

**State of Minnesota  
County of Hennepin**

**District Court  
Fourth Judicial District**

CCT 1 LIST CHARGE STATUTE ONLY 609.19 MOC H2313 GOC N CTY ATTY FILE NO. 13-6094 CONTROLLING AGENCY MN0270200 CONTROL NO 13004108

COURT CASE NO. DATE FILED

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

**State of Minnesota,**

**PLAINTIFF,**

VS.

NAME: first, middle, last  
**ANTONIO XAVIER DANIELS**

**DEFENDANT,**

2446 PORTLAND AVE  
MINNEAPOLIS, MN 55404

- Amended  Tab Charge Previously Filed
- SERIOUS FELONY  SUMMONS  
 FELONY  WARRANT  
 GROSS MISDM DWI  ORDER OF DETENTION  
 GROSS MISDM  EXTRADITION

Date of Birth **7/22/87** MNCIS #: **27-CR-**  
LE#: **13-22442**  
SILS ID: **621864**  
TRACK ID: **2675984**

**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, John Ratajczyk, of the Brooklyn Center Police Department, has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On or about August 22, 2013, at approximately 3:38 am, officers of the Brooklyn Center Police Department responded to 6445 James Circle North, the Super 8 Hotel, located in the city of Brooklyn Center, Hennepin County, Minnesota, on a report of a male bleeding and a possible shooting.

Responding officer's located a male, positively identified as M.M., covered in blood, lying on the hotel entryway floor. Medical treatment was administered to M.M. but he was unresponsive and was pronounced deceased.

Officers made contact with the hotel front desk clerk, a known adult male identified in the police reports. He reported shortly before he called the police he heard loud banging on one of the hotel doors at the back, south entrance. Shortly thereafter, the clerk reported he heard banging on another entry door. When he got to the door he observed the victim on the ground and called the police.

Officers also made contact with the front desk clerk, a known adult male identified in the police reports, with the adjacent Days Inn. This clerk stated he heard three to four gun shots in the parking lot near the northeast corner of the building. He reported he responded to that hallway and observed five people running and going inside of room #133.

**ANTONIO XAVIER DANIELS CCN 13004108**

Officers were able to trace the occupants of this room to a S.J. and R.N. They reported meeting some males at the Day's Inn earlier that week and again this night. One of the male they met was a person they positively identified as **ANTONIO XAVIER DANIELS, DOB 07/22/1987**, the Defendant herein.

S.J. reported that night meeting up with the Defendant, his brother after they were kicked out of their hotel room. S.J. stated he felt bad for them and gave them money for another room. S.J. went to Denny's with the Defendant and on their way back got into a confrontation with some other males. S.J. reported there were punches exchanged and then he heard at least two gun shots. S.J. reported the Defendant was the shooter.

R.N. stated she had observed the Defendant earlier in the week with a small, pocket sized revolver. That night, R.N. stated she was asleep in the room when she heard banging on the door. R.M. stated S.J. told her they needed to leave. Later R.N. stated S.J. told her there was a fight and the Defendant fired a gun. R.N. recalled when they fled the area the Defendant stated, "I threw the gun, I'm going back to get it." R.N. positively identified the Defendant from a photo lineup.

Officers spoke to a witness, J.B. who reported that he had arrived at the hotel to pick up M.M. Upon arriving he stated he observed above five people running, some male and some female. One of the males, had braids or dreadlocks. J.B. said he then walked to the front of the hotel and learned the victim was bleeding profusely. J.B. reported he found the victim lying in a pool of blood. J.B. did recall that when the victim called him for a ride, the victim stated that some people were "talking crazy" like they are trying to "rob" the victim.

Officers also spoke to a male, R.G., who arrived at the scene. R.G. reported he saw the shooting and heard four to five shots. R.G. stated there was yelling and a commotion in the parking lot near the Day's Inn entrance. R.G. reported he observed a the Defendant, who he described as skinny with a muscular build, about 6'0, 171lbs, goatee and mustache with braids or dreads, wearing a white muscle shirt and plaid shorts, fire the gun that shot the victim. R.G. reported that after the shooting, he observed the Defendant appearing to be picking up shells near the Days Inn hotel door. R.G. positively identified the Defendant from a photo lineup.

Officers also spoke to a witness, R.E. who reported there was an argument followed by a fist fight between him, the victim and J.B. and a group of other males. During the fight, shots were fired. R.E. wasn't sure which of the males on the other side fired the gun.

Officers recovered a .22 caliber revolver behind a garbage can at the scene. The gun was recovered near the area where R.G. had reported observing the Defendant appearing to pick up shell casings.

The Defendant is presently in custody.

## COMPLAINT SUPPLEMENT

CCT	SECTION/Subdivision	M.O.C.	GOC

## OFFENSE

**COUNT 1:** MURDER IN THE SECOND DEGREE (INTENTIONAL) (FELONY)  
MINN. STAT. § 609.19, SUBD 1(1); § 609.11  
PENALTY: 3 YEARS-40 YEARS

That on or about August 22, 2013, in Hennepin County, Minnesota, **ANTONIO XAVIER DANIELS**, while using a firearm, caused the death of M.D.M., a human being, with intent to effect the death of that person or another, but without premeditation.

**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.**

<i>THEFORE, Complainant requests that said Defendant, subject to bail or conditions of release be:</i>	
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;	
<i>and that said Defendant otherwise be dealt with according to law.</i>	
COMPLAINANT'S NAME: <b>John Ratajczyk</b>	COMPLAINANT'S SIGNATURE:
<i>Being duly authorized to prosecute the offense(s) charged, I hereby approve this Complaint.</i>	
DATE: <b>August 26, 2013</b> <b>hlg</b>	PROSECUTING ATTORNEY'S SIGNATURE:
<b>PROSECUTING ATTORNEY:</b>	
NAME/TITLE: <b>JUANITA C. FREEMAN (0388797)</b> <b>Assistant County Attorney</b>	ADDRESS/TELEPHONE: <b>C2100 Government Center, Minneapolis, MN 55487</b> <b>Telephone: 612-543-1117</b>

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: \$1,000,000.00

Conditions of Release: No contact with victim’s family, witnesses, stay away from geographic location, no possession of weapons, make all court apps.

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

*Clerk's Signature or File Stamp:*

**STATE OF MINNESOTA**

Plaintiff

vs.

**ANTONIO XAVIER DANIELS**

Defendant(s).

**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: