MINNESOTA
JUDICIAL BRANCH
MINNESOTA COURT RECORDS ONLINE (MCRO)

Case Details (Register of Actions)

Search executed on 02/06/2023 04:04 PM

Case Information

Case Number: 10-CR-21-916
Case Title: State of Minnesota vs Benjamin Lee Schroeder
Case Type: Crim/Traf Mandatory
Date Filed: 11/04/2021
Case Location: Carver County
Case Status: Under Court Jurisdiction

Party Information

Jurisdiction
State of Minnesota

Attorneys Active
- ALBRIGHT, JEFFREY DOUGLAS - Lead Attorney

Defendant
Schroeder, Benjamin Lee
DOB: 02/22/1988
Mayer, MN 55360

Attorneys Active
- BALMER, DAVID PATRICK - Lead Attorney

Charges

1 Overwork/Mistreat Animals-Torture **Statute:** 343.21.1

Additional Statute: Torture or cruelty to pet or companion animal- Death or Great Bodily Harm (343.21.9(d))

Disposition: Convicted **Disposition Date:** 08/26/2022
Level of Sentence: Convicted of a Felony

Level of Charge: Felony
Offense Date: 10/12/2021
Community Of Offense: New Germany (0550)
Law Enforcement Agency: MN Department of Natural Resources - Enforcement Division
Prosecuting Agency: Carver County Attorney

Interim Conditions

08/26/2022 Interim conditions for Schroeder, Benjamin Lee
Judicial Officer: Braaten, Eric J.
Expiration Date: 08/26/2022

- No contact with victim(s)
- Do not enter victim's residence

- Make all future court appearances
- Keep court/attorney informed of current address
- Remain law-abiding
- Complete booking
- Conditions, other
- Post Cash Bail with No Conditions
  $50,000.00
- Post Bail or Bond with No Conditions
  $50,000.00

11/12/2021

Interim conditions for Schroeder, Benjamin Lee
Judicial Officer: Wentzell, Michael D.
Expiration Date: 08/26/2022

- No contact with victim(s)
- Do not enter victim's residence
- Make all future court appearances
- Keep court/attorney informed of current address
- Remain law-abiding
- Complete booking
- Conditions, other
- Post Cash Bail with No Conditions
  $50,000.00
- Post Bail or Bond with No Conditions
  $50,000.00

Case Events

08/29/2022	Notice of Filing of Order Index #48	*1 page*
08/26/2022	Cash Bond Ordered Applied to Fine and Refund Judicial Officer: Braaten, Eric J. Index #47	
08/26/2022	Sentencing Order Judicial Officer: Braaten, Eric J. Index #46	*3 pages*
08/26/2022	Hearing Held In-Person	
08/25/2022	Notice of Filing of Order Index #45	*1 page*
08/25/2022	Order Regarding Visual or Audio Coverage Judicial Officer: Braaten, Eric J. Index #44	*2 pages*
08/25/2022	Correspondence for Judicial Approval Index #43	*2 pages*
08/23/2022	Memorandum Index #42	*125 pages*
08/23/2022	Objection to Visual or Audio Coverage Index #41	

		25 pages
08/23/2022	Other Investigation, Evaluation, or Assessment Report Index #40	
08/23/2022	Hearing Held Remote	
08/23/2022	Victim or Proxy Agreement to Visual or Audio Coverage Index #39	1 page
08/22/2022	Victim or Proxy Agreement to Visual or Audio Coverage Index #38	1 page
08/22/2022	Victim or Proxy Agreement to Visual or Audio Coverage Index #37	1 page
08/19/2022	Notice of Visual or Audio Coverage Index #36	1 page
08/15/2022	Other Document Index #35	54 pages
08/15/2022	Other Document Index #34	10 pages
08/15/2022	Other Document Index #33	2 pages
08/15/2022	Memorandum Index #32	9 pages
06/02/2022	Notice of Hearing Index #31	1 page
06/01/2022	Order Granting Motion Judicial Officer: Braaten, Eric J. Index #30	1 page
05/31/2022	Other Document Index #29	35 pages
05/31/2022	Notice of Motion and Motion Index #28	80 pages
05/31/2022	Correspondence for Judicial Approval Index #27	1 page
05/31/2022	Request for Continuance Index #26	1 page

05/25/2022	PSI Distributed Parties: Attorney ALBRIGHT, JEFFREY DOUGLAS; Attorney BALMER, DAVID PATRICK	
05/24/2022	Affidavit for Restitution Index #25	
05/24/2022	Victim Impact Statement Index #24	
05/24/2022	Presentence Investigation Report Index #23	
05/16/2022	Victim Impact Statement Index #22	
05/13/2022	Victim Impact Statement Index #21	
05/13/2022	Correspondence Index #20	*2 pages*
05/13/2022	Victim Impact Statement Index #19	
05/13/2022	Correspondence Index #18	*2 pages*
05/13/2022	Correspondence Index #17	*1 page*
05/12/2022	Correspondence Index #16	*1 page*
05/09/2022	Victim Impact Statement Index #15	
03/23/2022	Order-Presentence Investigation Judicial Officer: Looby, Timothy J. Index #14	*1 page*
01/20/2022	Notice of Hearing Index #13	*1 page*
01/20/2022	Order for Continuance Judicial Officer: Braaten, Eric J. Index #12	*1 page*
01/19/2022	Request for Continuance Index #11	*1 page*
12/20/2021	Victim Impact Statement Index #10	

11/30/2021	Law Enforcement Bail Bond Receipt Index #9	1 page
11/12/2021	Waiver of Time Requirement for Hearing	
11/12/2021	Notice of Hearing Index #8	1 page
11/12/2021	Order for Hearing Judicial Officer: Wentzell, Michael D. Index #7	1 page
11/12/2021	Hearing Held Using Remote Technology Parties: Attorney ALBRIGHT, JEFFREY DOUGLAS; Attorney BALMER, DAVID PATRICK; Defendant Schroeder, Benjamin Lee	
11/11/2021	Request for Disclosure Party: Attorney BALMER, DAVID PATRICK Index #6	2 pages
11/11/2021	Certificate of Representation Index #5	1 page
11/09/2021	Victim or Protected Person Information Sheet Index #4	
11/04/2021	Notice of Remote Hearing with Instructions Index #3	2 pages
11/04/2021	Affidavit of Mailing Index #2	1 page
11/04/2021	E-filed Comp-Summons Index #1	6 pages

Hearings

Previous Hearings

08/26/2022	09:45 AM	Sentencing Judicial Officer: Braaten, Eric J. Location: Courtroom#6	**Result:** Held On the Record
08/23/2022	11:30 AM	Hearing Judicial Officer: Braaten, Eric J.	**Result:** Held Off the Record
03/23/2022	08:30 AM	Omnibus Hearing Judicial Officer: Looby, Timothy J. Location: Courtroom#5 Date Updated: 01/20/2022 Continued to 03/23/2022 08:30 AM - By agreement - Schroeder, Benjamin Lee; State of Minnesota Original Hearing Date: 01/26/2022 01:30 PM	**Result:** Held On the Record

11/12/2021 10:15 AM	First Appearance Judicial Officer: Wentzell, Michael D. Location: Courtroom#5	**Result:** Held On the Record

Dispositions

08/26/2022 **Court Decision - Stay of Imposition Pursuant to M.S. 609.135**
Judicial Officer: Braaten, Eric J.

1 Overwork/Mistreat Animals-Torture **Statute:** 343.21.1

Additional Statute: Torture or cruelty to pet or companion animal- Death or Great Bodily Harm (343.21.9(d))

Disposition: Convicted
Level of Sentence: Convicted of a Felony

Level of Charge: Felony

Offense Date: 10/12/2021

Community Of Offense: New Germany (0550)

Law Enforcement Agency: MN Department of Natural Resources - Enforcement Division

Prosecuting Agency: Carver County Attorney

Local Confinement:
Agency: Carver County Jail
Term: 45 Days
Stay: 45 Days For 3 Yr

Monitoring - Adult:
Type: Supervised probation
Agency: MN Department of Corrections - Field Services
Term of 3 Yr
08/26/2022 - 08/26/2025
Status: Active 08/26/2022

Condition - Adult:
1. Pay Restitution before Fines, Fees and Surcharges, 08/26/2022
2. Anger Evaluation, 08/26/2022
3. Sign all releases of information, 08/26/2022
4. Follow recommendations of evaluation, 08/26/2022
5. Write letter of apology, 08/26/2022
6. No use or possession of firearms or dangerous weapons, For recreational purposes., 08/26/2022
7. No same or similar, 08/26/2022
8. No contact with victim(s), 08/26/2022
9. Follow all State and Federal criminal laws., 08/26/2022
10. Contact your probation officer as directed., 08/26/2022
11. Tell your probation officer within 72 hours if you have, contact with law enforcement., 08/26/2022
12. Tell your probation officer within 72 hours if you are, charged with any new crime., 08/26/2022
13. Tell your probation officer within 72 hours if you change, your address, employment, or telephone number., 08/26/2022
14. Cooperate with the search of your person, residence,, vehicle, workplace, property, and things as directed by your probation officer., 08/26/2022
15. Sign releases of information as directed., 08/26/2022
16. Give a DNA sample when directed., 08/26/2022
17. Do not register to vote or vote until discharged from, probation and your civil rights are fully restored., 08/26/2022
18. Remain law-abiding, 08/26/2022
19. Keep court/attorney informed of current address, 08/26/2022
20. Follow all instructions of probation, 08/26/2022

Fees: (Grand Total: $1080.00)
Fine Totals: $100.00
Fine: $100.00

Law Library Fees: $15.00
County/Sheriff & Felony Fines: $100.00
Crim/Traffic Surcharge (once per case): $75.00
Restitution: $890.00

Service - Adult:
Type: sentence to service
10 Days For Indeterminate
In Lieu of Confinement
Start: 08/26/2022 Due:

Level of Sentence:
Convicted of a Felony

08/26/2022 **Disposition**
Judicial Officer: Braaten, Eric J.

1 Overwork/Mistreat Animals-Torture **Statute:** 343.21.1

Additional Statute: Torture or cruelty to pet or companion animal- Death or Great Bodily Harm (343.21.9(d))

Disposition: Convicted

Level of Charge: Felony

Offense Date: 10/12/2021

Community Of Offense: New Germany (0550)

Law Enforcement Agency: MN Department of Natural Resources - Enforcement Division

Prosecuting Agency: Carver County Attorney

03/23/2022 **Plea**
Judicial Officer: Looby, Timothy J.

1 Overwork/Mistreat Animals-Torture **Statute:** 343.21.1

Level of Charge: Felony

Offense Date: 10/12/2021

Guilty

Bond/Bail Activity

Cash Bail Current Balance: $0.00
Schroeder, Benjamin Lee
09/15/2022 Status: Bail Applied to Fine/Refunded
11/13/2021 Status: Posted
$50,000.00

Financial Information

Defendant - Schroeder, Benjamin Lee

Fines and Fees	$	190.00
Restitution	$	890.00
Total Payments and Credits	- $	1,080.00
Current Balance as of 02/06/2023	**$**	**0.00**

Transaction Details

09/15/2022	Adjustment	- $	1,080.00

08/26/2022	Charge	$	1,080.00

Search executed on 02/06/2023 04:04 PM

Filed in District Court
State of Minnesota
11/4/2021

State of Minnesota
County of Carver

District Court
1st Judicial District

Prosecutor File No. FE-21-57107
Court File No. 10-CR-21-916

State of Minnesota,

Plaintiff,

vs.

BENJAMIN LEE SCHROEDER DOB: 02/22/1988

280 Washington Avenue N
New Germany, MN 55367

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: Overwork/Mistreat Animals-Torture
Minnesota Statute: 343.21.1, with reference to: 343.21.9(d)
Maximum Sentence: 2 years or $5,000, or both
Offense Level: Felony

Offense Date (on or about): 10/12/2021

Control #(ICR#): 21024600

Charge Description: On or about 10/12/2021, within the State of Minnesota, County of Carver, defendant overdrove, overloaded, tortured, cruelly beat, neglected, or unjustifiably injured, maimed, mutilated, or killed an animal, or cruelly work an animal when it was unfit for labor, whether it belonged to the defendant or to another person.

MINNESOTA JUDICIAL BRANCH

Filed in District Court
State of Minnesota
11/4/2021

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

On October 12, 2021, at approximately 7:40 PM, Conservation Officer Arnaud Kpachavi received a call regarding a hunting incident that occurred on the 18000th block of 62nd Street, in the city of New Germany, Carver County, Minnesota.

Conservation Officer Kpachavi arrived on scene and spoke to an adult male (fully identified in law enforcement reports and hereinafter, “Victim”). Victim explained that his dog had been shot and killed on the neighboring property. Victim’s dog’s name was Reba and she was a two year old white Great Pyrenes. Victim explained that the dog had been shot by a hunter that is known to hunt the neighbor’s property.

The hunter was identified as Benjamin Lee Schroeder, DOB: 02/22/1988, hereinafter, Defendant.

Conservation Officer Kpachavi is familiar with the property where the dog was killed and is aware of the general area where there are hunting stands. Conservation Officer Kpachavi walked into the field and observed Victim’s dog lying dead in the field. The dog appeared to have been shot in the neck with an arrow. The dog’s body was still warm to the touch indicating that it had recently died.

Through the course of the investigation Conservation Officer Kpachavi learned that another hunter was in the woods and in the general area when Victim’s dog had been killed. Conservation Officer Kpachavi spoke with Witness (fully identified in law enforcement reports and hereinafter, “Witness”). Witness explained that they were bow hunting and observed Victim’s dog along with another dog enter the hunting area that evening. The Witness did not see the two dogs chasing any deer or other predators. According to the Witness, the dogs appeared to be “two dogs running” in the area. The two dogs ran into the direction of Defendant’s stand and then a short while later Witness saw the two dogs running out of the area of Defendant’s stand. One of the dogs appeared to be injured and was observed bleeding. The Witness further explained that the dog appeared to disappear. A short while later Witness found the dog dead in the field and law enforcement was contacted.

On October 14th Defendant provided a statement to law enforcement. In the statement, Defendant admits to shooting the dog with his compound bow. Defendant claimed the dog was chasing a deer and was “ruining his hunt”. Defendant explained that the dog went under his stand and he decided to shoot the dog. After shooting the dog, Defendant left the scene after learning that another hunter was also on scene. After killing Victim’s dog Defendant apologized to and offered to reimburse Victim for the cost to replace the dog.

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

Filed in District Court
State of Minnesota
11/4/2021

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

Robert Gorecki
Conservation Officer
500 Lafayette Road
P.O. Box 47
St. Paul, MN 55155
Badge: 520

Electronically Signed:
11/04/2021 10:16 AM
Aitkin County, Minnesota

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

Prosecuting Attorney

Jeffrey Albright
604 E 4th Street
Chaska, MN 55318-2102
(952) 361-1400

Electronically Signed:
11/04/2021 10:04 AM

MINNESOTA JUDICIAL BRANCH

Filed in District Court
State of Minnesota
11/4/2021

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).

[X] 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: November 4, 2021.

Judicial Officer Martin Fallon
Judge

Electronically Signed: 11/04/2021 10:52 AM

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

COUNTY OF CARVER
STATE OF MINNESOTA

State of Minnesota

Plaintiff

vs.

Benjamin Lee Schroeder

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:

Filed in District Court
State of Minnesota
11/4/2021

DEFENDANT FACT SHEET

Name:	Benjamin Lee Schroeder
DOB:	02/22/1988
Address:	280 Washington Avenue N New Germany, MN 55367
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 #:	
Alcohol Concentration:	

MINNESOTA JUDICIAL BRANCH

Filed in District Court
State of Minnesota
11/4/2021

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	10/12/2021	343.21.1 Overwork/Mistreat Animals-Torture	Felony	M8199	N	MNCON0000	21024600
	Penalty	10/12/2021	343.21.9(d) Torture or cruelty to pet or companion animal- Death or Great Bodily Harm	Felony	M8199	N	MNCON0000	21024600

MINNESOTA JUDICIAL BRANCH

Filed in District Court

AUG 26 2022

State of Minnesota

The State of Minnesota
Carver County

District Court
1st Judicial District

State of Minnesota vs Benjamin Lee Schroeder

ORDER

Case Number: 10-CR-21-916

CURRENT DEFENDANT INFORMATION			
Known Address:	280 Washington Avenue N New Germany, MN 55367	Correspondence Address:	280 Washington Avenue N New Germany, MN 55367
Phone Number:	(H) 952-353-2228	Sex:	Male
		DOB:	02/22/1988

CASE CHARGES

Ct	Statute	Type	Description	Disposition
1	343.21.1	Charging	Overwork/Mistreat Animals-Torture	Convicted
	343.21.9(d)	Penalty	Torture or cruelty to pet or companion animal- Death or Great Bodily Harm	

TERMS OF DISPOSITION OR SENTENCE: COUNT 1

Level of Sentence: **Felony**
Sentence is a stay of imposition pursuant to M.S. 609.135.
Successful completion of probation will result in a misdemeanor conviction.

Date Pronounced: **August 26, 2022**

Offense Information

Ct	Offense Date	Statute	Description	Offense Disposition
1	10/12/2021	343.21.1	Overwork/Mistreat Animals-Torture	Convicted
	MOC at Filing	**GOC**	**Controlling Agency**	**Controlling No.**
	M8199	Not applicable - GOC	MN Department of Natural Resources - Enforcement Division	21024600

Sentence Details

Local Confinement

Defendant is sentenced to 45 days in the Carver County Jail. 45 days of that time is stayed for 3 years.

Status: Active Status Date: 08/26/2022

Monitoring - Adult

Defendant is placed on Supervised probation for 3 years, monitored by MN Department of Corrections - Field Services.

Start Date: 08/26/2022 Discharge Date: 08/26/2025

Status: Active Status Date: 08/26/2022

Conditions - Adult

Defendant is placed under the following conditions:

Condition	Location	Amt	Effective	End
Pay Restitution before Fines, Fees and Surcharges			08/26/2022	
Anger Evaluation			08/26/2022	
Sign all releases of information			08/26/2022	
Follow recommendations of evaluation			08/26/2022	
Write letter of apology			08/26/2022	
No use or possession of firearms or dangerous weapons For recreational purposes.			08/26/2022	
No same or similar			08/26/2022	
No contact with victim(s)			08/26/2022	
Follow all State and Federal criminal laws.			08/26/2022	
Contact your probation officer as directed.			08/26/2022	
Tell your probation officer within 72 hours if you have contact with law enforcement.			08/26/2022	
Tell your probation officer within 72 hours if you are charged with any new crime.			08/26/2022	
Tell your probation officer within 72 hours if you change your address, employment, or telephone number.			08/26/2022	
Cooperate with the search of your person, residence, vehicle, workplace, property, and things as directed by your probation officer.			08/26/2022	
Sign releases of information as directed.			08/26/2022	
Give a DNA sample when directed.			08/26/2022	
Do not register to vote or vote until discharged from probation and your civil rights are fully restored.			08/26/2022	
Remain law-abiding			08/26/2022	
Keep court/attorney informed of current address			08/26/2022	
Follow all instructions of probation			08/26/2022	

Fees

Fees

Sentence includes a $100.00 fine.

Law Library Fees	$15.00		
County/Sheriff & Felony Fines	$100.00		
Crim/Traffic Surcharge (once per case)	$75.00		
Restitution	$890.00		
Subtotal	**$1,080.00**	**Due**	**08/26/2022**

Service - Adult

Defendant is sentenced to sentence to service for 10 Days within an indeterminate period of time.
Start Date: 08/26/2022

Status: Active Status Date: 08/26/2022

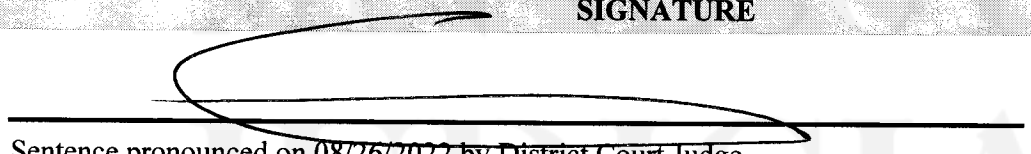
GRAND TOTALS

Date of Sentence: 08/26/2022

Due Date: 08/26/2022 Original Amount: $1,080.00

The court may refer this case for collection if you fail to make a payment, and collection costs will be added. You have the right to contest a referral for collection based on inability to pay by requesting a hearing no later than the due date. M.S. §§ 480.15, subd. 10c; 609.104

SIGNATURE



Judge Eric J. Braaten

Sentence pronounced on 08/26/2022 by District Court Judge

Court Administrator: Mary P. Dalbec 952-361-1420

If you have questions regarding the terms of your sentence or disposition, please contact your attorney, DAVID PATRICK BALMER 612-326-4175, your probation agent or court administrator.

MINNESOTA JUDICIAL BRANCH