

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No.
Court File No.

21A03371
27-CR-21-6468

State of Minnesota,

Plaintiff,

vs.

DEQUAN LAMAR SMITH DOB: 09/23/2002

2209 Skillman Ave E Apt. 102
St. Paul, MN 55109

Defendant.

COMPLAINT

Warrant

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:

Offense Level: Felony

Offense Date (on or about): 07/11/2020

Control #(ICR#): 20006061

Charge Description: That on or between July 11, 2020 and July 12, 2020, in Bloomington, Hennepin County, Minnesota, Dequan Lamar Smith, caused the death of Jennifer Swaggert, a human being, with intent to effect the death of that person or another, but without premeditation, while using a firearm.

COUNT II

Charge: Possess Ammo/Any Firearm - Conviction or Adjudicated Delinquent for Crime of Violence

Minnesota Statute: 624.713.1(2), with reference to: 609.11.5(b), 624.713.2(b)

Maximum Sentence:

Offense Level: Felony

Offense Date (on or about): 07/11/2020

Control #(ICR#): 20006061

Charge Description: That on or between July 11, 2020 and July 13, 2020, in Hennepin County, Minnesota, Dequan Lamar Smith possessed ammunition or a firearm and Dequan Lamar Smith has been convicted or adjudicated delinquent in this state or elsewhere of a crime of violence, Delivery of an Imitation Controlled Substance, in North Dakota, on January 17, 2020, for which the sentence or court supervision expired on or after August 1, 1993.

STATEMENT OF PROBABLE CAUSE

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

That on July 12, 2020 at approximately 11:51 a.m., A.G. was working as a housekeeper at LaQuinta Hotel, 7815 Nicollet Avenue South in Bloomington, Hennepin County, Minnesota. That morning, A.G. went to clean room #1061. As A.G. entered the room, she observed a female lying on the floor. A.G. got scared, ran out and called 911. When officers arrived at the room, they found an adult female, later identified as Jennifer Swaggert, DOB 1/5/81, Victim herein, lying on the floor. The Victim was unresponsive. It was clear to officers that the Victim was deceased and resuscitation efforts would not be helpful. The Victim was laying on her back between the wall and the bed. She had blood on her face and there was blood on the wall and blankets. There was no one else in the hotel room. An autopsy revealed that the Victim's cause of death was a single gunshot to the face. The medical examiner recovered a jacketed bullet from the Victim's brain.

The investigation revealed that the room had been rented by D.L. a known adult, from July 9, 2020 through July 12, 2020. In addition to numerous bottles of empty and partially full alcoholic beverages, a significant number of personal items were found throughout the hotel room including two iphones, a computer tablet, clothing and numerous bags containing personal effects.

On July 13, 2020, a woman, later identified as Trimeanna Williams, called the LaQuinta Hotel asking if she could get some personal property she had left behind in Room #1061. Upon receiving the call, hotel management contacted police. Officers spoke to Trimeanna, who is homeless and learned that D.L. rented the hotel room for the weekend for Trimeanna and her children.

Trimeanna gave a couple of different versions of events to police, but officers learned that Trimeanna was in the hotel room on the evening of July 11, 2020 and into the early morning hours of July 12, 2020. Trimeanna stated that she was in the room with the victim (whom Trimeanna called her "best friend" that she has known for five years) and several identified juveniles including, her son, Child A, age 12, her son, Child B, age 13, her son Dequan Lamar Smith, DOB 9/23/02, Defendant herein and friends of Defendant - L.V., DOB 11/8/02, M.W. DOB 11/1/02 and K.L., DOB 4/19/04. Trimeanna indicated that she and others used methamphetamine, ecstasy and alcohol while in the hotel room that night.

In a statement to police, Child A confirmed that the above noted individuals were in the hotel room. Child A stated that earlier in the day of July 11, 2020, he had seen his mother, Trimeanna, with a small tan and black handgun. Child A stated that Trimeanna took the gun outside and shot it in the air. (Later, officers did find a spent small caliber cartridge in the parking lot of the hotel.) Child A stated that later his brother, Defendant, tried to fight the Victim and Trimeanna broke up the fight.

Child A stated that everyone was sitting down and Defendant was holding the gun. Defendant pointed the gun at the Victim for 15-30 seconds. The Victim asked Trimeanna, "Are you going to let him shoot me?" Trimeanna told Defendant not to shoot the Victim. Child A stated he turned his head for a minute and heard, "Boom" and the Victim fell to her knees, then backwards and onto the floor. Child A knew she was dead because he saw blood on the wall. After the Victim was shot, Child A said Trimeanna told them they had to go. They left the hotel, went to the Holiday gas station, got an Uber and went to "the studio". (Further investigation indicates "the studio" is a rap studio near a barbershop in south Minneapolis.)

In a post-Miranda statement to police, K.L., stated that she was with Defendant, L.V. and M.W. At about 2:00 p.m., they went to the LaQuinta Hotel to see Defendant's mother (Trimeanna). While there, they drank

and smoked. K.L. stated there was a black gun with green or tan on it in the hotel room and she observed Trimeanna fire off a round from the gun in the parking lot of the hotel. At some point later, the Victim and Trimeanna began arguing. Trimeanna was asking the Victim for money to pay for Trimeanna's storage unit.

Defendant then started to "get into the Victim's face" with the gun asking the Victim to give money to Trimeanna (his mother) for her storage unit. The Victim stated that she would not give Trimeanna the money. Defendant said something to the Victim about shooting the Victim. The others in the room told Defendant not to shoot the Victim. Defendant then said, "One, Two . . ." and K.L. heard a gunshot and saw Defendant had shot the Victim. K.L. saw the Victim with blood on her and saw Defendant still holding the gun.

K.L. stated that Trimeanna immediately yelled at Defendant and the others telling them to get out of the room. Trimeanna yelled, "Come on guys. We gotta go! What did you do [Defendant], what did you do?" K.L. stated they all ran out of the room and eventually ended up at Powderhorn Park at 3400 15th Avenue South, in Minneapolis, Hennepin County, Minnesota. While there, Defendant shot the gun twice in the air. Someone in the group suggested they throw the gun in the lake. Defendant, K.L., M.W. and L.V. walked down the stairs to Powderhorn Lake. Trimeanna remained at the top of the stairs. Defendant then threw the gun into the lake from the base of the stairs. Trimeanna told K.L. and the others to be sure to "get their story straight."

In a post-Miranda statement, Trimeanna stated that she got the hotel room and had a lot of liquor. Since she could not consume all that liquor herself, she called her son, Defendant and invited him to join her. Defendant came with his friends. When Defendant arrived, he was carrying a handgun in his pants pocket. Trimeanna described it a brown little gun. She admits that she fired a round with the gun in the parking lot.

Later, Trimeanna stated that she asked the Victim to give her money for her storage unit. Defendant then began to argue with the Victim. Trimeanna said that during the argument, Defendant kept picking up the gun and pointing it at the Victim. Trimeanna kept telling Defendant to put the gun down and to not shoot the Victim. Defendant then shot the Victim in the head. Trimeanna said she was "shocked and scared as fuck." She said that she grabbed her babies and ran out the door.

Trimeanna stated that the group went to the Holiday Gas Station where L.V. threw the gun in the trash, but then took it out. L.V. then put the gun in her purse/backpack. Trimeanna said the group got a ride to "the studio" in Minneapolis and ultimately ended up at Powderhorn Park where they threw the gun into the lake. Trimeanna voluntarily went with detectives to Powderhorn Lake and showed detectives where M.W. threw the handgun. Trimeanna stated that the first time M.W. threw the gun, the gun landed in the weeds. M.W. found the gun in the weeds and threw it farther into Powderhorn Lake. The location in the lake where Trimeanna indicated the gun was thrown was consistent with the spot K.L. described.

Officers spoke with T.P., the overnight employee at the Holiday Gas Station. T.P. stated that when the family came into the store during the early morning hours of July 12, 2020, T.P. noticed that Trimeanna was not wearing any shoes and Trimeanna stated that they left all of their stuff back in the hotel room. T.P. noted that the "dude with the dreads in the red shirt" (Defendant) was acting like "something went down." Trimeanna asked T.P. to call a Lyft to take the group to Loring Towers in Minneapolis. T.P. stated that she called them a Lyft and they left. T.P. then looked up her Lyft ordering history for the officers and determined they changed their destination and were dropped at 4406 5th Avenue South, in Minneapolis. The Lyft driver confirmed to police that he drove the group from Bloomington to South Minneapolis.

Officers confirmed that Trimeanna had a storage locker and learned Trimeanna owed approximately \$270 in late rent. On the morning of the murder, the Victim went to the storage facility and spoke to a manager indicating she would pay Trimeanna's overdue bill. After some discussion, the Victim changed her mind

and left without paying Trimeanna's bill.

Further investigation indicates that Defendant has a prior felony conviction for a North Dakota offense that would be a crime of violence under Minnesota law. Specifically, Defendant was tried and convicted as an adult by a jury in Morton County, North Dakota on or about January 17, 2020 for the offense of "Delivery of an Imitation Controlled Substance." (North Dakota Stat. 19.03.2.03(1) Case No. 30-2019-CR-00130).

ON MARCH 30, 2021, DEFENDANT WAS ORDERED TO STAND TRIAL AS AN ADULT AFTER PROCEEDINGS IN FRONT OF THE HONORABLE TANYA M. BRANSFORD.

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

Kerri Nolden
Detective
1800 W Old Shakopee Road
Bloomington, MN 55431
Badge: 237

Electronically Signed:
03/31/2021 05:17 PM
Hennepin County, Minnesota

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

Prosecuting Attorney

Sean P. Cahill
Assistant County Attorney
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
03/31/2021 04:10 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 as directed in the Notice of Hearing before the above-named court 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: April 1, 2021.

Judicial Officer

Luis Bartolomei
District Court Judge

Electronically Signed: 04/01/2021 09:46 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.

Dequan Lamar Smith

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: Dequan Lamar Smith
DOB: 09/23/2002
Address: 2209 Skillman Ave E Apt. 102
St. Paul, MN 55109

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 #: 848371

SILS Tracking No. 3221204

Case Scheduling Information: First App 4-1-21

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	7/11/2020	609.19.1(1) Murder - 2nd Degree - With Intent-Not Premeditated	Felony	H2012		MN0270100	20006061
	Modifier	7/11/2020	609.11.9 Minimum Sentences of Imprisonment - Applicable Offenses	No-Level	H2012		MN0270100	20006061
	Penalty	7/11/2020	609.19.1 Murder - 2nd Degree	Felony	H2012		MN0270100	20006061
	Penalty	7/11/2020	609.11.5(a) Minimum Sentences of Imprisonment-Firearm Use or Possession	Felony	H2012		MN0270100	20006061
2	Charge	7/11/2020	624.713.1(2) Possess Ammo/Any Firearm - Conviction or Adjudicated Delinquent for Crime of Violence	Felony	W1623		MN0270100	20006061
	Penalty	7/11/2020	624.713.2(b) Possesses any type of firearm/ammo - Crime of Violence - ineligible under 624.713.1(2)	Felony	W1623		MN0270100	20006061
	Penalty	7/11/2020	609.11.5(b) Minimum Sentences of Imprisonment-Firearm-Felon Convicted Crime of Violence	Felony	W1623		MN0270100	20006061