

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 21A00009
Court File No. 27-CR-21-119

State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

NELSON OSCAR MENDEZ DOB: 08/08/1989

3719 Columbus Ave
Apt 201
Minneapolis, MN 55407

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: Riot-2nd Degree-Armed w/Dangerous Weapon

Minnesota Statute: 609.71.2, with reference to: 609.71.2, 609.05.1, 609.05.2

Maximum Sentence: 5 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 12/31/2020

Control #(ICR#): 20322979

Charge Description: That on or about 12/31/2020, in Hennepin County, Minnesota, NELSON OSCAR MENDEZ assembled with two or more other persons, disturbed the public peace by intentionally acting with unlawful force or violence to property, and NELSON OSCAR MENDEZ was armed with a dangerous weapon.

STATEMENT OF PROBABLE CAUSE

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

On December 31, 2020, officers with the Minneapolis Police Department learned of a planned demonstration in downtown Minneapolis, Hennepin County, State of Minnesota. Postings for the demonstration noted that it was supposed to start at 11:00 pm on December 31, 2020, at Park Avenue and 4th Street. The posting instructed participants to wear black and "mask up." Additionally, the posting declared: "BURN THE PRECINCTS & THE PRISONS!" and "Drop the charges. Free them all! #Fuck12"

Officers began to monitor the group, numbering around 75, as the demonstration began in the Commons Park. Officers observed participants in the group to be wearing black and chanting "A-C-A-B, all cops are bastards." The group marched on the sidewalk and in the road as late-night downtown traffic was still present, including the light rail, headed toward the Hennepin County Juvenile Justice Center and Juvenile Detention Center.

Members of the demonstration were observed lighting off fireworks toward passing motorists and spray-painting graffiti on buildings in the area, including the Hennepin County Medical Examiner's Office and Hennepin County Juvenile Detention Center. The messages included:

"ACAB"

"DOWN W AMERICA"

"Fuck12"

"Kill all Kops"

"Crimewave 2021"

"AMERICA'S LAST YEAR?"

"DEATH TO AMERICA"

At approximately 11:38 pm, the order was given to officers to move in and detain the group in order to stop further riotous behavior. The group scattered as officers approached. Officers were able to detain approximately half of the group as they fled.

During the course of these detentions and investigation, officers recovered a handgun, knives, three cans containing a suspected wax and fuel substance, a green laser, mace, improvised spike balls, a taser, fireworks, gas masks, body armor, helmets, and 2-way radios. Additionally, it was learned that the group had a designated "emergency medical technician." Individuals detained by officers were processed at the scene and transported to the Hennepin County Jail. Among those individuals were the following who had dangerous weapons while in commission of a riot:

JORDAN PATRICK ABHOLD, Defendant Abhold herein, was detained by officers and found in possession of a loaded .38 special revolver. Defendant Abhold was also found in possession of a radio communication device that appeared to be scanning, ballistic armor, and two speed loaders with ammo. Defendant Abhold was determined to have a permit to carry.

THOMAS WILDER MOESEL, Defendant Moseley herein, was detained by officers and found in possession of a knife. Defendant Moseley is currently charged with felony Damage to Property in 27CR2022304 for damage caused to the Minneapolis Fifth Precinct and felony Possess Dangerous Weapon in a Courthouse in 27CR2022184 for carrying a handgun at the Hennepin County Government Center.

MARC MANUEL HOLLEY, Defendant Holley herein, was detained by officers and found in possession of a knife contained within a sheath on his waistband, a gas mask, zip ties, body armor, 2-way radio, and a water bottle containing a suspected alcoholic substance.

LAURA CHRISTINA GALAVIZ, Defendant Galaviz herein, was detained by officers and found in possession of two knives.

NELSON OSCAR MENDEZ, Defendant Mendez herein, was observed running past an officer shortly after a female had run past the same officer. That female threw a metal tea kettle at the officer, striking the officer in the chest. The officer gave pursuit to Defendant Mendez. The officer grabbed onto Defendant Mendez' backpack, but he pulled away from the officer. Defendant Mendez then appeared to "square up" on the officer as indication he wanted to fight or resist. The officer was able to detain Defendant Mendez and search the backpack. Inside, fireworks, a green laser, a taser, a gas mask, earplugs, and handwarmers were found. A green laser observed being shined by the group of rioters during their march. Your Complainant is aware that green lasers have been used to try to blind officers during past demonstrations.

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

Jeffrey B. Waite
Sergeant
350 S 5th St
Minneapolis, MN 55415-1389
Badge: 7449

Electronically Signed:
01/04/2021 11:39 AM
Hennepin County, Minnesota

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:
01/04/2021 11:26 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 the address listed on the attached court summons 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: \$20,000.00

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: January 4, 2021.

Judicial Officer

Luis Bartolomei
District Court Judge

Electronically Signed: 01/04/2021 11:59 AM

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

NELSON OSCAR MENDEZ

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: NELSON OSCAR MENDEZ
DOB: 08/08/1989
Address: 3719 Columbus Ave
Apt 201
Minneapolis, MN 55407

Alias Names/DOB:

SID: MN21CQ2490

Height:

Weight:

Eye Color:

Hair Color:

Gender: MALE

Race: White

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #:

SILS Person ID #: 888433

SILS Tracking No. 3208743

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	12/31/2020	609.71.2 Riot-2nd Degree-Armed w/Dangerous Weapon	Felony	N1010	X	MN0271100	20322979
	Modifier	12/31/2020	609.05.2 Liability for Crimes of Another-Reasonably Forseeable	No-Level	N1010	X	MN0271100	20322979
	Modifier	12/31/2020	609.05.1 Liability for Crimes of Another-Intentional	No-Level	N1010	X	MN0271100	20322979
	Penalty	12/31/2020	609.71.2 Riot-2nd Degree-Armed w/Dangerous Weapon	Felony	N1010	X	MN0271100	20322979