

State of Minnesota  
County of Stearns

District Court  
7th Judicial District

Prosecutor File No.  
Court File No.

CR-2021-289  
73-CR-21-9432

**State of Minnesota,**

Plaintiff,

vs.

**JILL DIANE KELLEY DOB: 10/07/1962**

17365 Floralview Court  
Cold Spring, MN 56320

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: Election Day Act - Unlawful Voting - Vote more than once at the same election**

Minnesota Statute: 204C.14.1(b), with reference to: 204C.14.1

Maximum Sentence: Imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

Offense Level: Felony

Offense Date (on or about): 03/03/2020

Control #(ICR#): 21009360

Charge Description: That the defendant, Jill Diane Kelley, then and there being, did wrongfully, unlawfully, and feloniously intentionally vote more than once at the same election.

**STATEMENT OF PROBABLE CAUSE**

The Complainant states that the following facts establish probable cause:

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On February 1, 2021, Investigator Tony Kotschevar began an investigation into an election violation related to the presidential primary nomination on March 3, 2020. Investigator Kotschevar reviewed voting documentation pertaining to Jill Diane Kelley, DOB: 10/7/62, regarding two votes cast in the primary by the defendant, one in person and the other absentee.

Investigator Kotschevar reviewed an oath form for an in person polling station, the Wakefield Township Hall, located in the City of Cold Spring, County of Stearns, State of Minnesota, completed by defendant on March 3, 2020. The form was signed and indicated that a driver's license was provided as a form of verification.

Investigator Kotschevar further reviewed defendant's voting information and determined that an absentee ballot was requested on February 20, 2020, was submitted, and was received and accepted on March 3, 2020. Investigator Kotschevar observed a copy of a "signature envelope" containing defendant's information and signature.

Investigator Kotschevar reviewed the signature on defendant's driver's license and observed it to be consistent with the signature on the oath form and the signature envelope.

Investigator Kotschevar spoke with defendant who denied voting in person. Investigator Kotschevar confirmed that an in person vote was cast at the Wakefield Township Hall on March 3, 2020.

Complainant has reason to believe and does believe that all of the above information is true and correct.

The above facts constitute your complainant's basis for believing that the above-named defendant, on or about the 3rd day of March, 2020 in the City of Cold Spring, County of Stearns, State of Minnesota, committed the offenses described herein.

**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**

Victor C Weiss  
Lieutenant  
807 Courthouse Square  
St. Cloud, MN 56303  
Badge: 2505

Electronically Signed:  
12/28/2021 08:08 AM  
Stearns County, Minnesota

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

**Prosecuting Attorney**

River D. Thelen  
Assistant County Attorney  
705 Courthouse Square  
St. Cloud, MN 56303  
(320) 656-3880

Electronically Signed:  
12/27/2021 04:31 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 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: December 28, 2021.

**Judicial Officer**William J. Cashman  
District Court Judge

Electronically Signed: 12/28/2021 01:40 PM

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

**COUNTY OF STEARNS  
STATE OF MINNESOTA**

**State of Minnesota**

Plaintiff

vs.

**Jill Diane Kelley**

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:** Jill Diane Kelley  
**DOB:** 10/07/1962  
**Address:** 17365 Floralview Court  
Cold Spring, MN 56320

**Alias Names/DOB:**

**SID:**

**Height:** 5' 5"

**Weight:** 135lbs.

**Eye Color:** Hazel

**Hair Color:**

**Gender:** FEMALE

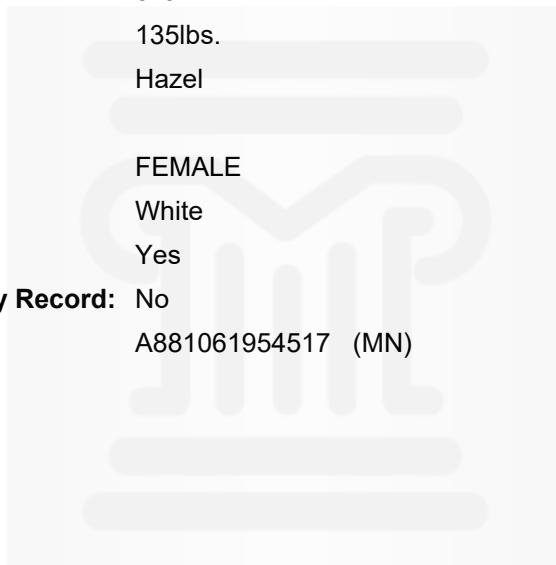
**Race:** White

**Fingerprints Required per Statute:** Yes

**Fingerprint match to Criminal History Record:** No

**Driver's License #:** A881061954517 (MN)

**Alcohol Concentration:**



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**STATUTE AND OFFENSE GRID**

| <b>Cnt Nbr</b> | <b>Statute Type</b> | <b>Offense Date(s)</b> | <b>Statute Nbrs and Descriptions</b>  | <b>Offense Level</b> | <b>MOC</b> | <b>GOC</b> | <b>Controlling Agencies</b> | <b>Case Numbers</b> |
|----------------|---------------------|------------------------|---|----------------------|------------|------------|-----------------------------|---------------------|
| 1              | Charge              | 3/3/2020               | 204C.14.1(b)<br>Election Day Act - Unlawful Voting -<br>Vote more than once at the same<br>election | Felony               | Y1190      | N          | MN0730000                   | 21009360            |
|                | Penalty             | 3/3/2020               | 204C.14.1<br>Election Day Act - Unlawful voting;<br>Felony penalty.                                 | Felony               | Y1190      | N          | MN0730000                   | 21009360            |



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