

State of Minnesota County of Hennepin District Court

CCT LIST CHARGE STATUTE ONLY MOC GOC
1 §609.185 H1313 N
§609.222 A2523 N
3 §609.245 R2923 A

CTY ATTY CONTROLLING
FILE NO. AGENCY CONTROL NO.
04-5324 0271100 04117071

COURT CASE NO. DATE FILED

609.11

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

State of Minnesota,

PLAINTIFF,

VS.

NAME: first, middle, last Date of Birth Legal Edge Number
MARVIN HAYNES, JR. 04033121 12/6/87 LE#: 04-19847

DEFENDANT.

- Amended
- Tab Charge Previously Filed
- SERIOUS FELONY
- SUMMONS
- FELONY
- WARRANT
- GROSS MISDM DWI
- ORDER OF DETENTION
- GROSS MISDM
- EXTRADITION

COMPLAINT

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.

Your Complainant, Sergeant Michael Keefe, is employed by the City of Minneapolis Police Department in the Homicide Division. Your Complainant has investigated this case by reviewing the reports of his fellow officers as well as speaking to witnesses. From this, your Complainant has learned the following, which he believes to be true:

Members of the Minneapolis Police Department spoke to a known adult female, C.M., who indicated the following: On 5/16/04 she was working at Jerry's Flower Shop located in Minneapolis, Hennepin County, Minnesota along with Harry Sherer. At approximately 11:30 a.m. an individual subsequently identified as **MARVIN HAYNES, JR.**, the Defendant herein, entered the store and asked to purchase some flowers and the Defendant subsequently pulled a silver revolver out and pointed at C.M. The Defendant stated that he wasn't joking and that he wanted the money. Just then Harry Sherer entered the room and C.M. took off running. As she was running out of the store, she heard two shots fired. She then contacted police and when she returned observed that Mr. Sherer had been shot.

An autopsy was subsequently performed on the body of Harry Sherer. The Hennepin County Medical Examiner's Office observed that Mr. Sherer had been shot once in the chest. They ruled the cause of death to be a gunshot wound and the manner of death a homicide.

Your Complainant knows that a photo lineup was shown to C.M. and C.M. positively identified the Defendant as the person who entered Jerry's Flower Shop as referred to above.

Defendant is presently in custody.

COMPLAINT SUPPLEMENT

CCT	SECTION/Subdivision	M.O.C.	GOC

OFFENSE

COUNT 1: MURDER IN THE FIRST DEGREE (FELONY)
 MINN. STAT. 2003, §609.185(a)(3); §609.11; §609.106, SUBD. 2(2)
 PENALTY: LIFE

That on or about May 16, 2004, in Hennepin County, Minnesota, **MARVIN HAYNES, JR.**, while using a firearm, caused the death of Harry Sherer, a human being, with intent to effect the death of Harry Sherer or another, while committing or attempting to commit the crime of aggravated robbery.

COUNT 2: ASSAULT IN THE SECOND DEGREE (FELONY)
 MINN. STAT. 2003, §609.222, SUBD. 1; §609.101, SUBD. 2; §609.11
 PENALTY: 3-7 YEARS AND/OR \$14,000

That on or about May 16, 2004, in Hennepin County, Minnesota, **MARVIN HAYNES, JR.**, while using or possessing a firearm, assaulted C.M.

COUNT 3: ATTEMPTED AGGRAVATED ROBBERY FIRST DEGREE (FELONY)
 MINN. STAT. 2003, §609.245, SUBD. 1; §609.17
 PENALTY: 0-10 YEARS AND/OR \$17,500

That on or about May 16, 2004, in Hennepin County, Minnesota, **MARVIN HAYNES, JR.** attempted to take personal property, from the person or in the presence of C.M., knowing that he was not entitled to the property and used and/or threatened the imminent use of force against C.M., to overcome her resistance or powers of resistance to or to compel acquiescence in the taking or carrying away of the property and inflicted bodily harm upon C.M..

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:

Michael Keefe

COMPLAINANT'S SIGNATURE:

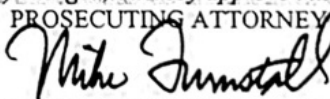
Being duly authorized to prosecute the offense(s) charged, I hereby approve this Complaint.

DATE:

May 20, 2004

jec

PROSECUTING ATTORNEY'S SIGNATURE:



PROSECUTING ATTORNEY:

NAME/TITLE:

**Michael P. Furnstahl (200566)
 Assistant County Attorney**

ADDRESS/TELEPHONE:

**C2100 Government Center, Minneapolis, MN 55487
 Telephone: (612) 348-8463**