

SUMMONS IN A CRIMINAL CASE

STATE OF MISSOURI)
) ss.
COUNTY OF CAPE GIRARDEAU)

IN THE CIRCUIT COURT OF CAPE GIRARDEAU COUNTY, MISSOURI
THIRTY-SECOND JUDICIAL CIRCUIT

STATE OF MISSOURI)

Plaintiff,)

v.)

KEVIN PAUL BOHNERT)

Defendant.)

Case No. 0469-CR0103

STATE OF MISSOURI to the above named Kevin Paul Bohnert, 213 W. Park St., Jackson, MO 63755:

You are hereby summoned to appear in the Division III Courtroom in the Cape Girardeau County Courthouse, 100 Court Street, Jackson, Missouri at 1 PM on the 25th day of June, 2007 to answer an Information charging that you:

Count I

The Prosecuting Attorney of the County of Cape Girardeau, State of Missouri, charges that the defendant, either acting alone or knowingly in concert with another, in violation of Section 195.202, RSMo, committed the Class A misdemeanor of possession of a controlled substance (32455) (3562), punishable upon conviction under Section 558.011.1(5) and 560.016, RSMo, in that on or about June 8, 2007, in the County of Cape Girardeau, State of Missouri, the defendant possessed marijuana, a controlled substance, knowing of its presence and illegal nature.

Count II

The Prosecuting Attorney of the County of Cape Girardeau, State of Missouri, charges that the defendant, either acting alone or knowingly in concert with another, in violation of Section 195.233, RSMo, committed the class A misdemeanor of possession of drug paraphernalia with intent to use (32505) (3550), punishable upon conviction under Sections 558.011 and 560.016, RSMo, in that on or about June 8, 2007, in the County of Cape Girardeau, State of Missouri, the defendant possessed a gold smoking pipe, which was drug paraphernalia, knowing of its presence and nature, with the intent to use it to ingest, inhale or otherwise introduce into the human body a controlled substance or an imitation controlled substance.

Count III


The Prosecuting Attorney of the County of Cape Girardeau, State of Missouri, charges that the defendant, either acting alone or knowingly in concert with another, in violation of Section 577.010, RSMo, committed the Class B misdemeanor of driving while intoxicated (47420)(5404), punishable upon conviction under Sections 558.011 and 560.016, RSMo, in that on or about June 8, 2007, upon U.S. highway 61 near the intersection of Route Y, in the County of Cape Girardeau, State of Missouri, the defendant operated a motor vehicle while under the influence of alcohol.

Count IV

The Prosecuting Attorney of the County of Cape Girardeau, State of Missouri, charges that the defendant, either acting alone or knowingly in concert with another, in violation of Section 304.015, RSMo, committed the infraction of failure to drive on the right half of the roadway (47225) (5405), punishable upon conviction under Section 558.011 and 560.016, RSMo, in that on or about June 8, 2007, in the County of Cape Girardeau, State of Missouri, the defendant knowingly operated a motor vehicle on U.S. Highway 61 near Route Y, and failed to drive motor vehicle on the right half of the roadway when said roadway was of sufficient width.

IF YOU FAIL TO APPEAR, A WARRANT WILL BE ISSUED FOR YOUR ARREST.

Given under my hand this 11th day of June, 2007


Clerk/Deputy Clerk of Court

_____: SUMMONS ISSUED BY MAIL PURSUANT TO MISSOURI SUPREME COURT RULE 21.08

SHERIFF'S RETURN ON SERVICE OF SUMMONS

I CERTIFY THAT I SERVED THE ABOVE SUMMONS BY: (CHECK ONE)

_____: DELIVERING A COPY OF THE SUMMONS TO THE DEFENDANT
_____: LEAVING A COPY OF THE SUMMONS AT THE DWELLING PLACE OR USUAL ABODE
OF THE DEFENDANT WITH _____
_____: (OTHER) _____

DATE SERVED: _____

SHERIFF'S FEES:

SUMMONS \$ _____

NON EST \$ _____

MILEAGE \$ _____

TOTAL \$ _____

SHERIFF

BY: _____
DEPUTY SHERIFF

IN THE CIRCUIT COURT OF CAPE GIRARDEAU COUNTY, MISSOURI

STATE OF MISSOURI

Plaintiff,

v.

KEVIN PAUL BOHNERT

213 W. Park St.

Jackson, MO 63755

W/M DOB 04/11/58

SID: [SID Number]

FBI: [FBI Number]

OCN: G-7C08515

Defendant.

Case No. 0769-42010

INFORMATION IN A MISDEMEANOR CASE

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Count IV

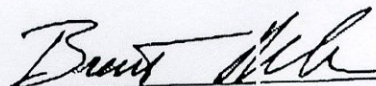
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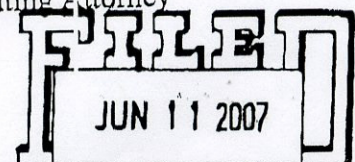
WITNESSES:

Cpl. Doug McDaniel, Missouri State Highway Patrol, Jackson, MO 63755
Sgt. Blaine Adams, Missouri State Highway Patrol, Jackson, MO 63755
Officer Sumi Meyers, Cape County Sheriff's Dept., Jackson, MO

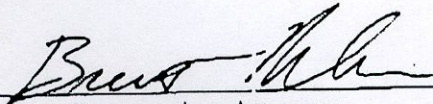
PUNISHMENT:

Counts I & II: One day to one year in the county jail, or a fine not exceeding one thousand dollars, or by both such imprisonment and fine.
Count III: One day to six months in the county jail, or a fine not exceeding five hundred dollars, or by both such imprisonment and fine.
Count IV: A fine not exceeding two hundred dollars.


Assistant Prosecuting Attorney



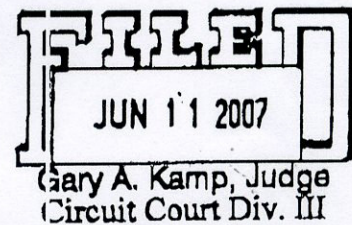
Brent M. Nelson, Assistant Prosecuting Attorney of the County of Cape Girardeau, State of Missouri, being duly sworn upon oath, state the facts stated in the above information are true according to his best information, knowledge, and belief.


Assistant Prosecuting Attorney

Sworn and subscribed to before me this _____ day of _____

Susan Wessell
CLERK OF THE COURT

BY: _____



PROBABLE CAUSE STATEMENT

Cape Girardeau

Fingerprints Not Taken ☐Offense Cycle Number: G-7008515Date: June 8, 2007

I, D. McDaniel, knowing that false statements on this form are punishable by law, state that the facts contained herein are true.

1. I have probable cause to believe that Kevin P. Bohnert committed one or more criminal offenses.

2. The facts supporting this belief are as follows:

1. On June 8, 2007, at approximately 0219 hours, I arrested Kevin P. Bohnert, date of birth April 11, 1958, for Driving While Intoxicated, Failed to Drive on the Right Half of the Roadway, Possession of Marijuana (Misd) and Possession of Drug Paraphernalia.

2. On June 8, 2007, at approximately 0154 hours, I was traveling southbound on U.S. 61 just north of Missouri Route Y, when I observed and later identified a maroon 2002 Lincoln LS, bearing Missouri 1BN-12C registration, also traveling southbound. While behind the vehicle, I observed it cross the white painted shoulder line once. Immediately, the driver jerked the wheel to the left and crossed the yellow solid center line. I activated my emergency equipment and stopped the vehicle on U.S. 61 at Missouri Route Y.

3. I contacted and identified the driver with his Missouri driver's license as Kevin P. Bohnert, date of birth April 11, 1958, a white male from Jackson, Missouri. While speaking to Bohnert, I observed a strong odor of intoxicating beverage emanating from his breath. I asked Bohnert what his highest grade of education was, and he stated, "a Masters Degree." I asked him how much alcohol he had to drink and he stated, "two to three earlier tonight at the Ted Nugent concert." I asked Bohnert if he had any physical defects that would hinder his performance of a one-legged stand test and he stated, "my ankles, because I'm a runner." I had Bohnert perform a series of field sobriety tests. Based on his performance and my observations, Bohnert was placed under arrest and later transported to the Cape Girardeau County Sheriff's Department. While conducting a search of the vehicle, I found a small gold smoking pipe containing un-burnt Marijuana, inside the center console. A white female was seated in the passenger seat and identified as Marjorie A. Thomas, date of birth November 4, 1967. When I found the Marijuana and drug paraphernalia, I asked Thomas if it was hers and she immediately stated, "no." Bohnert's vehicle was left at the scene per his request. While en route to the Cape Girardeau County Sheriff's Department, Bohnert would belch several times. Bohnert asked me to separate times if I would just "let him go," to which I stated, "no."

4. At the Cape Girardeau County Sheriff's Department, Bohnert was read his Miranda rights. Bohnert stated he understood. There was nothing in his mouth.

GARY A. KAMP, Judge
Circuit Court Div. II

The datamaster breathalyzer was set up and working properly when it gave a result of .110%. Bohnert asked me, "could we just forget about the Marijuana and pipe," to which I stated, "no."

5. Bohnert was issued four sunnmons:

- a) Driving While Intoxicated
- b) Failed to Drive on the Right Half
- c) Possession of Marijuana (Misd)
- d) Possession of Drug Paraphernalia

#060527241

#060527242

#060527243

#060527244

Bohnert was released to the jailer.

6. Deputy Sunni Meyers, badge C22, was booking Bohnert in and had him answer several questions as part of the process. During booking, Meyers noticed Bohnert didn't fill out questions 33 thru 35. Meyers asked Bohnert, "did you smoke your pot, tonight?" Bohnert stated, "yes." Meyers then completed questions 33 thru 35.

7. See attached copies of the questions, answers and statement from Meyers. All above items found during the search were seized as evidence and sent to Troop C Laboratory.

3. For the issuance of a warrant in a misdemeanor case, also complete the following:

a) I believe the defendant would not appear in court in response to a criminal sunnmons because: _____; or

b) I believe that the defendant poses

(1) A danger to a crime victim because _____; or

(2) A danger to the community or to any other person because _____.

Dennis McDaniel

Print

Missouri State Highway Patrol

[Signature]

Signature

Missouri State Highway Patrol

FILED
JUN 11 2007
Gary A. Kamp, Judge
Circuit Court Div. III