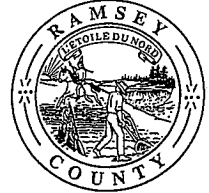


OFFICE OF THE RAMSEY COUNTY ATTORNEY

Susan Gaertner, County Attorney

50 West Kellogg Boulevard, Suite 315 • St. Paul, Minnesota 55102-1553

Telephone (651) 266-3222 • Fax (651) 266-3010



Prosecution Division

August 18, 2010

Honorable Gail Chang Bohr
Judge of District Court
Ramsey County Courthouse

Re: State v. Tamika Suttles
62-CR-10-1465 / 2087440
State v. Daniel Drljic
62-CR-10-1463 / 2087438

Dear Judge Bohr:

Attached, please find my memorandum regarding the Brady and Probable Cause issues which were the subject of the hearing on July 27, 2010.

Also enclosed as attached exhibits are the police reports showing what the police knew and when they knew it, the transcript of the plea of co-defendant Jermaine English, and the security video of defendants Drljic and English inside the liquor store.

Thank you,

A handwritten signature in black ink, appearing to read 'Richard J. Dusterhoft', is written over the typed name.

Richard J. Dusterhoft
Assistant Ramsey County Attorney
651 266-3055

cc Jill Clark

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

State of Minnesota,

D. C. File Nos. 62-CR-10-1464

62-CR-10-1465

C. A. File Nos. 2087438

2087440

Plaintiff,

v.

Daniel Drljic
and
Tamika Suttles, ,

**PROBABLE CAUSE AND
BRADY MEMORANDUM**

Defendants.

TO: The Honorable Gail Chang Bohr, Judge of District Court, the above-named defendants and their attorney, Jill Clark, Jill Clark, P.A., 2005 Aquila Avenue North, Golden Valley, MN 55227

Facts

On December 6, 2009 at around 4:00am, St. Paul Police were called to 2389 University Avenue West on a silent alarm. The building contains a liquor store, an art studio and gallery, a coffee shop, and other offices and businesses. Above part of the building are apartments. When police arrived, they found defendant Tamika Suttles standing next to her vehicle which was the only one in the lot without frost on the windows. She told officers that her car broke down and that she needed to go to the bathroom. She was patted down and officers found neoprene gloves and a roll of duct tape.

Officers noted that lock on the back door to the art studio was locked but the door had been pried with a tool and the door frame was broken. Thomas Nolan, who lives upstairs in an apartment, called himself to the attention of police and indicated he had seen Suttles and another carrying items from the building to her vehicle. At that point officers saw a male emerge from the building, see the officers, and run back into the building. Using defendant Suttles cell phone police contacted defendants Drljic and English who were subsequently arrested inside the liquor store.

Police determined that the burglars entered the building through the door into the art gallery. A computer was missing from the art gallery and never recovered. They went to the basement of the art gallery where they broke through the wall to access the coffee shop (cash was stolen from the coffee shop) and into the liquor store. Numerous cases of liquor were

moved from inside the liquor store to the other side of the wall outside the liquor store. The alarm was triggered inside the liquor store. Also, police recovered Drljic's identification card hidden in the liquor store. The surveillance system in the liquor store recorded video images on the upstairs of the liquor store only. It does not show the basement wall being breached or liquor being removed. It does show English and Drljic spending considerable time in the upstairs of the liquor store. Both have masks over their faces until just before the police enter and arrest them.

Burglary tools consistent with prying the door were found in Suttles vehicle, along with tools stolen from the art studio. The stolen tools were returned to the victim's by police. Suttles had \$16,000 cash on her when arrested; this money was also returned.

When interviewed and contrary to her initial story to officers at the scene, Suttles said she was called by Drljic and English. She drove to the location and, according to her, a white male came out and put something in her trunk.

When interviewed, Drljic said that he went to help English move some items. Drljic told the investigator that he saw that the door had been pried and knew there was a burglary in progress. He was given the mask to cover his face by English to hide from the cameras. He saw the liquor piled up and saw the hole in the wall before entering the basement of the liquor store and traveling upstairs where he was videotaped.

English initially refused to be interviewed. He was released but arrived at the police station to be interviewed days later in the company of Suttles and Drljic. When they went in to get the investigator English left but was picked up and returned in a police car. When interviewed, English refused to be recorded but said that a male named "Joe" lives in the building and owes English money for crack. English went to collect and brought Drljic as muscle. English claimed that "Joe" didn't have the money but would instead pay English with items from a storage locker in the basement (there are no storage lockers in the basement). English said when he saw the liquor he thought he could use them to party before he had to go to jail on another matter. There was too much to carry so he called Suttles for a ride.

English subsequently pled guilty. In his plea he admitted that what he told Sgt. Strickland was a lie which he was directed to tell by Suttles and Drljic in order to try to exonerate them. English said that the truth was that he knew it was a burglary and that it was planned by Suttles and Drljic.

Sometime after the burglary, the owner of the building sent a letter to the County Attorney's Office and the Police Department questioning why the case hadn't been charged.

The defense has since moved for dismissal claiming Brady violations for a number of reasons and lack of probable cause.

