

State of Minnesota

County of Stearns

District Court

Complaint

DATE FILED	PROSECUTOR FILE NO.	COURT FILE NO.
3-14-14	CR-2014-852	73CR142166

DOMESTIC ASSAULT
 AMENDED COMPLAINT
 TAB CHARGE PREVIOUSLY FILED

STATE OF MINNESOTA,

PLAINTIFF,

**ORDER OF DETENTION
SERIOUS FELONY**

VS.

NAME: First, Middle, Last
Demetreus Anthony McGinnis
 421 Eighth Avenue North
 St. Cloud, MN 56303

DEFENDANT

Date of Birth
 03/04/1991

WRB/pet 3/14/14 dc

Ct	Statute Type	Offense Date	Statute Number & Description	Offense Level	MOC	GOC	Controlling Agencies	Control Numbers
1	Charge	3/13/14	609.19 Subd. 2(1) Murder - 2nd Degree - Without Intent - While Committing a Felony	SF	H2010	N	MN0731200	14901749
	Penalty		609.11 Subd. 5(a) Minimum Sentences of Imprisonment-Firearm Use or Possession					

Complaint

Complainant, Dan Miller, is an Investigator for the Sartell Police Department, and makes this Complaint and states that there is probable cause to believe that the Defendant committed the following offense(s). The Complainant states that the following facts establish PROBABLE CAUSE:

In the early afternoon of March 13, 2014, St. Cloud Law Enforcement was dispatched to the CentraCare Health Plaza in the City of St. Cloud, County of Stearns, State of Minnesota, based upon a report of a male individual suffering from a gunshot wound to the chest. That individual was immediately transferred to the St. Cloud Hospital for a life-threatening wound. The individual was identified as M.J.G., DOB: 03/01/1994, fully identified in offense reports. Despite aggressive medical care, M.J.G. died as a result of the gunshot wound in the evening hours of March 13, 2014.

Upon first contact with law enforcement, M.J.G. advised that he had been shot at a Sprint store near Coborn's in Sartell by "Demetreus." Law enforcement subsequently determined that the Sprint store is located at 1733 Pinecone Road South, in the City of Sartell, County of Stearns, State of Minnesota. Law enforcement also subsequently identified "Demetreus" as Demetreus Anthony McGinnis, DOB: 03/04/1991, defendant herein.

cc: Co Atty / Dfd

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**Stearns County
 District Court**
 By: Lisa M.
 Deputy

At the Sprint store, law enforcement located two shell casings and suspected blood in the parking lot behind the store. Shortly thereafter, defendant was taken into custody. Defendant acknowledged that there had been a struggle between himself and another individual in the Sprint parking lot and that as a result, a gun had discharged and he "hurt somebody."

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 13th day of March, 2014, in the City of Sartell, County of Stearns, State of Minnesota, committed the offense(s) described herein:

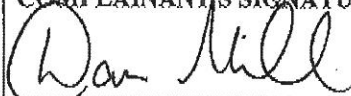
Count 1

Charge: Murder - 2nd Degree - Without Intent - While Committing a Felony

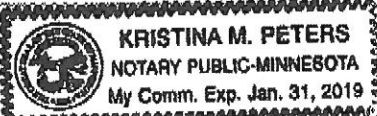
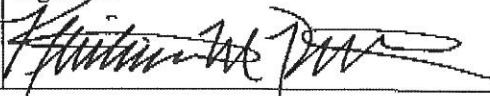
In Violation of: 609.19 Subd. 2(1)

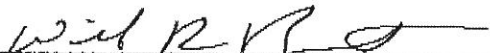
Penalty: Not less than 3 years to 40 years imprisonment.

That the defendant, Demetreus Anthony McGinnis, then and there being, did wrongfully, unlawfully, and feloniously cause the death of a human being, without intent to affect the death of any person, while committing or attempting to commit a felony offense.

<p><i>THEREFORE, Complainant requests that said Defendant, subject to bail or conditioned of release be:</i> <i>(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or</i> <i>(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.</i></p>	
<p>COMPLAINANT'S NAME: DAN MILLER Sartell Police Department</p>	<p>COMPLAINANT'S SIGNATURE </p>

This COMPLAINT was subscribed and sworn to before the undersigned this 14th day of March, 2014.

<p>NAME:  KRISTINA M. PETERS NOTARY PUBLIC-MINNESOTA My Comm. Exp. Jan. 31, 2019</p>	<p>Signature: </p>
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<p>Being duly authorized to prosecute the offense(s) charged, I hereby approve this Complaint</p>	
<p>DATE: March 14, 2014</p>	<p>PROSECUTING ATTORNEY'S SIGNATURE </p>

<p>PROSECUTING ATTORNEY: NAME/TITLE Will R. Brost Assistant County Attorney Attorney Registration #: 0148957</p>	<p>PROSECUTING ATTORNEY: ADDRESS/TELEPHONE Administration Center, Room 448 705 Courthouse Square St. Cloud, MN 56303 320-656-3880</p>
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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. The Defendant(s) is/are thereof charged with the above stated offense(s)

SUMMONS

THEREFORE, You, THE ABOVE-NAMED DEFENDANT(S), ARE HEREBY SUMMONED to appear on the _____ day of _____, 20____, at _____ AM/PM before the above-named court at Room #128, Courts Facility, 815 Courthouse Square, St. Cloud, Minnesota, to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

WARRANT

EXECUTE IN MINNESOTA ONLY EXECUTE NATIONWIDE EXECUTE IN BORDER STATES
 To the sheriff of the above-named county; or other person authorized to execute this WARRANT; I hereby order, in the name of the State of Minnesota, that the above-named Defendant(s) be apprehended and arrested without delay and brought promptly before the above-named 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 thereafter as such Judge or Judicial Officer is available) to be dealt with according to law.

ORDER OF DETENTION

Since the above-named Defendant(s) is/are already in custody; I hereby order; subject to bail or conditions of release, that the above-named Defendant(s) continue to be detained pending further proceedings.

Bail:
Conditions of Release:

This Complaint is duly subscribed and sworn to, is issued by the undersigned Judicial Officer this 14th day of March, 2014.

NAME: Kris H. David - Hallen Signature: [Signature]
TITLE: Judge of District Court

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

STATE OF MINNESOTA, COUNTY OF STEARNS

STATE OF MINNESOTA
 Plaintiff
vs

Demetreus Anthony McGinnis
 Defendant(s)

Clerk's Signature or File Stamp:

RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this COMPLAINT upon then Defendant(s) herein-named.

Signature of Authorized Agent:

