

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 17A09436
Court File No. 27-CR-17-19203

State of Minnesota,

Plaintiff,

vs.

ELBERT LEE ROBINSON JR DOB: 08/08/1985

1210 KNOX AVE N
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: Murder - 2nd Degree - With Intent-Not Premeditated

Minnesota Statute: 609.19.1(1), with reference to: 609.05.1, 609.05.2, 609.19.1

Maximum Sentence: 40 YEARS

Offense Level: Felony

Offense Date (on or about): 07/28/2017

Control #(ICR#): 17284957

Charge Description: That on or about 7/28/2017, in Hennepin County, Minnesota, ELBERT LEE ROBINSON Jr, acting alone or by intentionally aiding and abetting another, caused the death of victim, a human being, with intent to effect the death of that person or another, but without premeditation.

COUNT II

Charge: Aiding an Offender - Accomplice After the Fact

Minnesota Statute: 609.495.3, with reference to: 609.495.3

Maximum Sentence: 1/2 statutory maximum for underlying crime

Offense Level: Felony

Offense Date (on or about): 07/30/2017

Control #(ICR#): 17284957

Charge Description: That on or about 7/30/2017, in, Hennepin County, Minnesota, ELBERT LEE ROBINSON Jr aided JAMES ANDRE WOODARD, a person ELBERT LEE ROBINSON Jr knew or had reason to know had committed a criminal act, by providing false or misleading information about that crime.

STATEMENT OF PROBABLE CAUSE

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

That on July 28, 2017, at approximately 8:42 p.m., officers were dispatched to a multi-unit housing complex located at 1621 Plymouth Avenue North in Minneapolis, Hennepin County, Minnesota, to investigate a shooting. In route, officers were advised the incident occurred in the rear of the building near an alley/parking area. Upon arrival, officers located an identified adult male, hereafter victim, lying on the pavement. Victim presented with a single gunshot wound to the head. Victim died from this injury.

During subsequent investigation, the shooter was identified as JAMES ANDRE WOODARD. WOODARD was charged with Murder in the Second Degree (MNCIS File No.: 27-CR-17-18982).

Prior to identifying WOODARD as the shooter and during the initial investigation, officers were advised video surveillance from the 1621 building captured the incident from multiple camera angles. Officers watched the video and observed the following:

Prior to the shooting, victim is behind the above-listed building by the parking lot and alley. Victim engages with several people, including ELBERT LEE ROBINSON, JR., hereafter defendant. Eventually, with defendant still present, victim entered his vehicle, drove west in the alley and then turned southbound onto Knox Avenue before disappearing from camera view.

Shortly thereafter, WOODARD approached the area from another intersecting alley to the south of the scene. WOODARD moved from the alley to a concealed position next to a garage. This garage is directly across from the alley/parking area where victim was eventually shot. WOODARD remained by the garage with his hoodie up and pulled tightly around his head.

As WOODARD remained concealed by the garage, defendant left the parking area, walked to the side of the garage, and engaged in apparent conversation with WOODARD. Defendant then left the garage area and walked west to the intersection of the alley and Knox Avenue. Defendant looked up and down Knox Avenue. Officers learned that a Minneapolis squad car had been positioned at this location earlier in the evening but had moved away by the time defendant walked to this position. After looking up and down Knox Avenue, defendant walked east in the alley and went behind the garage where WOODARD was still positioned. Again, defendant engaged in apparent conversation with WOODARD and then returned to the parking area.

Minutes later, victim returned via the alley from the east and parked in one of the parking spaces. Victim exited his vehicle and is greeted by his children, all of whom are pre-teen. Victim and his children walked to the east (towards WOODARD'S concealed position). As victim slowly walked east, defendant moved with victim but farther to the east, thus placing himself in line of sight with WOODARD who was still concealed on the side of the garage. Defendant then appears to signal WOODARD as victim continued to walk east with his children. Approximately five seconds after being signaled by defendant, WOODARD removed a handgun from his waist, left his concealed position by the garage, ran towards victim, held the handgun in the air directly aimed at the back of victim's head, and fired a round into victim's head before turning and running southbound back down the alley from where he first came. As WOODARD advanced on victim, defendant is walking away but had his head turned watching WOODARD approach and shoot victim. Victim, who was shot directly in the presence of his children, fell to the ground. Victim's children are hysterical and are eventually removed from the scene by others.

On July 30, 2017, defendant arrived at the police department for an interview. By this time, officers had developed information that WOODARD was responsible for the shooting. Defendant admitted he was present in the area prior to and during the shooting. Defendant admitted he was there with victim, victim's children, and numerous others. Defendant stated he knows WOODARD, but denied WOODARD was present that evening. Defendant claimed he had not spoken with WOODARD in months. Defendant denied going behind the garage and speaking with anyone standing there. Defendant then changed his story and stated he went behind the garage one time to meet with a person other than WOODARD for a narcotics transaction.

Officers advised defendant they had video surveillance of him going by the garage and conversing with the eventual shooter. Defendant now admitted he saw WOODARD by the garage and went over to speak with him one time, but denied going twice. When confronted with still images from the source video showing defendant go to the garage two times, defendant now acknowledged he did in fact walk to the garage two times but maintained he only spoke to WOODARD on one occasion. Defendant positively identified the person seen hiding by the garage as WOODARD. Defendant denied seeing WOODARD shoot the victim. Defendant then admitted he saw WOODARD shoot the victim.

At present, defendant is 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

Darcy Klund
SERGEANT
350 S 5th St
Minneapolis, MN 55415-1389
Badge: 3728

Electronically Signed:
08/03/2017 01:50 PM
Hennepin County, Minnesota

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

Prosecuting Attorney

Darren Borg
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
08/03/2017 01:34 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 300 S Sixth Street, Minneapolis, MN 55487 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:

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: August 3, 2017.

Judicial Officer

Jamie L Anderson
District Court Judge

Electronically Signed: 08/03/2017 02:04 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.

ELBERT LEE ROBINSON Jr

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: