
STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF ANOKA

TENTH JUDICIAL DISTRICT

COURT FILE NO. _____
COUNTY ATTORNEY FILE NO. 08-01648

State of Minnesota,

Plaintiff,

v.

CRIMINAL COMPLAINT

SAMUEL KELIEH DENNIS (DOB: 08/12/1988)
9800 Redwood Street No. #201
Coon Rapids MN 55433

Summons Warrant
 Order of Detention

Defendant.

Amended
 Tab Charge Previously Filed

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: MANSLAUGHTER IN THE SECOND DEGREE

Minnesota Statutes §609.205(1); 609.101; 609.11

PENALTY: Not Less Than 3 Nor More Than 10 Years/and \$6,000-\$20,000

On or about November 14, 2008, in the County of Anoka, Minnesota, the Defendant, SAMUEL KELIEH DENNIS (DOB: 8/12/88), did cause the death of another, namely Emmanuel Wapuedeh Bartuoh (DOB: 12/5/89), by the defendant's culpable negligence whereby the defendant created an unreasonable risk and consiously took the chance of causing death or great bodily harm to another.

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

Your complainant, Michael Lapham, is a detective employed by the Anoka County Sheriff's Office – Criminal Investigation Division. In that capacity, your complainant has reviewed written reports, has conducted an investigation of his own, and learned the facts stated herein.

1. On November 14, 2008, at approximately 7:22 p.m., officers of the Fridley Police Department received a report of a male individual being shot at the residence at 1645 – 68th Avenue NE in the City of Fridley, Anoka County. Upon arrival at that location, responding officers found a male individual, subsequently identified as Emmanuel Wapuedeh Bartuoh (DOB: 12/5/89), lying on the floor in the hallway in the residence with an apparent gunshot wound to the chest. Lifesaving efforts were attempted, but Bartuoh was pronounced dead at the scene. Outside the residence, a male individual, subsequently identified as Samuel Kelieh Dennis (DOB: 8/12/88), was observed by a responding officer to have blood on his face, hands, and clothing. Dennis was hysterical and crying and told the officer that he was the person who pulled the trigger of the gun that shot Bartuoh. Dennis told the officer that he did not know how the gun became loaded and he did not mean to shoot Bartuoh. Dennis stated there was blood on his face because he attempted to give Bartuoh CPR after he had been shot.
2. Inside the residence where Bartuoh had been located, officers were handed a silver Smith and Wesson semi-automatic 9 mm handgun. Officers also recovered from the area where Bartuoh was found, a live round of 9 mm ammunition and a spent 9 mm ammunition cartridge. Just outside the front door of the residence, officers retrieved a semi-automatic ammunition magazine holding several live rounds of 9 mm ammunition.
3. In a statement to your complainant, Samuel Kelieh Dennis (DOB: 8/12/88), stated that he had gone to Bartuoh's residence while in possession of the Smith and Wesson 9 mm semi-automatic handgun. Dennis stated that the handgun belonged to an acquaintance who lived in Minneapolis and the handgun had been left in his car by that individual. Dennis stated the gun was loaded with "four or five" bullets. Dennis stated that he had originally intended to use the handgun to intimidate a female who lived near Bartuoh's residence. Dennis stated that he was upset that the female individual was telling others that Dennis had had a sexual relationship with her. Dennis told your complainant that he did not follow through with intimidating the female and went to his friend Bartuoh's residence, still in possession of the handgun. Dennis stated that while inside Bartuoh's residence, he showed the handgun to several other individuals who were present, including Bartuoh. Dennis stated that he was "just messin' around" with the handgun and he stated he would, "like half the time do this to like scare myself". Dennis stated that at one point, he took the clip out of the handgun when he was showing it to others. Dennis stated that when he took

the clip out, the gun was not loaded. Dennis stated that he then put the clip back in, “clicked back” the handgun slide mechanism, and saw a bullet drop. Dennis then removed the clip from the handgun. Dennis told your complainant that at that time he believed the handgun was not loaded and pointed the handgun at Bartuoh. Dennis stated that he then pulled the trigger as a joke and the gun “went off”. Dennis stated that he rushed to Bartuoh and immediately attempted mouth-to-mouth resuscitation and CPR. Dennis stated that he also called 9-1-1 and remained with Bartuoh until the police arrived.

4. One of the individuals present at the time of the shooting was identified as juvenile S.K. (age 7). S.K. told police that he saw Dennis in possession of the handgun at the Bartuoh residence. S.K. stated that Dennis had made a comment about how he had the gun because he was going to kill a girl. S.K. further stated that Dennis was pointing the handgun around including pointing the barrel of the gun at S.K.’s head. S.K. stated that Dennis told him not to worry as there were no bullets in the gun. S.K. said that he watched Dennis put his hand on top of the gun and pull the gun’s slide mechanism back and forth. S.K. said that when Dennis did that, S.K. was able to see a bullet and that bullet was in the gun when the gun was pointed at Bartuoh and he was shot.

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'S NAME:

COMPLAINANT'S SIGNATURE:

Det. Michael Lapham, CID _____

Subscribed and sworn to before the undersigned this _____ day of _____, 2008.

NAME/TITLE:

SIGNATURE:

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

Date: _____

PROSECUTING ATTORNEY'S SIGNATURE:

Name: Bryan R. Lindberg, #155512
For: Wade A. Kish, #029519X
Assistant Anoka County Attorney
Anoka County Government Center
Anoka, MN 55303
(763) 323 – 5788

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 _____ before the above-named court at the Anoka County Courthouse, Anoka, MN 55303 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 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.

Execute in MN Only *Execute Nationwide* *Execute in Border States*

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: \$
Conditions of Release:

This complaint, duly subscribed and sworn to, is issued by the undersigned Judicial Officer this ____ day of _____, 2008.

JUDICIAL OFFICER:
NAME:
TITLE:

SIGNATURE:

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

<p>COUNTY OF ANOKA STATE OF MINNESOTA</p> <p>STATE OF MINNESOTA Plaintiff,</p> <p>vs. SAMUEL KELIEH DENNIS Defendant</p>	<p><i>Clerk's Signature or File Stamp:</i></p> <p>RETURN OF SERVICE <i>I hereby Certify and Return that I have served a copy of this COMPLAINT upon the Defendant herein named.</i></p> <p>Signature of Authorized Service Agent: _____</p>
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DEFENDANT DATA / CHARGE SHEET – ATTACHMENT A

DEFENDANT NAME: DENNIS, SAMUEL KELIEH
Defendant alias name(s):
Defendant DOB: 08/12/1988
Alias DOB(s):
Defendant last known address: 9800 Redwood Street No. #201
Coon Rapids MN 55433
State ID:

OTHER DEFENDANT / CASE IDENTIFIERS:
Fingerprinted? No Yes Unknown
Handgun permit? No Yes (Issuing Agency:) Unknown
Location of Violation: Fridley (1645 – 68th Avenue NE, Fridley MN 55432)
IF DRIVING OFFENSE:
Driver's License Number: D-520-758-465-630 Issuing State: MN
License Plate Number: Issuing State:
Accident Type: No injury/no damage Property Damage
check all that apply Personal Injury Fatality
Blood Alcohol Concentration (BAC):

«DefendantFirstName» «DefendantLastName» «Main_CtyAttyNo»

STATUTE AND OFFENSE GRID

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Text Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Control Numbers
1	Charge	November 14, 2008	609.19 Subd. 1(1) Murder in the Second Degree (Intentional)	SF	H5012	N	MN0020600	08-275689

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF ANOKA

TENTH JUDICIAL DISTRICT

State of Minnesota,
Plaintiff,

-vs-

Samuel Kelieh Dennis,
Defendant.

**NOTICE OF PROSECUTING ATTORNEY
OF EVIDENCE AND IDENTIFICATION
PROCEDURES PURSUANT TO RULE 7.01**

District Court File No.: _____
County Attorney File: 08-01648

TO: The above-named Defendant:

Pursuant to Rule 7.01, Minnesota Rules of Criminal Procedures, I hereby advise you that in the above-named case, the prosecution has:

- X Evidence against the defendant obtained as a result of a search, search and seizure.
- X Confessions, admissions, or statements in the nature of confessions made by the defendant.

Evidence against the defendant discovered as the result of confessions, admissions, or statements in the nature of confessions made by the defendant.

Employed the following identification procedures during its investigation

Lineups.

Other observations of the defendant.

The exhibition of photographs of the defendant or any other person.

Others:

Dated: November _____, 2008

Bryan R. Lindberg, #155512
For: Wade A. Kish, #029519X
Assistant County Attorney
Anoka County Government Center
2100 3rd Ave
Anoka, MN 55303
(763) 323 - 5788

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF ANOKA

TENTH JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

-VS-

**STATE'S REQUEST FOR
DISCLOSURE BY DEFENDANT**

Samuel Kelieh Dennis,

Defendant.

District Court File No.: _____

County Attorney File No.: 08-01648

PURSUANT TO RULE 9.02, SUBD. 1 OF MINNESOTA RULES OF CRIMINAL PROCEDURE, STATE OF MINNESOTA, PLAINTIFF, HEREBY REQUESTS:

(1) That defendant disclose and permit the prosecuting attorney to inspect and reproduce books, papers, documents, photographs, and tangible objects which the defendant intends to introduce in evidence at the trial or concerning which the defendant intends to offer evidence at the trial.

(2) That defendant disclose and permit the prosecuting attorney to inspect and photograph buildings or places concerning which the defendant intends to offer evidence at the trial.

(3) That defendant disclose and permit the prosecuting attorney to inspect and reproduce any results or reports of physical or mental examination, scientific tests, experiments and comparisons made in connection with this particular case within the possession or control of the defendant which defendant intends to introduce in evidence at the trial or which were prepared by a witness whom the defendant intends to call at the trial when the results or reports related to his testimony.

(4) That defendant inform the prosecuting attorney in writing of any defense, other than that of not guilty, on which the defendant intends to rely at the trial, including but not limited to the defense of self-defense, entrapment, mental illness of deficiency, duress, alibi, double jeopardy, statute of limitations, collateral estoppel, defense under Minn. Stat. §609.035, or intoxication.

(5) That defendant supply the prosecuting attorney with the names and addresses of persons whom the defendant intends to call as witnesses at the trial.

(6) That, if the defendant give notice that he intends to rely on the defense of mental illness or mental deficiency, he also notify the prosecuting attorney whether he also intends to rely on the defense of not guilty.

(7) That defendant permit the prosecuting attorney to inspect and reproduce any relevant written or recorded statements of the persons whom the defendant intends to call as witnesses at the trial and which are within the possession or control of the defendant and permit the prosecuting attorney to inspect and reproduce any written summaries within his knowledge of the substance of any oral statements made by such witnesses to defense counsel or obtained by the defendant at direction of his counsel.

(8) That if the defendant intends to offer evidence of an alibi, defendant inform the prosecuting attorney of the specific place or places where the defendant contends he was when the alleged offense occurred and addresses of the witnesses he intends to call at the trial in support of the alibi.

ALL DISCLOSURES REQUESTED BY THIS NOTICE MUST BE MADE A SUFFICIENT TIME BEFORE THE DATE OF THE OMNIBUS HEARING IN THIS MATTER TO ENABLE THE PROSECUTING ATTORNEY SUFFICIENT TIME TO INSPECT, REPRODUCE, OR PHOTOGRAPH THE DISCLOSED MATERIAL.

PURSUANT TO 9.03 MINNESOTA RULES OF CRIMINAL PROCEDURE, YOU ARE ALSO REQUIRED TO PROVIDE THIS OFFICE WITH ANY ADDITIONAL MATERIAL, INFORMATION OR WITNESSES SUBJECT TO DISCLOSURE THAT YOU DISCOVER SUBSEQUENT TO COMPLIANCE WITH THIS DISCOVERY REQUEST AND YOU FURTHER HAVE A CONTINUING DUTY AT ALL TIMES BEFORE AND DURING TRIAL TO CONTINUE TO SUPPLY THE MATERIAL AND INFORMATION REQUESTED ABOVE.

Dated: November _____, 2008.

Bryan R. Lindberg, #155512
For: Wade A. Kish, #029519X
Assistant Anoka County Attorney
Anoka County Government Center
2100 - 3rd Avenue
Anoka, Minnesota 55303
(763) 323 - 5788

Served upon _____

By _____

Date: _____

VICTIM'S RIGHTS CHECKLIST

FILE: 08-01648

VICTIM DATA CHANGED _____

DEFENDANT: Samuel Kelieh Dennis

	Date	Mail	In Person	Phone	By Whom	Referred To
Notification of charging						
Notification conditions of release/bail						
Notification of possible plea negotiation						
Request by victim for speedy trial						
Notification of plea/sentg. date						
Notification of verdict/sentg.						
Notified of PSI input Request/Aff. for Restitution Victim Impact Statement						
Sentencing/Dismissal information						
Revocation information						

VICTIM IDENTIFICATION

Victim: Amt: _____	Emmanuel Wapueach Bartuoh 1645 - 16th Avenue NE Fridley MN 55432
	DECEASED
Victim: Amt: _____	
Victim: Amt: _____	
Victim: Amt: _____	
Victim: Amt: _____	

Victim: Amt: _____	
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