

**State of Minnesota  
County of Hennepin**

**District Court  
Fourth Judicial District**

CCT	LIST CHARGE STATUTE ONLY	MOC	GOC	CTY ATTY FILE NO.	CONTROLLING AGENCY	CONTROL NO
1	624.713	W162R	N	11-5329	MN0271100	11140120
2	624.713	W162R	N			
3	152.025	DH450	N			

COURT CASE NO.                      DATE FILED

Amended     Tab Charge Previously Filed

if more than 6 counts (see attached)     if Domestic Assault as defined by MS 518B01, sub2a,b

- SERIOUS FELONY
- FELONY
- GROSS MISDM DWI
- GROSS MISDM
- SUMMONS
- WARRANT
- ORDER OF DETENTION
- EXTRADITION

**State of Minnesota,**

**PLAINTIFF,**

VS.

NAME: first, middle, last

**DARRYL DONAIL WALKER**

Date of Birth  
**3/14/77**

**MNCIS #: 27-CR-  
LE#: 11-17526  
SILS ID: 287372  
TRACK 2493590  
ID:**

**DEFENDANT,**

400 OLIVER AVE N  
MINNEAPOLIS, MN 55405

**COMPLAINT**

*The Complainant, being duly sworn, makes complaint to the above-named Court 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:*

Complainant, Lucas Peterson, of the Minneapolis Police Department, has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On or about May 19, 2011, at approximately 11:25 a.m., officers of the Minneapolis Police Department executed a search warrant that had been issued ordering a search of the premises located at 400 Oliver Avenue North, Minneapolis, Hennepin County, Minnesota. The search warrant ordered the officers to search for, among other things, narcotic drugs, including cocaine, monies, packaging materials, firearms, ammunition and other weapons and records of narcotics sales. The search warrant authorized both nighttime and “no knock,” execution of the warrant and was deemed to be “high risk” due the observed presence of firearms on prior occasions.

Upon arrival at the scene, officers created a perimeter around the residence. As SWAT officers made entry into the home, Officer Lucas Peterson observed **DARRYL DONAIL WALKER**, date of birth 3/14/77, Defendant herein, at a window with the curtain pulled back. Officer Peterson recognized Defendant from pre-warrant surveillance and noted that he was wearing a collared red Polo-type shirt. Officer Peterson observed Defendant throw a cloth out the window. Officer Peterson noted that the object appeared to be heavy as it hit the ground. After SWAT deemed the scene under control, Officer Peterson secured the item and found that it contained a Sig Sauer .22 caliber “Mosquito” handgun with a large silencer and laser sites. The handgun was secured and found to be loaded. Also found during a search of the garage on the premises was an SKS ‘Norinco Poly’ rifle, loaded with five rounds of ammunition.

During a search of the interior of the residence, particularly Defendant’s bedroom, officers located, secreted in a green pack of Marlboro “54’s” menthol cigarettes suspected rocks of crack cocaine weighing 1.8 grams with packaging. The rocks of suspected narcotics later field-tested positive for the presence of a narcotic substance.

Also found in the bedroom were documents in Defendant's name, as well as .22 caliber loose rounds and boxed rounds of .22 ammunition and a spent casing from a rifle that was the same caliber as the rifle found in the garage. Defendant was interviewed after a rights advisory. Defendant admitted that he lived at the residence with his girlfriend and her children. He denied throwing the item from the window and said that a child must have done it. Defendant also denied possessing the rifle, but admitted that he had seen it. Defendant admitted that Marlboro "54's" are his brand, but denied any knowledge of the presence of the narcotics. He also admitted that he was a felon and could not legally possess a firearm.

An examination of Defendant's criminal history reveals criminal convictions in Hennepin County District Court for Controlled Substance Crime in the Fifth Degree from August 30, 2010, Prohibited Person in Possession of Firearm from November 28, 2005, Assault in the Second Degree from May 8, 2000 and Third Degree Assault from April 26, 1995.

### O F F E N S E

COUNT 1: PROHIBITED PERSON IN POSSESSION OF A FIREARM (FELONY)  
MINN. STAT. § 624.713, SUBD. 1(2), 2(b); § 609.11  
PENALTY: 5-15 YEARS AND/OR \$30,000

That on or about May 19, 2011, in Hennepin County, Minnesota, **DARRYL DONAIL WALKER** possessed a firearm and **DARRYL DONAIL WALKER** has been convicted or adjudicated delinquent in this state or elsewhere of a crime of violence, Controlled Substance Crime in the Fifth Degree from August 30, 2010, Prohibited Person in Possession of Firearm from November 28, 2005, Assault in the Second Degree from May 8, 2000 and Third Degree Assault from April 26, 1995, for which the sentence or court supervision expired on or after August 1, 1993.

## COMPLAINT SUPPLEMENT

CCT	SECTION/Subdivision	M.O.C.	GOC

COUNT 2: PROHIBITED PERSON IN POSSESSION OF A FIREARM (FELONY)  
MINN. STAT. § 624.713, SUBD. 1(2), 2(b); § 609.11  
PENALTY: 5-15 YEARS AND/OR \$30,000

That on or about May 19, 2011, in Hennepin County, Minnesota, **DARRYL DONAIL WALKER**, possessed a firearm and **DARRYL DONAIL WALKER** has been convicted or adjudicated delinquent in this state or elsewhere of a crime of violence, Controlled Substance Crime in the Fifth Degree from August 30, 2010, Prohibited Person in Possession of Firearm from November 28, 2005, Assault in the Second Degree from May 8, 2000 and Third Degree Assault from April 26, 1995, for which the sentence or court supervision expired on or after August 1, 1993.

COUNT 3: CONTROLLED SUBSTANCE CRIME FIFTH DEGREE-POSSESSION (FELONY)  
MINN. STAT. § 152.025, SUBD. 2(1)(b); § 609.101; § 152.01, SUBD. 16a; §60911  
PENALTY: 36 MONTHS-10 YEARS AND/OR \$6,000-\$20,000

That on or about May 19, 2011, Minneapolis, in Hennepin County, Minnesota, **DARRYL DONAIL WALKER**, unlawfully possessed one or more mixtures containing a Schedule I, II, III, or IV controlled substance, to-wit: cocaine base or crack, and the **DARRYL DONAIL WALKER** has a prior disposition for a felony-level offense under section 152.18, subd. 1, or felony conviction under chapter 152 or similar statute of another jurisdiction.

**NOTICE: You must appear for every court hearing on this charge. A failure to appear for court on this charge is a criminal offense and may be punished as provided in Minn. Stat. § 609.49.**

*THEREFORE, Complainant requests that said Defendant, subject to bail or conditions of release be: arrested or that other lawful steps be taken to obtain defendant's appearance in court; or detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.*

COMPLAINANT'S NAME:

**Lucas Peterson**

COMPLAINANT'S SIGNATURE:

*Being duly authorized to prosecute the offense(s) charged, I hereby approve this Complaint.*

DATE:

**May 20, 2011**

**hlw**

PROSECUTING ATTORNEY'S SIGNATURE:

PROSECUTING ATTORNEY:

NAME/TITLE:

**SUSAN B CRUMB (148246)**  
**Assistant County Attorney**

ADDRESS/TELEPHONE:

**C2100 Government Center, Minneapolis, MN 55487**  
**Telephone: 612-348-5612**

Court Case # \_\_\_\_\_

This COMPLAINT was subscribed and sworn to before the undersigned this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

NAME:

SIGNATURE:

TITLE:

**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 his detention, if already in custody, pending further proceedings. The Defendant(s) is/are thereof charged with the above-stated offense.*

**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 \_\_\_\_\_ 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**

*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 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: \$200,000 + CR

Conditions of Release:

This COMPLAINT- ORDER OF DETENTION duly subscribed and sworn to, is issued by the undersigned Judicial Officer this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

NAME:

SIGNATURE

TITLE: **JUDGE OF DISTRICT COURT**

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

STATE OF MINNESOTA COUNTY OF HENNEPIN

**STATE OF MINNESOTA**

Plaintiff

vs.

**DARRYL DONAIL WALKER**

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 – SUMMONS, WARRANT, ORDER OF DETENTION upon Defendant(s) herein-named.

Signature of Authorized Service Agent: