

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 15A51893
Court File No. 27-CR-15-35604

State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

MICHAEL THEODORE GALLAGHER DOB: 07/01/1953

431 S 7TH STREET
#269
MINNEAPOLIS, MN 55415

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

Maximum Sentence: 40 YEARS

Offense Level: Felony

Offense Date (on or about): 12/18/2015

Control #(ICR#): 15457323

Charge Description: That on or about 12/18/2015, in Hennepin County, Minnesota, MICHAEL THEODORE GALLAGHER , caused the death of the victim, a human being, with intent to effect the death of that person or another, but without premeditation.

STATEMENT OF PROBABLE CAUSE

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

On December 18, 2015, the Minneapolis police department received a 911 call from a man, subsequently identified as MICHAEL THEODORE GALLAGHER, DOB 7-1-1953 (defendant herein) who indicated he was calling to report a homicide. When the dispatcher asked if he was involved, the defendant said that he was and that he had killed his mother, PAG, who was 89 years old (victim herein). The dispatcher asked what happened, and the defendant replied "blunt force trauma." He said that he used a sculpture to kill his mother and that there was also "suffocation" involved.

Officers responded to the Minneapolis, Hennepin County address and observed the victim deceased, with a large amount of blood around her. Officers arrested the defendant and brought him to the jail. He was read a Miranda warning and agreed to speak with police officers. He told them the following:

He is the victim's only son, and he saw her yesterday, as he provides help to her for cleaning, etc. He had been getting despondent over a couple things- there was an issue with bedbugs in the apartment for quite a while, and nothing he had tried worked. He had used a chemical to get rid of the bedbugs, and he was concerned that the chemical had gotten into the water system after he had washed clothes and linens that had been exposed to the chemicals. He was certain they were not going to renew his mother's lease, and she has a lot of things to move.

There was a sculpture of him in the apartment and he hit the victim with it when she was lying down. She tried to get up after being hit with the sculpture, but he climbed on top of her, held her down and hit her 5 times with it. The defendant told police that the victim was calling for her mother, who was deceased, and asking him to stop. After hitting her with the sculpture didn't kill her, the defendant grabbed a pillow and tried to smother her with it. That also didn't kill the victim, so he put both hands on her neck and strangled her. The defendant told police that when strangulation didn't kill the victim, he went to get a garbage bag. He took the garbage bag and held it over the victim's face until she died. He called 911 approximately 5 hours after he killed her.

The victim was transported to the Hennepin County Medical examiner's office, where an autopsy was performed. The medical examiner opined that the victim died as a result of complex homicidal violence, including several blunt force injuries to the head, resulting in a skull fracture and bleeding around the brain, and evidence of neck compression.

The defendant is currently in custody.

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

James R Jensen
Sergeant
350 S 5th St
Minneapolis, MN 55415-1389
Badge: 3282

Electronically Signed:
12/21/2015 11:30 AM
Hennepin County, Minnesota

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

Prosecuting Attorney

Cheri Townsend
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
12/21/2015 11:02 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 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: \$2,000,000.00

Conditions of Release: No Possession of Weapons; Other: No contact with any surviving family members

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: December 21, 2015.

Judicial Officer

Michael K. Browne
Judge

Electronically Signed: 12/21/2015 11:52 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.

MICHAEL THEODORE GALLAGHER

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: