

State of Minnesota

County of Brown

District Court

COMPLAINT

<input type="checkbox"/> AMENDED COMPLAINT <input type="checkbox"/> TAB CHARGE PREVIOUSLY FILED	DATE FILED	PROSECUTOR FILE NO.	COURT FILE NO.
	5-21-09	C229-09	CR 09-455

STATE OF MINNESOTA,
 PLAINTIFF,

FELONY - WARRANT

VS.

COLLEEN JANET HAUSER 23164-223 rd Avenue Sleepy Eye, MN 56085				DOB: 4/20/1969				
CT NO	STATUTE TYPE	OFFENSE DATE	STATUTE NUMBER & DESCRIPTION	OFFENSE LEVEL	MOC	GOC	CONTROLLING AGENCIES	CONTROL NUMBER(S)
1	Charge	5/20/09	MSA § 609.26, subd. 1(2) – Depriving Another of Custodial or Parental Rights	F	K6C04	N	MN0080000	09002750
	Penalty Other		MSA § 609.26, subd. 6(a)(1)					
2	Charge	5/20/09	MSA § 609.26, subd. 1(6) – Depriving Another of Custodial or Parental Rights	F	K6C04	N	MN0080000	09002750
	Penalty Other		MSA § 609.26, subd. 6(a)(1)					

COMPLAINT

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). The Complainant states that the following facts establish PROBABLE CAUSE:

Your Complainant, Richard Hoffmann, is now and at all times hereinafter mentioned the Brown County Sheriff in and for Brown County, Minnesota. On May 15, 2009, Brown County District Court issued an order finding Daniel Hauser, child of Anthony Hauser and the defendant, COLLEEN JANET HAUSER, to be in need of protection or services based on the medical neglect of Daniel Hauser resulting from the parents' failure to provide appropriate medical care to treat Daniel Hauser's Hodgkin's Lymphoma. In its order, Brown County District Court stated that if the family indicated continued refusal to abide by the court's orders, the court would have no choice but to transfer custody of Daniel Hauser to Brown County. Brown County District Court ordered COLLEEN JANET HAUSER and Anthony Hauser to get an updated chest x-ray for Daniel Hauser and submit the results to court, and ordered a hearing on May 19, 2009 at 12:30 p.m. COLLEEN JANET HAUSER and Daniel Hauser did not appear at this hearing. Anthony Hauser testified at the hearing that he had last seen Daniel Hauser on Monday morning and he last saw COLLEEN JANET HAUSER on Monday evening. He testified that COLLEEN JANET HAUSER spoke to him briefly while he was milking and told him that she was leaving. He testified that he did not have any knowledge of the location of COLLEEN JANET HAUSER and Daniel Hauser.

Based on the failure of COLLEEN JANET HAUSER and Daniel Hauser to appear at the court hearing, Brown County District Court issued an order transferring custody of Daniel Hauser to Brown County Family Services, effective immediately. COLLEEN JANET HAUSER has not returned Daniel Hauser to the care of Brown County Family Services.

COUNT I

Charge: Depriving Another of Custodial or Parental Rights
In Violation of: MSA § 609.26, subd. 1(2)
Penalty: 2 years in jail and/or \$4,000 fine

On or about the 20th day of May, 2009, in New Ulm, Brown County, Minnesota, the defendant, COLLEEN JANET HAUSER, did wrongfully and unlawfully deprive another of custodial rights by taking, obtaining, retaining, or failing to return a minor child in violation of a court order which has transferred legal custody under Chapter 260, 260B, or 260C to the Commissioner of Human Services, a child-placing agency, or the local social services agency.

COUNT II

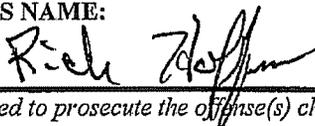
Charge: Depriving Another of Custodial or Parental Rights
In Violation of: MSA § 609.26, subd. 1(6)
Penalty: 2 years in jail and/or \$4,000 fine

On or about the 20th day of May, 2009, in New Ulm, Brown County, Minnesota, the defendant, COLLEEN JANET HAUSER, did wrongfully and unlawfully deprive another of custodial rights by refusing to return a minor child to a parent or lawful custodian and COLLEEN JANET HAUSER is at least 18-years-old and more than 24 months older than the child.

THEREFORE, Complainant requests that said 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:

Richard Hoffmann



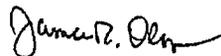
COMPLAINANT'S SIGNATURE

Being duly authorized to prosecute the offense(s) charged, I hereby approve this Complaint

DATE:

May 21, 2009

PROSECUTING ATTORNEY'S SIGNATURE



PROSECUTING ATTORNEY:

NAME/TITLE

James R. Olson

Brown County Attorney

Attorney Registration #8198X

ADDRESS/TELEPHONE

519 Center Street, New Ulm, MN 56073

(507) 354-3163

Court Case # _____

This COMPLAINT was subscribed and sworn to before the undersigned this 21st day of May, 2009.

NAME:

John R. Rodenberg
Judge of District Court
P.O. Box 248
New Ulm, MN 56073-0248

SIGNATURE



TITLE:

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 his detention, if already in custody, pending further proceedings. The Defendant(s) is/are thereof charged with the above-stated offense.

SUMMONS

THEREFORE You, THE ABOVE-NAMED DEFENDANT (S), ARE HEREBY SUMMONED to appear on the _____ day of _____, 2009 at _____ AM/PM before the above-named court at _____ to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

WARRANT

EXECUTE IN MINNESOTA ONLY

EXECUTE NATIONWIDE

EXECUTE IN BORDER STATES **(OPTIONAL)**

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(s) 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 thereafter as such Judge or Judicial Officer is available) to be dealt with according to law.

ORDER OF DETENTION

Since the above-named Defendant(s) is already in custody; I hereby order, subject to bail or conditions of release, that the above-named Defendant(s) continue to be detained pending further proceedings.

Bail: \$

Conditions of Release:

This COMPLAINT - WARRANT AND ORDER OF DETENTION, duly subscribed and sworn to, is issued by the undersigned Judicial Officer this 21st day of May, 2009.

JUDICIAL OFFICER:

NAME: John R. Rodenberg

SIGNATURE

TITLE: District Court Judge



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

STATE OF MINNESOTA

COUNTY OF BROWN

Clerk's Signature or File Stamp:

STATE OF MINNESOTA

Plaintiff,

vs.

RETURN OF SERVICE

I hereby Certify and Return that I have served a copy of this COMPLAINT - WARRANT AND ORDER OF DETENTION upon the Defendant(s) herein named.

COLLEEN JANET HAUSER

Defendant