

STATE OF MINNESOTA
COUNTY OF LYON

DISTRICT COURT
FIFTH JUDICIAL DISTRICT

COURT FILE NO. CR-08-220
PROSECUTOR FILE NO. 20080090

State of Minnesota

Plaintiff,

v.

OLGA MARINA FRANCO DEL CID DOB: 11/22/1983
405 Ben's Trailer Park
Minneota, MN 56264

Defendant.

CRIMINAL COMPLAINT

Summons Warrant
 Order of Detention
 Amended
 Tab Charge Previously Filed

The Complainant, Dana Larsen, Minnesota State Patrol, 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 I

Charge: Criminal Vehicular Homicide

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(a); ref. Minn. Stat. 609.101, Subd. 4(1)

Maximum Sentence: 10 years imprisonment, \$20,000 fine, or both

Minimum Fine: \$6,000

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant caused the death of a human being as a result of operating a motor vehicle in a grossly negligent manner, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in the death of Jesse Javens.

COUNT II

Charge: Criminal Vehicular Homicide

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(a); ref. Minn. Stat. 609.101, Subd. 4(1)

Maximum Sentence: 10 years imprisonment, \$20,000 fine, or both

Minimum Fine: \$6,000

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant caused the death of a human being as a result of operating a motor vehicle in a grossly negligent manner, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in the death of Reed Stevens.

COUNT III

Charge: Criminal Vehicular Homicide

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(a); ref. Minn. Stat. 609.101, Subd. 4(1)

Maximum Sentence: 10 years imprisonment, \$20,000 fine, or both

Minimum Fine: \$6,000

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant caused the death of a human being as a result of operating a motor vehicle in a grossly negligent manner, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in the death of Hunter Javens.

COUNT IV

Charge: Criminal Vehicular Homicide

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(a); ref. Minn. Stat. 609.101, Subd. 4(1)

Maximum Sentence: 10 years imprisonment, \$20,000 fine, or both

Minimum Fine: \$6,000

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant caused the death of a human being as a result of operating a motor vehicle in a grossly negligent manner, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in the death of Emilee Olson.

COUNT V

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(b); ref. Minn. Stat. 609.101, Subd. 4(1)

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

Minimum Fine: \$3,000

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in great bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in great bodily harm to Sawyer John Stevens who received a lacerated liver, bruised lungs, fractured hip and femur and nerve damage.

COUNT VI

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(b); ref. Minn. Stat. 609.101, Subd. 4(1)

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

Minimum Fine: \$3,000

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in great bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in great bodily harm to Matthew John VanMoer who received broken ribs, a torn liver and lungs, and required a lower back spine fusion.

COUNT VII

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(b); ref. Minn. Stat. 609.101, Subd. 4(1)

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

Minimum Fine: \$3,000

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in great bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in great bodily harm to Derek David Varpness who received injury to his spleen, a lacerated liver, cracked ribs, required a spine fusion and repair to the bowel.

COUNT VIII

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(b); ref. Minn. Stat. 609.101, Subd. 4(1)

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

Minimum Fine: \$3,000

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in great bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in great bodily harm to James Mark Hancock who received a fracture to his leg requiring metal rod support, injury to his hip and broken knuckles.

COUNT IX

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(c); ref. Minn. Stat. 609.101, Subd. 4(1)

Maximum Sentence: 3 years imprisonment, \$10,000 fine, or both

Minimum Fine: \$3,000

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in substantial bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in substantial bodily harm to Erin Elisabeth Stevens who received a broken ankle, bruises and cuts.

COUNT X

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(c); ref. Minn. Stat. 609.101, Subd. 4(1)

Maximum Sentence: 3 years imprisonment, \$10,000 fine, or both

Minimum Fine: \$3,000

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in substantial bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in substantial bodily harm to Tegan Jean VanMoer who received torn ligaments in her leg.

COUNT XI

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(c); ref. Minn. Stat. 609.101, Subd. 4(1)

Maximum Sentence: 3 years imprisonment, \$10,000 fine, or both

Minimum Fine: \$3,000

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in substantial bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in substantial bodily harm to Kari Lynn Louwagie who received cracked ribs, a torn spleen and cuts.

COUNT XII

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(c); ref. Minn. Stat. 609.101, Subd. 4(1)

Maximum Sentence: 3 years imprisonment, \$10,000 fine, or both

Minimum Fine: \$3,000

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in substantial bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in substantial bodily harm to Sidnee Charle Olson who received a broken arm, fingers, cuts and bruises.

COUNT XIII

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(c); ref. Minn. Stat. 609.101, Subd. 4(1)

Maximum Sentence: 3 years imprisonment, \$10,000 fine, or both

Minimum Fine: \$3,000

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in substantial bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in substantial bodily harm to Taylor John Pickthorn who received a lacerated liver, fractured eye socket, arm and knee.

COUNT IXV

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(c); ref. Minn. Stat. 609.101, Subd. 4(1)
Maximum Sentence: 3 years imprisonment, \$10,000 fine, or both
Minimum Fine: \$3,000

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in substantial bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in substantial bodily harm to Cody Slieter who received a broken pelvis, cuts and bruises.

COUNT XV

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(d); ref. Minn. Stat. 609.101, Subd. 4(2)
Maximum Sentence: 1 year imprisonment, a \$3,000 fine, or both
Minimum Fine: \$900

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in bodily harm to Anthony Thomas Bossuyt who received scrapes on his head and hand.

COUNT XVI

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(d); ref. Minn. Stat. 609.101, Subd. 4(2)
Maximum Sentence: 1 year imprisonment, a \$3,000 fine, or both
Minimum Fine: \$900

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in bodily harm to Katie Marie Louwagie who received an injured elbow.

COUNT XVII

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(d); ref. Minn. Stat. 609.101, Subd. 4(2)

Maximum Sentence: 1 year imprisonment, a \$3,000 fine, or both

Minimum Fine: \$900

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in bodily harm to Anna Rae Meyer who received a bruised knee and head injury.

COUNT XVIII

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(d); ref. Minn. Stat. 609.101, Subd. 4(2)

Maximum Sentence: 1 year imprisonment, a \$3,000 fine, or both

Minimum Fine: \$900

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in bodily harm to Rilee Joe Olson who received multiple bruises.

COUNT XIX

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(d); ref. Minn. Stat. 609.101, Subd. 4(2)

Maximum Sentence: 1 year imprisonment, a \$3,000 fine, or both

Minimum Fine: \$900

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in bodily harm to Stephanie Pickthorn who received bruises and cuts.

COUNT XX

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(d); ref. Minn. Stat. 609.101, Subd. 4(2)

Maximum Sentence: 1 year imprisonment, a \$3,000 fine, or both

Minimum Fine: \$900

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in bodily harm to Cal Brooks Sleiter who received multiple bruises and a sprained shoulder.

COUNT XXI

Charge: Criminal Vehicular Injury

Minnesota Statute: § 609.21, Subd. 1(1); ref. Subd. 1a(d); ref. Minn. Stat. 609.101, Subd. 4(2)

Maximum Sentence: 1 year imprisonment, a \$3,000 fine, or both

Minimum Fine: \$900

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant operated a motor vehicle in a grossly negligent manner which resulted in bodily harm to another, to wit: the defendant, who was driving a 1998 Plymouth Voyager without a valid driver's license, failed to stop for stop sign and struck a school bus and said act resulted in bodily injury to Carson Emmitt Sleiter who received bruises and scrapes.

COUNT XXII

Charge: False Name and Date of Birth to a Peace Officer

Minnesota Statute: § 609.506, Subd. 2; ref. Minn. Stat. 609.101, Subd. 4(2)

Maximum Sentence: 1 year imprisonment, a \$3,000 fine, or both

Minimum Fine: \$900

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above named defendant, with intent to obstruct justice, gave the name and date of birth of another person to a peace officer, as defined in section 626.84, subdivision 1, paragraph (c), when the officer made an inquiry incident to a lawful investigatory stop or lawful arrest, or an inquiry incident to executing any other duty imposed by law, to wit: the defendant gave the name and date of birth of Alianiss Nunez Morales, 12/22/1984, to an officer during a lawful investigation.

COUNT XXIII

Charge: Stop Sign Violation

Minnesota Statute: § 169.20, Subd. 3(a); ref. Minn. Stat. 169.89, Subd. 1

Maximum Sentence: 90 days imprisonment, a \$1,000 fine, or both

Minimum Fine: \$300

Offense Description: That on or about February 19, 2008, in the county of Lyon, state of Minnesota, the above-named defendant, being the driver of a motor vehicle, failed to stop for a stop sign at the entrance to a through highway and yield the right-of-way to other vehicles which have entered the intersection from the through highway or which are approaching so closely on the through highway as to constitute an immediate hazard and said act endangered person or property, to wit: defendant ran a stop sign and hit a loaded school bus.

COUNT XXIV

Charge: No Minnesota Driver's License

Minnesota Statute: § 171.02, Subd. 1; ref. Minn. Stat. 171.241; ref. Minn. Stat. 609.101, Subd. 4(2)

Maximum Sentence: 90 days imprisonment, a \$1,000 fine, or both

Minimum Fine: \$300

Offense Description: That on or about February 19, 2008, in the city of Marshall, county of Lyon, state Minnesota, the above-named defendant drove a motor vehicle upon a street or highway in this state without having a valid license, to wit: the defendant drove a 1998 Plymouth Voyager and did not have a valid driver's license.

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

On February 19, 2008, at approximately 3:45 p.m., Minnesota State Trooper Dana Larsen was notified of a motor vehicle crash involving a school bus at the intersection of Highway 23 and County Road 24 just South of Cottonwood. Highway 23 is a through highway and County Road 24 is an intersecting highway controlled by stop signs at this intersection. There is also a railroad line that runs parallel to Highway 23 approximately 40-50 feet to the East. County Road 24 has signage for the railroad track crossing and a sign indicating that there is a stop ahead.

When Trooper Larsen arrived he observed a school bus laying on its left side on the northbound shoulder of Highway 23. There was a grey-colored pickup under the bus near its center. There was a maroon-colored minivan with heavy front-end damage in the south bound traffic lane of Highway 23. There were numerous other law enforcement officers, fire department personnel and ambulance personnel present at the scene. Some of these individuals were attending to the students on the bus and others were attempting to attend to the drivers of the pick-up and the minivan as each was still pinned in their respective vehicles. Trooper Larsen and Trooper Dean Koenen conducted interviews at the scene.

Trooper Larsen interviewed the driver of the school bus, Dennis Devereaux, at the scene and later in the evening about this matter. Mr. Devereaux stated that he was traveling South on Highway 23 and was getting up to speed after turning off of County Road 9. He estimated that he was going about 50 mph. He stated that as he was approaching County Road 24 he noticed the minivan traveling "pretty fast" and indicated that he thought that the van was not going to be able to stop for the stop sign. Mr. Devereaux stated that it appeared that the minivan went airborne as it crossed over the railroad tracks on County Road 24 located right before the intersection and that he did not have time to hit the brakes or accelerate. He explained that he hoped he would make it past the Highway 24 intersection, but the minivan struck the bus somewhere towards the back and the bus started spinning. He stated that the bus came to a rest on its side and that he didn't even know a vehicle was coming from the South until after the bus stopped on its side and he started toward the back to check on students and saw it.

Trooper Koenen conducted brief interviews with the drivers of the motor vehicles traveling behind the bus. The driver directly behind the bus was identified as Cynthia Dobrenski. Ms. Dobrenski explained that she saw the van coming from the East and that it went over the railroad tracks and then ran into the side of the bus and the bus tipped over.

The driver of the next vehicle traveling behind the school bus was identified as Larry Moat. Mr. Moat stated that he observed the van traveling on Highway 24 as it approached Highway 23. He stated that the van was "moving at a fairly good speed" and that it ran the stop sign and hit the bus right in front of the back axle. He explained that the bus then tipped over and landed on top of the pick-up that was traveling North on Highway 23.

After clearing from the scene of the collision, Trooper Dana Larsen went to the Marshall hospital where he interviewed the driver of the 1998 Plymouth Voyager. With the aid of an

interpreter, she identified herself as "Alians Nuns Morales." She indicated that her date of birth was 12/22/1984. Ms. Morales claimed that she was driving to work in Cottonwood. She stated that she stopped for the stop sign and that when she took off, the bus hit her. Ms. Morales stated that she has worked in Cottonwood for about a month, but claimed this was the first time she had been on County Road 24. Ms. Morales stated that she could not remember her address but stated that she lived with her boyfriend at a trailer house in Minneota. Ms. Morales stated that she did not have a driver's license.

After talking with Ms. Morales, Trooper Larsen went back to the office and requested that dispatch check Ms. Morales' driving record. Trooper Larsen was informed that the name and DOB he provided came back as not on file. Trooper Larsen requested that dispatch check the DVS database for similar names and was informed that there was a record for a "Allianiss Nunez Morales" with a date of birth of 12/22/1984. This individual had a valid ID card and records indicated a Montevideo address. Records revealed a no driver's license violation on May 25, 1996. Trooper Larsen viewed the ID card photograph available and verified that it was of the above-named defendant.

As a result of the defendant's actions in this matter four students died. They are Jesse Javens (age 13), Hunter Javens (age 9), Emilee Olson (age 9) and Reed Stevens (age 12).

Numerous other students suffered injuries of various degrees. Approximately 13 students were taken to area hospitals. Some of the students needed to be transferred to Sioux Falls for care. These students and injuries are as follows: Anthony Thomas Bossuyt (DOB: 12/09/1996) - multiple scrapes on head and hand; Kari Lynn Louwagie (DOB: 02/17/1994) - cracked ribs, torn spleen, numerous cuts; Katie Marie Louwagie (DOB: 07/20/1999) - injured elbow; Anna Rae Meyer (DOB: 03/28/2003) - head injury and bruised knee; Sidnee Charle Olson (DOB: 01/12/1996) - broken arm and fingers, cuts and bruises; Rilee Joe Olson (DOB: 03/28/2001) - multiple bruises; Taylor John Pickthorn (01/20/1997) - lacerated liver, fractured eye socket, fractured arm and knee; Stephanie Marie Pickthorn (05/14/2000) - cuts and bruises; Cal Brooks Sleiter (04/22/1997) sprained shoulder and multiple bruises; Cody Devereaux Sleiter (06/02/1993) - broken pelvis, cuts and bruises; Carson Emmitt Sleiter, (12/21/1999) bruises and scrapes; Erin Elisabeth Stevens (DOB: 06/16/1999) broken ankle, cuts and bruises; Sawyer John Stevens (DOB: 02/24/1997 - lacerated liver, bruised lungs, fractured hip and femur; Matthew John VanMoer (DOB: 09/07/1993) - spine fusion, broken ribs, torn liver and lungs; Tegan Jean VanMoer, (DOB: 02/07/1995) - torn ligaments in leg; and Derek David Varpness (DOB: 08/31/1992) - spine fusion, cracked ribs and lacerated liver. The driver of the truck involved in the crash was James Mark Hancock. His injuries included a fracture to leg requiring metal rod support, injury to hip, and fractured knuckles.

Following the defendant's release from the hospital on February 21, 2008, she was taken into custody and transported to the Lyon County Law Enforcement Center where she was formally interviewed. During this interview, the defendant now claimed that her boyfriend was driving the van at the time it crashed into the bus. She stated that after the crash that he pulled her behind the wheel and fled the scene. Officers have uncovered no evidence to support the defendant's claim. Officers confronted her about her real identity since they knew she was lying about the name she was providing, but she maintained that her name was Allianiss Nunez

Morales.

On February 22, 2008, Officers executed a search warrant of the trailer home that the defendant was living in located in Minneota. Discovered in a back room in a box were various identification documents belonging to the defendant and her boyfriend. They included the defendant's Guatemalan birth certificate and her certified Guatemalan municipal identification document. These documents identified the defendant as Olga Marina Franco del Cid and listed her date of birth as 11/22/1983. The defendant's real identity was also confirmed by talking with some of her relatives that officers learned were living in Marshall, MN. They were the defendant's aunt, Petrona Franco-Ortiz and three cousin's, Erick Flores, Julio Flores, and Eddy Flores.

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:

Dana Larsen, Minnesota State Patrol

COMPLAINANT'S SIGNATURE:

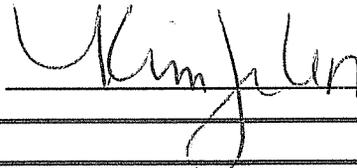


Subscribed and sworn to before the undersigned this 22 day of April, 2008.

NAME/TITLE:

Kim Telen, Deputy

SIGNATURE:



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

Date: April 22 2008

PROSECUTING ATTORNEY'S SIGNATURE:



Richard R. Maes
Lyon County Attorney
607 West Main Street, Marshall, MN 56258
(507) 537-6755
Attorney Registration #: 203221

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.

SUMMONS

THEREFORE YOU, THE ABOVE-NAMED DEFENDANT, ARE HEREBY SUMMONED to appear on the ___ day of ___, 20___ 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

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 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: \$ ___ Bail remains as set.
Conditions of Release: on original complaint

This complainant, duly subscribed and sworn to, is issued by the undersigned Judicial Officer this 23 day of April, 2008.

JUDICIAL OFFICER:
NAME: David W. Peterson
TITLE: District Court Judge

SIGNATURE:
[Signature]

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

COUNTY OF LYON
STATE OF MINNESOTA
STATE OF MINNESOTA
Plaintiff,
vs,
Olga Marina Franco del Cid
Defendant,

Clerk's Signature or File Stamp:
[Signature]
RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this COMPLAINT upon the Defendant herein named.
Signature of Authorized Service Agent:

DEFENDANT DATA / CHARGE SHEET - ATTACHMENT A

DEFENDANT NAME:	Franco del Cid, Olga Marina
Defendant alias name(s):	Alianiss Nunez Morales
Defendant DOB:	11/22/1983
Alias DOB(s):	12/22/1984
Defendant last known address:	405 Ben's Trailer Park Minneota, MN 56264
State ID:	

OTHER DEFENDANT / CASE IDENTIFIER

Fingerprinted?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Handgun permit?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Location of Violation:	County of Lyon	

IF DRIVING OFFENSE:

Driver's License:	Number:	Issuing State:
License Plate:	Number: UJZ586	Issuing State: MN
Accident Type:	<input type="checkbox"/> No injury/no damage	<input type="checkbox"/> Property Damage
	<input type="checkbox"/> Personal Injury	<input checked="" type="checkbox"/> Fatality
Blood Alcohol Concentration (BAC):		

STATUTE AND OFFENSE GRID

Count Nbr	Statute Type	Offense Date(s)	Statute Numbers and Text Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Control Numbers
1	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Homicide 609.21,1a(a)	Felony	J1A11	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
2	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Homicide 609.21,1a(a)	Felony	J1A11	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
3	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Homicide 609.21,1a(a)	Felony	J1A11	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
4	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Homicide 609.21,1a(a)	Felony	J1A11	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
5	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(b)	Felony	J1A21	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
6	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(b)	Felony	J1A21	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
7	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(b)	Felony	J1A21	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
8	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(b)	Felony	J1A21	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting

9	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(c)	Felony	J1A31	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
10	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(c)	Felony	J1A31	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
11	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(c)	Felony	J1A31	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
12	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(c)	Felony	J1A31	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
13	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(c)	Felony	J1A31	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
14	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(c)	Felony	J1A31	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
15	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(d)	Gm	J2A51	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
16	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(d)	Gm	J2A51	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
17	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(d)	Gm	J2A51	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
18	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(d)	Gm	J2A51	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting

19	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(d)	Gm	J2A51	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
20	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(d)	Gm	J2A51	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
21	Charge Penalty	02/19/08	609.21,1(1) Criminal Vehicular Injury 609.21,1a(d)	Gm	J2A51	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
22	Charge	02/19/08	609.506,2 False Name and Date of Birth to a Peace Officer	GM	X2200	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
23	Charge Penalty	02/19/08	169.20,3(a) Stop Sign Violation 169.89,1	Misd	J3901	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting
24	Charge Penalty	02/19/08	171.02,1 No Minnesota Driver's License 171.241	Misd	J3901	N	MNMHP0300 Booking Arresting	08300228 Booking Arresting

Offender Tracking Form

Purpose: 1) Supply the prosecuting authority with the necessary data, when applying for an Adult Felony, Gross or Targeted Misdemeanor and Juvenile Felony and Gross Misdemeanor complaint/petition (you may also use this form to report Misdemeanor data); 2) Supply the BCA with disposition information if a formal complaint is NOT issued; 3) Allow the prosecutor to report diversion data; 4) Supply the court with charging information

Last Name FRANCO	First Name OLGA	Middle Name (leave blank if NMN) MARWA	Date of Birth (MMDDYYYY) 11/22/83
Were Fingerprints Submitted to BCA? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Prosecutors: If this box is checked "No", please make a Rule 5.01 motion to have fingerprints taken. If fingerprints are not taken and submitted to the BCA there will be no criminal history record of this arrest.			Date of Arrest (MMDDYYYY) 02/21/2008

Does the subject hold a Minnesota permit to carry a pistol? (Run a QPC query) Yes, Valid Permit on File No Permit on File

Law Enforcement Agency	Prosecutor
Complete when applying for a criminal complaint or petition and submit with your case to the prosecuting attorney.	Check the Appropriate Box When a Felony or Gross Misdemeanor Complaint Will Not Be Issued
Complaint Type (Check One) <input type="checkbox"/> Adult <input type="checkbox"/> Juvenile	

Controlling Agency NCIC Identifier (CAG)	Controlling Agency Case Number (OCA)	MN State Statute	Charge Description	Complaint Denied	Refer to City Attorney	Misd. Tab Citation Issued	Prosecuted in Another Jurisdiction	Other
	08300228	609.21 1 (1)	Criminal Veh Homicide					
	08300228	609.21 1 (1)	Criminal Veh Homicide					
	08300228	609.21 1 (1)	Criminal Veh Homicide					
	08300228	609.21 1 (1)	Criminal Veh Homicide					
	08300228	119.20 3 (a)	Drugs Stop Sign					
	08300228	171.02 1	No MV DL					

New Alias Names: Law Enforcement or Prosecutor: Please report alias names not shown on the subject's criminal history record. Do not include alias names previously reported to the BCA.	To Be Completed by Prosecutor When the Defendant is Placed on Pre-Trial or Pre-Petition Diversion
Last Name First Name Middle Name (leave blank if NMN)	Pursuant to (Check Appropriate Statute) <input type="checkbox"/> M.S.A. 401.065, Subd. 3a (Adult) <input type="checkbox"/> M.S.A. 388.24, Subd. 4 (Juvenile)
	<input type="checkbox"/> Begin Diversion (MMDDYYYY)

Prosecutor Contact Information		<input type="checkbox"/> Expected Completion Date (MMDDYYYY)
County/City Attorney Name		<input type="checkbox"/> Successfully Completed Date (MMDDYYYY)
Atty. File Number	Phone () FAX ()	<input type="checkbox"/> Removed From Program Date (MMDDYYYY)
Complaint Number	Comment:	Submitted to Prosecutor Date (MMDDYYYY)

Distribution: Prosecutor Send White Copy to BCA CJIS Section Only if Subject is Not Prosecuted, Begins, Completes, or Fails to Complete Pre-Trial or Pre-Petition Diversion
 Canary - Prosecuting Attorney Blue - Controlling Agency Pink - Court Green - Other