

State of Minnesota  
County of Hennepin

District Court  
4th Judicial District

Prosecutor File No. 20A05641  
Court File No. 27-CR-20-10828

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**State of Minnesota,**  
Plaintiff,

**COMPLAINT**  
Warrant

vs.

**JAMES HOWARD KLEIN DOB: 10/04/1987**

9350 Pierson Lake Rd  
Chaska, MN 55318

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), 609.101.2

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

Offense Level: Felony

Offense Date (on or about): 03/16/2020

Control #(ICR#): 20000280

Charge Description: That on or about 3/16/2020, in Brooklyn Park, Hennepin County, Minnesota, James Howard Klein, assaulted Victim A while using and/or possessing 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: 20 YEARS AND/OR \$35,000, HALF OF

Offense Level: Felony

Offense Date (on or about): 03/16/2020

Control #(ICR#): 20000280

Charge Description: That on or about 3/16/2020, in Brooklyn Park Hennepin County, Minnesota, James Howard Klein, attempted to take personal property from the person or in the presence of Victim A, knowing that he was not entitled to the property and used and/or threatened the imminent use of force against Victim A to overcome her resistance or powers of resistance to or to compel acquiescence in the taking or carrying away of the property while using and/or possessing a firearm.

Minimum Sentence: 3 YEARS

## STATEMENT OF PROBABLE CAUSE

Complainant, a licensed peace officer with the BCA, has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On March 16, 2020, Brooklyn Park Police Officers were dispatched to the Walmart located in Brooklyn Park, Hennepin County, Minnesota, on a shoplifting call. Officers also had information that the suspect was purchasing a large amount of ammunition and was wearing a holster.

Officers arrived and attempted to detain the suspect, later identified as JAMES HOWARD KLEIN, Defendant herein. Rather than stopping, Defendant fired a gun at the officers. Defendant has been charged with two counts of Assault in the First Degree and Ineligible Person in Possession of a Firearm related to those actions.

During the incident with the officers, one officer observed Defendant point a handgun at a white-colored vehicle in the lot in what appeared to be an attempt to steal the vehicle. The vehicle was able to get away.

Officers tracked down the driver of the white vehicle in question, identified as Victim A. Victim A was interviewed and reported that she was at the Walmart that day and was walking back to her rental vehicle when she heard an officer telling a man to stop. She indicated that she continued to her vehicle and opened the door to place her bags inside. Victim A reported that she heard gunshots and crouched down. Victim A stated that when the shots stopped, she got into her vehicle and tried to leave. Victim A stated that when she swung around the aisle, there was a man standing in front of her car, pointing a gun at her.

Victim A reported that she was very afraid at this point in time. Victim A stated that she could not hear what the man was saying but clearly understood that he wanted her car. Victim A stated that she ducked down in the driver's seat and drove forward. Victim A reported that she heard additional gunshots.

After exiting the parking lot, Victim A returned the rental vehicle to the rental company. She later contacted dispatch to provide her name to the police. Victim A indicated that she was very shaken by what happened. Officers observed that she was emotional while describing what occurred.

Defendant is currently in a medical facility under guard as he has a DOC hold. The State requests that a warrant issue on this case.

## 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**

Brent Petersen  
Special Agent  
1430 Maryland Avenue E  
St. Paul, MN 55106  
Badge: 1389

Electronically Signed:  
05/04/2020 09:59 AM  
Washington County, Minnesota

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

**Prosecuting Attorney**

Dan Allard  
300 S 6th St  
Minneapolis, MN 55487  
(612) 348-5550

Electronically Signed:  
05/04/2020 09:21 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: \$300,000.00  
Conditions of Release: No Contact with Victim

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: May 4, 2020.

**Judicial Officer**                      Luis Bartolomei                      Electronically Signed: 05/04/2020 10:11 AM  
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.

**James Howard Klein**

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:** James Howard Klein  
**DOB:** 10/04/1987  
**Address:** 9350 Pierson Lake Rd  
Chaska, MN 55318

**Alias Names/DOB:**

**SID:**

**Height:**

**Weight:**

**Eye Color:**

**Hair Color:**

**Gender:** MALE

**Race:** Unknown

**Fingerprints Required per Statute:** Yes

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

**Driver's License #:**

**SILS Person ID #:** 878145

**SILS Tracking No.** 3170432

**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	3/16/2020	609.222.1 Assault-2nd Degree-Dangerous Weapon	Felony	A2413		MNBCA0000	20000280
	Definition	3/16/2020	609.101.2 Minimum Fines – Victim Assistance Programs	No-Level	A2413		MNBCA0000	20000280
	Penalty	3/16/2020	609.11.5(a) Minimum Sentences of Imprisonment-Firearm Use or Possession	Felony	A2413		MNBCA0000	20000280
	Penalty	3/16/2020	609.222.1 Assault-2nd Degree-Dangerous Weapon	Felony	A2413		MNBCA0000	20000280
2	Charge	3/16/2020	609.245.1 Aggravated Robbery-1st Degree	Felony	R2213	A	MNBCA0000	20000280
	Penalty	3/16/2020	609.17.4(2) Anticipatory Crimes-Attempts-Penalty-1/2 Of Intended	Felony	R2213	A	MNBCA0000	20000280
	Penalty	3/16/2020	609.11.5(a) Minimum Sentences of Imprisonment-Firearm Use or Possession	Felony	R2213	A	MNBCA0000	20000280
	Penalty	3/16/2020	609.245.1 Aggravated Robbery-1st Degree	Felony	R2213	A	MNBCA0000	20000280