subscribed before, and issued by the undersigned authorized Issuing Officer this 31st day of July, 2009.

Print Name:

[Signature]

Judge of District Court