
STATE OF MINNESOTA
COUNTY OF DAKOTA

DISTRICT COURT
FIRST JUDICIAL DISTRICT

COURT FILE NO. _____
COUNTY ATTORNEY FILE NO. CA-09-2002
CONTROLLING AGENCY: MN0190100
CONTROL NUMBER: 09006407

State of Minnesota,

Plaintiff,

SUMMONS

WARRANT

ORDER OF DETENTION

AMENDED

v.

KELVIN LAMAR EWING

193 Gardenview
Apple Valley, MN 55124
DOB: 12/27/88

Defendant.

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):

COUNT I

BURGLARY IN THE FIRST DEGREE

M.S. § 609.582, subd.1(c); and 609.101

0-20 years and/or \$10,500-\$35,000

MOC: B1181 GOC: N

Felony Gross Misdemeanor Misdemeanor Petty Misdemeanor

That on or about October 10, 2009, in Dakota County, Minnesota, KELVIN LAMAR EWING did unlawfully enter an occupied dwelling without consent and with intent to commit a crime while in the dwelling, or did enter an occupied dwelling without consent and did commit a crime while in the dwelling, either directly or as an accomplice, and the defendant did assault a person within the building or on the building's appurtenant property.

COUNT II

BURGLARY IN THE FIRST DEGREE

M.S. § 609.582, subd.1(b); and 609.101

0-20 years and/or \$10,500-\$35,000

MOC: B1181 GOC: N

Felony Gross Misdemeanor Misdemeanor Petty Misdemeanor

That on or about October 10, 2009, in Dakota County, Minnesota, KELVIN LAMAR EWING did unlawfully enter an occupied dwelling without consent and with intent to commit a crime while in the dwelling, or did enter an occupied dwelling without consent and did commit a crime while in the dwelling, either directly or as an accomplice, and the defendant did possess, when entering or at any time while in the building, a dangerous weapon or any article used or fashioned in a manner to lead the victim to reasonably believe it to be a dangerous weapon.

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

Your Complainant is a police officer with the Burnsville Police Department. In that capacity I have reviewed the police reports and believe the following to be true.

On October 10, 2009, at approximately 4:39 p.m., Burnsville police officers were dispatched to an apartment in the city of Burnsville, Dakota County, Minnesota, on the report of an assault. There they spoke with T.S., who indicated that five or six people had broken into the apartment and beaten up her roommate M.K. T.S. said that among the five people were M.K.'s former boyfriend Kelvin Ewing, date of birth 12/27/88, and Brittany Guinn, date of birth 01/11/90.

Upon arrival, officers observed paramedics attending to M.K. and followed the paramedics to the hospital to speak with M.K. about the incident. Once at the hospital, M.K. indicated that she was lying on her bed in her room on the second floor of her apartment, and she stated her door was kicked open by Ewing and then he jumped on her bed, got on top of her, and began slapping her in the face. She stated that Ewing told several females he was with to begin assaulting her and that the females began kicking

and hitting her after pulling her off of the bed. M.K. stated at some point shortly after the assault began, Guinn grabbed a beer bottle that had been lying in the room and hit her over the head with it.

Officers observed numerous injuries on M.K. consistent with an assault, including a cut on her head and blood all over her face. M.K. knows Ewing because she had previously been in a relationship with him that had lasted several months. M.K. knew Brittany Guinn because she used to be a friend of hers. There was another party she recognized who was involved in the assault with the nickname “Ta-Ta,” who was subsequently identified as T.F.

M.K. said that after the assault was over the group grabbed her wallet and left the room. Burnsville Police processed the scene and took numerous photos of the victim’s injuries. Upon arriving in the apartment, officers could see a wallet on the ground and that several business cards and other cards were scattered on the steps that led to the stairs. Officers saw the victim’s bedroom and saw blood on the carpet and observed that the door to the bedroom was open and there was a partial footprint on the door consistent with someone kicking the door open.

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.

Complainant requests that Defendant, Kelvin Lamar Ewing, 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

COMPLAINANT'S SIGNATURE

Subscribed and sworn to before the undersigned this ____ day of _____, 2009.

NOTARY STAMP:

SIGNATURE

Notary Public

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

Date: _____ (ajh)

PROSECUTING ATTORNEY SIGNATURE:

Name: Cheri A. Townsend
Assistant Dakota County Attorney
Dakota County Judicial Center
1560 Highway 55
Hastings MN 55033
(651) 438-4438
Attorney Registration No.: 0279870

