

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 18A12219
Court File No. 27-CR-18-24808

State of Minnesota,

Plaintiff,

COMPLAINT

Warrant

vs.

ANDRE JARRAD OGBURN DOB: 05/13/1987

3535 OLIVER AVE N
Minneapolis, MN 55412

Defendant.

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: Kidnapping-To Facilitate Felony or Flight

Minnesota Statute: 609.25.1(2), with reference to: 609.11.5(a)

Maximum Sentence: 20 YEARS - \$35,000 - OR BOTH

Offense Level: Felony

Offense Date (on or about): 09/16/2018

Control #(ICR#): 18510980

Charge Description: That on or about 9/16/2018, in Hennepin County, Minnesota, ANDRE JARRAD OGBURN confined or removed M.R. from one place to another without her consent, in order to facilitate commission of a felony or flight thereafter, while using a firearm.

Minimum Sentence: 3 YEARS

COUNT II

Charge: Criminal Vehicular Homicide - Driver Who Causes Collision Leaves Scene

Minnesota Statute: 609.2112.1(a)(7), with reference to: 609.2112.1(a)

Maximum Sentence: 10 YEARS AND/OR \$20,000

Offense Level: Felony

Offense Date (on or about): 09/16/2018

Control #(ICR#): 18510980

Charge Description: That on or about 9/16/2018, in Hennepin County, Minnesota, ANDRE JARRAD OGBURN did, by operating a motor vehicle, cause a collision that caused the death of K.S., and ANDRE JARRAD OGBURN left the scene of that collision.

STATEMENT OF PROBABLE CAUSE

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

On Sunday, September 16, 2018, at approximately 2:23 p.m., Minneapolis police officers were dispatched to a residence on Plymouth Avenue North regarding what was aired as a possible murder. The identified caller subsequently contacted 911, and indicated the witness would be waiting for police at 12th Avenue North and Knox Avenue North, in the City of Minneapolis, County of Hennepin.

Upon arrival at that location, officers were flagged down by a vehicle. The female driver, subsequently identified and referred to herein by her initials, M.R., exited her vehicle and police observed that she was visibly shaking. She indicated that she had been driving east bound on Interstate 94, and was taking the 7th Street North Exit, when she observed a human body lying in the road.

M.R. got out of her car and approached the body to see if she could provide assistance. However, upon getting closer, it was readily apparent to M.R. that this individual was dead. She then observed a smashed up SUV, and another individual who appeared to be unconscious or dead near that vehicle, and immediately returned to her car.

Upon getting into her driver's seat, M.R. observed a male she had not noticed getting into the front passenger's seat of her vehicle. This individual was bleeding from the mouth and head area, and pointed a gun at M.R. He stated to M.R. that, "Dan is dead and I don't want to go down for this." He used a black shirt that M.R. had in the passenger's seat to wipe himself off and cover the gun he was pointing at her.

The suspect directed M.R. to the parking lot of Mickey's, where the suspect got out of her vehicle, removed one of the white t-shirts he was wearing, and held it up to the wounds on his face before walking away west bound in the alley behind Mickey's. M.R. drove away and immediately contacted her sister, who called 911.

M.R. described the suspect as a black male with a dark complexion, approximately 5'6," bald, and wearing two white t-shirts and jean shorts.

Subsequently obtained surveillance footage obtained from Mickey's corroborated that M.R. had dropped a black male off at Mickey's, who walked and then started jogging away from this location. Blood was located on the passenger's seat of M.R.'s vehicle, and it was processed by forensic personnel.

Contemporaneously with these events, other Minneapolis officers and troopers from the Minnesota State Patrol were arriving at the scene of the crash at the 7th Street North Exit off of east bound I-94. The weather was clear, and roadways were dry. Law enforcement observed a silver Chevrolet SUV with heavy roll over damage parked just off the embankment on the right side of the exit.

The deceased individual that M.R. had seen in the road was subsequently identified as an adult male, initials K.S. K.S. was found lying face down on the right side of the roadway, just south of the SUV. Also at the scene, near the passenger's door of the SUV was an unconscious male, later identified and having the initials D.B. The extent of D.B.'s injuries are not known as of the date of this complaint, but he was taken by ambulance to HCMC.

A witness at the scene who had observed the crash indicated to law enforcement that he was the driver of a Metro Mobility bus, which was parked nearby. The witness stated that he had observed the subject SUV swerve around the left side of his bus and lose control as it swerved in front of the bus. He watched as the

SUV left the road and went up the embankment, struck a tree, and then began rolling back down towards the roadway. He stated that he had visually observed the individual who was laying in the road (K.S.) be ejected from the SUV as it rolled.

The owner of the SUV was identified as an adult female, initials, T.B. On September 17, 2018, investigators spoke with T.S. via telephone. She indicated that she had owned the SUV for less than one week, and the paperwork for the sale would be inside the glove box.

T.B. stated that on September 16, 2018, at about 10:30 a.m., a friend she identified as ANDRE JARRAD OGBURN, DOB 5/13/1987, asked to borrow her SUV. OGBURN is also known as DESHAWN JONES. T.B. had known OGBURN for approximately one year prior to this incident.

T.B. allowed OGBURN to use her SUV. The next morning, on September 17, 2018, OGBURN came to the residence of T.B. They spoke for a few minutes. When T.B. asked OGBURN where her vehicle was, he responded, "it's all bad."

OGBURN told T.B. that he had tried to swerve to avoid a Metro Mobility bus, and he lost control, causing the vehicle to flip. OGBURN further informed T.B. that he had left the scene of the accident because he has DWI's, and he was not supposed to be driving. OGBURN claimed to T.B. that he asked a woman at the scene to give him a ride and she did.

T.B. described OGBURN as 5'7" and 200 to 230 pounds, and bald.

OGBURN has felony convictions in Minnesota for Third Degree Controlled Substance (MNCIS No. 27-CR-07-14703), two convictions for Fleeing a Peace Officer in a Motor Vehicle (MNCIS No's. 27-CR-08-41607 and 27-CR-09-55521), and Criminal Vehicular Operation (MNCIS No. 27-CR-11-20835).

Additionally, OGBURN is on federal probation. A federal warrant may already have been issued, as OGBURN is believed to have fled the State of Minnesota.

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

Jean James
Trooper
2005 N Lilac Drive
Golden Valley, MN 55422
Badge: 552

Electronically Signed:
10/05/2018 10:45 AM
Hennepin County, Minnesota

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

Prosecuting Attorney

Thad Tudor
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
10/05/2018 10:40 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: \$500,000.00

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 5, 2018.

Judicial Officer

Luis Bartolomei
District Court Judge

Electronically Signed: 10/05/2018 11:20 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.

ANDRE JARRAD OGBURN

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: ANDRE JARRAD OGBURN
DOB: 05/13/1987
Address: 3535 OLIVER AVE N
Minneapolis, MN 55412

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 #: 569175

SILS Tracking No. 3040237

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	9/16/2018	609.25.1(2) Kidnapping-To Facilitate Felony or Flight	Felony	K4223		MNMHP0400	18510980
	Penalty	9/16/2018	609.11.5(a) Minimum Sentences of Imprisonment-Firearm Use or Possession	Felony	K4223		MNMHP0400	18510980
2	Charge	9/16/2018	609.2112.1(a)(7) Criminal Vehicular Homicide - Driver Who Causes Collision Leaves Scene	Felony	J1311		MNMHP0400	18510980
	Penalty	9/16/2018	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1311		MNMHP0400	18510980