

**State of Minnesota
County of Hennepin**

**District Court
Fourth Judicial District**

CCT	LIST CHARGE STATUTE ONLY	MOC	GOC	CTY ATTY FILE NO.	CONTROLLING AGENCY	CONTROL NO
1	609.19	H2012	N	12-4645	MN0271100	12040730
2	609.19	H2012	A			

COURT CASE NO. DATE FILED

if more than 6 counts (see attached) if Domestic Assault as defined by MS 518B01, sub2a,b

State of Minnesota,

PLAINTIFF,

VS.

Amended Tab Charge Previously Filed

<input checked="" type="checkbox"/> SERIOUS FELONY	<input type="checkbox"/> SUMMONS
<input type="checkbox"/> FELONY	<input type="checkbox"/> WARRANT
<input type="checkbox"/> GROSS MISDM DWI	<input checked="" type="checkbox"/> ORDER OF DETENTION
<input type="checkbox"/> GROSS MISDM	<input type="checkbox"/> EXTRADITION

NAME: first, middle, last
BRIAN VINCENT GRIFFIN

DEFENDANT,

Date of Birth	MNCIS #:	27-CR-
2/2/79	LE#:	12-12330
	SILS ID:	361214
	TRACK	2551821
	ID:	

14011 OAKVIEW LANE
DAYTON, MN 55327

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). The complainant states that the following facts establish PROBABLE CAUSE:

Complainant, Sgt. Scott Larson, of the Minneapolis Police Department, has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On or about 2:25 a.m. on February 11, 2012, Minneapolis Police responded to a shots fired call at the Millennium Hotel, Minneapolis, Hennepin County, Minnesota. Officers found J.S., a known adult male (victim), in one of the hotel rooms, suffering from multiple gunshot wounds. The victim was pronounced dead at the scene. A subsequent autopsy determined that the victim died of multiple gunshot wounds. A 9 mm. handgun and one discharged cartridge casing were found outside the door to this room. Nine additional discharged cartridge casings were found inside the room.

Witness A reported that Witness B (a known adult male), the victim, the Defendant **BRIAN VINCENT GRIFFIN**, and Witness A were together in the hotel room in which the victim’s body was found. Witness A reported that the four men had been smoking “meth”. After some period of time, Defendant got up and walked to the door as if he was getting ready to leave. Witness A reported that Defendant then started shooting at the victim and at him. Witness A reported that Defendant then ran from the room.

Other witnesses reported that after shots were fired a man, later identified as Defendant, left the room in which J.S. was found and ran across the street to the Hyatt Hotel. Officers located Defendant a short time later at the Hyatt hiding in a closet.

In a post-*Miranda*, recorded statement, Defendant admitted that he shot the victim. Defendant stated that the victim and Witness B were talking about things that made him nervous. Defendant stated that he had his 9 mm. handgun in his waist band. Defendant stated that he got up and headed towards the door, intending to leave the room.

COMPLAINT SUPPLEMENT

CCT	SECTION/Subdivision	M.O.C.	GOC

Defendant stated that, as he reached the door, he thought "I have to do this". Defendant admitted that he pulled out his gun, that he cocked his gun, that he turned around, and that he shot the victim. Defendant admitted that he also shot at Witness A. Defendant stated that he did not know if he hit Witness A but that he was sure that hit the victim.

O F F E N S E

COUNT 1: MURDER IN THE SECOND DEGREE (INTENTIONAL) (FELONY)
MINN. STAT. § 609.19, SUBD 1(1); § 609.11
PENALTY: 3-40 YEARS

That on or about February 11, 2012, in Hennepin County, Minnesota, **BRIAN VINCENT GRIFFIN**, while using a firearm, caused the death of J.S., a human being, with intent to effect the death of that person or another, but without premeditation.

COUNT 2: ATTEMPTED MURDER IN THE SECOND DEGREE (INTENTIONAL) (FELONY)
MINN. STAT. § 609.19, SUBD 1(1); § 609.11; § 609.17
PENALTY: 3-40 YEARS

That on or about February 11, 2012, in Hennepin County, Minnesota, **BRIAN VINCENT GRIFFIN**, while using a firearm, attempted to cause the death of Witness A, a human being, with intent to effect the death of that person or another, but without premeditation.

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.

THEREFORE, Complainant requests that said 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'S NAME:

Sgt. Scott Larson

COMPLAINANT'S SIGNATURE:

Being duly authorized to prosecute the offense(s) charged, I hereby approve this Complaint.

DATE:

February 14, 2012 **mz**

PROSECUTING ATTORNEY'S SIGNATURE:

PROSECUTING ATTORNEY:

NAME/TITLE:

STUART E. SHAPIRO by MS (19573x)
Assistant County Attorney

ADDRESS/TELEPHONE:

C2100 Government Center, Minneapolis, MN 55487
Telephone: 612-348-2650

FORM I-2

Rev. 3/94

Court Case # _____

This COMPLAINT was subscribed and sworn to before the undersigned this ____ day of _____, 20__.

NAME:

SIGNATURE:

TITLE:

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 his detention, if already in custody, pending further proceedings. The Defendant(s) is/are thereof charged with the above-stated offense.

SUMMONS

THEREFORE YOU, THE ABOVE-NAMED DEFENDANT(S), ARE HEREBY SUMMONED to appear on the ____ day of _____, 20__ at ____ AM/PM before the above-named court at _____ to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

WARRANT

EXECUTE IN MINNESOTA ONLY

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(s) 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 thereafter as such Judge or Judicial Officer is available) to be dealt with according to law.

ORDER OF DETENTION

Since the above-named Defendant(s) is already in custody; I hereby order, subject to bail or conditions of release, that the above-named Defendant(s) continue to be detained pending further proceedings.

Bail: \$1,500,000 + CR

Conditions of Release: **No contact with victim(s); No contact with witness(es); No contact with address of the offense or home/work of victim(s) and witness(es); No use of drugs/alcohol; No possession of weapons; Make all appearances; Remain law abiding.**

This COMPLAINT- _____ **ORDER OF DETENTION** _____ duly subscribed and sworn to, is issued by the undersigned Judicial Officer this ____ day of _____, 20__.

NAME:

SIGNATURE

TITLE: **JUDGE OF DISTRICT COURT**

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

STATE OF MINNESOTA COUNTY OF HENNEPIN

STATE OF MINNESOTA

Plaintiff

vs.

BRIAN VINCENT GRIFFIN

Defendant(s).

Clerk's Signature or File Stamp:

RETURN OF SERVICE

I hereby Certify and Return that I have served a copy of this COMPLAINT – SUMMONS, WARRANT, ORDER OF DETENTION upon Defendant(s) herein-named.

Signature of Authorized Service Agent: