

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No. 0070112357  
Court File No. 07-CR-25-4949

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**State of Minnesota,**  
Plaintiff,

**COMPLAINT**  
Order of Detention

vs.

**FERNANDO GUTIERREZ DOB: 01/10/1978**

318 E Plum Street  
New Beginnings  
Mankato, MN 56001

Defendant.

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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: Violate No Contact Order - Within 10 years of the first of two or more convictions**

Minnesota Statute: 629.75.2(d)(1)

Maximum Sentence: 30 days to 5 years or \$10,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 12/05/2025

Control #(ICR#): 25020488

Charge Description: On or about December 5, 2025, in the County of Blue Earth, Minnesota, Fernando Gutierrez did violate a Domestic Abuse No-Contact Order and the respondent or person to be restrained knew of the existence of the order and the violation within ten years of the first of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency.

## STATEMENT OF PROBABLE CAUSE

In the evening on December 5, 2025, Deputies from the Blue Earth County Sheriff's Office responded to a suspicious circumstance at Residence 1 in Blue Earth County. Witness 1 said Witness 1's Father, Fernando Gutierrez (DOB: 01/10/1978), threatened to hurt a dog there. Witness 1 said Victim 1 was also present.

On August 1, 2025, The Honorable Andrea J. Lieser, Judge of District Court, signed a Domestic Abuse No Contact Order ("DANCO") in Court File No. 07-CR-25-3000, listing Victim 1 as the Protected Person and Gutierrez as the Defendant. Gutierrez was personally served with a copy of the DANCO on August 1, 2025. The DANCO prohibits Gutierrez from having any "contact directly, indirectly or through others, in person, by telephone, in writing, electronically or by any other means with [Victim 1]" and from going where Victim 1, resides, at Residence 1.

When Deputies arrived to Residence 1, Witness 1 told them Gutierrez had left and provided a description of the vehicle in which Gutierrez was possibly traveling. Police located Gutierrez at Business 1, getting into the described vehicle with Victim 1.

Gutierrez admitted to Deputy Kowalski that Gutierrez has been at Residence 1 with Victim 1 earlier that day. Victim 1 told Deputy Lewis Victim 1 and Gutierrez had been together all day. Victim 1 advised Gutierrez told Victim 1 the DANCO had been cancelled.

Gutierrez has the following convictions for qualified domestic violence-related offenses: (1) Domestic Assault – Court File No. 07-CR-24-4396 – January 21, 2025; (2) DANCO Violation – Court File No. 07-CR-23-2936 – November 6, 2023; (3) Domestic Assault – Court File No. 07-CR-23-2893 – November 6, 2023.

## 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**

Paul Barta  
Captain  
401 Carver Rd  
Mankato, MN 56002-0228  
Badge: 2721

Electronically Signed:  
12/08/2025 10:18 AM  
Blue Earth County, Minnesota

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

**Prosecuting Attorney**

Christopher K Lowe  
Assistant County Attorney  
401 Carver Road  
PO Box 3129  
Mankato, MN 56002  
(507) 304-4600

Electronically Signed:  
12/08/2025 10:06 AM

**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 as directed in the Notice of Hearing before the above-named court 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: December 8, 2025.

**Judicial Officer** Krista J Jass  
Judge of District Court

Electronically Signed: 12/08/2025 12:17 PM

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

**COUNTY OF BLUE EARTH  
STATE OF MINNESOTA**

**State of Minnesota**

Plaintiff

vs.

**Fernando Gutierrez**

Defendant

*LAW ENFORCEMENT OFFICER RETURN OF SERVICE  
I hereby Certify and Return that I have served a copy of this Order of  
Detention upon the Defendant herein named.*

Signature of Authorized Service Agent: