STATE OF MINNESOTA
COUNTY OF DAKOTA

DISTRICT COURT
FIRST JUDICIAL DISTRICT

COURT FILE NO. 19HA-CR-12-3950
COUNTY ATTORNEY FILE NO. CA-2012-02255
CONTROLLING AGENCY: MN0190700
CONTROL NUMBER: 12-003641

State of Minnesota,

Plaintiff,

v.

TERRILL MONTELL MAY
1313 KRUSE STREET #213
WEST SAINT PAUL, MN 55118
(DOB: 11/2/67)

[ ] 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: MALICIOUS PUNISHMENT OF A CHILD
Minnesota Statutes §609.377, Subd. 2; 609.377, Subd. 2; 609.101
PENALTY: 0-1 Year and/or $900.00 - $3,000.00
MOC: I2077 GOC: N
[ ] Felony [X] Gross Misdemeanor [ ] Misdemeanor [ ] Petty Misdemeanor

On or about November 11, 2012, in the County of Dakota, Minnesota, TERRILL MONTELL MAY, did as a parent, legal guardian, or caretaker, by an intentional act or a series of intentional acts with respect to a child, evidence unreasonable force or cruel discipline that is excessive under the circumstances, and the punishment results in less than substantial bodily harm.

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 14, 2012at approximately 6:11 p.m., a West St. Paul Police officer made contact with K.S. K.S. reported that her twelve year old son's father, Terrill Montel May I, had struck the twelve year old with a belt leaving behind bruises on the child's buttock and leg. K.S. explained that she had received a call from the child's school on November 11, 2012, informing her that the child had been disrespectful to school staff and was being sent home. K.S. said she called May asked him to go pick up the child from school. May picked the child up from school and later dropped the child off at K.S.' residence. K.S. said the child told her May spanked him, but he did not want to talk about it. She then noticed on November 13, 2012, the child appeared to have trouble sitting. K.S. said she asked the child to show her his buttocks and it was then that she noticed he had several bruises on his buttock and leg.

Police spoke with the twelve year old child. The child told police his father, Terrill Montel May I, picked him up from school on November 11, 2012, after he got in trouble at school. May then took the child back to May's residence located on Kruse Street, West St. Paul, Dakota County, Minnesota. Once back at May's residence, the child explained that May punished him for misbehaving at school. He said May grabbed a belt and struck the child approximately seven times in the area of his buttocks. The child indicated he began to cry and told May that it was starting to hurt. He said May responded that it was supposed to hurt and then proceeded to strike the child twice more with belt.

Police observed several pronounced bruises on the child's buttock and leg which were reportedly sustained when May had repeatedly struck the child with a belt at May's residence on November 11, 2012.

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, Terrill Montell May, 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:

(kjh)

Name: Elizabeth M. Swank
Assistant Dakota County Attorney
Dakota County Judicial Center
1560 Highway 55
Hastings, MN 55033
(651) 438-4438
Attorney Registration No.: 0390706

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 16th 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. **TERRILL MONTELL MAY** 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: _____