

State of Minnesota
County of Wright

District Court
10th Judicial District

Prosecutor File No. 22-72290
Court File No. 86-CR-22-207

State of Minnesota,

Plaintiff,

vs.

XAVIER JEROME BUCKHANAN JR DOB: 04/08/1975

391 GRAND AVENUE, APT 305
SAINT PAUL, MN 55102

Defendant.

COMPLAINT

Order of Detention

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: Drugs - Aggravated Controlled Substance Crime 1st Degree and Firearm

Minnesota Statute: 152.021.2b(1), with reference to: 152.021.3(d)

Maximum Sentence: 40 years, \$1,000,000 or both

Mandatory Minimum Sentence: Not less than 86 months nor more than 40 years and not more than \$1,000,000

Offense Level: Felony

Offense Date (on or about): 01/11/2022

Control #(ICR#): 22000849

Charge Description: XAVIER JEROME BUCKHANAN, JR, did possess or sell 100 or more grams or 500 or more dosage units of a mixture containing the controlled substance at issue and did possess on their person or within immediate reach, or did use, whether by brandishing, displaying, threatening with, or otherwise employing, a firearm, to wit: defendant did possess or did sell, give away, barter, deliver, exchange, distribute or dispose of to another, or did manufacture 890 grams of Methamphetamine.

COUNT II

Charge: Drugs - Aggravated Controlled Substance Crime 1st Degree and Firearm

Minnesota Statute: 152.021.2b(1), with reference to: 152.021.3(d)

Maximum Sentence: 40 years, \$1,000,000 or both

Mandatory Minimum Sentence: Not less than 86 months nor more than 40 years and not more than \$1,000,000

Offense Level: Felony

Offense Date (on or about): 01/11/2022

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or more dosage units of a mixture containing the controlled substance at issue and did possess or did use, whether by brandishing, displaying, threatening with, or otherwise employing, a firearm, to wit: defendant did possess or did sell, give away, barter, deliver, exchange, distribute or dispose of to another, or did manufacture 890 grams of Methamphetamine.

COUNT III

Charge: Possess Ammo/Any Firearm - Conviction or Adjudicated Delinquent for Crime of Violence

Minnesota Statute: 624.713.1(2), with reference to: 624.713.2(b)

Maximum Sentence: 15 years, \$30,000 or both

Mandatory Minimum Sentence: Not less than five years nor more than 15 years

Offense Level: Felony

Offense Date (on or about): 01/11/2022

Control #(ICR#): 22000849

Charge Description: XAVIER JEROME BUCKHANAN, JR, being a person convicted of first-degree assault, a crime of violence, did unlawfully ship, transport, possess or receive a firearm and/or ammunition.

COUNT IV

Charge: Receiving Stolen Property

Minnesota Statute: 609.53.1, with reference to: 609.52.3(1)

Maximum Sentence: 20 years, \$100,000 or both

Offense Level: Felony

Offense Date (on or about): 01/11/2022

Control #(ICR#): 22000849

Charge Description: XAVIER JEROME BUCKHANAN, JR, did unlawfully receive, possess, transfer, buy or conceal any stolen property or property obtained by robbery, knowing or having reason to know the property was stolen or obtained by robbery, to-wit: the property is a firearm.

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

The complainant is a licensed police officer with the State of Minnesota. The complainant is familiar with the law enforcement officers submitting reports in this matter, and believe those persons to be reliable and their reports to be true and accurate. The complainant attests that, based on those reports, the following facts establish probable cause:

On January 11, 2022, agents with the Wright County Sheriff's Office Special Investigations Unit received information from a confidential reliable informant (CRI) indicating Xavier Jerome Buckhanan, Jr., DOB: 4/8/1975, defendant herein, would be selling a large quantity of methamphetamine at Kwik Trip located at 9855 Hart Boulevard in Monticello, Wright County, Minnesota. The CRI stated defendant would be in a silver Dodge Challenger with California plates. The CRI said the vehicle is being driven by Katie Holmstrom. Deputy Husen is aware of defendant and Holmstrom from previous investigations and is familiar with their appearance. Deputy Husen and other agents conducted surveillance at Kwik Trip. At approximately 9:14 p.m. Deputy Husen saw a silver Dodge Challenger with California plates enter the Kwik Trip parking lot. Deputy Husen confirmed Holmstrom was driving with defendant as the front seat passenger. The vehicle stopped at a gas pump. SIU agents and uniformed Wright County deputies surrounded the vehicle and detained Holmstrom and defendant. While defendant exited the vehicle, deputies observed a handgun between the passenger seat and the center console proximate to where the defendant was seated and within his immediate reach. The handgun was a Smith and Wesson 9mm with an extended magazine that was loaded with ammunition. Deputy Cotton deployed his K-9 Chase, who is certified in drug detection, on a drug sniff search of the vehicle. During the drug sniff search, Chase alerted on the vehicle indicating the presence of controlled substances. The vehicle was searched resulting in the recovery of two separate bags of a white crystal substance in the trunk of the vehicle. The substances field tested positive for methamphetamine weighing 448 grams and 442 grams for a total of 890 grams. The quantity in each bag was approximately equivalent to one pound, an amount consistent with sale.

Sgt. Jorgenson ran a check on the serial number of the handgun and learned it was reported stolen from Plainview, Minnesota. Court records show defendant was convicted of First degree assault in 2012 (62-CR-11-2712), a crime of violence making him ineligible to possess a firearm. In that same case, defendant was convicted of possession of a firearm by a person convicted of a crime of violence.

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

Kevin Olson
Deputy Sheriff
3800 Braddock Avenue NE
Buffalo, MN 55313
Badge: 161

Electronically Signed:
01/13/2022 09:16 AM
Wright County, Minnesota

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

Prosecuting Attorney

Brian Anthony Lutes
County Attorney
3700 Braddock Avenue NE
Suite 2100
Buffalo, MN 55313
(763) 682-7340

Electronically Signed:
01/13/2022 09:13 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: January 13, 2022.

Judicial Officer

Steven Lange
Senior Judge

Electronically Signed: 01/13/2022 09:54 AM

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

**COUNTY OF WRIGHT
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

XAVIER JEROME BUCKHANAN Jr

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:

DEFENDANT FACT SHEET

Name: XAVIER JEROME BUCKHANAN Jr
DOB: 04/08/1975
Address: 391 GRAND AVENUE, APT 305
SAINT PAUL, MN 55102

Alias Names/DOB:

SID: MN94003104

Height:

Weight:

Eye Color:

Hair Color:

Gender: MALE

Race: Unknown

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #: A931092459013 (MN)

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	1/11/2022	152.021.2b(1) Drugs - Aggravated Controlled Substance Crime 1st Degree and Firearm	Felony	DD2C2		MN0860000	22000849
	Penalty	1/11/2022	152.021.3(d) Drugs - 1st Degree - Sale or Possession - Penalty; Convicted under subd. 2b	Felony	DD2C2		MN0860000	22000849
2	Charge	1/11/2022	152.021.2b(1) Drugs - Aggravated Controlled Substance Crime 1st Degree and Firearm	Felony	DD4C2		MN0860000	22000849
	Penalty	1/11/2022	152.021.3(d) Drugs - 1st Degree - Sale or Possession - Penalty; Convicted under subd. 2b	Felony	DD4C2		MN0860000	22000849
3	Charge	1/11/2022	624.713.1(2) Possess Ammo/Any Firearm - Conviction or Adjudicated Delinquent for Crime of Violence	Felony	W1623		MN0860000	22000849
	Penalty	1/11/2022	624.713.2(b) Possesses any type of firearm/ammo - Crime of Violence - ineligible under 624.713.1(2)	Felony	W1623		MN0860000	22000849
4	Charge	1/11/2022	609.53.1 Receiving Stolen Property	Felony	Q1230		MN0860000	22000849
	Penalty	1/11/2022	609.52.3(1) Theft - Firearm or property value over \$35,000	Felony	Q1230		MN0860000	22000849