

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 16A00035
Court File No. 27-CR-16-246

State of Minnesota,

Plaintiff,

vs.

DONELLA SHANICE DAY DOB: 04/24/1988

4733 FREEMONT AVE
MINNEAPOLIS, MN 55411

Defendant.

COMPLAINT

Order of Detention

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: Criminal Vehicular Homicide - Driver Who Causes Collision Leaves Scene

Minnesota Statute: 609.2112.1(7), with reference to: 609.2112.1

Maximum Sentence: 10 YEARS AND/OR \$20,000

Offense Level: Felony

Offense Date (on or about): 12/31/2015

Control #(ICR#): 15470724

Charge Description: That on or about 12/31/2015, in Minneapolis, Hennepin County, Minnesota, DONELLA SHANICE DAY did, by operating a motor vehicle, cause a collision that caused the death of Aisha Freels, and DONELLA SHANICE DAY left the scene of that collision.

STATEMENT OF PROBABLE CAUSE

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause: On or about December 31, 2015, Minneapolis police responded to a report of a fatal collision near 40th Avenue North and Lyndale Avenue North in Minneapolis, Hennepin County, Minnesota. Upon arrival, officers observed an adult female, A.F., lying on the street and she appeared to be deceased. Officers learned A.F. had called a cab, which was parked on the west side of Lyndale Avenue. She was walking across the street toward the cab when she was struck by a vehicle traveling southbound on Lyndale Avenue. Officers spoke with H.H., the cab driver, who stated he arrived at the victim's home and she walked toward his vehicle. He stated the victim walked across the northbound lane, and then began to cross the southbound lane. H.H. observed a blue sedan driving at approximately 45 miles per hour. The driver of the sedan, later identified as DONELLA DAY, Defendant herein, struck the victim with her vehicle. He stated A.F. was struck by the center part of the vehicle, causing her body to hit the hood and strike the windshield. Emergency medical personnel arrived but A.F. was deceased at the scene.

During the course of the investigation, officers received information that Defendant was the driver of the vehicle. Officers made contact with Defendant and she admitted she was driving southbound on Lyndale Avenue North when she struck the victim. She stated she had gone to the Liquor store and was driving toward her friend's house when she saw a woman in the street. She stated the next thing she noticed was glass in her face. Officers recovered the vehicle from Defendant's garage and observed the vehicle was blue and had significant damage to the windshield.

Officers obtained surveillance video from the area that shows corroborates the witness' and Defendant's versions of what transpired. Defendant is currently in custody for this offense.

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

Jane Moore-Emberley
Police Officer
350 S 5th St
Minneapolis, MN 55415-1389
Badge: 4844

Electronically Signed:
01/04/2016 04:18 PM
Hennepin County, Minnesota

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

Prosecuting Attorney

Alan Harris
Assistant County Attorney
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
01/04/2016 04:13 PM

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: \$150,000.00

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, 2016.

Judicial Officer

Marta M. Chou
Judge

Electronically Signed: 01/04/2016 04:38 PM

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

DONELLA SHANICE DAY

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: