

State of Minnesota  
County of Sibley

District Court  
1st Judicial District

Prosecutor File No.  
Court File No.

F-19-325  
72-CR-19-281

**State of Minnesota,**

Plaintiff,

vs.

**CURTIS MARC PETZEL DOB: 01/07/1959**

40270 - 280th Street  
Arlington, MN 55307

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: Second Degree Manslaughter**

Minnesota Statute: 609.205(1), with reference to: 609.205

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

Offense Level: Felony

Offense Date (on or about): 06/01/2019

Control #(ICR#): 19201532

Charge Description: On June 1, 2019, in Sibley County, defendant cause MF's death by his culpable negligence whereby he created an unreasonable risk and consciously took the chance of causing death or great bodily harm to another.

**COUNT II**

**Charge: Second Degree Manslaughter**

Minnesota Statute: 609.205(1), with reference to: 609.205

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

Offense Level: Felony

Offense Date (on or about): 06/01/2019

Control #(ICR#): 19201532

Charge Description: On June 1, 2019, in Sibley County, defendant cause KF's death by his culpable negligence whereby he created an unreasonable risk and consciously took the chance of causing death or great bodily harm to another.

**COUNT III**

**Charge: Criminal Vehicular Homicide**

Minnesota Statute: 609.2112.1(a)(1), with reference to: 609.2112.1(a)

Maximum Sentence: Ten years imprisonment, a \$20,000 fine, or both  
Offense Level: Felony

Offense Date (on or about): 06/01/2019

Control #(ICR#): 19201532

Charge Description: On June 1, 2019, in Sibley County, defendant caused the death of a MF as a result of operating a motor vehicle in a grossly negligent manner.

#### COUNT IV

**Charge: Criminal Vehicular Homicide**

Minnesota Statute: 609.2112.1(a)(1), with reference to: 609.2112.1(a)

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

Offense Level: Felony

Offense Date (on or about): 06/01/2019

Control #(ICR#): 19201532

Charge Description: On June 1, 2019, in Sibley County, defendant caused the death of a KF as a result of operating a motor vehicle in a grossly negligent manner.

#### COUNT V

**Charge: Reckless Driving**

Minnesota Statute: 169.13.1(a), with reference to: 169.13.1(c)

Maximum Sentence: One year in jail, a \$3,000 fine, or both

Offense Level: Gross Misdemeanor

Offense Date (on or about): 06/01/2019

Control #(ICR#): 19201532

Charge Description: On June 1, 2019, in Sibley County, defendant caused MF's death when he drove a motor vehicle while aware of and consciously disregarded a substantial and unjustifiable risk that the driving may result in harm to another.

#### COUNT VI

**Charge: Reckless Driving**

Minnesota Statute: 169.13.1(a), with reference to: 169.13.1(c)

Maximum Sentence: One year in jail, a \$3,000 fine, or both

Offense Level: Gross Misdemeanor

Offense Date (on or about): 06/01/2019

Control #(ICR#): 19201532

Charge Description: On June 1, 2019, in Sibley County, defendant caused KF's death when he drove a motor vehicle while aware of and consciously disregarded a substantial and unjustifiable risk that the driving may result in harm to another.

#### COUNT VII

**Charge: Careless Driving**

Minnesota Statute: 169.13.2, with reference to: 169.13.2

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

Offense Level: Misdemeanor

Offense Date (on or about): 06/01/2019

Control #(ICR#): 19201532

Charge Description: On June 1, 2019, in Sibley County, defendant operate a motor vehicle upon a highway carelessly or heedlessly in disregard of the rights of others, or in a manner that endangered or was likely to endanger any property or any person.

**STATEMENT OF PROBABLE CAUSE**

PLEASE TAKE NOTICE: Pursuant to Minn. Stat. 609.49., intentional failure to appear for duly scheduled court appearances may result in additional criminal charges, in addition to any arrest warrant that may otherwise be issued by the Court.

Your Complainant is a peace officer employed by the MN State Patrol - Mankato. In this capacity, your Complainant believes the following to be true and correct:

On June 1, 2019, the Minnesota State Patrol responded to a motorcycle versus farm trailer crash on MNTH 19 near County Road 65 in Sibley County. Investigation of the crash revealed that a group of family members were on vacation and were traveling in a group of three motorcycles from Aberdeen SD to Treasure Island Resort and Casino in Welch, MN. The group was traveling approximately 60 miles per hour, eastbound on MNTH 19, as they were meeting the westbound tractor driven by Curtis Marc Petzel (DOB 01-07-1959), hereafter referred to as "defendant."

The livestock trailer that defendant was pulling with his tractor broke free from the tractor and entered the eastbound lane of traffic directly in front of the lead motorcycle, which was carrying two people. The lead motorcycle did not have time to brake or avoid the trailer, and crashed into it. Both persons on the motorcycle (MF and KF) died as a result of the crash.

At the time of the crash, defendant was pulling his 16-foot Kiefer livestock trailer behind a tractor. Defendant was moving livestock from one farm to another. The trailer was empty at the time of the crash. Defendant's tractor had a 2 inch trailer ball securely fastened to the rear of the tractor. The trailer attached to the ball by means of a Bull Dog coupler. The coupler was clearly marked, "USE 2 5/16 IN BALL ONLY." Therefore, it is clear defendant used the wrong size ball for the coupler that was used.

A Bull Dog coupler utilizes a spring loaded side gate which opens when a collar lock is slid rearwards to accept the proper size ball. The coupler used by defendant, however, was rusted to the point where the side gate was stuck in place and would not open. This made it impossible for the coupler to accept the correct sized ball. When the two inch ball was placed into the coupler it fit loosely and was not secure.

The trailer was equipped with a safety chain, but it was wrapped around the tongue of the trailer and was not used. The trailer also had a cable for connecting brakes and lights wrapped around the tongue jack that were also not used. The battery box for the break-away brake system contained no battery. There was no actuator or cable for that system where there once had been.

The Minnesota State Patrol performed a crash reconstruction. The crash reconstruction report concluded that the primary contributing factor in the crash was defendant's failure to use the correct size ball to attach the trailer to the tractor. Because the ball was not the correct size for the hitch, the trailer was not properly secured. The report also concluded that had the safety chains been used and the break-away brake been operational and in use, it may have prevented the trailer from traveling into the eastbound traffic lane.

**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**

Dan Anderson  
State Trooper  
2171 Bassett Drive  
Mankato, MN 56001-6888  
Badge: 31

Electronically Signed:  
08/23/2019 09:30 AM  
Blue Earth County, Minnesota

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

**Prosecuting Attorney**

Donald Everett Lannoye ESQ  
Assistant Sibley County Attorney  
400 Court Avenue  
Gaylord, MN 55334  
(507) 237-4144

Electronically Signed:  
08/22/2019 03:31 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 on **September 12, 2019 at 1:00 PM** before the above-named court at 400 Court St PO Box 867, Gaylord, MN 55334 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 23, 2019.

**Judicial Officer**

Jody Winters

Electronically Signed: 08/23/2019 02:05 PM

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

**COUNTY OF SIBLEY  
STATE OF MINNESOTA**

**State of Minnesota**

Plaintiff

vs.

**Curtis Marc Petzel**

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:

**DEFENDANT FACT SHEET**

**Name:** Curtis Marc Petzel  
**DOB:** 01/07/1959  
**Address:** 40270 - 280th Street  
Arlington, MN 55307

**Alias Names/DOB:**  
**SID:**  
**Height:**  
**Weight:**  
**Eye Color:**  
**Hair Color:**  
**Gender:** MALE  
**Race:**  
**Fingerprints Required per Statute:** Yes  
**Fingerprint match to Criminal History Record:** No  
**Driver's License #:** R618116518715 (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	6/1/2019	609.205(1) Manslaughter - 2nd Degree - Culpable Negligence Creating Unreasonable Risk	Felony	H5043	N	MNMHP1200	19201532
	Penalty	6/1/2019	609.205 Manslaughter - 2nd Degree	Felony	H5043	N	MNMHP1200	19201532
2	Charge	6/1/2019	609.205(1) Manslaughter - 2nd Degree - Culpable Negligence Creating Unreasonable Risk	Felony	H5043	N	MNMHP1200	19201532
	Penalty	6/1/2019	609.205 Manslaughter - 2nd Degree	Felony	H5043	N	MNMHP1200	19201532
3	Charge	6/1/2019	609.2112.1(a)(1) Criminal Vehicular Homicide - Operate Motor Vehicle in Grossly Negligent Manner	Felony	J1A11	N	MNMHP1200	19201532
	Penalty	6/1/2019	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1A11	N	MNMHP1200	19201532
4	Charge	6/1/2019	609.2112.1(a)(1) Criminal Vehicular Homicide - Operate Motor Vehicle in Grossly Negligent Manner	Felony	J1A11	N	MNMHP1200	19201532
	Penalty	6/1/2019	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1A11	N	MNMHP1200	19201532
5	Charge	6/1/2019	169.13.1(a) Traffic - Reckless driving; Drives Consciously Disregarding a Substantial or Unjustifiable Risk	Gross Misdemeanor	J2901	N	MNMHP1200	19201532
	Penalty	6/1/2019	169.13.1(c) Traffic - Reckless driving; Violate (a) or (b) Misd.; Cause Great Bodily Harm Gross Misd.	Gross Misdemeanor	J2901	N	MNMHP1200	19201532
6	Charge	6/1/2019	169.13.1(a) Traffic - Reckless driving; Drives Consciously Disregarding a Substantial or Unjustifiable Risk	Gross Misdemeanor	J2901	N	MNMHP1200	19201532
	Penalty	6/1/2019	169.13.1(c) Traffic - Reckless driving; Violate (a) or (b) Misd.; Cause Great Bodily Harm Gross Misd.	Gross Misdemeanor	J2901	N	MNMHP1200	19201532
7	Charge	6/1/2019	169.13.2 Traffic - Careless Driving	Misdemeanor	J3901	N	MNMHP1200	19201532
	Penalty	6/1/2019	169.13.2 Traffic - Careless Driving	Misdemeanor	J3901	N	MNMHP1200	19201532