

State of Minnesota  
County of Hennepin

District Court  
4th Judicial District

Prosecutor File No. 17A05141  
Court File No. 27-CR-17-10502

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**State of Minnesota,**  
Plaintiff,

**COMPLAINT**  
Order of Detention

vs.

**CARLOS ANDRES RODRIGUEZ-ORTEGA DOB: 08/23/1996**

5523 Oliver Ave S  
Minneapolis, MN 55419

Defendant.

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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: Assault-2nd Degree-Dangerous Weapon**

Minnesota Statute: 609.222.1, with reference to: 609.222.1, 609.11.5(a), 609.05.1, 609.05.2, 609.101.2

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

Offense Level: Felony

Offense Date (on or about): 04/27/2017

Control #(ICR#): 17151996

Charge Description: That on or about 4/27/2017, in Hennepin County, Minnesota, CARLOS ANDRES RODRIGUEZ-ORTEGA, acting alone or intentionally aiding, advising, hiring, counseling or conspiring with another or otherwise procures the other to commit the crime assaulted 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 April 27, 2017, at 12:41 AM, officers responded to a shooting outside of a residence in South Minneapolis, Hennepin County, Minnesota. Officers spoke to an adult male identified as Victim, who reported that he came to his front door, and, while standing in his doorway, two men shot at him from the middle of the street. Victim stated that the two shooters then ran through the backyard of the residence across the street, entered a black BMW which was parked in the alley, and left the area. Victim reported that he would be able to identify the two shooters. Officers located ten 9mm DCCs in the street and observed bullet holes in Victim's residence.

As other officers were responding to the shooting scene, they observed a black BMW travelling at a high rate of speed away from the scene. Officers turned around and observed that the black BMW stopped at a gas station. Officers approached the vehicle and observed that three adult males had been in the vehicle as it sped away from the scene. Officers stopped the males. The driver was identified as Demetrius Hart. The passengers were identified as Darrell Gene Weyaus, Defendant Weyaus herein, and Carlos Andres Rodriguez-Ortega, Defendant Rodriguez-Ortega herein.

Victim was transported to the scene, and officers conducted three separate field-identification procedures with the three men. Victim did not identify Hart. When officers showed Defendant Rodriguez-Ortega to Victim, Victim positively identified him, immediately stating, "Yep, that's him! And there was another one. I have no doubt. I'm absolutely positive. Him and another dude were shooting. I couldn't tell who had the gun, but there was another native dude." Officers then showed Defendant Weyaus to Victim, and Victim immediately stated, "Yeah, that's him! Oh my god! I'm thinking he was the shooter. He and the other guy were right out front! Him and the other guy [Rodriguez-Ortega] were out front." Victim stated that he was absolutely positive that Defendant Rodriguez-Ortega and Defendant Weyaus were the two men who committed the shooting.

Officers checked the area around the suspect vehicle and located a 9mm semi-automatic Ruger pistol on the ground. Officers noted that the firearm's slide was in the firing position but that the firearm contained no live ammunition.

Officers arrested Defendant Rodriguez-Ortega and Defendant Weyaus. When Defendant Weyaus was booked at the Hennepin County Jail, officers located a live round of 9mm ammunition on his person.

Officers learned of a surveillance camera in the area of the shooting which captured the front of Victim's residence. Officers reviewed the footage from the time of the shooting, which corroborated Victim's description of the events. Based on officers' review of the video footage, Defendant Rodriguez-Ortega and Defendant Weyaus emerge from the side of Victim's residence, walk in front of Victim's residence; back up into the street; and begin shooting at Victim at the moment Victim becomes visible in his front doorway. Defendant Weyaus fires ten shots at Victim as Defendant Rodriguez-Ortega is shown moving, positioning, and directing Defendant Weyaus in an apparent effort to assist Defendant Weyaus in gaining a clearer shot at Victim. After the shooting, Defendant Rodriguez-Ortega and Defendant Weyaus then flee together across the street to the alley and appear to enter a black vehicle.

Further investigation and related forensic testing are pending.

Court records reveal that Defendant Weyaus has a lengthy criminal record, including a current pending

Aggravated Robbery and Second Degree Assault charges arising from an event which occurred on March 21, 2017 (Case #34-CR-17-329). Additionally, Defendant Weyaus has a juvenile adjudication for Assault in the Fourth Degree from January 20, 2012 (case #62-JV-11-3815). As a result of this adjudication, Defendant Weyaus is prohibited by law from possessing firearms and ammunition.

Court records also reveal that Defendant Rodriguez-Ortega has a lengthy criminal record.

Defendant Rodriguez-Ortega and Defendant Weyaus are 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**

Scott A Olson  
Sergeant  
350 S 5th St  
Minneapolis, MN 55415-1389  
Badge: 5315

Electronically Signed:  
04/28/2017 01:07 PM  
Hennepin County, Minnesota

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

**Prosecuting Attorney**

Joshua Larson  
300 S 6th St  
Minneapolis, MN 55487  
(612) 348-5550

Electronically Signed:  
04/28/2017 12:18 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: \$300,000.00

Conditions of Release: Other: All reasonable conditions.

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: April 28, 2017.

**Judicial Officer**

Allen Oleisky  
Judge

Electronically Signed: 04/28/2017 02:05 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.

**CARLOS ANDRES RODRIGUEZ-ORTEGA**

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: