

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No. 0070113815
Court File No. 07-CR-26-3522

State of Minnesota,
Plaintiff,

COMPLAINT
Summons

vs.

MATHEW JAMES PERRY MCGUIRE DOB: 10/24/1995

540 Nw 1st Avenue
Winnebago, MN 56098

Defendant.

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: Traffic - DWI - Operate Motor Vehicle Under Influence of intoxicating substance - Impaired

Minnesota Statute: 169A.20.1(3)

Maximum Sentence: 7 years or \$14,000 fine or both.

Offense Level: Felony

Offense Date (on or about): 05/20/2026

Control #(ICR#): 26010569

Charge Description: On or about May 20, 2026, in the County of Blue Earth, Minnesota, Mathew James Perry McGuire, did, drive, operate, or was in physical control of any motor vehicle when he/she was under the influence of an intoxicating substance and the person knows or has reason to know that the substance has the capacity to cause impairment, and the violation was committed within ten years of the first of three or more qualified driving incidents or he/she has previously been convicted of felony D.W.I.

COUNT II

Charge: Criminal Vehicular Operation - Bodily Harm - Under Influence intoxicating substance

Minnesota Statute: 609.2113.3(5)

Maximum Sentence: 364 days or \$3,000 fine, or both

Offense Level: Gross Misdemeanor

Offense Date (on or about): 05/20/2026

Control #(ICR#): 26010569

Charge Description: On or about May 20, 2026, in the County of Blue Earth, Minnesota, Mathew James Perry McGuire did cause bodily harm to another as a result of operating a motor vehicle in negligent manner while under the influence of an intoxicating substance and that person knows or has reason to know that the substance has the capacity to cause impairment.

COUNT III

Charge: Criminal Vehicular Operation -Bodily Harm - Any Amount Sched 1 or 2 not cannabis/hemp

Minnesota Statute: 609.2113.3(6)

Maximum Sentence: 364 days or \$3,000 fine, or both

Offense Level: Gross Misdemeanor

Offense Date (on or about): 05/20/2026

Control #(ICR#): 26010569

Charge Description: On or about May 20, 2026, in the County of Blue Earth, Minnesota, Mathew James Perry Mcguire, did, cause bodily harm to another as a result of operating a motor vehicle in a negligent manner while any amount of a controlled substance listed in Schedule I or II, or its metabolite, other than cannabis flower, a cannabis product, a lower-potency hemp edible, a hemp-derived consumer product, artificially derived cannabinoids, or tetrahydrocannabinols, is present in the person's body.

COUNT IV

Charge: Drivers' Licenses-Driving restrictions-Drive/operate/control motor vehicle w/o ignition interlock.

Minnesota Statute: 171.09.1(g)

Maximum Sentence: 364 days or \$3,000 fine, or both

Offense Level: Gross Misdemeanor

Offense Date (on or about): 05/20/2026

Control #(ICR#): 26010569

Charge Description: On or about May 20, 2026, in the County of Blue Earth, Minnesota, Mathew James Perry Mcguire, did, while holding a restricted license issued under section 171.306, drive, operate, or be in physical control of any motor vehicle that is not equipped with a functioning ignition interlock device certified by the commissioner.

COUNT V

Charge: Traffic Regulation-Uninsured Vehicle-Owner Violation

Minnesota Statute: 169.797.2

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

Offense Level: Misdemeanor

Offense Date (on or about): 05/20/2026

Control #(ICR#): 26010569

Charge Description: On or about May 20, 2026, in the County of Blue Earth, Minnesota, Mathew James Perry Mcguire did, as an owner of a vehicle with respect to which security is required under sections 65B.41 to 65B.71, operated the vehicle or permitted it to be operated upon a public highway, street, or road in this state and knows or has reason to know that the vehicle does not have security complying with the terms of section 65B.48 operate a vehicle without insurance.

STATEMENT OF PROBABLE CAUSE

On May 20, 2026, Blue Earth County Sheriff's Deputy Brian Baumann was dispatched to a report of a motor vehicle accident with injuries on the east side of Lake Crystal, Minnesota located within Blue Earth County. Witness 1 reported there was a vehicle off the road, and there was blood on a child's face (age 4).

Lake Crystal Police Chief Prescher had identified Matthew James McGuire (DOB 10/24/1995) as the driver of the vehicle with Minnesota license plate LMW277- a 1997 red Chevrolet truck. Deputy Baumann was able to review McGuire's driving status which indicated his status is valid but with restrictions of any use of drugs/alcohol invalidates his license and ignition interlock required. Upon arrival Deputy Baumann observed the red Chevrolet truck partially in the ditch, brushing/hitting a power pole.

Police Chief Prescher and State Trooper Elzen were on scene and were able to gather the following information. There were three rear passengers, Victim 1 (DOB 8/22/2019), Victim 2 (1/7/2024), Victim 3 (DOB 3/2/2021). All were examined on scene in the ambulance. Additionally, there was damage caused to Victim's 4 and 5's property.

Deputy Baumann made contact with McGuire on scene. McGuire provided a summary of what had occurred. He indicated that his brakes were not working properly and has had issues with them in the past. He believes he was traveling anywhere from 45-50 mph. Witness 1 who saw McGuire's driving stated that McGuire's red truck appeared to be traveling "fast" and gaining on the vehicle in front of it. McGuire said he has an ankle monitor that tests for alcohol through his sweat and has had this for approximately 8 months. McGuire does not have an intoxilyzer in this vehicle due to the ankle monitor, thus it is not required. McGuire did state that even though he does not have an intoxilyzer in his red truck he does have one in his other vehicle but is not required to have one in this vehicle due to some work permission and driving a work truck, saying some might call this a "loophole."

At the scene of the accident McGuire was unable to provide proof of insurance. He stated the insurance was on his phone, but his phone was dead. McGuire was instructed to provide proof of insurance once his phone regained power. Later in the afternoon McGuire sent a picture message to Deputy Baumann's phone showing a Progressive insurance policy number coincidentally with an effective date of 5/20/2026. Deputy Baumann followed up on the insurance policy and spoke with a representative of Progressive Insurance who indicated the policy to be effective at 12:23 p.m. It should be noted that the motor vehicle incident occurred at approximately 8:05 a.m. on 5/20/2025.

Through Deputy Baumann's interaction and speaking with McGuire. Deputy Baumann observed McGuire to appear visibly nervous and defensive when questioned about the incident. McGuire stated that he had a special insurance policy. Deputy Baumann asked McGuire to perform field sobriety tests. During the HGN test Deputy Baumann noticed involuntary jerking movements in both eyes. McGuire also appeared to have very small pupil size. McGuire was informed of this and was moved out of the sunlight and into the shade. McGuire's pupil size did not change. Based on this Deputy Baumann placed McGuire under arrest and transported him to the Blue Earth County Jail. While there Deputy Baumann applied for a search warrant for McGuire's urine/blood. The search warrant was signed by The Honorable Judge Betters. McGuire was informed of this and agreed to provide a sample. McGuire provided a urine sample. The sample was sealed and placed into BCA packaging. The sample was then mailed to the BCA for analysis on 5/20/2026. On July 16, 2026, Deputy Baumann received a report on the examination of physical evidence from the BCA concerning Matthew James McGuire and the 5/20/2026 incident. The report indicated that a controlled substance listed in the Schedule I or II, or its metabolite, has been identified.

McGuire has qualified prior impaired driving incidents/convictions

07-CR-19-1260-Refuse to submit to chemical test; Breath or test refusal or failure-GM

07-CR-20-1985- Refuse to submit to chemical test; Breath or test refusal or failure- Felony

07-CR-19-419- Traffic - DWI - Operate Motor Vehicle - Alcohol Concentration 0.08 Within 2 Hours-GM

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:
08/25/2026 10:31 AM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Benjamin J Dolan
Assistant County Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
08/25/2026 09:52 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: August 25, 2026.

Judicial Officer

Kristine Weeks
District Court Judge

Electronically Signed: 08/25/2026 11:07 AM

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.

Mathew James Perry Mcguire

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE

*I hereby Certify and Return that I have served a copy of this
Summons upon the Defendant herein named.*

Signature of Authorized Service Agent: