

Sharmarke Mohamed Duale Co. Atty. Complaint No.: 2109507-1 Court File No.:

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1-26-12

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT
62 CR 12-721
COURT FILE NO.:
PROSECUTOR FILE NO.: 2109507

State of Minnesota,

Plaintiff,

v.
Sharmarke Mohamed Duale
(DOB: 05/11/1991)
Current Address Unknown

**FELONY
CRIMINAL COMPLAINT**

Summons Warrant
 Order of Detention

Amended
 Certified Juvenile
 EJJ

Defendant.

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 1

On or about the 24th day of January, 2012, in Ramsey County, Minnesota, the defendant, **SHARMARKE MOHAMED DUALE**, did unlawfully directly or indirectly threaten to commit a crime of violence, with purpose to cause, or in reckless disregard of the risk of causing, terror in another.

Said acts constituting the offense of **Terroristic Threats** in violation of MN Statute: §609.713.1
Maximum Sentence: 5 years or \$10,000.00 fine, or both.



STATEMENT OF PROBABLE CAUSE

Your complainant is an investigator with the St. Paul Police Department and he bases this complaint upon a review of reports and upon his own investigation.

St. Paul Police report that on January 24, 2012 at approximately 2:00 p.m., they were dispatched to 715 Burr Street, St. Paul, Ramsey County, Minnesota, on a call of an assault in progress with a son having stabbed his mother and who was now trying to reenter the home by breaking a window with a shovel. Upon arrival police observed a man, later identified as SHARMARKE MOHAMED DUALE, D.O.B. 05/11/1991, on the front porch with a shovel in his hand. Police arrested Duale and then went inside and observed his mother, identified as S.H.W., with several defensive stab wounds on her hands. Police recovered a small folding knife that family members stated Sharmarke Duale used in the assault. M.H.D., the father of Sharmarke Duale, told police that Duale was trying to stab him with the knife and that S.H.W. tried to intervene and was cut.

Family stated that Sharmarke Duale had done well in school and college until he began attending a Mosque on University Avenue. Since that time he has been very disrespectful towards the women in the house and has threatened his father to try to get his father to assist Duale in getting a passport. Duale is raising money for Jihad and wants to go to Somalia. Sharmarke Duale threatened to hurt his father if his father did not get a passport for him stating, "Take me out of this country or I will show you what will happen, things will not be good for you." Sharmarke Duale then tried to stab his father with the knife, cutting his mother when she jumped in between them, then punching his sister in the head.

Sharmarke Duale's mother and father stated that they wanted him to get the help he needed and are afraid of him. Duale has been making threats towards his sister saying he was going to "chop them in pieces" and "kill the girls".

Police interviewed Sharmarke Duale at the Ramsey County LEC after arrest and Miranda. When questioned Duale denied having any mental health issues and denied using drugs. Duale stated that everything the family told police was all lies and that his mother had cut herself.

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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.

SUMMONS

THEREFORE YOU, THE ABOVE-NAMED DEFENDANT, ARE HEREBY SUMMONED to appear on the _____ day of _____, 20____ at _____ 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 MN Only *Execute Nationwide* *Execute in Border States*

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 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 as such Judge or Judicial Officer is available to be dealt with according to law.

ORDER OF DETENTION

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

Bail: \$10,000.00

Conditions of Release: No contact with M.H.D. (d.o.b. 12/31/56), S.H.W. (d.o.b. 10/15/62), 715 Burr St., St. Paul, MN 55130, or wherever they reside.

This complaint, duly subscribed and sworn to, is issued by the undersigned Judicial Officer this 26 day of January, 2012.

JUDICIAL OFFICER:
NAME:
TITLE:

Judge

SIGNATURE:

Jeanne M. Smith

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

COUNTY OF RAMSEY
STATE OF MINNESOTA

Clerk's Signature or File Stamp:

STATE OF MINNESOTA

Plaintiff,

vs.

SHARMARKE MOHAMED DUALE

Defendant.

RETURN OF SERVICE

I hereby Certify and Return that I have served a copy of this COMPLAINT - WARRANT AND ORDER OF DETENTION upon the Defendant herein named.

Signature of Authorized Service Agent:

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FINDINGS OF FACT

Probable cause found that defendant committed the offenses charged.

Ordered defendant's motion to dismiss denied.

Plea of not guilty to all counts entered.

Trial and hearing on all issues set.

Dated: _____

JUDGE OF DISTRICT COURT



DEFENDANT DATA / CHARGE SHEET - ATTACHMENT A

DEFENDANT NAME: SHARMARKE MOHAMED DUALE		DOB: 05/11/1991
Defendant alias name(s):		Alias DOB(s):
Defendant last known address:	Current Address Unknown	
State ID:	MN12EX0341	
Fingerprint ID:	289398	
FBI ID:	649658ND9	
St. Paul PD ID:		
Offender ID:		

OTHER DEFENDANT / CASE IDENTIFIERS:

Fingerprinted? No Yes

Handgun permit? No Yes (Issuing Agency:)

Location of violation:

IF DRIVING OFFENSE:

Driver's License Number:	Issuing State:
License Plate Number:	Issuing State:
Accident Type: <input type="checkbox"/> No injury/no damage	<input type="checkbox"/> Property Damage
<i>check all that apply</i> <input type="checkbox"/> Personal Injury	<input type="checkbox"/> Fatality

Blood Alcohol Concentration (BAC):

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FELONY WARRANT AND ORDER OF DETENTION COMPLAINT

CT NO	OFFENSE DATE	STATUTE TYPE	STATUTE NBR	STATUTE DESCRIPTION	OFFENSE LEVEL	MOC	G O C	AGENCY ORI CN NBR FUNCTION
1	01/24/2012	Charge	609.713.1	Terroristic Threats- Reckless Disregard Risk	F	A9331	N	St. Paul Police Dept. ORI - MN0620900 CN - 12017462 Charging

CRIMINAL DOMESTIC ABUSE NO CONTACT ORDER

MINN. STAT. § 629.75 (Pretrial Order)

Amended Order

State of Minnesota

District Court

County

RAMSEY

Judicial District:

SECOND

Court File Number:

102-CR-12-721

Case Type:

Criminal

State of Minnesota

vs.

CN12017462

Defendant

Defendant Identifiers

SHAMACK MOHAMED DUKE

Gender: Male Female

DOB 5-11-91

First Middle Last

Protected Person(s)

Protected Person(s) Identifiers

Mohamed Hassan DUKE

Gender: Male Female

DOB 12-31-56

First Middle Last

SAFIA HAJI WARSAME

Gender: Male Female

DOB 10-15-62

Gender: Male Female

DOB

THE COURT FINDS:

That it has jurisdiction over the parties and subject matter, and the Defendant has been or will be provided with reasonable notice and opportunity to be heard.

THE COURT ORDERS:

You are ordered to have no contact directly, indirectly or through others, in person, by telephone, in writing, electronically or by any other means with the protected person(s) named above.

You may not go to the following location(s): 715 Burr St., St. Paul, MN 55130

or wherever the protected person resides.

Except with a police escort to recover prescription medications, personal clothing and toiletries.

Other: _____

You are also restrained from harassing, stalking, or threatening the protected person(s), or engaging in other conduct that would place the protected person(s) in reasonable fear of bodily injury to that person; and You are prohibited from the use, attempted use, or threatened use of physical force against the protected person(s) that would reasonably be expected to cause bodily injury.

THIS ORDER WILL REMAIN IN EFFECT UNTIL DISPOSITION OF THE CASE OR UNTIL FURTHER ORDER OR MODIFICATION

WARNINGS TO DEFENDANT:

This order is entitled to full faith and credit and shall be enforced anywhere in the U.S. including Tribal Lands (18 U.S.C. § 2265). Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. § 2262).

Federal law prohibits shipping, transporting, possessing or receiving firearms or ammunition while this order is in effect and upon conviction of a crime of domestic violence. 18 U.S.C. § 922(g)(8),(9).

This order applies regardless of whether you are in jail or at the courthouse for a court appearance.

Compliance with this Order is also a condition of your release and is in addition to any other conditions of release that may be imposed. Your release status may be revoked if you violate any aspect of this Order.

A violation of this order is a crime and may cause you to be arrested and subject to further criminal charges.

DATED: 2-26-12

JUDGE OF DISTRICT COURT

Defendant served on 1-26-12 (date) By: KS (Initials) COURT STAFF JAIL STAFF

COURT FILE