

State of Minnesota
County of Olmsted

District Court
3rd Judicial District

Prosecutor File No. 19CR01262
Court File No. 55-CR-19-4186

State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

AYUB ABUCAR HAGI IMAN DOB: 06/08/1996

412 Waterview Lane NW
Rochester, MN 55901

Defendant.

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: Murder - 2nd Degree - With Intent-Not Premeditated

Minnesota Statute: 609.19.1(1), with reference to: 609.19.1, 609.05.1, 609.11.5(a)

Maximum Sentence: 3 to 40 years imprisonment (MSG SL 11)

Offense Level: Felony

Offense Date (on or about): 03/05/2019

Control #(ICR#): 19906595

Charge Description: On or about March 5, 2019, within the County of Olmsted, Ayub Abucar Hagi Iman and/or other unidentified persons intentionally aided, advised, hired, counseled, conspired or otherwise procured each other to commit a crime and each aiding the other, did wrongfully, unlawfully and feloniously cause the death of a human being, to-wit: Garad Hassan Roble, with intent to effect the death of that person or another, but without premeditation.

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

Your complainant is a licensed peace officer employed by the Olmsted County Sheriff's Office. In that capacity your Complainant has reviewed the police reports relating to Ayub Abucar Hagi Iman, the above-named defendant, and the allegations contained therein. Based upon that information, your complainant believes the following to be true and correct.

On March 5, 2019, at approximately 0347 hours, Olmsted County Sheriff's Office Deputies responded to the 2300 block of 45th St. SE, in Olmsted County for a reported person lying in the roadway. Upon arrival, Sgt. Schueller met with the caller and observed a clearly deceased black male victim with obvious facial trauma lying in the roadway. The caller indicated he was driving to work, passed by the victim, turned his car around and stopped with his headlights focused on the victim and called 911. The caller indicated no one else had passed through the area since his arrival. Additional OSCO deputies were dispatched to close the scene and preserve the site. The Minnesota Bureau of Criminal Apprehension was requested to provide assistance processing the scene. Approximately 14 .40 caliber shell casings were located at the scene all from the same weapon.

Multiple items of evidence were collected, including spent shell casings and fragments of projectiles. The Southern MN Regional Medical Examiner's Office (SMRMEO) responded to the scene. Further investigation of the victim's person located a cell phone in his pocket. Based on information on the phone and corroborated by law enforcement records, the victim was tentatively identified as Garad Hassan Roble, DOB 1/30/1991. Identity was confirmed by the medical examiner during the autopsy process. Mr. Roble died of multiple gunshot wounds, at least one headwound and another to the abdomen that would have caused death.

Forensic examination of the Victim's phone revealed the last call was made at 0209 hours on March 5, 2019. Investigators spoke to the recipient of that call who shared information about the victim's whereabouts earlier on the evening/early morning of March 4-5 and persons with whom he had been seen. A number of persons of interest were identified and interviewed. All persons listed below are fully identified in the relevant police reports.

Investigators learned that the victim had been dropped off at The Loop on March 4 at approximately 2213 hours. Victim joined four other persons, two females (Female Witness 1 and 2) and two males (Male Witness 3 and 4), at The Loop who had arrived at 2130 hours. The five persons drink/socialize until approximately 2338 hours when they all leave The Loop. This information is confirmed by surveillance video obtained from The Loop. Investigators have identified and interviewed all four persons.

Upon leaving The Loop, the four persons, along with Victim, go into a nearby parking ramp where the victim and Male Witnesses 3 and 4 get into a car and leave, the victim is a passenger in the vehicle. The two women obtained a ride from a vehicle service and went to Female Witness 1's home. When interviewed, the women said the proposed driver, Male Witness 4, was too drunk and they did not want to ride with him. This information is confirmed by surveillance video from the parking ramp.

Investigators learned, confirmed by surveillance video, that the three men drove to Meadow Park Apartments at the 1400 block of 4th Ave. SE, Rochester. The victim and two men enter an apartment building at approximately 2350 hours (still March 4) and are seen leaving that same building together at 0034 hours March 5. From there the victim and two men reenter their car and leave the complex. This information is confirmed by surveillance video.

Investigators learned from interviews with Female Witness 1 and 2 that the victim and two men arrived at Female Witness 1's home at a time consistent with having just left Meadow Park Apartments. The five remain at that location until approximately 0200 hours March 5. At that time Female Witness 2 and Male Witness 3 begin to leave to drive back to Minneapolis. Before leaving, Male Witness 3 noted he forgot his

phone and also expressed concern about a car parked in the road near the house. Female Witness 2 got out of the car and went over to the vehicle and later told investigators that the driver/sole occupant was Ayub Abucar-Haji-Iman, DOB 6/8/1996, hereinafter Defendant, and that Defendant was engaged in a Facetime call. Female Witness 2 went into the house to get the phone. Female Witness 2 observed Victim was standing near Male Witness 4, and the two were engaged in a conversation. The conversation was largely in Somali, but Female Witness 2 heard Victim say in English, "what are you all going to do, shoot me? Are you all going to murder me?"

Female Witness 2 told investigators that Victim and Male Witness 4 went outside. Male Witness 4 gave Male Witness 3 a phone and then Victim and Male Witness 4 got into Defendant's car. Defendant drove the vehicle with Male Witness 4 and Victim away from the residence. Female Witness 2 and Male Witness 3 also leave the residence in their car. Female Witness 2 is dropped off at her home and Male Witness 3 drove to Minneapolis.

Investigators also spoke to Male Witness 4 and Defendant. During the interviews Investigators obtained one phone from Male Witness 4 and two phones from Defendant. Based on previous law enforcement information, these phones were consistent with phones known to be used by Male Witness 4 and Defendant. Investigators obtained phone records for Victim's phone and the phone records for the three phones obtained from Male Witness 4 and Defendant. Investigators did a forensic examination of each phone as well as Victim's phone.

Forensic exam of Male Witness 4's phone noted it was unlocked between 2100 hours on March 4 and 0208 hours of March 5. Forensic exam confirmed the phone was charging for a period of time up to 0208 hours. No data is observed from 0208 to 0224 when forensic exam notes the phone is powered back on. This is indicative of the phone being powered off at 0208 and powered back on at 0224. Forensic exam of Defendant's phone also confirmed that Male Witness 4 and Defendant had a number of Facetime calls on the evening/early morning of March 4-5 including a Facetime call at approximately 0200 hours on March 5. Evaluation of the cell phone records and cellular tower data corroborated the locations of the Victim and Male Witness 4 noted above. Male Witness 4 and Victim's phone information corroborated both were at The Loop and Meadow Park Apartments as noted above. The data also corroborated that Male Witness 4 and Victim and Defendant were at Female Witness 1's home as noted above. Phone data also approximates the travel between the locations noted above. Phone data also corroborates that Defendant was not at The Loop with the other group and arrived at Female Witness 1's home at approximately 0200 hours. It should also be noted that cellular tower data corroborates that Male Witness 3 did travel to Female Witness 2's home after 0200 hours and then toward Minneapolis.

Evaluation of the Victim's phone also corroborates his locations noted above and corroborates the approximate travel to the location where he is later found deceased. Victim's phone data reveals he arrived at that location at approximately 0214 hours on March 5, 2019. Defendant's two phones separately indicate Defendant continues to travel consistent with Victim after 0200 hours and notes he was in the location where Victim is found at the same time with Victim. Cell tower data for Defendant's phones is obtained from two towers and both towers place Defendant at the 2300 block of 45th St. SE location at the same time with Victim.

Cell tower data reveals that Victim's phone does not leave thereafter, eventually loses battery power and powers off prior to the phone being found by investigators. Cell tower data shows Defendant's phones begin to travel toward NW Rochester at which point Male Witness 4's phone becomes active and is also in the approximate NW Rochester location with Defendant. Defendant and Male Witness 4's phones are at that NW Rochester location from approximately 0230 to 0245 hours on March 5.

Investigators interviewed two known associates (KA 1 and KA 2) of Defendant and Male Witness 4 who live in the area of NW Rochester where Defendant and Witness 4's cellular data indicate they traveled and stopped. Investigators obtained the cell phones of the KA 1 and KA 2 and evaluated the cellular tower information for those phones. The cellular tower data corroborates that KA 1 and KA 2 were not at The Loop or Female Witness 1's home and were in the area where KA 1 and KA 2 reside during all the relevant times noted above, and specifically were not in the area of the 2300 block of 45th St. SE.

Further evaluation of the cellular tower information reveals that Male Witness 4 and KA 2 traveled to an

area near Elton Hills Drive and West River Parkway and are in that location from 0250 to 0255 hours on March 5 and then travel back to the KA 2's residence.

On March 6, 2019, in the early morning hours, as part of a completely separate narcotics investigation, Rochester Police Officers executed a search warrant at the residence of KA 1 and KA 2. Later that same day a collection of garbage was done by RPD at the residence of KA 1 and KA 2 for further narcotics investigation. Evaluation of the garbage revealed a nylon holster and a Glock brand 15 round magazine in the garbage along with identifying information for KA 1 and KA 2. The magazine had distinctive marking of numbers "746" written in silver ink. Forensic evaluation also revealed a DNA profile that matched a known DNA profile of KA 1.

On March 8, 2019 the Rochester Police Department responded to a call in the 200 block of Elton Hills Dr NW, Rochester. At this location RPD recovered a Glock handgun that was found on top of the frozen water under a bridge. This is the same approximate location that Male Witness 4 and KA 2 traveled to on March 5 above. The magazine in the gun had a distinctive marking of the numbers "746" written with silver ink. Forensic examination of the gun and shell casing found at the scene confirm the gun is the same gun used to shoot the victim. The markings on the magazine in the gun are the same distinctive markings as on the magazine found at the residence of KA 1 and KA 2.

The above information demonstrates that Defendant, acting alone or with another took Victim to the area of the 2300 block of 45th St. SE in Olmsted County, intentionally shot the victim multiple times causing Victim's death, then retreated away from the area to NW Rochester where Defendant, acting alone or with others disposed of the gun.

PLEASE TAKE NOTICE: YOU MUST APPEAR FOR EVERY COURT HEARING REGARDING THIS CASE. FAILURE TO APPEAR FOR COURT IS A CRIMINAL OFFENSE AND MAY RESULT IN ADDITIONAL CRIMINAL CHARGES BEING IMPOSED AND PUNISHED AS PROVIDED IN MINNESOTA STATUTES SECTION 609.49.

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

James Schueller
Sergeant
101 4th Street SE
Rochester, MN 55904-3718
Badge: 1003

Electronically Signed:
06/14/2019 09:45 AM
Olmsted County, Minnesota

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

Prosecuting Attorney

Mark A. Ostrem
Olmsted County Attorney
151 4th Street SE
Government Center - 3rd Floor
Rochester, MN 55904
(507) 328-7600

Electronically Signed:
06/14/2019 09:44 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 on _____, _____ at _____ AM/PM before the above-named court at 151 Fourth Street SE, Rochester, MN 55904 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: June 14, 2019.

Judicial Officer

Pamela King

Electronically Signed: 06/14/2019 10:01 AM

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

**COUNTY OF OLMSTED
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Ayub Abucar Haji Iman

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:

DEFENDANT FACT SHEET

Name: Ayub Abucar Hagi Iman
DOB: 06/08/1996
Address: 412 Waterview Lane NW
Rochester, MN 55901

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:

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	3/5/2019	609.19.1(1) Murder - 2nd Degree - With Intent-Not Premeditated	Felony	H2012	X	MN0550000	19906595
	Penalty	3/5/2019	609.11.5(a) Minimum Sentences of Imprisonment-Firearm Use or Possession	Felony	H2012	X	MN0550000	19906595
	Modifier	3/5/2019	609.05.1 Liability for Crimes of Another-Intentional	No-Level	H2012	X	MN0550000	19906595
	Penalty	3/5/2019	609.19.1 Murder - 2nd Degree	Felony	H2012	X	MN0550000	19906595