

State of Minnesota  
County of Hennepin

District Court  
4th Judicial District

Prosecutor File No. 19A12134  
Court File No. 27-CR-19-24243

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**State of Minnesota,**  
Plaintiff,

**COMPLAINT**  
Order of Detention

vs.

**VARNELL DAVID ALLEN DOB: 07/22/1996**

4347 University Ave NE  
Columbia Heights, MN 55421

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: Murder - 2nd Degree - With Intent-Not Premeditated**

Minnesota Statute: 609.19.1(1), with reference to: 609.11.5(a), 609.19.1, 609.11.9

Maximum Sentence: 40 YEARS

Offense Level: Felony

Offense Date (on or about): 09/28/2019

Control #(ICR#): 19295674

Charge Description: That on or about 9/28/2019, in Hennepin County, Minnesota, VARNELL DAVID ALLEN, caused the death of 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

## STATEMENT OF PROBABLE CAUSE

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

That on September 28, 2019, at approximately 10:21 p.m., officers were dispatched to the corner of 8th Street South and Hennepin Avenue in Minneapolis, Hennepin County, Minnesota, to investigate a shooting. Upon arrival, officers located an identified adult male, hereafter victim, lying on the street with a female, hereafter Witness #1, attending to him. Witness #1 was identified as victim's girlfriend. Officers observed victim bleeding profusely from his head and mouth and located a gun shot wound to his torso. A live round and a discharged cartridge casing were located near victim's body. Victim was not breathing and did not have a pulse. Victim was transported to the hospital where he was pronounced dead.

Officers spoke with several eyewitnesses who reported the incident involved two males who left in a silver colored vehicle after assaulting victim and Witness #1. Witnesses provided a license plate of the vehicle. Officers learned the incident was recorded on two different cameras: a city camera positioned at the above-listed intersection and on a personal cell phone belonging to a citizen who was walking in the area at the time. Both recordings were viewed and, when combined, showed the following:

Victim and Witness #1 were walking in the area of Hennepin Avenue and 8th Street. A silver vehicle pulled over at the intersection and two males exited the vehicle. The driver, subsequently identified as VARNELL DAVID ALLEN, hereafter defendant, exited the vehicle holding a handgun. Defendant and the other male approached victim and Witness #1. A fight ensues. Defendant "pistol whips" victim and the sound of the handgun striking victim's skull is audible. As defendant continues to assault victim, defendant drops the handgun. Defendant picks up the handgun and shoots victim in the torso. A single gunshot is audible. Defendant and the other male then disengage, reenter their vehicle with defendant driving, and head north on Hennepin Avenue towards 7th Street. As he approaches 7th Street, due to stopped traffic, defendant drives into the oncoming southbound lane and takes a left onto 7th Street before disappearing from camera view.

Officers spoke with Witness #1. Witness #1 reported she was walking with victim on Hennepin Avenue at 8th Street when a vehicle occupied by two males drove next to them. Witness #1 reported the vehicle occupants yelled something out the window at them and victim yelled back. Witness #1 reported the vehicle stopped and two males exited, one of whom was carrying a handgun. Witness #1 reported the two males attacked them and the male with the handgun began to pistol whip victim. Witness #1 reported the male with the handgun dropped it during the altercation but picked it up and shot victim. Witness #1 reported both males then reentered their vehicle and drove away. Witness #1 reported victim did not possess a weapon. (Scene officers did not locate a weapon on victim or near his body).

As noted, officers were provided with the license plate of the suspect vehicle. A registration check revealed the vehicle is registered to defendant. Defendant was associated with 4525 Aldrich Avenue South. On September 29, 2019, officers went to this address and located the suspect vehicle parked outside. Officers monitored the vehicle until a male entered the vehicle and begin to drive away. Officers stopped the vehicle, identified the driver as defendant, and arrested defendant.

During a post-Miranda statement, defendant admitted he was downtown with his vehicle but initially denied any involvement in the shooting. When investigators advised defendant that his vehicle was captured on video at the scene, defendant claimed others were using his vehicle. As the interview continued, defendant admitted his involvement. Specifically, defendant admitted that he and his cousin got into an altercation with victim and Witness #1. Defendant admitted to exiting his vehicle with a handgun, pistol whipping

victim, dropping his firearm during the altercation, and picking it up and firing the shot that killed victim. Defendant admitted he and his cousin then fled in his vehicle and that he discarded the handgun.

An autopsy was performed on victim. The medical examiner determined the cause of death to be a gunshot wound to the chest and ruled the death a homicide.

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**

Charles D Green IV  
Sergeant-Criminal Investigation  
Division  
350 S 5th St  
Minneapolis, MN 55415-1389  
Badge: 2429

Electronically Signed:  
10/01/2019 09:44 AM  
Hennepin County, greencd0

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:  
10/01/2019 09:34 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: \$1,000,000.00  
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: October 1, 2019.

**Judicial Officer**

Jay Quam  
District Court Judge

Electronically Signed: 10/01/2019 09:52 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.

**VARNELL DAVID ALLEN**

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:** VARNELL DAVID ALLEN  
**DOB:** 07/22/1996  
**Address:** 4347 University Ave NE  
Columbia Heights, MN 55421

**Alias Names/DOB:**

**SID:** MN18AD2940

**Height:**

**Weight:**

**Eye Color:**

**Hair Color:**

**Gender:** MALE

**Race:** Black

**Fingerprints Required per Statute:** Yes

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

**Driver's License #:**

**SILS Person ID #:** 779143

**SILS Tracking No.** 3130429

**Alcohol Concentration:**

## STATUTE AND OFFENSE GRID

<b>Cnt Nbr</b>	<b>Statute Type</b>	<b>Offense Date(s)</b>	<b>Statute Nbrs and Descriptions</b>	<b>Offense Level</b>	<b>MOC</b>	<b>GOC</b>	<b>Controlling Agencies</b>	<b>Case Numbers</b>
1	Charge	9/28/2019	609.19.1(1) Murder - 2nd Degree - With Intent-Not Premeditated	Felony	H2013		MN0271100	19295674
	Modifier	9/28/2019	609.11.9 Minimum Sentences of Imprisonment - Applicable Offenses	No-Level	H2013		MN0271100	19295674
	Penalty	9/28/2019	609.19.1 Murder - 2nd Degree	Felony	H2013		MN0271100	19295674
	Penalty	9/28/2019	609.11.5(a) Minimum Sentences of Imprisonment-Firearm Use or Possession	Felony	H2013		MN0271100	19295674