

State of Minnesota
County of Rice

District Court
3rd Judicial District

Prosecutor File No. 0660042861
Court File No. 66-CR-18-1550

State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

BISHAR ALI MAHAMED DOB: 01/01/1991

306 7th St NW #12
Faribault, MN 55021

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: Assault-2nd Degree-Dangerous Weapon-Substantial Bodily Harm

Minnesota Statute: 609.222.2, with reference to: 609.11.4

Maximum Sentence: 10 years and/or \$20,000

Offense Level: Felony

Offense Date (on or about): 06/30/2018

Control #(ICR#): 18002602

Charge Description: On or about June 30, 2018, in the County of Rice, Minnesota, Bishar Ali Mahamed did assault another with a dangerous weapon consisting of a knife, and inflicted substantial bodily harm.

COUNT II

Charge: Assault-2nd Degree-Dangerous Weapon

Minnesota Statute: 609.222.1, with reference to: 609.11.4

Maximum Sentence: 7 years and/or \$14,000 fine

Offense Level: Felony

Offense Date (on or about): 06/30/2018

Control #(ICR#): 18002602

Charge Description: On or about June 30, 2018, in the County of Rice, Minnesota, Bishar Ali Mahamed did assault another with a dangerous weapon consisting of a knife.

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

Complainant and/or Signing Officer designated below, declares under penalty of perjury, that he/she has reviewed police reports relating to the above-named Defendant and the allegations contained herein, and/or has spoken with peace officers having knowledge of the incident, and based upon that information, believes the following to be true and correct.

On or about June 20, 2018 at approximately 10 p.m., Faribault Police Officers were called to the Red Stone Apartments located at 306 7th Street NW in Faribault regarding a disturbance. The address is located in Rice County. This was the third time officers were called to this location that night for disturbances. Dispatch advised that one male had a knife and was fighting with another male on the top floor of the apartment complex.

Officer Tollefsen arrived and could hear two males creating a disturbance. Officer Tollefsen saw one male sitting on top of the other male. The male on top was identified as Bishar Ali Mahamed, dob 01/01/1991, herein the defendant. The defendant was attempting to punch the other male, RMA, and it also appeared that the defendant was strangling RMA. Officer Tollefsen observed a significant amount of blood on the defendant and RMA, as well as on the carpet and walls immediately around them.

Officer Tollefsen ordered the defendant to drop the knife and show his hands, and several officers had to assist as the defendant was resisting and refusing to show his hands. Officer Thul saw a kitchen knife drop from the defendant's hand and land on the floor near him. The knife was a kitchen knife and was approximately 12 inches in length; it was collected from the scene and placed into evidence. The defendant continued to resist the officers and was eventually dry-stunned with a Taser to gain compliance.

RMA was treated on scene for multiple stab wounds, including one that was estimated to be approximately 1 1/2 inches long and deep in nature on the top of his head. RMA was transported by ambulance to the hospital in Faribault. The stab wound to the top of RMA's head required staples to close. RMA was also treated for several stab wounds on his face, including one through his left eyebrow and another approximately one inch from RMA's left eye.

The defendant was taken into custody and provided a statement after being Mirandized. It should be noted that the defendant blew a .25 on a PBT. The defendant claimed that RMA had come back to his apartment (the defendant's) after police had separated them during the second call for service. The defendant went on to say that RMA was kicking at his door and calling the defendant and family members offensive names. The defendant claimed that he and RMA went from his apartment on the first floor up to RMA's apartment and said that this was where the knife came from. The defendant later denied that there was a knife involved and denied knowing how RMA was stabbed. The defendant stated that he was trying to hurt RMA

physically and that he intended to punch RMA.

The witnesses on scene who called 911 stated that they saw the defendant attacking RMA with the knife in front of apartment 34, which is RMA's apartment. [REDACTED], stated that he saw that RMA had his hands up trying to protect himself from the defendant's attack with the knife.

RMA was interviewed at the hospital. RMA stated that he knew the defendant from residing in the same building and work, but the two of them are not friends. RMA knew the defendant by a nickname and shared that they are from the same tribe. RMA had called the police earlier because the defendant's friend, "Ahmed" had broken RMA's door and then left before the police arrived. After this, RMA reported that he was in his apartment and heard the defendant knocking at his door and being loud. The defendant was saying something about being angry that RMA had called the police and was saying that he was going to hurt or kill RMA.

RMA went on to say that the defendant called the police at that time in an attempt to get RMA in trouble. RMA said that the police responded, told them to go their separate ways and stay away from each other for the night. RMA said that it looked like the defendant had something under his shirt at that time.

RMA stated that after this, he went back to his apartment and asked his neighbor if he would fix RMA's door. The neighbor's wife and [REDACTED], were watching the door being fixed when the defendant came up the stairs carrying a long knife. RMA believed initially that the defendant was just trying to scare him, but then the defendant attacked RMA, stabbing RMA multiple times with the knife in his right hand and punching RMA with a closed fist 5-6 times in the face. RMA said that the defendant also choked him as he was on top of RMA, and also that the defendant punched him in the right side 10-12 times because the defendant knows that RMA has a broken rib. RMA believed that he was going to die.

PLEASE TAKE NOTICE: Pursuant to Minn. Stat. 609.49., intentional failure to appear for duly scheduled court appearances may result in additional criminal charges, and in addition to any arrest warrant that may otherwise be issued by the Court.

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

Neal Pederson
Captain
25 NW 4th Street
Faribault, MN 55021
Badge: 3202

Electronically Signed:
07/02/2018 02:44 PM
Rice County, Minnesota

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

Prosecuting Attorney

Kristine H Word
Assistant County Attorney
218 NW 3rd Street
Faribault, MN 55021
(507) 332-6103

Electronically Signed:
07/02/2018 02:30 PM

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 218 NW 3rd Street, Faribault, MN 55021 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: July 2, 2018.

Judicial Officer

Jeffrey Johnson

Electronically Signed: 07/02/2018 03:14 PM

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

**COUNTY OF RICE
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Bishar Ali Mahamed

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:

DEFENDANT FACT SHEET

Name: Bishar Ali Mahamed
DOB: 01/01/1991
Address: 306 7th St NW #12
Faribault, MN 55021

Alias Names/DOB:

SID: MN14GZ6902

Height:

Weight: 155lbs.

Eye Color:

Hair Color:

Gender:

Race:

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #: P396135415318 (MN)

Alcohol Concentration:

STATUTE AND OFFENSE GRID

| Cnt Nbr | Statute Type | Offense Date(s) | Statute Nbrs and Descriptions | Offense Level | MOC | GOC | Controlling Agencies | Case Numbers |
|----------------|---------------------|------------------------|---|----------------------|------------|------------|-----------------------------|---------------------|
| 1 | Charge | 6/30/2018 | 609.222.2 Assault-2nd Degree-Dangerous Weapon-Substantial Bodily Harm | Felony | A2232 | | MN0660100 | 18002602 |
| | Penalty | 6/30/2018 | 609.11.4 Minimum Sentences of Imprisonment-Use Dangerous Weapon | Felony | A2232 | | MN0660100 | 18002602 |
| 2 | Charge | 6/30/2018 | 609.222.1 Assault-2nd Degree-Dangerous Weapon | Felony | A2032 | | MN0660100 | 18002602 |
| | Penalty | 6/30/2018 | 609.11.4 Minimum Sentences of Imprisonment-Use Dangerous Weapon | Felony | A2032 | | MN0660100 | 18002602 |