
State of Minnesota,
Plaintiff,

COMPLAINT
Warrant

vs.

JUSTIN MAURICE MCGEE DOB: 04/28/1984

8917 Wentworth Ave
Bloomington, MN 55420

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(1), 609.229.3(a), 609.17.4(2), 609.05.1, 609.05.2

Maximum Sentence: 20 YEARS AND 5 YEARS

Offense Level: Felony

Offense Date (on or about): 04/12/2014

Control #(ICR#): 14117834

Charge Description: That on or about 04/12/2014, in Hennepin County, Minnesota, JUSTIN MAURICE MCGEE , acting alone or intentionally aiding, advising, hiring with another, attempted to cause the death of Victim 1, a human being, with intent to effect the death of that person or another, but without premeditation, for the benefit of, at the direction of, in association with or motivated by involvement with a criminal gang, with the intent to promote, further, or assist in criminal conduct by gang members (and the victim was under 18 years old).

COUNT II

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

Minnesota Statute: 609.19.1(1), with reference to: 609.19.1(1), 609.229.3(a), 609.17.4(2), 609.05.1, 609.05.2

Maximum Sentence: 20 YEARS, PLUS 5 YEARS

Offense Level: Felony

Offense Date (on or about): 04/12/2014

Control #(ICR#): 14117834

Charge Description: That on or about 04/12/2014, in Hennepin County, Minnesota, JUSTIN MAURICE MCGEE , acting alone or intentionally aiding, advising, hiring, counseling or conspiring with another, attempted to cause the death of Victim 2, a human being, with intent to effect the death of that person or another, but without premeditation, for the benefit of, at the direction of, in association with or motivated by involvement with a criminal gang, with the intent to promote, further, or assist in criminal conduct by

gang members.

STATEMENT OF PROBABLE CAUSE

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On or about April 12, 2014, at approximately 2:57 a.m., Minneapolis police heard shots fired in the area of Target Field. Police located two males (V-1 and V-2) lying in one of the north facing gates of Target Field. V-1 was laying on his back, bleeding, and the first responders observed that he had been shot in the shoulder. It was later learned that the bullet had hit his spinal cord. V-2 was seated next to a puddle of bloody vomit, and would later be diagnosed with gunshot wounds to his chest and abdomen.

Identified witnesses gave statements to police confirming both the gunshots and that there were three black males, all wearing dark clothing and hoodie style sweatshirts who had run from the area. Witnesses who did observe a gun described it as a black revolver.

A witness who had observed the shooting from 50 to 70 feet away, described three black males, all wearing dark colored hoodies walking eastbound. He noted they all had their hoods pulled up. He heard five to six shots, and saw the two victims fall to the ground. He then saw the three suspects begin running, and watched as one of them fell and dropped a black handgun. This suspect picked up the gun, and ran down the light rail tracks towards the 5th Street Ramp.

Another witness at the scene informed police that she was an acquaintance of V-2, and she knew the individual who shot him to be Justin McGee, DOB 04/28/1984. This witness indicated she observed McGee walking with his hands in his waist band, and wearing a hoodie with the hood pulled up and laced tightly around his face. She did not see the gun, but was steps away from the shooting, and observed McGee flee towards Olson Memorial Highway after the shots were fired. She told police that she knew that V-2 was a member of the "Taliban" street gang, and McGee was a member of the "19's." The 19's and the Taliban are known to law enforcement to be violent criminal street gangs, and they are known to be actively feuding with each other.

V-2 informed police that he and V-1 had just begun working at Target Field the previous week. They got off of work and left via the north entrance. As they approached the outside of the gates, V-2 saw three males in hoodies. V-2 recognized one of these individuals as Justin McGee, and the other as someone he knew as "J Weezy." J Weezy is known to law enforcement to be Javon Leroi Davis, a/k/a James Davis, DOB 10/15/1987. V-2 did not know the third individual. He saw McGee nod at Davis and the third suspect. At that point, Davis pulled out a gun and shot V-1 and V-2. V-2 was shown two separate, six person sequential lineups. V-2 identified McGee from one lineup, and Davis from the other lineup.

V-2 admitted to police that he had taken part in a You-Tube video making fun of the murder of Tyrone Washington, a well-known member of the 19's who was recently murdered. V-2 denied that the purpose of the video was to threaten other gang members. V-2 stated his girlfriend called him prior to getting off of work, and warned V-2 not to walk to the Holiday Station as "they" were all around, meaning 19's gang members.

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 Jane Moore-Emberley Electronically Signed: 4/29/2014
Police Officer
350 S 5th St
Minneapolis, MN 55415-1389
Badge: 4844

Subscribed and sworn to before the undersigned.

**Notary Public or
Judicial Official** Cass Durant Commission expires: 01/31/2018
Police Support Technician, Electronically Signed: 4/29/2014
County of Hennepin
350 S 5th St
Minneapolis, MN 55415-1389
Notary ID: 6179097

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

Prosecuting Attorney Thad Tudor Electronically Signed: 4/29/2014
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

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 401 Fourth Avenue S, Minneapolis, MN 55415 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: \$500,000.00

Conditions of Release:

This complaint is issued by the undersigned Judge as of the following date: April 29, 2014.

Judicial Officer

Bruce Manning
Judge

Electronically Signed: 4/29/2014

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

JUSTIN MAURICE MCGEE

Defendant

Clerk's Signature or File Stamp:

RETURN OF SERVICE

I hereby Certify and Return that I have served a copy of this Warrant upon the Defendant herein named.

Signature of Authorized Service Agent: