

State of Minnesota
County of Dakota

District Court
1st Judicial District

Prosecutor File No. CA-2021-03244
Court File No. 19HA-CR-21-2693

State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

SAKARIA OSMAN AHMED DOB: 10/06/1990

130 Timberland Drive
Burnsville, MN 55337

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: Murder in the 2nd Degree (With Intent) (Not Premeditated)

Minnesota Statute: 609.19.1(1), with reference to: 609.11.5

Maximum Sentence: 3-40 Years

Offense Level: Felony

Offense Date (on or about): 12/18/2021 to 12/18/2021

Control #(ICR#): 21007456

Charge Description: On or about December 18, 2021, in the County of Dakota, Minnesota, SAKARIA OSMAN AHMED, did cause the death of a human being with intent to effect the death of that person or another, but without premeditation and at the time of offense, the Defendant or an accomplice did use or possess a firearm, to wit: a 9 MM Springfield XD handgun.

STATEMENT OF PROBABLE CAUSE

On 12/18/2021 at 6:57 pm, Eagan Police Officers were dispatched to the Marathon gas station in Eagan, Dakota County, regarding a male on the ground who was shot and possibly dead. Dispatch also advised Officers of other 911 calls regarding an accident approximately 100 yards from the gas station. Witnesses observed a Somali male wearing a hooded sweatshirt, dark pants with a gun leaving the intersection of the accident and running towards the nearby outlet mall. The male, subsequently identified as Sakaria Osman Ahmed, DOB 10/06/1990, Defendant herein, was apprehended within minutes.

Officers responded to the gas station and observed an adult male lying on the ground with an apparent gunshot wound to the head. The male was identified as Faisal Abukar, DOB: 02/04/1988 ("Victim"). A discharged cartridge casing labeled "GFL 9mm Luger" was located near the Victim. The Victim was transported to the hospital where he died of his injury. An autopsy was performed, and the medical examiner indicated that the Victim died of a single gunshot wound to the head. The manner of death was ruled a homicide.

An interview was conducted of a witness who was present at the gas station ("Witness 1") who reported the following facts. Witness 1 and the Victim drove to the gas station in the Victim's car to meet up with some people that were unknown to Witness 1. Witness 1 was driving. When they arrived at the gas station, they parked in an area away from the gas pumps. Witness 1 said the people the Victim was meeting up with arrived in a sedan and the passenger of the sedan exited that vehicle and entered the backseat of the Witness 1's car. Witness 1 and the passenger from the sedan who had entered Witness 1's car got in a verbal argument about Witness 1's seat and how far back it was positioned. Thereafter, Witness 1, the passenger from the sedan and the Victim exited Witness 1's car and began arguing between the two cars. Witness 1 said the sedan passenger punched him in the face and threw him to the ground. Witness 1 described the passenger who assaulted him as having a distinct "chin strap" beard that went from his ears to his chin and that he was wearing a black hat.

Witness 1 told police that after the sedan passenger started assaulting him, the driver of the sedan exited his vehicle and joined the other three between the two cars. The sedan driver was wearing a grey hooded sweatshirt with no hat. The sedan driver shot the Victim once in the head. Witness 1 ran from the scene. He looked back and saw the sedan driver pointing the gun at him. He then continued running

towards a McDonald's restaurant located across the street. He observed both the sedan driver and the sedan passenger get back into their car and leave the area where the shooting occurred. They drove to an area near a Dominoes in the same parking lot as the gas station. The car stayed parked there for a short time after which it exited the parking lot and crashed within 100 yards of the scene. Witnesses observed the driver exit the car from the driver's seat holding a gun in his hand. The driver ran towards the nearby outlet mall where he was apprehended shortly thereafter and identified as Defendant. A live round of ammunition labeled "GFL 9mm Luger" was found near the car from which the Defendant fled. The passenger who assaulted Witness 1 was not located.

Officers obtained the surveillance video from the gas station and were able to observe the two cars pull up next to each other, saw what appeared to be a scuffle between the two cars, and a man with a dark jacket and a grey hoodie sweatshirt getting out of the drivers side of his car and going between the two cars. While the shooting was not visible on the video, shortly after the male got out of the driver's seat and came between the two cars, Witness 1 and another male can be seen moving quickly away from the scene. A third male is visible for a brief time and appears to have a gun in his hand. Witness 1 was observed running away towards McDonald's and coming back a short time later to the area where the Victim had been shot. The Defendant's vehicle is seen leaving the parking lot and the accident he got into is visible on the video surveillance.

Officers spoke to another person, Witness 2, who was pumping gas at the gas station when the shooting occurred. Witness 2 said she observed four Somali males talking between a black and a red car in the parking lot of the gas station. One of the men took out a black handgun and shot one of the males in the group. The man who shot the Victim was not wearing a hat. One of the other men was wearing a hat.

When officers located the Defendant at the outlet mall, he was wearing a black jacket with a grey hooded sweatshirt and dark pants. Officers asked him where the gun was for safety issues and the Defendant said it was in his pocket. Defendant had a black 9mm handgun in his possession which was loaded with ammunition labeled "GFL 9mm Luger." A round was located in the chamber.

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

Mark Kritzeck
Detective
3830 Pilot Knob Rd
Eagan, MN 55122
Badge: 120

Electronically Signed:
12/21/2021 10:47 AM
Dakota County, mkritzeck

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

Prosecuting Attorney

Cheri Townsend
1560 Hwy 55
Hastings, MN 55033-2392
(651) 438-4438

Electronically Signed:
12/21/2021 10:46 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: \$
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: December 21, 2021.

Judicial Officer Christopher Lehmann
Judge of District Court

Electronically Signed: 12/21/2021 11:24 AM

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

**COUNTY OF DAKOTA
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Sakaria Osman Ahmed

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this Order of Detention upon the Defendant herein named.

Signature of Authorized Service Agent: