

State of Minnesota  
County of Hennepin

District Court  
4th Judicial District

Prosecutor File No. 20A11203  
Court File No. 27-CR-20-20895

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**State of Minnesota,**

Plaintiff,

vs.

**MATTHEW THOMAS RUSH DOB: 12/22/1986**

14501 Atrium Way  
Apt 36  
Minnetonka, MN 55345

Defendant.

**COMPLAINT**

Order of Detention

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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: 609.11.5(a), 609.17.4(2), 609.19.1, 609.11.9  
Maximum Sentence: HALF OF, 40 YEARS  
Offense Level: Felony

Offense Date (on or about): 09/14/2020

Control #(ICR#): 20002398

Charge Description: That on or about 9/14/2020, in Hennepin County, Minnesota, Matthew Thomas Rush, ATTEMPTED TO cause the death of the victim, a human being, with intent to effect the death of that person or another, but without premeditation, while using a firearm.

Minimum Sentence: 3 YEARS

**COUNT II**

**Charge: Aggravated Robbery-1st Degree**

Minnesota Statute: 609.245.1, with reference to: 609.245.1, 609.11.5(a), 609.17.4(2)  
Maximum Sentence: HALF OF 20 YEARS AND/OR \$35,000  
Offense Level: Felony

Offense Date (on or about): 09/14/2020

Control #(ICR#): 20002398

Charge Description: That on or about 9/14/2020, in Hennepin County, Minnesota, Matthew Thomas Rush, ATTEMPTED TO take personal property from the person or in the presence of the victim, knowing that he was not entitled to the property and used and/or threatened the imminent use of force against the victim to overcome the victim's resistance or powers of resistance to or to compel acquiescence in the taking or carrying away of the property, and inflicted bodily harm upon the victim while using a firearm.

Minimum Sentence: 3 YEARS

**COUNT III**

**Charge: Assault-2nd Degree-Dangerous Weapon**

Minnesota Statute: 609.222.1, with reference to: 609.222.1, 609.11.5(a), 609.101.2

Maximum Sentence: 7 YEARS AND/OR \$4,200-\$14,000

Offense Level: Felony

Offense Date (on or about): 09/14/2020

Control #(ICR#): 20002398

Charge Description: That on or about 9/14/2020, in Hennepin County, Minnesota, Matthew Thomas Rush, assaulted the victim while using a firearm.

Minimum Sentence: 3 YEARS

## STATEMENT OF PROBABLE CAUSE

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

On September 14, 2020 at approximately 8:54 p.m., Edina Police responded to a report of a shooting in the west parking ramp of Fairview Southdale Hospital in Edina, Hennepin County, Minnesota. The victim was being treated in the emergency department for a gunshot wound to the head. The bullet had entered through the victim's forehead and exited through his scalp, causing deep lacerations which required stitches and staples to close.

The victim told police that he had arrived for work at the hospital and parked his vehicle in the parking ramp. A man, later identified as MATTHEW THOMAS RUSH, Defendant "Rush" herein, approached the victim's window and tapped on it. Rush asked to use the victim's cell phone, and the victim got out of his car and handed his phone to Rush. After dialing a number on the phone, Rush handed the phone back to the victim then produced a handgun and pointed it at the victim. Rush ordered the victim to "get in the car" and threatened to kill the victim. The victim grabbed for the gun, and Rush moved the gun upwards. The victim heard a gunshot and fell to the ground as Rush fled. The victim realized he was bleeding from his forehead and was able to get inside the hospital. Police collected a .45 caliber discharged cartridge casing from the scene of the shooting. During his statement, the victim provided a detailed physical description of Rush to police.

Surveillance footage from a stairwell depicts a man loitering in the west stairwell of the parking ramp just before the shooting then running down the stairs immediately after the shooting. Surveillance from a business adjacent to the west of the parking ramp depicted a silver, two-door car with a large dent on the passenger side driving away from the area after the shooting. Investigators issued a crime alert with images from the surveillance footage.

On September 24, 2020, investigators received information from the Savage Police Department that a car matching the images in the crime alert had been involved in a theft of credit cards on September 15, 2020. The stolen credit cards were used at a Walgreens by a woman, identified as LUCINDA ANN PETERSON ("Peterson"), the registered owner of the silver car, to purchase multiple gift cards. The gift cards were later used for a hotel reservation under the name "Lucinda Peterson."

Edina police were familiar with Peterson because she was the passenger in a vehicle which fled from police on August 20, 2020. The driver of the vehicle on August 20th was Matthew Rush. Rush matches the physical description of the shooter provided by the victim, including the presence of a dark tattoo on his neck. Investigators conducted a photo line-up including Rush's photograph with the victim. The victim identified Rush as the person who had shot him in the parking ramp on September 14, 2020.

Investigators gathered phone numbers associated with Rush and Peterson from hotel reservations and Peterson's probation officer and obtained location data from the cell carrier. The location data indicated that both Peterson's and Rush's phones were in the area of Fairview Southdale Hospital on September 14th at the time of the shooting. The phones then traveled to a storage unit facility in New Brighton. Police obtained account information, surveillance footage, and access records from the storage facility. Peterson and Rush were both listed on an account for a storage unit, and access records indicated that they entered the facility after the shooting on the evening of September 14th.

Surveillance footage depicts Peterson and Rush arriving in Peterson's car and entering their storage unit. Police obtained a search warrant for the storage unit and collected evidence, including gun cleaner, an

empty handgun case, and the title for Peterson's car.

On September 27, 2020, Peterson's car was observed by police at a hotel in Bloomington. Police arrested Rush inside the car and arrested Peterson inside a hotel room. From inside the hotel room, police collected evidence including apparent methamphetamine and male clothing matching Rush's clothing on the night of the shooting. In a notebook inside the hotel room, police found a handwritten list which included "burner phones" and "gun."

In a statement to police after her arrest, Peterson identified her car in the surveillance footage from the adjacent business on the night of the shooting. Peterson said she was driving in the area of Fairview Southdale looking for a bank and must have made a wrong turn. Peterson denied that Rush was with her in the vehicle, claiming he was working. When asked about the phone number she had provided to her probation officer, Peterson claimed she wasn't familiar with the number. The phone number was later linked to one of several cell phones seized during Peterson's and Rush's arrests.

Defendant's criminal history includes felony convictions for financial transaction card fraud, drug possession, and other theft-related offenses. In 2014, Defendant was convicted of first degree aggravated robbery in connection with an incident in which he approached a victim in a parking ramp, pointed a gun at the victim, and demanded the victim "get in the car," before stealing the victim's purse.

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**

Jason Behr  
Detective  
4801 50th Street W  
Edina, MN 55424  
Badge: 175

Electronically Signed:  
09/29/2020 11:45 AM  
Hennepin County, Minnesota

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

**Prosecuting Attorney**

Paige L Starkey  
300 S 6th St  
Minneapolis, MN 55487  
(612) 348-5550

Electronically Signed:  
09/29/2020 11:43 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: \$500,000.00

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: September 29, 2020.

**Judicial Officer**

Luis Bartolomei  
District Court Judge

Electronically Signed: 09/29/2020 11:53 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.

**Matthew Thomas Rush**

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:** Matthew Thomas Rush  
**DOB:** 12/22/1986  
**Address:** 14501 Atrium Way  
Apt 36  
Minnetonka, MN 55345

**Alias Names/DOB:**

**SID:** MN07073250

**Height:**

**Weight:**

**Eye Color:**

**Hair Color:**

**Gender:** MALE

**Race:** Asian

**Fingerprints Required per Statute:** Yes

**Fingerprint match to Criminal History Record:** Yes

**Driver's License #:**

**SILS Person ID #:** 661414

**SILS Tracking No.** 3189172

**Case Scheduling Information:** attempted homicide  
PETERSON, LUCINDA ANN 20A11204 Codefendant also coming through  
queue

**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	9/14/2020	609.19.1(1) Murder - 2nd Degree - With Intent-Not Premeditated	Felony	H2313	A	MN0270600	20002398
	Penalty	9/14/2020	609.19.1 Murder - 2nd Degree	Felony	H2313	A	MN0270600	20002398
	Modifier	9/14/2020	609.11.9 Minimum Sentences of Imprisonment - Applicable Offenses	No-Level	H2313	A	MN0270600	20002398
	Penalty	9/14/2020	609.11.5(a) Minimum Sentences of Imprisonment-Firearm Use or Possession	Felony	H2313	A	MN0270600	20002398
	Penalty	9/14/2020	609.17.4(2) Anticipatory Crimes-Attempts-Penalty-1/2 Of Intended	Felony	H2313	A	MN0270600	20002398
2	Charge	9/14/2020	609.245.1 Aggravated Robbery-1st Degree	Felony	R1123	A	MN0270600	20002398
	Penalty	9/14/2020	609.17.4(2) Anticipatory Crimes-Attempts-Penalty-1/2 Of Intended	Felony	R1123	A	MN0270600	20002398
	Penalty	9/14/2020	609.11.5(a) Minimum Sentences of Imprisonment-Firearm Use or Possession	Felony	R1123	A	MN0270600	20002398
	Penalty	9/14/2020	609.245.1 Aggravated Robbery-1st Degree	Felony	R1123	A	MN0270600	20002398
3	Charge	9/14/2020	609.222.1 Assault-2nd Degree-Dangerous Weapon	Felony	A2223		MN0270600	20002398
	Definition	9/14/2020	609.101.2 Minimum Fines – Victim Assistance Programs	No-Level	A2223		MN0270600	20002398
	Penalty	9/14/2020	609.11.5(a) Minimum Sentences of Imprisonment-Firearm Use or Possession	Felony	A2223		MN0270600	20002398
	Penalty	9/14/2020	609.222.1 Assault-2nd Degree-Dangerous Weapon	Felony	A2223		MN0270600	20002398