

State of Minnesota
County of DakotaDistrict Court
1st Judicial DistrictProsecutor File No. CA-2024-02164
Court File No. 19HA-CR-24-2015

State of Minnesota,

COMPLAINT

Plaintiff,

Order of Detention

vs.

MARCO ANTONIO SHERMAN DOB: 11/08/19944000 S. West Avenue
Sioux Falls, SD 57105

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: Possession of Firearm by Ineligible Person (Prior Crime of Violence)**

Minnesota Statute: 624.713.1(2), with reference to: 624.713.2(b), 609.11.5

Maximum Sentence: 5-15 Years and/or \$9,000.00 - \$30,000.00

Offense Level: Felony

Offense Date (on or about): 10/11/2024

Control #(ICR#): 24005204

Charge Description: On or about October 11, 2024, in the County of Dakota, Minnesota, MARCO ANTONIO SHERMAN, did unlawfully possess a pistol, a semiautomatic military-style assault weapon or any other firearm, after having been convicted of, or adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing in this state or elsewhere, a crime of violence.

COUNT II**Charge: Fleeing a Peace Officer in a Motor Vehicle**

Minnesota Statute: 609.487.3

Maximum Sentence: 0-3 Years Plus 1 Day and/or \$1,500.00 - \$5,000.00

Offense Level: Felony

Offense Date (on or about): 10/11/2024

Control #(ICR#): 24005204

Charge Description: On or about October 11, 2024, in the County of Dakota, Minnesota, MARCO ANTONIO SHERMAN, did flee or attempt to flee by means of a motor vehicle a peace officer who is acting in the lawful discharge of an official duty, and the perpetrator knows or should reasonably know the same to be a peace officer.

On October 11, 2024, at approximately 1:04 p.m., an officer observed a vehicle commit a moving violation while driving in Eagan, Dakota County, Minnesota. The officer activated her emergency lights to stop the vehicle as it pulled into a gas station. The vehicle pulled through the gas pumps before accelerating at a high rate of speed back on the roadway. The officer pursued with her lights and siren activated. The vehicle drove in a loop around the gas station before pulling back in the gas station and travelling back onto the roadway. From there, the vehicle travelled over a curb and was launched into a parking lot, which caused it to lose a tire.

The officer pulled into the parking lot and saw the vehicle's two occupants exiting and fleeing on foot. The officer pursued them, and as she approached the male who got out of the driver's seat, he slowed and eventually complied with commands to stop or he would be tazed. The male was arrested and identified as MARCO ANTONIO SHERMAN (DOB: 11/8/1994). SHERMAN told police that his female passenger (who was also apprehended) was "not involved." SHERMAN then declined to give a statement when advised of his constitutional rights. Police learned that SHERMAN had an active warrant for a parole violation out of South Dakota.

When police apprehended the female passenger, she had a loaded handgun that she said SHERMAN had given to her. Officers searched the driver's seat area of the vehicle that SHERMAN had been driving and located a black bag on the floor of the driver's seat. Inside the bag, officers located a loaded 9mm handgun and 9mm ammunition. More ammunition was found in the center console and cupholder. In the trunk, officers located a blue duffel bag that contained a deconstructed AR-style rifle and additional ammunition.

SHERMAN was previously convicted of felony kidnapping in South Dakota in 2017, which is a crime of violence. SHERMAN is therefore prohibited from possessing a firearm or ammunition.

19HA-CR-24-2015
SIGNATURES AND APPROVALS

Filed in District Court
State of Minnesota
10/14/2024

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:
10/14/2024 10:06 AM
Dakota County, MN

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

Prosecuting Attorney

Cory B. Monnens
1560 Hwy 55
Hastings, MN 55033-2392
(651) 438-4438

Electronically Signed:
10/14/2024 09:58 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: October 14, 2024.

Judicial Officer

Jamie L Cork
Judge

Electronically Signed: 10/14/2024 10:22 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.

Marco Antonio Sherman

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: