

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 18A14284
Court File No. 27-CR-18-29410

State of Minnesota,

Plaintiff,

vs.

LLOYD EDWARD JOHNSON DOB: 08/28/1963

635 PRAIRIE CENTER DR
#168
EDEN PRAIRIE, MN 55344

Defendant.

COMPLAINT

Summons

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: Terroristic Threats-Reckless Disregard Risk

Minnesota Statute: 609.713.1, with reference to: 609.713.1

Maximum Sentence: 5 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 11/19/2018

Control #(ICR#): 18047315

Charge Description: That on or about November 19, 2018, in Hennepin County, Minnesota, LLOYD EDWARD JOHNSON (DEFENDANT) did threaten to commit a crime of violence with the purpose of terrorizing another, and/or in reckless disregard of the risk of causing terror in another.

COUNT II

Charge: Carry/Possess Pistol w/out Permit - Public Place - Gross Misdemeanor; Second or Subsequent - Felony

Minnesota Statute: 624.714.1a, with reference to: 609.03.2, 624.714.1a

Maximum Sentence: 1 YEAR AND/OR \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 11/19/2018

Control #(ICR#): 18047315

Charge Description: That on or about November 19, 2018, in Hennepin County, Minnesota, LLOYD EDWARD JOHNSON held or possessed in a motor vehicle, snowmobile, or boat, or on or about his clothes or person, or otherwise possessed or controlled in a public place or area, a pistol, without first having obtained a permit to carry a pistol.

STATEMENT OF PROBABLE CAUSE

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

On November 19, 2018, officers were dispatched to a McDonalds located at 598 Prairie Center Drive, Eden Prairie, Hennepin County, Minnesota, on a report that a man pulled a gun on a group of teenagers but was no longer on scene.

Officers spoke with victims H.A. and A.M., both 17 years old. H.A. told police that she and A.M., were trying to use "Apple Pay" to purchase food, but the system was not working. H.A. stated that a male standing behind her started complaining and told them to hurry up. The male then said "you were probably trying to pay with EBT." H.A. turned around and verbally confronted the male about the statement. The male then approached A.M. and got into her face. A.M. described the male as balling his fist and putting her in fear that he was going to hit her. A.M. went to the dining room area to ask for help from her other friends that were at the store.

H.A. and A.M. told officers that other friends at the restaurant verbally confronted the male. H.A. stated that the male walked away from the group but then returned with his cell phone, appearing to record the argument. H.A. stated that the male then yelled at everyone to back up before pulling a handgun from his waistband and exiting the store. H.A. told police that the male did not point the handgun at anyone in the group. H.A. stated she was scared for her and her friends' safety. A.M. stated that she did not see a gun but heard several people yelling that the male had a gun.

Officers obtained short clips of the incident from cell phones. McDonald's surveillance system showed several angles of the offense; however, a manager at McDonald's was unable to immediately provide officers with a copy of any surveillance footage due to technical difficulties with the system.

Officers later identified the male as LLOYD EDWARD JOHNSON (DEFENDANT) and learned that DEFENDANT did not have a permit to carry a firearm. On November 21, 2018, officers spoke with DEFENDANT. DEFENDANT admitted that he had a handgun in his right jacket pocket when he was in the McDonalds. DEFENDANT stated he felt threatened by the group and pulled his handgun out so he could leave the restaurant. DEFENDANT stated he did not point the gun but may have waived it. DEFENDANT admitted to making a statement about one of the girls using an EBT card and stated "that was an insult, I shouldn't have said that." DEFENDANT admitted he did not have a permit to carry the firearm. DEFENDANT stated that the gun he used was inside of his car.

Officers recovered a black STEYR M40 semi-automatic handgun in between the two front seats of DEFENDANT's car. The gun had a magazine loaded with 10 rounds of ammunition but did not have a round in the chamber.

Copies of all McDonald's surveillance footage was provided to officers on November 28, 2018. A review of the footage shows DEFENDANT standing against a wall in front of the ordering counter while H.A. and A.M. are at the counter attempting to pay. DEFENDANT says something to H.A. and A.M., which causes them to look back. As H.A. and A.M. leave the counter, DEFENDANT points and quickly approaches A.M., getting close to her face. Another male turns around from the counter and approaches DEFENDANT. DEFENDANT slaps the male's hand away and assumes an aggressive posture while keeping his right hand in his right jacket pocket. DEFENDANT then backs away for a moment before taking out his cell phone and reengaging the group. As more students come from the dining area to the counter area, DEFENDANT backs away while pulling out a gun from his right jacket pocket. Once the gun is out, the

group quickly scatters in different directions while DEFENDANT leaves the restaurant.

DEFENDANT is out of 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

John Andrews
Detective
8080 Mitchell Rd
Eden Prairie, MN 55344
Badge: 118

Electronically Signed:
12/03/2018 09:52 AM
Hennepin County, Minnesota

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

Prosecuting Attorney

Scott E. Haldeman
Assistant County Attorney
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
12/03/2018 09:01 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 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: \$0.00

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: December 3, 2018.

Judicial Officer

Theodora Gaitas
Judge

Electronically Signed: 12/03/2018 10:10 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.

LLOYD EDWARD JOHNSON

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE
*I hereby Certify and Return that I have served a copy of this
Summons upon the Defendant herein named.*

Signature of Authorized Service Agent:

DEFENDANT FACT SHEET

Name: LLOYD EDWARD JOHNSON
DOB: 08/28/1963
Address: 635 PRAIRIE CENTER DR
#168
EDEN PRAIRIE, MN 55344

Alias Names/DOB:

SID: MN18B93352

Height:

Weight:

Eye Color:

Hair Color:

Gender: MALE

Race: White

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #:

SILS Person ID #: 767791

SILS Tracking No. 3067993

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	11/19/2018	609.713.1 Terroristic Threats-Reckless Disregard Risk	Felony	A9C23		MN0272600	18047315
	Penalty	11/19/2018	609.713.1 Terroristic Threats-Reckless Disregard Risk	Felony	A9C23		MN0272600	18047315
2	Charge	11/19/2018	624.714.1a Carry/Possess Pistol w/out Permit - Public Place - Gross Misdemeanor; Second or Subsequent - Felony	Gross Misdemeanor	W2528		MN0272600	18047315
	Penalty	11/19/2018	624.714.1a Carry/Possess Pistol w/out Permit - Public Place - Gross Misdemeanor; Second or Subsequent - Felony	Gross Misdemeanor	W2528		MN0272600	18047315
	Penalty	11/19/2018	609.03.2 Punishment When Not Otherwise Fixed-Gross Misdemeanor	Gross Misdemeanor	W2528		MN0272600	18047315