

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 21A04236
Court File No. 27-CR-21-8149

State of Minnesota,

Plaintiff,

vs.

JOSE DANIEL CUENCA-ZUNIGA DOB: 03/03/1998

1145 N 6th St
Minneapolis, MN 55411

Defendant.

COMPLAINT

Warrant

Amended

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: 609.11.4, 609.19.1, 609.11.9

Maximum Sentence: 40 YEARS

Offense Level: Felony

Offense Date (on or about): 04/23/2021

Control #(ICR#): 21084603

Charge Description: That on or about 4/23/2021, in Hennepin County, Minnesota, Jose Daniel Cuenca-Zuniga, caused the death of Y.M., a human being, with intent to effect the death of that person or another, but without premeditation, while using a dangerous weapon.

Minimum Sentence: 1 YEAR AND 1 DAY

STATEMENT OF PROBABLE CAUSE

THIS IS AN AMENDED WARRANT COMPLAINT THAT INCLUDES ADDITIONAL FACTS WITHIN THE PROBABLE CAUSE SECTION AND A NEW CHARGE. THE DEFENDANT REMAINS IN CUSTODY IN THE STATE OF OHIO PENDING EXTRADITION TO MINNESOTA.

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

On April 22, 2021 at 4:00 p.m., Y.M., a known adult female, left her workplace in Bloomington, Minnesota. A family member became concerned when she did not return home that night. The family member went to Y.M.'s employer the next morning and learned that Y.M. had not reported to work that morning as expected. A "Missing Persons" report was filed with the Bloomington Police Department. Officers obtained surveillance video from Y.M.'s employer that showed her getting into the passenger side of a vehicle bearing MN plates 504XLJ.

On April 23, 2021, B.J., a known adult female, called the Minneapolis Fire Department to report an unconscious female at her residence in the 3000 block of 18th Avenue South, City of Minneapolis, County of Hennepin, State of Minnesota. B.J. explained that she and another person own the residence but rent rooms to some tenants and the unconscious woman was in the bedroom rented to Jose Daniel Cuenca Zuniga, "the Defendant." B.J. said the Defendant had been observed leaving the house at approximately 7:30 a.m. B.J. saw a woman's feet on a mattress on the floor as the Defendant was leaving and the Defendant told B.J. something to the effect of, "She had too much to drink and is just passed out." The Defendant then left the dwelling after locking the door to his room.

At approximately 12:30 p.m., B.J. went upstairs and knocked on the Defendant's room's door to wake the woman. When no one responded, B.J. called the fire department and firefighters forced entry into the room. Inside, they found a woman later identified as Y.M. who was obviously deceased on the mattress with apparent trauma to her body. Firefighters saw a plastic bag lying across her Y.M.'s forehead and she was wearing only a black t-shirt pulled up to her shoulders and neck. Y.M.'s face and neck were bruised and her right cheek was swollen. Y.M. had what appeared to be handprints outlined in a blood-like substance on her thighs. A significant quantity of blood-like substance was observed on the mattress.

Y.M.'s body was brought to the Hennepin County Medical Examiner's Officer for an autopsy. It was determined her cause of death was homicide based on multiple traumatic injuries. Officers observed an object at the apartment that showed a suspected bodily substance consistent with the observed injuries.

Minneapolis Police officers obtained a phone number for the Defendant and secured a warrant for location data related to that phone. In the late hours of April 23, 2021, the location data noted that the Defendant's phone was traveling through the State of Ohio. Troopers with the Ohio State Highway Patrol located the Defendant who was driving a vehicle with Minnesota plates 504XLJ.

Officers learned from B.J. that the two bedrooms located on the upper level of her home are rented out to tenants. One bedroom was rented out to a known adult male, J.N., and the other to the Defendant. The Defendant had been renting out his room since February 23, 2021, and his rent was due on the date of this incident.

B.J. reported that the house rules are that tenants are not allowed to bring any guests to the house. The Defendant came home at approximately 5:00 p.m. on April 22nd with Y.M. and went straight to the Defendant's room. B.J. told officers that she went to the bathroom the following morning and saw the door

to the Defendant's bedroom was cracked open. B.J. was able to see feet, but the door was fully closed when she walked past after leaving the bathroom. B.J. reported that the Defendant was packing items, including food from the refrigerator in the kitchen. B.J. requested the Defendant's keys from him, but he refused to give them to her. B.J. felt something was unusual, so she used her phone to record the Defendant getting into a vehicle bearing Minnesota license plates 504XLJ and drive away.

J.N. told officers that he heard music coming from the Defendant's room at about 11:00 p.m. the night before. The next morning, he had observed that the door to the Defendant's room was cracked open and walked by a short time later and it was then closed.

Officers were further able to obtain surveillance video from house neighboring B.J.'s house. That timestamped video shows the Defendant and Y.M. arriving at April 22, 2021, at 6:06 p.m. and the Defendant departing the next morning, first at 9:27 a.m. and a second time at 10:18 a.m.

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

Matt C Wentz
Sgt.
350 S 5th St
Minneapolis, MN 55415-1389
Badge: 7640

Electronically Signed:
04/28/2021 10:10 AM
Hennepin County, Minnesota

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

Prosecuting Attorney

Mike Radmer
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
04/28/2021 09:49 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 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 28, 2021.

Judicial Officer

Luis Bartolomei
District Court Judge

Electronically Signed: 04/28/2021 10:14 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.

Jose Daniel Cuenca-Zuniga

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: Jose Daniel Cuenca-Zuniga
DOB: 03/03/1998
Address: 1145 N 6th St
Minneapolis, MN 55411

Alias Names/DOB:

SID:

Height:

Weight:

Eye Color:

Hair Color:

Gender: MALE

Race: White

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: No

Driver's License #:

SILS Person ID #: 878471

SILS Tracking No. 3224640

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	4/23/2021	609.19.1(1) Murder - 2nd Degree - With Intent-Not Premeditated	Felony	H2040		MN0271100	21084603
	Modifier	4/23/2021	609.11.9 Minimum Sentences of Imprisonment - Applicable Offenses	No-Level	H2040		MN0271100	21084603
	Penalty	4/23/2021	609.19.1 Murder - 2nd Degree	Felony	H2040		MN0271100	21084603
	Penalty	4/23/2021	609.11.4 Minimum Sentences of Imprisonment-Use Dangerous Weapon	Felony	H2040		MN0271100	21084603