

State of Minnesota
County of Dakota

District Court
1st Judicial District

Prosecutor File No. CA-2023-00053
Court File No. 19HA-CR-23-71

State of Minnesota,

Plaintiff,

vs.

DONTE RAPHEAL MCCRAY DOB: 04/15/1990

8217 30 1/2 St W 4B
St Louis Park, MN 55426

Defendant.

COMPLAINT

Order of Detention

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): 01/08/2023 to 01/08/2023

Control #(ICR#): 23000098

Charge Description: On or about January 8, 2023, in the County of Dakota, Minnesota, DONTE RAPHEAL MCCRAY, 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.

STATEMENT OF PROBABLE CAUSE

On January 8, 2023, Lakeville police officers were dispatched to a Lakeville, Dakota County business on a call of a shooting involving a pregnant Victim. Officers arrived and found a woman, subsequently identified as Kyla Bianca Fletcher, DOB 5-5-91, Victim herein, receiving medical attention. The Victim appeared to have a single gunshot wound to the right side of her neck and there was a large amount of blood on her clothing. She was unresponsive to resuscitation efforts, but lifesaving efforts continued as she was transported to the Hennepin County Medical Center via ambulance. An emergency cesarean section was performed on the Victim in an effort to save her unborn child and while medical staff eventually got a pulse from the Victim's newborn, the child's condition is considered critical. The Victim was pronounced deceased at HCMC. An autopsy was performed, and the Victim died of a single gunshot wound to the neck, which transected her cervical spine. Manner of death was ruled a homicide.

Upon arrival to the scene, officers talked with the Victim's significant other and the father of her newborn, Donte Rapheal McCray, DOB 4-15-1990, Defendant herein, who appeared distraught and advised the following - Defendant and Victim had been in an argument most of the day over the fact that the Victim had learned that the Defendant had another child with another woman while the Victim was pregnant. Eventually, the Defendant took a Lyft to his mother's home with all of his belongings, but then the Victim came and picked him back up at his mother's and brought him to work in Lakeville. Once at Lakeville, he realized he had guns in his bags, and he was worried about making sure they were safe for his kids so he wanted to "clear" the guns of any live rounds of ammunition. According to the Defendant, he started to clear a gun in front of his place of employment when the Victim told him not to handle the gun right in front of work. She drove the car away from the front of the building to a parking spot where the Defendant would be hidden from view when he cleared the gun. The Defendant said he hung on to the car when the Victim moved it and as she got parked, he tried to clear a round in the chamber and the gun accidentally discharged, hitting the Victim in the neck.

Officers spoke with family members of the Victim, who had seen the Defendant and Victim's interactions on the day of the Victim's death. Officers spoke with the Victim's mother, Witness 1, who said she had been called over to the Defendant and Victim's home because one of the Victim's kids said Defendant was getting aggressive with the Victim. After learning of his infidelity, the Victim told the

Defendant that she didn't want to be bothered with him and that he "had to go." The Victim also advised the Defendant that when she delivers the baby, the baby cannot have the Defendant's name. Witness 1 came over to the house and saw the Victim and the Defendant arguing over the Victim's keys. The Victim was trying to get her keys back from the Defendant and using a broom stick to try to get the Defendant to turn over the keys. The Defendant then rushed the Victim and Witness 1 had to break them up. Victim ended up breaking the Defendant's phone, which angered the Defendant. The Defendant told the Victim that if she had another man around his kids, he was going to "kill your ass." He then told the Victim and her family "You all ain't bullet proof. I'm going to fuck you all up. You ain't bullet proof." before taking a Lyft to his mother's house, approximately 70 minutes before the shooting. About 20 minutes after Defendant left, the Victim went to pick him up at his mother's house to drive him to work in Lakeville.

Officers subsequently were able to view video surveillance from the business parking lot and saw that the Defendant got out of the Victim's front passenger seat while parked in front of the building, then went to the back passenger side door and appeared to be moving something around in the car. Video then showed the car pull away from the front of the building with the Defendant running along side the car. The Victim pulled into a parking spot, but reversed the car briefly before pulling into the spot, which pushed the Defendant backwards. The car then pulls forward slowly, then very quickly, running into a post marking for the parking spot. After reviewing the video, officers talked to the Defendant again. The Defendant admitted when the Victim's car backed up, he was angry that the door hit him and he raised the gun, pointed it at the Victim and pulled the trigger. The Defendant claimed that he did not know there was still a round in the chamber of the gun when he pointed it and shot. Defendant told police he has taken two firearm safety courses. Another witness advised officers that the Defendant is very well acquainted with firearms and even knows how to disassemble them. Additionally, the Victim had also taken classes in gun safety and had a permit to carry. Family members indicated she would not need the Defendant's assistance to clear live ammunition out of a firearm.

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

Kelli Coughlin
Detective
9237 183rd Street W
Lakeville, MN 55044
Badge: 4812

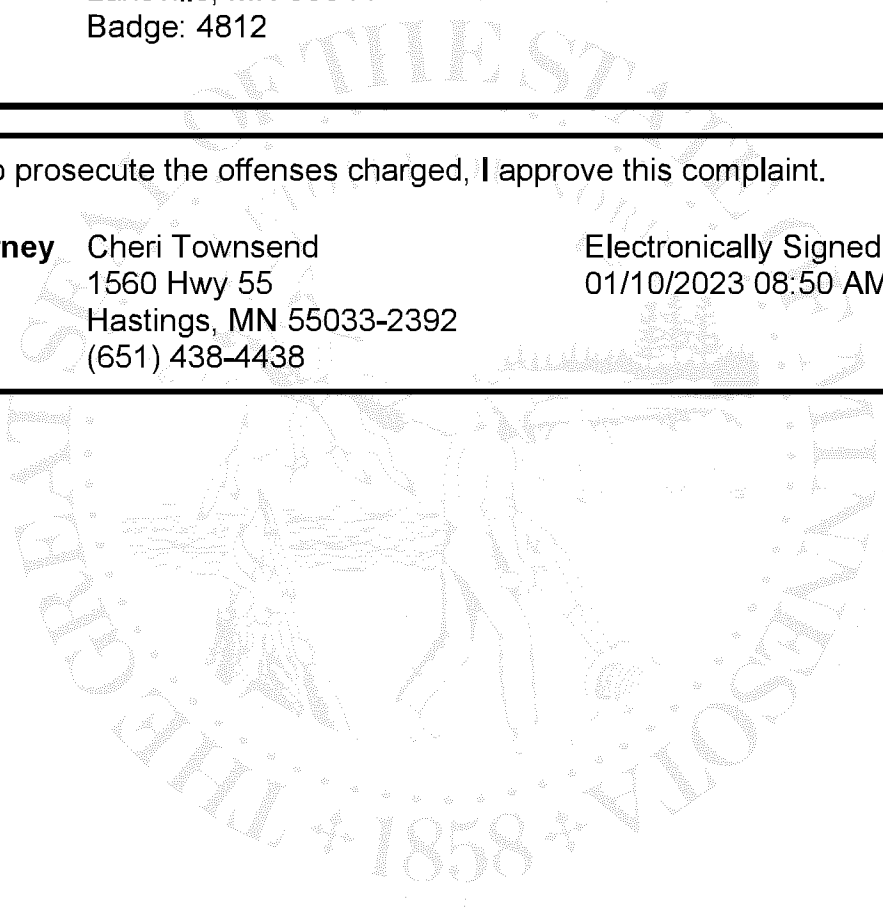
Electronically Signed:
01/10/2023 08:50 AM
Dakota County, MN

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:
01/10/2023 08:50 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: January 10, 2023.

Judicial Officer

Karen Asphaug
Judge of District Court

Electronically Signed: 01/10/2023 09:58 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.

Donte Rapheal McCray

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: