STATE OF MINNESOTA
COUNTY OF DAKOTA

DISTRICT COURT
FIRST JUDICIAL DISTRICT

COURT FILE NO. _____19HA-CR-12-3877____
COUNTY ATTORNEY FILE NO. CA-2012-02206
CONTROLLING AGENCY: MN0191000
CONTROL NUMBER: 12-006759

State of Minnesota,

Plaintiff,

v.

DEVON DESHAWN GORDON
3925 156TH STREET W
ROSEMOUNT, MN 55068
(DOB: 9/3/94)

[ ] SUMMONS
[ ] WARRANT
[X] ORDER OF DETENTION
[ ] AMENDED

Defendant.

COMPLAINT

The Complainant, being duly sworn, makes complaint to the above-named Court and states that there is probable cause to believe that the Defendant committed the following offense(s):

COUNT 1: THEFT FROM PERSON
Minnesota Statutes §609.52, Subd. 2(1); 609.52, Subd. 3(3)(d)(i); 609.101
PENALTY: 0-5 Years and/or $3,000.00 - $10,000.00
MOC: T0019 GOC: N
[X] Felony [ ] Gross Misdemeanor [ ] Misdemeanor [ ] Petty Misdemeanor

On or about November 7, 2012, in the County of Dakota, Minnesota, DEVON DESHAWN GORDON, did intentionally and without claim of right take, use, transfer, conceal or retain possession of movable property of another without the other's consent and with intent to deprive the owner permanently of possession of the property, and the value of the property or services stolen is not more than $1,000, and the property is taken from the person of another.

STATEMENT OF PROBABLE CAUSE

Your Complainant is a licensed peace officer in the State of Minnesota. Acting in that capacity, I have reviewed the police reports and state that the following facts are true and establish probable cause.

On November 7, 2012, Apple Valley police were dispatched to a robbery complaint at McDonald's located in Apple Valley, Dakota County, Minnesota. Upon arrival officers spoke to R.M. who stated that he was studying at the McDonald's when a male, later identified as Devon Deshawn Gordon, approached him and asked R.M. if he could use R.M.'s phone. R.M. reluctantly agreed but told Gordon that he needed to stay by where R.M. was seated. Gordon then took the phone and began walking towards the southwest door of the business, looked and R.M. and said "thanks for the phone" and then ran east towards County Road 42. R.M. began chasing Gordon and caught up to him in the median. R.M. tried to convince Gordon to give him his phone back. Gordon refused. At one point Gordon told R.M. that he was a wrestler and boxer and that R.M. shouldn't mess with him.

Gordon went to put the phone in his pocket and R.M. swatted his hand away. Gordon then punched R.M. and attempted to hit R.M. four or five more times but R.M. was able to block those punches. R.M. grabbed Gordon Around his shoulders and forced him down into the mulch in front of KFC. R.M. was able to get his phone back from Gordon and then ran back into the McDonald's to call 911. Gordon then ran from the area. R.M. provided police with a description of Gordon.

Police located Gordon a short distance away wearing a short sleeve shirt. R.M. stated that Gordon had taken the white sweatshirt off that he had been wearing when he took his phone. R.M. was able to identify Gordon as the individual who took his phone. Gordon said that he had been at the McDonald's and asked to use R.M.'s phone. R.M. let him use the phone and that he went outside. Gordon said that R.M. thought he was trying to steal his phone so R.M. assaulted Gordon.

NOTICE: You must appear for every court hearing on this charge. A failure to appear for court on this charge is a criminal offense and may be punished as provided in Minn. Stat. §609.49.

Complaint requests that Defendant, Devon Deshawn Gordon, 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'S NAME: **COMPLAINANT'S SIGNATURE:**

Subscribed and sworn to before the undersigned this _____ day of _____, 2012.

NOTARY STAMP: **SIGNATURE:**

Notary Public

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

PROSECUTING ATTORNEY'S SIGNATURE:

Date:

(rc)

Name: Helen R. Brosnahan
Assistant Dakota County Attorney
Dakota County Judicial Center
1560 Highway 55
Hastings, MN 55033
(651) 438-4438
Attorney Registration No.: 0266887

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.

[ ] SUMMONS

THEREFORE YOU, THE ABOVE-NAMED DEFENDANT, ARE HEREBY SUMMONED to appear on _____, at _____ before the above-named court at the Dakota County Judicial Center 1560 Highway 55, Hastings, MN 55033 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 hereby order, in the name of the State of Minnesota, that the above-named Defendant be apprehended and arrested without delay and brought promptly before the above-named 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***

[X] ORDER OF DETENTION

Since the above-named Defendant is already in custody, I hereby order, subject to bail or conditions of release, that the above-named Defendant continue to be detained pending further proceedings.

Bail:
Conditions of Release:

This complaint, duly subscribed and sworn to, is issued by the undersigned Judicial Officer this _9__ day of ____November_____, 2012.

JUDICIAL OFFICER:
NAME:
TITLE: Judge of District Court

SIGNATURE:
/s/
_____
Judge

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

COUNTY OF DAKOTA STATE OF MINNESOTA **STATE OF MINNESOTA** Plaintiff, vs. **DEVON DESHAWN GORDON** Defendant.	*Clerk's Signature or File Stamp:* *RETURN OF SERVICE* *I hereby Certify and Return that I have served a copy of this COMPLAINT upon the Defendant herein named.* Signature of Authorized Service Agent: _____