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**State of Minnesota,**

Plaintiff,

vs.

**PERCY MINIFER LACEY DOB: 05/27/1993**

1101 MITCHELL DR  
Faribault, MN 55021

Defendant.

**COMPLAINT**

Warrant

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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), 609.11.5(a), 609.17.4(2), 609.05.1, 609.05.2

Maximum Sentence: 25 YEARS

Offense Level: Felony

Offense Date (on or about): 08/26/2014

Control #(ICR#): 14302514

Charge Description: That on or about 8/26/2014, in Hennepin County, Minnesota, PERCY MINIFER LACEY , acting alone or intentionally aiding, advising, hiring, counseling or conspiring with another, attempted to cause the death of Witness A, a human being, with intent to effect the death of that person or another, but without premeditation, while using a firearm, 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.

**COUNT II**

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

Minnesota Statute: 609.19.1(1), with reference to: 609.19.1(1), 609.11.5(a), 609.17.4(2), 609.05.1, 609.05.2

Maximum Sentence: 20 YEARS

Offense Level: Felony

Offense Date (on or about): 08/26/2014

Control #(ICR#): 14302514

Charge Description: That on or about 8/26/2014, in Hennepin County, Minnesota, PERCY MINIFER LACEY , acting alone or intentionally aiding, advising, hiring, counseling or conspiring with another, attempted to cause the death of Witness A, a human being, with intent to effect the death of that person or another, but without premeditation, while using a firearm.

### COUNT III

**Charge: Possess Pistol/Assault Weapon-Conviction or Adjudicated Delinquent for Crime of Violence**

Minnesota Statute: 624.713.1(2), with reference to: 609.11.5(b), 609.11.9, 624.713.2(b)

Maximum Sentence: 15 YEARS AND/OR \$30,000

Offense Level: Felony

Offense Date (on or about): 08/26/2014

Control #(ICR#): 14302514

Charge Description: That on or about 8/26/2014, in Hennepin County, Minnesota, PERCY MINIFER LACEY possessed a firearm and PERCY MINIFER LACEY has been convicted or adjudicated delinquent in this state or elsewhere of a crime of violence, Riot in the First Degree from August 2014, for which the sentence or court supervision expired on or after August 1, 1993.

## STATEMENT OF PROBABLE CAUSE

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

On August 26, 2014, officers responded to a call of shots fired at the Hennepin County Medical Center, 701 Park Avenue South, City of Minneapolis, County of Hennepin, State of Minnesota. Officers arrived and learned from security staff that multiple shots were fired in the direction of the emergency room entrance. Officers observed significant damage to the windows surrounding the emergency room entrance as well as bullet fragments and discharged cartridge casings near the intersection of 8th Street South and Chicago Avenue South.

The Minneapolis Crime Lab was called to the scene to collect evidence. Crime Lab staff noted a number of discharged cartridge casings on 8th Street to the west of Chicago Avenue. Additionally, firearms related damage was noted in the metal framing and windows along the covered sidewalk north of the emergency room driveway; in the second "E" of the "Hennepin County Medical Center" sign mounted on the roof to the covered sidewalk; the sign above the emergency room entrance; the emergency room vestibule; a south-facing window on the fourth floor of the hospital; and in the rear door of Witness 3's vehicle. Crime Lab staff recovered a total of twenty-three (23) discharged cartridge casings and a number of bullet fragments from the scene.

Officers interviewed a number of witnesses who detailed a large disturbance between two groups of males outside of the hospital entrance. One witness, identified in police reports as Witness 3, told officers that she observed people fighting in the street before hearing a male yell, "Air'em out, air'em out." At that time, Witness 3 said she started to hear gunshots and jumped behind a parked car where she waited for the shooting to stop. Witness 3 said she then went to check on her boyfriend and children who were in a nearby parked vehicle. Witness 3 said she observed a bullet hole in the rear door of the vehicle and found a bullet in the back directly behind where her children were seated.

Officers spoke with an individual identified in police reports as Witness 1. Witness 1 works at HCMC and told officers she heard gunshots outside. Witness 1 said she observed a black male in his teens or twenties with a slim build and average height firing a handgun. Witness 1 said it appeared the male was using both hands to hold onto the gun while he shot and was backing up as he did so. Witness 1 described the weapon as a "serious gun." Witness 1 told officers that the shooter got into an SUV with no license plates before fleeing.

Officers obtained surveillance video from HCMC. The video shows a group of males loitering around the entrance to the emergency room. Officers noted that the video showed a verbal and physical altercation occurring between two groups of males. Soon after, shots are fired and one of the groups runs into the hospital. Officers also note a darker colored Ford Escape on the security footage. This SUV is believed to be owned or operated by VYSEAN IVORY JOHNSON, "Defendant Johnson" herein. Officers are aware that Defendant Johnson had been observed in a similar vehicle in the past and that the vehicle did not have license plates. Witnesses at the scene noted an SUV involved in the shooting that did not have license plates.

Officers met with a known adult male, Witness A, who is a member of the street gang "Bloods" and was present at HCMC during the shooting. Witness A is familiar with VYSEAN IVORY JOHNSON and PERCY LACEY, "Defendant Lacey" herein. Witness A told officers that both Defendant Johnson and Defendant Lacey are members of the street gang "10s." Witness A told officers that a group of Bloods had been at the Hennepin County Government Center looking for Defendant Lacey prior to the incident at HCMC. Witness A said the Bloods had gone there in an effort to assault Defendant Lacey. A foot chase ensued that took the group around the Government Center before the Bloods group disengaged and returned to

HCMC to check on two individuals who had been shot earlier.

Witness A told officers that Defendant Johnson and Defendant Lacey showed up at HCMC shortly after the Bloods group arrived there. Witness A stated that he is enemies with Defendant Johnson, and Defendant Lacey is enemies with R.A., who is also a member of the Bloods. Witness A reported that Defendant Lacey called out to the Bloods present at HCMC and said, "Let's shoot this out." Witness A said his group told Defendant Lacey and the other 10s that they did not have any guns presently, so they decided to physically fight. Witness A stated that he saw Defendant Lacey holding a handgun from the time he got out of an SUV at HCMC. Witness A told officers he has observed this handgun with Defendant Johnson in the past. Witness A described the gun as a 9mm semiautomatic with a thirty (30) round magazine.

Witness A said that he hit Defendant Johnson, and he heard Defendant Johnson yell, "Air them out cuz!" At that time, Defendant Lacey started firing the gun. Witness A said he and the others with him fled. Witness A told officers he heard twenty-three (23) shots fired. Witness A further told officers that he is aware that Defendant Lacey and Defendant Johnson are the two primary "shooters" for the 10s. Witness A stated that he believed Defendant Lacey was shooting at the Bloods group because his pride was hurt. Witness A said that Defendant Lacey was making comments to the Bloods over Facebook about the incident and how he wanted to have "a dance" with them, but that they ran away. Witness A told officers that a member of the Bloods was bringing guns to the scene, but that this individual did not make it there in time before Defendant Lacey began to fire.

Your Complainant is aware that the Bloods are rivals of the 10s. Your Complainant is also aware that the 10s and Bloods both meet the statutory definition of a criminal street gang. The 10s are known to commit crimes of violence, including assault and weapons-related offenses. Your Complainant is aware that this incident is of the type used by 10s to assert authority on the street and bolster their reputation as a street gang. Furthermore, Your Complainant is aware that this incident fits a pattern of retaliatory conduct observed between the Bloods and 10s and that such retaliation is often carried out with the assistance of fellow gang members.

Your Complainant is aware that Defendant Percy has a prior conviction for Riot in the First Degree from August 26, 2014.

## 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**

Gregory Freeman  
Police Sergeant  
350 S 5th St  
Minneapolis, MN 55415-1389  
Badge: 2105

Electronically Signed:  
09/25/2014 02:22 PM

Subscribed and sworn to before the undersigned.

**Notary Public or  
Judicial Official**

Kristine Ann Phelps  
PST1, County of Hennepin  
350 S 5th St  
Minneapolis, MN 55415-1389  
Notary ID: 20283036

Commission expires: 01/31/2017  
Electronically Signed:  
09/25/2014 02:27 PM

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

**Prosecuting Attorney**

Mike Radmer  
300 S 6th St  
Minneapolis, MN 55487  
(612) 348-5550

Electronically Signed:  
09/25/2014 01:29 PM

