

State of Minnesota
County of Hennepin

10/27/2015 09:56:42 AM
District Court
Hennepin County, MN
4th Judicial District

Prosecutor File No. CR-2015-4736
Court File No. 27-CR-15-30544

State of Minnesota,

Plaintiff,

vs.

EMMANUEL DESHAWN ARANDA DOB: 08/23/1994

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: Obstruct Legal Process-Interfere w/Peace Officer

Minnesota Statute: 609.50.1(2), with reference to: 609.50.2(2)

Maximum Sentence: 1 year and/or \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 10/25/2015

Control #(ICR#): 15010197

Charge Description: That at the time and place below-alleged, the above-named Defendant did intentionally obstruct, resist, or interfere with a peace officer, to wit: Officer Nelson, who was engaged in the performance of official duties, and said act was accompanied by force or violence, or the threat thereof

COUNT II

Charge: Assault-5th Degree-Fear of Bodily Harm or Death

Minnesota Statute: 609.224.1(1), with reference to: 609.224.1

Maximum Sentence: 90 days and/or \$1,000

Offense Level: Misdemeanor

Offense Date (on or about): 10/25/2015

Control #(ICR#): 15010197

Charge Description: That at the time and place below-alleged, the above-named Defendant did commit an act with intent to cause fear in another, to wit: (1) of immediate bodily harm or death and/or (2) intentionally inflicted or attempted to inflict bodily harm upon said other.

COUNT III

Charge: Assault-5th Deg-Inflict or Attempt Bodily Harm

Minnesota Statute: 609.224.1(2), with reference to: 609.224.1

Maximum Sentence: 90 days and/or \$1,000

Offense Level: Misdemeanor

Offense Date (on or about): 10/25/2015

Control #(ICR#): 15010197

Charge Description: That at the time and place below-alleged, the above-named Defendant did commit an act with intent to cause fear in another, to wit: (1) of immediate bodily harm or death and/or (2) intentionally inflicted or attempted to inflict bodily harm upon said other.

COUNT IV

Charge: Trespass-Return to Property Within One Year

Minnesota Statute: 609.605.1(b)(8), with reference to: 609.605.1(b)

Maximum Sentence: 90 days an/or \$1,000

Offense Level: Misdemeanor

Offense Date (on or about): 10/25/2015

Control #(ICR#): 15010197

Charge Description: That at the time and place below-alleged, the above-named Defendant did without claim or right to the property or consent of one with authority to consent, return to the property of another within one year after being told to leave the property and not to return.

COUNT V

Charge: Disorderly Conduct-Offensive/Abusive/Noisy/Obscene

Minnesota Statute: 609.72.1(3), with reference to: 609.72.1

Maximum Sentence: 90 days and/or \$1,000

Offense Level: Misdemeanor

Offense Date (on or about): 10/25/2015

Control #(ICR#): 15010197

Charge Description: That at the time and place below-alleged, the above-named Defendant did engage in offensive, obscene, abusive, boisterous or noisy conduct or in offensive, obscene or abusive language tending reasonably to arouse, alarm, anger or cause resentment in others or provoke an assault or breach of the peace

COUNT VI

Charge: Damage to Property-4th Deg-Intentional Damage-Other Circumstances

Minnesota Statute: 609.595.3, with reference to: 609.595.3

Maximum Sentence: 90 days and/or \$1,000

Offense Level: Misdemeanor

Offense Date (on or about): 10/25/2015

Control #(ICR#): 15010197

Charge Description: That at the time and place below-alleged, the above-named Defendant did intentionally cause damage to physical property, to wit: glasses, of another without the latter's consent and the damage reduced the value of the property by less than \$500

STATEMENT OF PROBABLE CAUSE

That on October 25, 2015, at approximately 12:08 p.m., Bloomington Police Officers Nelson, Garibay, and Hoffman were dispatched to the Twin City Grill in the Mall of America (MOA) in Bloomington, Hennepin County, on report of a disturbance. Dispatch advised that the suspect was throwing glasses in the restaurant and they gave a suspect description. Officer Nelson observed the suspect, later identified as Emmanuel Deshawn Aranda (DOB 8/23/1994), the defendant herein, in a vestibule area and told him to stop and talk to him, but the defendant kept walking away. Officer Nelson grabbed onto the defendant's arm and he immediately tensed up and pulled away. Officer Nelson felt that the defendant was going to fight or run away so he pushed him into a nearby wall and escorted him to the ground. The defendant continued to tense his arms and Officer Nelson told the defendant to stop resisting. The defendant continued to resist and attempted to get up and fight with Officer Nelson. MOA Security Officer Rowe ran over and assisted Officer Nelson in trying to gain control of the defendant, who eventually was handcuffed after other Bloomington officers arrived to assist. Officer Garibay went to Twin Cities Grill and spoke with A. Robinson who stated that she and her friend, J. Hosley, went to have lunch at approximately 11:30 a.m. but noticed that the restaurant did not open until noon. Robinson sat on a bench located in front of the restaurant and the defendant sat next to her and asked her why she was sitting on the bench. Robinson stated she was waiting for the restaurant to open and the defendant asked her what she was going to buy him. Robinson laughed and told him she was not going to buy him anything. The defendant kept asking Robinson to buy him something to eat or at least give him some money. Finally Hosley came out of a nearby store and they went into the restaurant. The defendant followed them into the restaurant and sat at the table next to them. Robinson and Hosley tried to ignore the defendant but he continued to ask them to buy him something to eat. The defendant became more verbally aggressive and Robinson was scared to tell the waitress that the defendant was harassing them for fear of his response. Eventually the manager, S. Cronin, came over and asked the defendant to leave the restaurant. The defendant grabbed a full glass of ice water and threw it in Robinson's face. Cronin and the defendant got into a physical scuffle and Robinson and Hosley attempted to leave the restaurant. The defendant grabbed a full glass of tea and threw it toward Robinson. The glass struck Robinson in the left upper thigh and bounced off to shatter on the floor. Robinson stated her thigh was sore. Officer Hoffman spoke with Cronin and he stated that when he had stepped in between the defendant and the females and told him to leave the restaurant, the defendant said to Cronin, "I'm going to break your fu**ing face open!" Cronin was fearful that the defendant was going to assault him. Cronin stated that several tables full of guests panicked and fled the restaurant while this was happening, causing an estimated \$200.00 in loss. Officer Hoffman also noted that the type of glass that the defendant had thrown was an eight inch glass with very thick glass. Checks revealed that the defendant had been issued a trespass notice which is valid through July 4, 2016, prohibiting him from entering MOA property.

Based on the above, your complainant states that on October 25, 2015, within the corporate limits of the City of Bloomington, Hennepin County, State of Minnesota, Emmanuel Deshawn Aranda, then and there being, did violate the above-listed provisions.

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

Matthew Foy
Police Officer
1800 W Old Shakopee Rd
Bloomington, MN 55431
Badge: 322

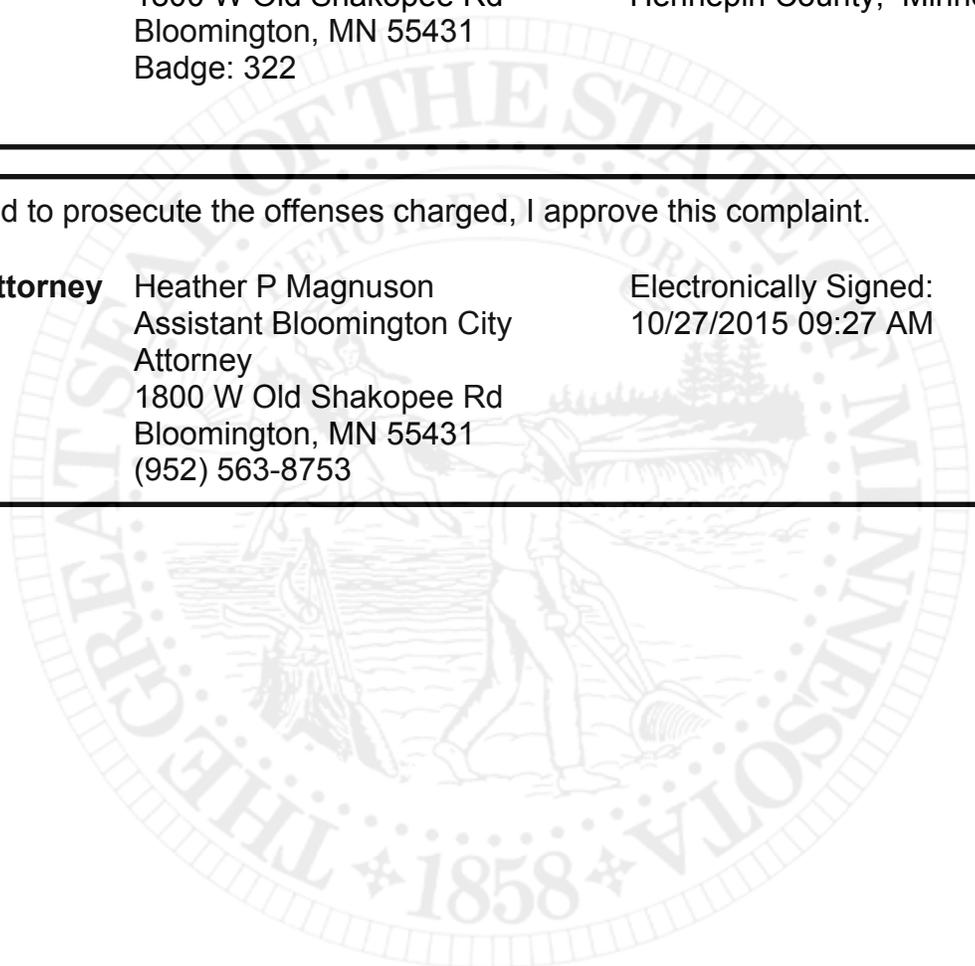
Electronically Signed:
10/27/2015 09:30 AM
Hennepin County, Minnesota

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

Prosecuting Attorney

Heather P Magnuson
Assistant Bloomington City
Attorney
1800 W Old Shakopee Rd
Bloomington, MN 55431
(952) 563-8753

Electronically Signed:
10/27/2015 09:27 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 on _____, _____ at _____ AM/PM before the above-named court at 7009 York Avenue S, Edina, MN 55435 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: \$1,000.00
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 27, 2015.

Judicial Officer Ivy S. Bernhardson Electronically Signed: 10/27/2015 09:46 AM
District Court Judge

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff
vs.

Emmanuel Deshawn Aranda

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: