

State of Minnesota
County of McLeod

District Court
1st Judicial District

Prosecutor File No. 00432-24
Court File No. 43-CR-25-349

State of Minnesota,

Plaintiff,

vs.

HERBERT CARL HUBBARD DOB: 02/20/1971

501 Mowbray St Apt 1
Stewart, MN 55385

Defendant.

COMPLAINT

Summons

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: Unlawful Ouster or Exclusion by Landlord

Minnesota Statute: 609.606, with reference to: 609.606

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

Offense Level: Misdemeanor

Offense Date (on or about): 04/07/2024

Control #(ICR#): 24003211

Charge Description: On or about 4/7/2024, within the County of McLeod, State of Minnesota, defendant Herbert Carl Hubbard, a landlord, agent of a landlord, or person acting under the landlord's direction or control, intentionally interrupted or caused the interruption of electrical, heat, gas, or water services to the tenant with intent to unlawfully remove or exclude the tenant from lands or tenements.

The Complainant states that the following facts establish probable cause:

That your affiant is a Peace Officer with the McLeod County Sheriff's Office. Your affiant has learned that on or about April 7, 2024 at approximately 10:26 a.m. Deputy Blake Dahlke of the McLeod County Sheriff's Office responded to a call regarding 501 Mowbray Street #2 in the City of Stewart, County of McLeod, State of Minnesota. Deputy Dahlke arrived and spoke with Victim who stated that Herbert Carl Hubbard (DOB 2-20-1971), Defendant herein, turned off the power to her apartment. Victim stated that earlier Defendant drove around the building a few times in a white van which Deputy Dahlke saw on the scene.

Victim stated the main door on the south side of the building leads to a common area that all tenants can use. This door was usually unlocked but now was locked. Victim stated that Defendant had locked the door so she could not turn her power on.

Victim stated that Defendant told her he was the acting landlord. Victim stated Defendant was harassing her and trying to get her to move out so he could move his boys in.

Deputy Dahlke viewed the door on the south side of the building. A tenant unlocked it and let him in.

Deputy Dahlke could see the electrical panels for the building. Only one panel was locked with a pad lock and that was the one that controlled the power to Victim's apartment.

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

Scott Wawrzyniak
Sergeant
801 E 10th Street
Glencoe, MN 55336
Badge: 1204

Electronically Signed:
02/27/2025 03:53 PM
McLeod County, Minnesota

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

Prosecuting Attorney

Thomas L Borgen
830 11th Street E
Suite 112
Glencoe, MN 55336
(320) 864-1265

Electronically Signed:
02/27/2025 03:39 PM

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: February 27, 2025.

Judicial Officer

Jessica Maher

Electronically Signed: 02/27/2025 04:21 PM

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

**COUNTY OF MCLEOD
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Herbert Carl Hubbard

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:

43-CR-25-349
DEFENDANT FACT SHEET

*Filed in District Court
State of Minnesota
2/27/2025*

Name: Herbert Carl Hubbard
DOB: 02/20/1971
Address: 501 Mowbray St Apt 1
Stewart, MN 55385

Alias Names/DOB:

SID:

Height:

Weight:

Eye Color:

Hair Color:

Gender: MALE

Race:

Fingerprints Required per Statute: No

Fingerprint match to Criminal History Record: No

Driver's License #:

Alcohol Concentration:

STATUTE AND OFFENSE GRID

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	4/7/2024	609.606 Unlawful Ouster or Exclusion by Landlord	Misdemeanor	P3010	N	MN0430000	24003211
	Penalty	4/7/2024	609.606 Unlawful Ouster or Exclusion by Landlord	Misdemeanor	P3010	N	MN0430000	24003211