

State of Minnesota
County of Dakota

District Court
1st Judicial District

Prosecutor File No.
Court File No.

CA-2024-02172
19HA-CR-24-2019

State of Minnesota,

Plaintiff,

vs.

GENIVER ANTONIO PINUELA TESTA DOB: 01/30/2001

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: Theft (Over \$5,000)

Minnesota Statute: 609.52.2(a)(1), with reference to: 609.52.3(2), 609.05.1

Maximum Sentence: 0-10 Years and/or \$6,000.00 - \$20,000.00

Offense Level: Felony

Offense Date (on or about): 10/06/2024

Control #(ICR#): 24003876

Charge Description: On or about October 6, 2024, in the County of Dakota, Minnesota, GENIVER ANTONIO PINUELA TESTA, did while acting alone or intentionally aiding, advising, or conspiring with another or others, intentionally and without claim of right take, use, transfer, conceal or retain possession of movable property of another without the other's consent and with intent to deprive the owner permanently of possession of the property, and the value of the property or services stolen exceeds \$5,000.

STATEMENT OF PROBABLE CAUSE

On October 7, 2024, a police officer spoke by phone with an employee at a bank in Lakeville, Dakota County, Minnesota. The employee reported a theft of about \$14,400 from the bank's ATM that happened the day before—October 6—around 6:25 p.m.

In a statement, the employee explained that they saw a male wearing all black and a blue COVID mask and a female wearing a pink sweatshirt, black pants, and a blue COVID mask walking around the property around 4:00 p.m. on October 6. The employee saw the two individuals lingering for a bit and noted that the male rode an electric scooter. The employee left around 5:15 p.m. and noted that the male went to the ATM around 6:25 p.m. Around 6:45 p.m., the employee received an automated email advising that the bank's ATM lacked money. An officer observed a broken interlock switch on the ATM.

The employee provided videos and photographs to law enforcement. The video showed four suspects initially near the bank around 2:00 p.m. A male suspect approaches the ATM around 3:03 p.m. and appears to have an earpiece in his right ear. The male suspect then leaves on an electronic scooter. The provided surveillance video showed three male suspects at the ATM at various points. The first male suspect wore a dark jacket, dark hat, dark gloves, and a blue COVID mask. The second male suspect wore a black hooded sweatshirt with the hood up. The third suspect wore a dark sweatshirt with camouflage pattern on the shoulder and sleeves and had a messenger bag with a black nylon strap. The third suspect manipulated a small handheld device with pushbuttons and a small screen. All suspects are seen on the area with an electric scooter.

On October 11, the Minnesota State Patrol was contacted by the Michigan State Patrol about an investigation of suspects "jackpotting" ATMs. The Minnesota State Patrol located the suspect vehicle at a Shakopee hotel based on information that the Michigan State Patrol had provided. Officers saw two Hispanic males enter the vehicle and leave the hotel. Officers stopped the suspect vehicle and identified the suspects as Co-defendant ROBERT R. ROSALES RIVERO, born 10/14/1981, and Defendant GENIVER ANTONIO PINUELA TESTA, born 01/30/2001. Officers noted an electric scooter in the vehicle and receipts for purchasing an electric scooter in Tennessee. In addition, officers located a messenger bag in the vehicle that contained a laptop and a handheld device that had a small screen and pushbutton features. Video surveillance had shown a suspect using the small handheld device. On PINUELA

TESTA's person, officers located \$440.00 in U.S. Currency in \$20 denominations. Officers also recovered clothing from the vehicle that matched what the suspects had wore on the surveillance video of the ATM theft.

The Shakopee Police Department executed a search warrant at the suspects' hotel room and located about \$7,000 in cash.

Defendant and Codefendant are in custody.

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

Jason Jensen
Police Officer
9237 183rd Street W
Lakeville, MN 55044
Badge: 4825

Electronically Signed:
10/14/2024 11:43 AM
Dakota County, Minnesota

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

Prosecuting Attorney

Zachary Kraemer
1560 Hwy 55
Hastings, MN 55033-2392
(651) 438-4438

Electronically Signed:
10/14/2024 11:38 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: October 14, 2024.

Judicial Officer

Jamie L Cork
Judge

Electronically Signed: 10/14/2024 12:14 PM

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

COUNTY OF DAKOTA
STATE OF MINNESOTA

State of Minnesota

Plaintiff

vs.

Geniver Antonio Pinuela Testa

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: