

P E T I T I O N

STATE OF MINNESOTA

DISTRICT COURT – JUVENILE DIVISION

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

IN THE MATTER OF THE WELFARE OF

Child: MARCEL TYRONE FARR, (10/11/1998)
3201 CHICAGO AVE S #2
MINNEAPOLIS, MN

Family ID: 345286
C.A. Case No: 16J09112

CA of Record: Sarah J. Vokes
(387661)

Mother: MAKEESHA MILLER
(SAME AS CHILD)

**Juvenile Felony Delinquency Age 16 Or Older
FIREARM
Presumptive Certification**

Father: UNKNOWN

PO:

Step Father: BLAIR GREEN
3825 COLUMBUS AVE S #1
MINNEAPOLIS, MN 55407

The Juvenile Court has jurisdiction by reason of the following allegations: The above-named juvenile is alleged to be delinquent pursuant to Minn. Stat. § 260B.007, Subd. 6(1) because said child has violated a state/local law as follows:

Count 1: H2F13 Murder - 2nd Degree - Drive-by Shooting (Felony)

MINN. STAT. 609.19.1(2), 609.19.1

That on or about 8/3/2016, in Minneapolis, Hennepin County, Minnesota, MARCEL TYRONE FARR, caused the death of T.I.P., a human being, while MARCEL TYRONE FARR committed or attempted to commit a drive-by shooting in violation of Minn. Stat. 609.66, Subd. 1e, without intent to effect the death of a person.

Count 2: W1H4J Dangerous Weapons-Drive by Shooting toward person, occupied motor vehicle or occupied building (Felony)

MINN. STAT. 609.66.1e(b), 609.66.1e(b), 609.11.5(a)

That on or about 8/3/2016, in Minneapolis, Hennepin County, Minnesota, MARCEL TYRONE FARR, while in or having just exited a motor vehicle, recklessly discharged a firearm at or toward a person, J.H.R., or another motor vehicle, or a building and the vehicle or building was occupied.

PROBABLE CAUSE STATEMENT

Your Petitioner is an Assistant County Attorney. In that capacity, Petitioner believes the facts and circumstances recited below establish probable cause:

At around 7:30 a.m. on August 3, 2016, officers of the Minneapolis Police Department were dispatched to a shooting in the area of Logan and 26th Avenues North in Minneapolis, Hennepin County, Minnesota. Upon arrival, officers found a 19-year-old male, T.I.P., lying face down and unresponsive in the road next to a bicycle. Victim J.H.R. was standing next to T.I.P. Officers administered first aid and observed that T.I.P. had a gunshot wound to his abdomen. An ambulance responded to the scene and transported T.I.P. to the hospital. T.I.P. died later that morning from his injuries.

The Crime Lab responded to the scene to collect evidence. Five discharged cartridge casings were recovered by the Crime Lab. In a canvas of the area, multiple people reported hearing shots fired, including one neighbor who reported seeing a red Jeep drive north on Logan Avenue at the time of the shots.

Victim J.H.R. told police officers that he and the decedent were riding their bikes up to Brooklyn Park that morning. As they were riding north on Logan Avenue, they passed a group of males and females outside a house near the intersection of Logan and Hillside Avenues. Victim J.H.R. said he heard one of them yell out his name. Victim J.H.R. and the decedent didn't respond and kept riding their bikes. Victim J.H.R. saw some of the people from that group get into a red Jeep to pursue victim J.H.R. and the decedent. The Jeep caught up to victim J.H.R. and the decedent about two blocks north, near the intersection of Logan and 25th Avenues North.

When the Jeep caught up to them, Victim J.H.R. recognized a male sitting in the back passenger side seat whom he knew as Marcel, later identified as MARCEL TYRONE FARR, Respondent herein. The Respondent asked him, "Ain't you [victim J.H.R.'s name]? Ain't you with the Pack?" Victim J.H.R. told the Respondent that he didn't do that anymore. The Respondent then responded, "That's good because I would have killed you."

As victim J.H.R. and the decedent started to bike away, continuing to ride northbound on Logan Avenue, victim J.H.R. heard gunfire. Victim J.H.R. looked and saw the Respondent leaning out the window of the Jeep, firing a black handgun. Victim J.H.R. heard the decedent say "I'm hit!" The decedent continued to ride his bicycle for a few seconds before he collapsed in the road. Victim J.H.R. yelled for some nearby construction workers to call 911.

Victim J.H.R. led police to the area where he and the decedent first saw the Respondent outside a house near the intersection of Logan and Hillside Avenues. Victim J.H.R. saw the suspect vehicle parked behind 1818 Hillside Avenue. Officers approached the red Jeep parked behind the house. The Jeep was unoccupied; the doors were unlocked and the windows were down; a passenger door was left open; and the hood of the Jeep was still hot to the touch. Victim J.H.R. then saw the Respondent look out of an upstairs window of the house and told officers the Respondent was inside the house.

Officers made contact with an adult resident of 1818 Hillside; she did not know why the Jeep was parked behind her house. She called several juveniles out of her home and then let officers clear the house. Officers found four males in two upstairs bedrooms of the house including the Respondent.

As officers were escorting the various individuals from the home, Victim J.H.R. saw the Respondent and identified him as the male he saw shoot the decedent from inside the Jeep. Victim J.H.R. identified another male found upstairs, A.A.L., as the back driver side passenger.

A.A.L. later told police he was in the Jeep at the time of the shooting. He said he was in the backseat with S.D.C. and the Respondent. He saw the Respondent shoot a handgun out the window.

Another one of the juveniles who was in 1818 Hillside Avenue when police officers arrived, S.D.C., admitted to police that she was in the backseat of the red Jeep with her boyfriend, A.A.L., and the Respondent. She stated that the Respondent leaned out the window and shot at the two males on bikes. S. D.C. told officers that afterward they all returned to 1818 Hillside Avenue, but that the Respondent left the house for a few minutes before police officers arrived.

Another one of the juveniles who was in 1818 Hillside Avenue when police officers arrived, J.L.R.,

admitted to being the driver of the vehicle. J.L.R. told police that the Jeep belongs to her uncle who lets her drive it. J.L.R. told officers that the Respondent began shooting at the males on the bikes as she pulled away.

In a post-Miranda statement to police, the Respondent admitted to being in the red Jeep. The Respondent told police that when they caught up to the two males on bikes, the two males told them to "move on." The Respondent claimed that one of the males riding a bike had his hand around his waistband. The Respondent told the driver to "pull off". As they drove down the block, the Respondent admitted that he shot the gun out of the passenger side window multiple times. He claimed he shot twice in the air and a couple of times toward the males on bikes.

The offenses enumerated in Counts 1 and 2 are felonies that involve the use of a firearm.

The offenses enumerated in Counts 1 and 2 are presumptive prison offenses.

PURSUANT TO M.S. 260B.125, THE STATE IS MOVING, BY SEPARATE MOTION, THAT THIS PROCEEDING BE CERTIFIED TO THE DISTRICT COURT FOR ACTION UNDER THE CRIMINAL LAWS.

I endorse this Petition as to form and verify that the contents are true to the best of my information and belief pursuant to MRJDP 6.03, Subd. 3.

I DECLARE UNDER PENALTY OF PERJURY THAT EVERYTHING I HAVE STATED IN THIS DOCUMENT IS TRUE AND CORRECT.

Sarah J. Vokes 08/05/2016

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