

State of Minnesota  
County of Hennepin

District Court  
4th Judicial District

Prosecutor File No. 19A12649  
Court File No. 27-CR-19-25318

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**State of Minnesota,**  
Plaintiff,

**COMPLAINT**  
Warrant

vs.

**WAYMON HENRY MURPHY DOB: 09/24/1994**

1436 Colorado Ave S  
Apt 16  
St. Louis Park, MN 55416

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: Endanger Child-Situation Could Cause Harm or Death-Results Sub Harm Physical/Emot Health-F**

Minnesota Statute: 609.378.1(b)(1), with reference to: 609.378.1(b)(1), 609.05.1, 609.05.2

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

Offense Level: Felony

Offense Date (on or about): 10/03/2019

Control #(ICR#): 19005968

Charge Description: That on or about October 3, 2019, in Hennepin County, Minnesota, Waymon Henry Murphy Sr., a parent, while acting alone or intentionally aiding, advising, hiring, counseling or conspiring with another, endangered a child's person or health by intentionally or recklessly causing or permitting a child to be placed in a situation likely to substantially harm the child's physical health or cause the child's death and the endangerment resulted in substantial harm to the child's physical health.

**COUNT II**

**Charge: Neglect of a Child-Results Subst. Harm Physical/Emot Health-F**

Minnesota Statute: 609.378.1(a)(1), with reference to: 609.378.1(a)(1), 609.05.1, 609.05.2

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

Offense Level: Felony

Offense Date (on or about): 10/03/2019

Control #(ICR#): 19005968

Charge Description: That on or about October 3, 2019, in Hennepin County, Minnesota, Waymon Henry Murphy, Sr., a parent, legal guardian or caretaker of a child, while acting alone or intentionally aiding, advising, hiring, counseling or conspiring with another, did willfully deprive the child of necessary health

care and supervision appropriate to the child's age, when Waymon Henry Murphy, Sr., was reasonably able to make the necessary provisions and which deprivation resulted in substantial harm to the child's physical health.

### **COUNT III**

**Charge: Drugs - 5th Degree - Possess Schedule 1,2,3,4 - Not Small Amount Marijuana**

Minnesota Statute: 152.025.2(1), with reference to: 609.101.3, 152.025.4(b)

Maximum Sentence: 5 YEARS AND/OR \$3,000-\$10,000

Offense Level: Felony

Offense Date (on or about): 10/03/2019

Control #(ICR#): 19005968

Charge Description: That on or about October 3, 2019, in Hennepin County, Minnesota, Waymon Henry Murphy, Sr.unlawfully possessed one or more mixtures containing a Schedule I, II, III, or IV controlled substance, to-wit: Fentanyl.

## STATEMENT OF PROBABLE CAUSE

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

On October 3, 2019, Saint Louis Park Police officers were dispatched to an apartment located on the 1400 block of Colorado Avenue South in Saint Louis Park, Hennepin County, Minnesota, on the report of an unresponsive one year old baby. Officers responded and spoke with the parents of the child, WAYMON HENRY MURPHY, SR., DEFENDANT MURPHY herein, and DEJA DURPI HARPER, DEFENDANT HARPER herein.

Defendant Harper told officers that the baby had possibly ingested an aspirin pill and was unresponsive. Defendant Harper initially told officers that she, Defendant Murphy, and the baby were laying on the bed and that a bottle of Tylenol somehow ended up on the floor. She stated that Defendant Murphy had taken Tylenol earlier in the day due to a headache and must have forgotten to put the bottle away. She stated that she saw the baby "trying to fall asleep" and that he had a tablet in his mouth. She stated that she threw away the bottle prior to officers' arrival.

Defendant Murphy told officers that he left a pill bottle on the bed where the baby was awake and moving around containing one Tylenol pill before walking out of the room to the bathroom. He stated that when he returned, he noticed that the baby had a single pill in his mouth, which he removed with his finger. He stated that the baby became unresponsive shortly thereafter.

The child was unresponsive to officers' medical efforts upon arrival. Officers noticed that the baby was making significant gurgling and crackling noises with each belabored breath. His eyes, hands, feet, and legs were in a fixed position and did not move and he was extremely pale. Treating paramedics rushed the baby to the hospital.

At the hospital, treating physicians had to intubate the baby due to his breathing distress. Doctors spoke with both Defendants regarding what the baby had ingested as his condition was inconsistent with ingestion of a single pill of Tylenol. Physicians told the parents that if medical staff knew what the baby had actually ingested or what had happened to the baby, they could better treat him. Defendants maintained that the baby had just taken Tylenol.

Toxicology testing was performed on the child, which were positive for Fentanyl. Until the toxicology results were completed, hospital staff were unable to treat the child for an opiate overdose since Defendants did not disclose the possibility of an opiate ingestion. The baby was in the hospital for six days as a result of the opiate overdose.

Officers executed a search warrant on Defendants' apartment. In the master bedroom closet, they located a pair of men's shoes on the floor of the closet that contained 91 pills. These pills were submitted to the Bureau of Criminal Apprehension for testing, and found to contain Fentanyl. The appearance of these tablets are consistent with black market Fentanyl pills. A search of both Defendants' Board of Pharmacy records indicate that neither have a prescription for these tablets.

Defendant Murphy submitted to a urinalysis shortly after the baby was admitted to the hospital, which tested positive for Fentanyl. Defendant Harper also submitted to a urinalysis, which could not be analyzed because it had indicia that it had been tampered with and diluted.

Both Defendants have a history with child protection including an incident from June 2016 wherein

Defendants were in a vehicle with their baby. A firearm and narcotics including Percocet pills were located in the vehicle as well. At that time, both Defendants indicated that the pills belonged to them.

Pursuant to Minnesota Rule of Criminal Procedure 3.01, the State is requesting that this case issue as a warrant given the seriousness of this offense and the danger to the community. Thus, bail is necessary to protect public safety and to ensure Defendant's reappearance in court.

## 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**

Dallas Williams  
Sergeant  
3015 Raleigh Ave S  
St Louis Park, MN 55416  
Badge: P264

Electronically Signed:  
10/11/2019 04:05 PM  
Hennepin County, MN

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

**Prosecuting Attorney**

Erin Lutz  
300 S 6th St  
Minneapolis, MN 55487  
(612) 348-5550

Electronically Signed:  
10/11/2019 03:58 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 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: \$40,000.00

Conditions of Release: No Contact with Victim; No use of drugs/alcohol; Random UAs; Other: Comply with CP

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 11, 2019.

**Judicial Officer**                      Kerry Meyer                      Electronically Signed: 10/11/2019 04:12 PM  
District Court Judge

Sworn testimony has been given before the Judicial Officer by the following witnesses:

**COUNTY OF HENNEPIN  
STATE OF MINNESOTA**

**State of Minnesota**

Plaintiff

vs.

**WAYMON HENRY MURPHY**

Defendant

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

Signature of Authorized Service Agent:

## DEFENDANT FACT SHEET

**Name:** WAYMON HENRY MURPHY  
**DOB:** 09/24/1994  
**Address:** 1436 Colorado Ave S  
Apt 16  
St. Louis Park, MN 55416

**Alias Names/DOB:**

**SID:**

**Height:**

**Weight:**

**Eye Color:**

**Hair Color:**

**Gender:** MALE

**Race:** Black

**Fingerprints Required per Statute:** Yes

**Fingerprint match to Criminal History Record:** No

**Driver's License #:**

**SILS Person ID #:** 724089

**SILS Tracking No.** 3133031

**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       | 10/3/2019       | 609.378.1(b)(1)<br>Endanger Child-Situation Could Cause Harm or Death-Results Sub Harm Physical/Emot Health-F | Felony        | I1102 | X   | MN0272100            | 19005968     |
|         | Modifier     | 10/3/2019       | 609.05.2<br>Liability for Crimes of Another-Reasonably Forseeable   | No-Level      | I1102 | X   | MN0272100            | 19005968     |
|         | Modifier     | 10/3/2019       | 609.05.1<br>Liability for Crimes of Another-Intentional   | No-Level      | I1102 | X   | MN0272100            | 19005968     |
|         | Penalty      | 10/3/2019       | 609.378.1(b)(1)<br>Endanger Child-Situation Could Cause Harm or Death-Results Sub Harm Physical/Emot Health-F | Felony        | I1102 | X   | MN0272100            | 19005968     |
| 2       | Charge       | 10/3/2019       | 609.378.1(a)(1)<br>Neglect of a Child-Results Subst. Harm Physical/Emot Health-F                              | Felony        | I1102 | X   | MN0272100            | 19005968     |
|         | Modifier     | 10/3/2019       | 609.05.2<br>Liability for Crimes of Another-Reasonably Forseeable   | No-Level      | I1102 | X   | MN0272100            | 19005968     |
|         | Modifier     | 10/3/2019       | 609.05.1<br>Liability for Crimes of Another-Intentional   | No-Level      | I1102 | X   | MN0272100            | 19005968     |
|         | Penalty      | 10/3/2019       | 609.378.1(a)(1)<br>Neglect of a Child-Results Subst. Harm Physical/Emot Health-F                              | Felony        | I1102 | X   | MN0272100            | 19005968     |
| 3       | Charge       | 10/3/2019       | 152.025.2(1)<br>Drugs - 5th Degree - Possess Schedule 1,2,3,4 - Not Small Amount Marijuana                    | Felony        | DH528 |     | MN0272100            | 19005968     |
|         | Penalty      | 10/3/2019       | 152.025.4(b)<br>Drugs - 5th Degree Controlled Substance - Sale or possession                                  | Felony        | DH528 |     | MN0272100            | 19005968     |
|         | Definition   | 10/3/2019       | 609.101.3<br>Minimum Fines-Controlled Substance Offenses  | No-Level      | DH528 |     | MN0272100            | 19005968     |