Issues

1. There is no “exonerating evidence” to overcome probable cause.

Defense contends that because the case was not immediately charged there is no probable cause. This contention lacks merit and does not address whether or not there is probable cause. The defense contends that exonerating evidence in the form of a statement made by co-defendant Jermaine English should be considered in determining probable cause. While Jermaine English did give a statement to Sgt. Strickland, it does not exonerate Drljic. English said that he was collecting a drug debt and he brought English as muscle which, if English’s outlandish story were to be believed, would make Drljic an accomplice to a different felony. But the important thing is that Drljic and Suttles were interviewed by Sgt. Strickland the week before. Drljic never mentioned another person (the phantom “Joe”) being involved, and never mentioned a drug debt he was (according to English) helping collect. Suttles said she was called by Drljic and English at 4am to pick them up; she never mentioned a drug debt but, unlike Drljic, did mention another white male inexplicably putting items in her trunk. It is important to recognize (and the defense conveniently ignores this point) that English’s statement to Strickland was not under oath. English later gave testimony under oath when he pled guilty. In his plea English admitted his role in the burglary, never mentioned any phantom fourth party, and squarely blamed Suttles and Drljic for getting him involved. He also said that his statement to Strickland was a lie fabricated by Suttles and Drljic.

Under Minnesota law, probable cause exists if “the facts would lead a person of ordinary care and prudence to hold an honest and strong suspicion that the person under consideration is guilty of a crime.” State v. Ortiz, 626 NW2d 445, 449 (Minn. App. 1999), review denied (Minn. June 27, 2001).

2. There are no Brady violations as claimed by the defense.

Brady and the Minnesota cases dealing with Brady violations consider three basic categories of evidence in which prosecutorial conduct may constitute a due process violation: failure to disclose, failure to preserve, and active interference with access to evidence not within the government’s possession.

Failure to disclose exculpatory evidence, the concealment violates a defendant’s due process rights regardless of the state’s motive for nondisclosure. Illinois v. Fisher, 540 US 544 (2004); State v. Williams, 593 NW2d 227 (Minn. 1999). In this typical Brady situation, the evidence must be favorable to the defendant because it either is exculpatory or has impeachment

value, the state must have suppressed the evidence, and its suppression must have prejudiced the defendant. Strickler v. Greene, 527 US 263 (1999); see also Williams, 593 NW2d at 235-236 (holding that the state's failure to disclose evidence does not violate due process when the defendant knows of the potential evidence and chooses not to investigate).

Regarding lost, destroyed or otherwise not preserved evidence, the state's conduct may violate due process depending on the circumstances. A defendant must demonstrate that the unpreserved evidence had apparent exculpatory value, that he was unable to obtain comparable evidence by other reasonably available means, and that the state intentionally destroyed or allowed the destruction of evidence in bad faith. Arizona v. Youngblood, 488 US 51, 58 (1988); California v. Trombetta, 467 US 479, 486-487 (1984).

The third category, active interference with evidence outside the government's possession, is not claimed but possibly alluded to by the defense. In an example case, the Minnesota Supreme Court considered and rejected a due process violation claim arising from the state denying an incarcerated defendant's request to undertake and have access to his own blood alcohol test to independently develop his own evidence regarding blood alcohol concentration. State v. Larivee, 656 NW2d 226 (Minn. 2003).

a. Sgt Stricklands beliefs regarding the involvement of Suttles and Drljic are irrelevant.

The defense somehow claims that, contrary to his testimony at the Florence Hearing, that Sgt. Strickland believed at some point that Suttles and Drljic were not involved in the burglary. Sgt. Strickland's opinion is not relevant, admissible or exculpatory. Furthermore, according to his testimony at the hearing, regardless of any doubt he may have had initially, Sgt. Strickland now believes that Drljic and Suttles were clearly involved in the burglary with English. There is no Brady violation based on Sgt. Strickland's opinion at any time. His opinions are not Brady material.

b. Sgt. Strickland was not influenced to stop investigating.

Regardless, the defense somehow thinks that Sgt. Strickland was influenced to stop investigating, despite evidence to the contrary. Sgt. Strickland testified that while he initially wasn't sure what to believe, he now is convinced Drljic and Suttles were fully involved in the burglary. Further, Sgt. Strickland testified that any letter or threat of a letter from the victims had no influence over his investigation. The letter was disclosed to the defense. The letter (written by a victim), the lack of effect of the letter on Sgt. Strickland and the fact that Sgt. Strickland was unable to uncover any evidence that supports the bizarre defense theory is not a Brady violation. Furthermore, the defense is free to conduct their own investigation of the facts of this

case; the state has not and will not interfere with the defense investigation. Therefore, no due process violation has occurred and Brady is not implicated.

c. The letter from the victim did not influence the charging decision.

Finally, the defense contention that the letter from the victims somehow led to some imagined Brady violation is clearly wrong based upon the testimony. The defense has failed to produce any evidence at all that the letter had any effect on the charging decision or the investigation. The defense contends that someone somewhere had some influence on these decisions without any offer of proof at all. Contrary to the defense claims, Sgt. Strickland testified the letter had no effect on his investigation at all. Further, co-defendant Jermaine English was charged identically to defendant's Suttles and Drljic. He pled guilty as charged. The victim's have a first amendment right to express their opinion of the actions of the police and prosecution in this and any case. They did. The fact that their opinion, and the expression of that opinion, had no bearing at all upon the investigation or charging means there has been no Brady violation.

d. Sgt. Strickland's report of the interview of English was disclosed.

The defense claims that the lack of disclosure of Sgt. Strickland's notes of English's interview (which English has since admitted was a lie) is somehow a Brady violation. Sgt. Strickland testified that any notes he had were used to produce the report of the interview which has been produced. This is Sgt. Strickland and every investigator and police officer's standard procedure and for the defense attorney to feign surprise or claim a violation is outrageous. The defense has failed to even provide any offer of proof at all that the notes were or could be different from the disclosed report. They are free to call Sgt. Strickland as a witness themselves or, if called by the state, to cross examine him. There was no Brady violation in the failure to preserve disclose the notes.

e. The returned stolen property.

The defense claims that by returning stolen property to the victims they have somehow been prevented from testing the items for fingerprints. Based on the case law relevant to this issue, the defense must establish that the evidence had apparent exculpatory value, that it was intentionally destroyed or not preserved by the state, and that the state acted in bad faith.

Youngblood, 488 US at 57-58.

At the time the evidence was returned, Suttles had mentioned only a "white guy" who put items in her trunk. A "white guy" was arrested: her boyfriend Drljic. Drljic never mentioned a fourth accomplice. English initially refused to be interviewed. The victim went to St. Paul Police headquarters on 12-15-2009 and retrieved his stolen property. There were no charges

pending at that time. English didn't show up at the police department to tell his lie concerning the phantom drug debt until 4pm that day. At the time the property was returned the police had no way of knowing that anyone would ever claim that the property could possibly be important to anyone except the victim from whom it was stolen. In other words, there was no apparent exculpatory value in that evidence at that time. Because they could not have known that the evidence would later be claimed to have some possible exculpatory value later, there is no way the defense can prove that Sgt. Strickland acted in bad faith when he returned the property to its rightful owner. On the contrary, the sergeant was acting in good faith based upon what he knew at the time: That he had three people, and only three people, caught in the act, on video, committing a burglary.

Further, based on the outlandish nature of the story that was concocted for the Florence hearing, it appears the story was designed specifically in order to allow the defense to claim that potential evidence was returned and therefore not preserved.

f. The liquor which was removed from the liquor store but not from the building.

The defense argues that Suttles and Drljic should be acquitted as a matter of law because the police arrived and thwarted their burglary before the bulk of the property they were stealing (the liquor) could be removed from the building to Suttles car. They argue that they cannot therefore find Thomas Nolans fingerprints on the liquor and are therefore deprived of exculpatory evidence that only the defense claims might possibly be there, maybe. This claim seems to fall within the third category, evidence never in the possession of the state but which the state failed to preserve.

Drljic was interviewed and never mentioned another accomplice. English never mentioned another accomplice, not when he was telling Sgt. Strickland the lies that Suttles and Drljic directed him to tell and not when he was under oath and pleading guilty. Suttles only mentioned some "white guy" who supposedly put something in her trunk, but this was in the context of the same conversation with police in which she claimed to have pulled into the parking lot with car trouble and in which she failed to mention that her boyfriend, Drljic, was inside the building committing a burglary. So at the time the police failed to seize private property (the liquor) they had no idea the claim of a fourth party being somehow involved would be forthcoming.

Regardless, under the Trombetta- Youngblood standard, applied to this category of evidence by Larivee, the defense must show that the evidence had apparent exculpatory value (it didn't at the time based on everything the police knew at the time) and that the state acted in bad

faith by failing to seize and preserve thousands of dollars worth of property from the victim of a crime (it didn't).

g. There is no secret deal with Jermaine English.

The defense claims that there was some secret deal with Jermaine English which has not been disclosed. The secret deal cannot be disclosed because there is no secret deal. The defense attorney claims in her memo that English promised to recant his statement to Sgt. Strickland if he could plead guilty to third degree burglary. Sgt. Strickland didn't mention this during the Florence hearing. Neither Suttles nor Drljic could have heard this. The state demands and awaits some offer of proof to support this claim.

English was charged with Third Degree Burglary, as are Suttles and Drljic. The State informed English, as we did Suttles and Drljic, that the charge may be amended if the case proceeds to trial. English pled guilty as charged.

Conclusion

Suttles was stopped at the scene and claimed car trouble. That position became untenable when her boyfriend was discovered inside the liquor store wearing a mask at 4am. Her problems got worse when property taken from the building was found in her vehicle. Suttles was interviewed and alluded to the "white guy" putting property in her trunk. The defense claims this was an allusion to Thomas Nolan, but her statement in the context at the time would more logically have been Suttles blaming Drljic but not wanting to admit their close relationship to the police. Regardless, Suttles first reaction was to lie to police and her story, when interviewed, does not square with the facts or the statements of her co-defendants.

Drljic was arrested in the liquor store at 4am. He entered the building through a door he admitted he knew was pried open. Tools consistent with prying a door were found in his girlfriend, Suttles, car trunk. To get into the liquor store, Drljic had to go through a hole broken in the basement wall and pass cases of liquor that had been moved from inside the liquor store to the other side of the wall. When interviewed, Drljic admitted knowing English was committing a burglary and admitted he wore a mask to conceal his face from the security cameras inside the liquor store.

English refused to be interviewed initially. He agreed to speak to police a week later and was actually transported to the police station by Suttles and Drljic. There, for the first time, one of the arrested parties brought up a supposed fourth party, "Joe." But English doesn't name "Joe" as a burglar. Instead, English claims "Joe," who supposedly lives upstairs, owes English drug money.

English later pleads guilty as charged. In is sworn testimony, he admits involvement in burglarizing the businesses in the building. He says the idea was Suttles and Drljic's. He makes no mention of "Joe" or any other fourth party. English admits his interview was a lie and says Suttles and Drljic made up that story for him to try to protect them.


Thomas Nolan lives upstairs from the liquor store. He saw the police dealing with Suttles. He brings himself to the attention of the police. He tells police he saw Suttles, along with a male, carrying property to the vehicle. The defense has provided no evidence, and no evidence exists other than the self-serving claims of Suttles and Drljic, that Nolan was anything other than what he appears to be, a witness to a crime.

Any property not seized or returned to its rightful owner was not, at the time it was not seized or returned, not apparently exculpatory because the neither Suttles nor Drljic, nor anyone else at that point, had provided any information such that the police would believe that property to have evidentiary value. Only after the property was returned did the defendants concoct a story to implicate a witness and blame the police for the lack of evidence to support their concocted story. The police cannot be considered to have acted in bad faith when they had no way to know what the defendants would claim later.

The defendants' other claims do not implicate Brady or probable cause.

Respectfully submitted,

August 18, 2010


Richard J. Dusterhoft
Assistant Ramsey County Attorney
651 266-3055

09258604

TO PLAY: Insert CD into drive. Select drive. Select Autoplay.
When screen with player opens up, click on "Play." When
Password box appears, type in this password: 1111 - then enter.

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
09258604 09258619

Date and Time of Report
12/06/2009 07:45:00

Primary offense:
BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: . Gliske, Jonathan

Name of location/business:

Primary squad: 111

Location of incident: 2389 UNIVERSITY AV W
ST PAUL, MN 55118

Secondary reporting officer: Menton, Tom

Approver: Reding, Mark

District: Western

Date & time of occurrence: 12/06/2009 04:18:00 to

Site:

12/06/2009 04:18:00

Arrest made: Yes

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed: Yes

OFFENSE DETAILS

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Attempt Only:

Appears to be Gang Related:

Crime Scene

Method & Point of Entry

Type: Retail

Force used:

Hid Inside:

Description: Liquor store

Point of entry:

Method:

Victims

ART STUDIO, SHARRETT'S LIQUOR, THE EDGE CAFE

ARRESTS

Booked

Name: Suttles, Tamika Latoi

Booking date: 12/06/2009

Date & time of arrest: 12/06/2009 04:50

Booking time: 06:45

Arrest made on view: Yes

Booking #:

Arrest made on warrant or previous CN: Yes

Warrant number:

Originating agency: SPPD

Warrant type:

Charge/Citation/Bail Amount: Burglary/ \$0

Saint Paul Police Department

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
 09258604 09258619

Date and Time of Report
 12/06/2009 07:45:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Booked

Name: Drljic, Daniel
 Booking date: 12/06/2009 Date & time of arrest: 12/06/2009 04:50
 Booking time: 06:45 Arrest made on view: Yes
 Booking #: Arrest made on warrant or previous CN:
 Warrant number: Originating agency: SPPD
 Warrant type: Charge/Citation/Bail Amount: Burglary/ #0

Booked

Name: English, Jermain Guy
 Booking date: 12/06/2009 Date & time of arrest: 12/06/2009 04:50
 Booking time: 06:45 Arrest made on view: Yes
 Booking #: Arrest made on warrant or previous CN:
 Warrant number: Originating agency: SPPD
 Warrant type: Charge/Citation/Bail Amount: Burglary/ \$0

NAMES

Arrestee Drljic, Daniel
 642 FRONT AV Apt 105
 KNOWN ST PAUL, MN 55103

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex: Male Race: White DOB: 06/03/1976 Resident Status:
 Hispanic: Age: 33 from to

Phones

Home: Cell: Contact:
 Work: Fax: Pager:

Employment

Occupation: Employer:

Identification

SSN: License or ID#: License State:

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
09258604 09258619

Date and Time of Report
12/06/2009 07:45:00

Primary offense:
BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Offender Information

Arrested: Yes Pursuit engaged: Violated Restraining Order:
DUI: Resistance encountered:
Condition: Taken to health care facility: Medical release obtained:

Arrestee Suttles, Tamika Latoi
2807 ST MARYS PL SE
KNOWN MINNEAPOLIS, MN 55414

Nicknames or Aliases

Nick Name:
Alias:
AKA First Name: AKA Last Name:

Details

Sex: Female Race: Black DOB: 12/07/1980 Resident Status:
Hispanic: Age: 28 from to

Phones

Home: Cell: Contact:
Work: Fax: Pager:

Employment

Occupation: Employer:

Identification

SSN: License or ID#: License State:

Physical Description

US: Metric:
Height: to Build: Hair Length: Hair Color:
Weight: to Skin: Facial Hair: Hair Type:
Teeth: Eye Color: Blood Type:

Offender Information

Arrested: Yes Pursuit engaged: Violated Restraining Order:
DUI: Resistance encountered:
Condition: Taken to health care facility: Medical release obtained:

Saint Paul Police Department

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
 09258604 09258619

Date and Time of Report
 12/06/2009 07:45:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Owner

Brown, Peter Jacob
 713 ROUNDHILL RD
 MENDOTA HEIGHTS, MN 55118

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex: Male Race: White DOB: 11/15/1963 Resident Status:
 Hispanic: Age: 46 from to

Phones

Home: 651-688-9129 Cell: 612-790-2500 Contact:
 Work: Fax: Pager:

Employment

Occupation: Employer:

Identification

SSN: License or ID#: License State:

Owner

Rose, Dana Samuel
 504 MISSISSIPPI RIVER BD N
 ST PAUL, MN 55116

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex: Male Race: White DOB: 11/06/1949 Resident Status:
 Hispanic: Age: 60 from to

Phones

Home: 651-698-9214 Cell: 651-263-2006 Contact:
 Work: 651-645-8629 Fax: Pager:

Saint Paul Police Department

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number 09258604 Reference CN 09258619

Date and Time of Report 12/06/2009 07:45:00

Primary offense: BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Employment

Occupation: Employer:

Identification

SSN: License or ID#: License State:

Victim

SHARRETT'S LIQUOR
2389 UNIVERSITY AV W
ST PAUL, MN 55108

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name: AKA Last Name:

Details

Sex: Race: DOB: Resident Status:
Hispanic: Age: from to

Phones

Home: Cell: Contact:
Work: 651-645-8929 Fax: Pager:

Employment

Occupation: Employer:

Identification

SSN: License or ID#: License State:

Victim Information

Type: Business Can Identify Offender: No Willing to Press Charges: No
Condition: Taken to health care facility: No Medical release obtained: No

Victim

ART STUDIO
2397 UNIVERSITY AV W
ST PAUL, MN 55108

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name: AKA Last Name:

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
 09258604 09258619

Date and Time of Report
 12/06/2009 07:45:00

Primary offense:
BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Details

Sex: Race: DOB: Resident Status:
 Hispanic: Age: from to

Phones

Home: Cell: 612-790-2500 Contact:
 Work: Fax: Pager:

Employment

Occupation: Employer:

Identification

SSN: License or ID#: License State:

Victim Information

Type: Business Can Identify Offender: No Willing to Press Charges: No
 Condition: Taken to health care facility: No Medical release obtained: No

Victim

THE EDGE CAFE
 2399 UNIVERSITY AV W
 ST PAUL, MN 55108

Nicknames or Aliases

Nick Name:
 Alias:
 AKA First Name: AKA Last Name:

Details

Sex: Race: DOB: Resident Status:
 Hispanic: Age: from to

Phones

Home: Cell: Contact:
 Work: Fax: Pager:

Employment

Occupation: Employer:

Identification

SSN: License or ID#: License State:

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number 09258604
 Reference CN 09258619

Date and Time of Report
 12/06/2009 07:45:00

Primary offense:
BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Victim Information

Type: Business Can Identify Offender: No Willing to Press Charges: No
 Condition: Taken to health care facility: No Medical release obtained: No

Witness
 Requests non-public due to safety concerns Nolan, Thomas Joseph
 765 RAYMOND AV Apt 305
 ST PAUL, MN 55108

Nicknames or Aliases

Nick Name:
 Alias:
 AKA First Name: AKA Last Name:

Details

Sex: Male Race: White DOB: 07/25/1990 Resident Status:
 Hispanic: Age: 19 from to

Phones

Home: Cell: 651-434-3580 Contact:
 Work: Fax: Pager:

Employment

Occupation: Employer:

Identification

SSN: License or ID#: License State:

SOLVABILITY FACTORS

Suspect can be Identified: Yes By: Police
 Photos Taken: Yes Stolen Property Traceable: Yes
 Evidence Turned In: Yes Property Turned In: Yes
 Related Incident:

Lab

Biological Analysis: Fingerprints Taken:
 Narcotic Analysis: Items Fingerprinted:

Lab Comments:

Saint Paul Police Department ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
09258604 09258619

Date and Time of Report
12/06/2009 07:45:00

Primary offense:
BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

PROPERTY

ITEM #1

Type of Loss: Recovered Date of Loss: Location Lost:
 Owner: Suttles, Tamika Latoi Date Recovered: 12/06/2009 Location Recovered: Rear of 765 Raymond
 Model #: Quantity: 1 Serial #:
 Article Type / Item: Other property / Vehicle Total value:
 Description:

Turned in at: Impound lot Locker ID #: Lab exams:

VEHICLE INFORMATION (Property)

Status	Description	
Status: Other	License no.: MLU367	Year: 1997
Towed: Yes	State: MN	Type: Sedan
Lock status	Year: 4/2010	Color: Red
Doors unlocked:	V.I.N.: 1G6KE54Y5VU284638	Doors: 4
Ignition unlocked:	Make: Cadillac	Transmission:
Trunk unlocked:	Model: DEVILLE	Shift Position:
Keys in vehicle: No	Mileage:	

Insurance & owner information

Vehicle contents & driver

Insurance co.:
 Lienholder:
 Lease Company:
 Amount Owed: \$0
 Registered owner: Suttles, Tamika Latoi
 Drivers license no.:

Keys in vehicle: No
 Owner allowed someone to use vehicle:
 Stolen Method:
 Theft Coverage:
 Personal property in vehicle:

ITEM #2

Type of Loss: Recovered Date of Loss: Location Lost:
 Owner: Suttles, Tamika Latoi Date Recovered: 12/06/2009 Location Recovered: MLU367
 Model #: Quantity: 1 Serial #:
 Article Type / Item: Cash/currency / Cash/Currency Total value: \$16,025.00
 Description: \$16025.00 in cash found in susp purse

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
 09258604 09258619

Date and Time of Report
 12/06/2009 07:45:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Turned in at: Prop room money locker Locker ID #: 33 Lab exams:

ITEM #3

Type of Loss: Recovered Date of Loss: Location Lost:
 Owner: Suttles, Tamika Latoi Date Recovered: 12/06/2009 Location Recovered: On the suspect
 Model #: Quantity: 2 Serial #:

Article Type / Item: Other property / Miscellaneous items Total value:
 Description: pair of gloves and her cell phone

Turned in at: Property room locker Locker ID #: 25 Lab exams:

ITEM #4

Type of Loss: Recovered Date of Loss: Location Lost:
 Owner: English, Jermain Guy Date Recovered: 12/06/2009 Location Recovered: trunk of veh
 Model #: Quantity: 1 Serial #:

Article Type / Item: Other property / Miscellaneous items Total value:
 Description: duffle bag containing: 3 pry bars, bolt cutter and 3 punches

Turned in at: Property room locker Locker ID #: 42 Lab exams:

ITEM #5

Type of Loss: Recovered Date of Loss: Location Lost:
 Owner: English, Jermain Guy Date Recovered: 12/06/2009 Location Recovered: In suspects hand
 Model #: Quantity: 1 Serial #:

Article Type / Item: Other property / Miscellaneous items Total value:
 Description: "Sharp" cell phone

Turned in at: Prop room money locker Locker ID #: 42 Lab exams:

ITEM #6

Type of Loss: Recovered Date of Loss: Location Lost:
 Owner: DrIjic, Daniel Date Recovered: 12/06/2009 Location Recovered: 2389 University
 Model #: Quantity: 1 Serial #:

Article Type / Item: Other property / Miscellaneous items Total value:
 Description: purple gloves, black coat, flashlight, 3 pairs of gloves and flashlight

Turned in at: Property room locker Locker ID #: 29 Lab exams:

Saint Paul Police Department
ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
 09258604 09258619

Date and Time of Report
 12/06/2009 07:45:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

ITEM #7

Type of Loss: Recovered Date of Loss: Location Lost:
 Owner: Drljic, Daniel Date Recovered: 12/06/2009 Location Recovered: susp vehicle
 Model #: Quantity: 6 Serial #:

Article Type / Item: Other property / Miscellaneous items Total value:
 Description: kenwood face,bag with 6 rounds, gloves, duck tape, screwdriver, wrench

Turned in at: Property room locker Locker ID #: 29 Lab exams:

ITEM #8

Type of Loss: Stolen Date of Loss: 12/06/2009 Location Lost: 2399 University
 Owner: THE EDGE CAFE Date Recovered: Location Recovered:
 Model #: Quantity: 12 Serial #:

Article Type / Item: Other property / Consumable goods Total value: \$24.00
 Description: 12 misc muffins found in alley outside the rear door.

Turned in at: Turned Over to Owner Locker ID #: Lab exams:

ITEM #9

Type of Loss: Stolen Date of Loss: 12/06/2009 Location Lost: 2397 University
 Owner: ART STUDIO Date Recovered: Location Recovered:
 Model #: Quantity: 3 Serial #:

Article Type / Item: Other property / Miscellaneous items Total value:
 Description: Plastic organizer, 4' Alum ruler, 3" Alum T square

Turned in at: Turned Over to Owner Locker ID #: Lab exams:

ITEM #10

Type of Loss: Stolen Date of Loss: 12/06/2009 Location Lost: 2389 University
 Owner: SHARRETT'S LIQUOR Date Recovered: Location Recovered:
 Model #: Quantity: Serial #:

Article Type / Item: Other property / Consumable goods Total value: \$1,364.65
 Description: Misc bottles of liquor

Turned in at: Turned Over to Owner Locker ID #: Lab exams:

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
 09258604 09258619

Date and Time of Report
 12/06/2009 07:45:00

Primary offense:
BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

ITEM #11

Type of Loss: Damaged Date of Loss: 12/06/2009 Location Lost: 2397 University
 Owner: ART STUDIO Date Recovered: Location Recovered:
 Model #: Quantity: 3 Serial #:

Article Type / Item: Other property / Miscellaneous items Total value:
 Description: Rear door, holes the suspects made in the east and west basement walls

Turned in at: Locker ID #: Lab exams:

ITEM #12

Type of Loss: Damaged Date of Loss: 12/06/2009 Location Lost: 2399 University
 Owner: THE EDGE CAFE Date Recovered: Location Recovered:
 Model #: Quantity: 1 Serial #:

Article Type / Item: Other property / Miscellaneous items Total value:
 Description: Damaged rear door frame due to tool marks

Turned in at: Locker ID #: Lab exams:

Participants:

Person Type:	Name:	Address:	Phone:
Arrestee	Drljic, Daniel	642 FRONT AV Apt 105 ST PAUL, MN 55103	
Arrestee	English, Jermain Guy	2614 LONGFELLOW AV S MINNEAPOLIS, MN 55407	
Arrestee	Suttles, Tamika Latoi	2807 ST MARYS PL SE MINNEAPOLIS, MN 55414	
Owner	Brown, Peter Jacob	713 ROUNDHILL RD MENDOTA HEIGHTS, MN 55118	651-688-9129
Owner	Rose, Dana Samuel	504 MISSISSIPPI RIVER BD N ST PAUL, MN 55116	651-698-9214
Victim	SHARRETT'S LIQUOR	2389 UNIVERSITY AV W ST PAUL, MN 55108	
Victim	ART STUDIO	2397 UNIVERSITY AV W ST PAUL, MN 55108	

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
09258604 09258619

Date and Time of Report
12/06/2009 07:45:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Victim	THE EDGE CAFE	2399 UNIVERSITY AV W ST PAUL, MN 55108
Witness	Nolan, Thomas Joseph	765 RAYMOND AV Apt 305 ST PAUL, MN 55108

NARRATIVE

On 12/6/09 at around 0418 hours Squad 111 Gliske, was sent to 2389 University Ave on an alarm at a business (Sharrett's Liquor).

I arrived on scene and went in the alley that is off of Raymond to the rear of the building that the liquor store was located in. The building "Security Building" is a large commercial building that has several offices and small businesses inside the one building.

As I got the rear, (west) side of the building, I immediately noticed MN plate MLU367 parked W/B in the rear parking lot. The vehicle was the only car in the lot of around 5 cars that did not have frost on the windows.

A woman later identified as: SUTTLES, TAMIKA LATOI (DOB 12/7/80), was standing outside the driver's side door of the vehicle. SUTTLES looked up at me in the marked squad car and immediately looked away. SUTTLES was wearing a dark colored coat and pants along with a dark hooded sweatshirt underneath the coat. SUTTLES had something in her hands and was fidgeting nervously with them as I approached.

Due to the time of night, her nervousness with my presence and the fact we had an alarm right there I decided to stop and talk to her.

I asked SUTTLES what she was doing outside the vehicle and in the rear of the building. She said "My car broke down and I parked here", she also said "I have to pee; just let me go pee I have to pee really bad just let me go". I asked why she pulled off University and decided to park in the rear of a closed business and apartments. SUTTLES stuttered and only could say "My car broke down I have to pee really bad just let me go".

I could see both pockets of her outer coat were bulged and I asked if she minded if I patted her down for weapons, which she agreed. As I was patting down her outer coat I could feel several hard objects in her pockets. I recovered a roll of duck tape from her coat as well as a pair of neoprene gloves. I asked why she had gloves and duck tape on her and she only stuttered the same sentence about how her car broke down. She had the keys to MN plate MLU367 in her hand.

I was the only squad on scene and was unsure if the building was secure or if SUTTLES was not alone. I secured her in the back of my squad so I could continue investigating.

I went up to the rear door of 2399 University and noticed several tool marks on the door frame but it was secure. I walked over to 2397 University and it was just barely open. I pushed the door and immediately noticed the bolt was in the locked position, the door frame was broken and it appeared to be forced.

Not knowing if anyone else was inside I backed off and waited for an assisting squad.

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
09258604 09258619

Date and Time of Report
12/06/2009 07:45:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

As I was walking back I looked up at the apartment building (which looks directly at the alley and had a clear view of the parking lot) there was a male in the window of one of the top floor apartment. The male: NOLAN, THOMAS JOSEPH (DOB 7/25/90) said just prior to my arrival he saw two people dressed in all black, walk from the rear of the building to MN plate MLU367, carrying a large bag and a long metal object. He said the one I had in my back seat was one of them and the other one went back inside. NOLAN also stated he saw them put the items they were carrying into the truck of the vehicle.

Out of the corner of my eye I saw a shadow up by the building at the unsecured door. I shined my flashlight and saw a B/M around 5'7" medium build wearing a black coat with a red skull cap starring at me. I yelled "Police" and he immediately turned around and ran back inside the building through the unsecured door.

I aired the information and waited for K-9 and other officers.

Squad 624 Harrison arrived on scene, so I and Squad 140 Christianson went inside to clear the building with K-9.

After a few minutes of searching Squad 107 Sgt Kane notified us he was talking to the suspect on SUTTLES phone. He also informed us that there were two suspects inside and they wanted to come out and didn't have any weapons. He said the suspects were at the front door of the Liquor store.

We were able to locate the suspects and I placed them in cuffs. The suspects were identified as: DRLJIC, DANIEL (DOB 6/3/76) and ENGLISH, JERMAIN GUY (DOB 1/5/81).

Squad 116 Mcginn secured DRLJIC in his vehicle and Squad 113 Menton secured ENGLISH.

It appeared through the one door (2397 University) the suspects gained access to the liquor store (2389 university) as well as a coffee shop (2399 University). They gained access to the other businesses by breaking through the east and west basement walls of 2397 University. It appeared the liquor store was the only business with a burglary alarm.

At the rear door of 2397 University there was a pile of random items piled up. There were several liquor bottles, a package of muffins and a tall plastic organizer. The muffins and the plastic organizer were actually outside the building in the alley. In the basement of 2397 University it appeared the suspects also had assembled a large amount of boxes of liquor that was ready to be brought upstairs and outside.

2397 University appeared to be an art studio and nothing seemed to be taken or moved. It appeared the suspects just used the business to gain access to the other places. I later found out the suspects took some tools and an plastic organizer from this business.

2399 University (The Edge) appeared to be rummaged through. The back door had an board braced across it which would explain why the suspects had to break into the next door (2397 Unie). The cash register was broken and the till was on the floor across the room. Several other drawers and shelves were rummaged through and stuff was scattered all over the ground. There was a black flashlight on the counter.

2389 University (Sharrett's Liquor) had several isles where product was in the middle of the floor and other

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
09258604 09258619

Date and Time of Report
12/06/2009 07:45:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

items scattered around that appeared to be the suspects. Several pairs of gloves were in the store as well as a head strap flashlight and a black coat tucked in between two boxes.

I contacted data and asked them if they could get key holders for all three businesses. As I was waiting I decided to go talk to SUTTLES again.

SUTTLES said she owned the car and her vehicle didn't break down but she was picking up a few friends there. She said she didn't know what they were doing but they promised her money if she gave them a ride. SUTTLES still didn't have an explanation for why she had duck tape and a pair of neoprene gloves in her pockets. I informed SUTTLES she was under arrest for burglary.

I searched her vehicle incident to tow and in the trunk was a large bag with a few tools inside. Also in the trunk were several computer parts and other miscellaneous items, including a 4' aluminum ruler and a 3' aluminum T square. On the passenger floor board I recovered SUTTLES purse. There also were several pairs of gloves inside the vehicle along with other misc tools. In the glove box I recovered a felt baggie containing several 44 magnum rounds.

Inside SUTTLES purse was a plastic bag with a large amount of cash inside, in large bills. I secured the purse in my squad.

I talked to: ROSE, DANA SAMUEL (DOB 11/6/49) who was the owner of Sharrett's Liquor. He said they have video surveillance but he didn't know how to use it but was going to make a copy and send it in. ROSE stated he noticed several items out of place. He said he couldn't get me an exact count of what was missing but he made up a list of liquor that was placed at the back door ready to be carried out. The total retail price of the liquor was \$1364.65.

I talked to: BROWN, PETER JACOB (DOB 11/15/63) who said he owned the whole building and the art studio (2397 University) was his fathers. He said "The Edge" has only been there for a few weeks and he didn't have the owner's number on hand.

I informed BROWN to contact the owner of "The Edge" as soon as possible and have them contact Police.

Squad 140 Alvarez/ Christianson transported SUTTLES to the LEC for me.

Squad 116 Mcginn transported DRLJIC to the LEC and Squad 113 Menton transported ENGLISH.

I booked DRLJIC, SUTTLES and ENGLISH for burglary into the LEC with out incident.

I recovered the following:

1-\$16025 dollars in cash from SUTTLES purse as well as her cell phone and a pair of gloves, which I found on her person. The money was placed into ML#33, the phone and gloves were placed into PL#25.

2-A large duffle bag found in the truck of MN plate MLU367 containing pry bars and crow bars, a bolt cutter and three glass/metal punches.

ENGLISH's cell phone he used to call SUTTLES as we were searching the building, all of these items were

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
09258604 09258619

Date and Time of Report
12/06/2009 07:45:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

placed into PL#42.

3-Items found in liquor store: purple gloves, black coat, flashlight and 3 pairs of gloves. Flashlight found on the counter of the coffee shop.

Items found in MN late MLU367: "Kenwood" faceplate, small bag with 44 Mag rounds, gloves, duck tape, screwdriver and wrenches. They were all turned into PL#29.

All the liquor, muffins and other items at the back door were given back to the businesses. I recovered a 4' metal ruler and a 3' metal T square in the trunk of MN plate MLU367 which I gave to BROWN.

Squad 107 Sgt Kane towed the vehicle, see his supplement.

Squad 140 Alvarez, Christianson took photos see there report.

Squad 113 Menton wrote a supplement.

See PCN# 09258619 and 09258620.

PUBLIC NARRATIVE

Police were sent to 2389 University Ave on an alarm at a business. Police found that the business as well as two others (2397, 2399 University) were burglarized. Three suspects were caught by Police on scene two of which were still inside the business with the assistance of SPPD K-9. SUTTLES, TAMIKA LATOI (28 yoa, female), DRLJIC, DANIEL (33 yoa, male) and ENGLISH, JERMAIN GUY (28 yoa, male) were all arrested and booked into the Ramsey Co. LEC with out incident for Felony Burglary.

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

09258604

12/06/2009 04:18:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Harrison, Brady A

Name of location/business:

Primary squad: 624

Location of incident: 2389 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55104

Approver: Kane, Patrick

District: Western

Date & time of occurrence: 12/06/2009 04:18:00 to

Site:

12/06/2009 05:00:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Attempt Only:

Appears to be Gang Related:

SOLVABILITY FACTORS

Suspect can be Identified:

By:

Photos Taken:

Stolen Property Traceable:

Evidence Turned In:

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

Participants:

Person Type:

Name:

Address:

Phone:

NARRATIVE

SQ 624 (HARRISON/K9 SULLY) ASSISTED SQ 111 (GLISKE) ON AN ALARM WHICH WAS A GOOD BURGLARY IN PROGRESS (SEE HIS REPORT ON ALL THREE CN'S FOR ONE BUILDING WITH THREE ADDRESSES).

I ARRIVED ON SCENE AND OFFICER GILSKE TOLD ME HE SAW SUSPECTS RUN BACK INTO THE

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09258604

Date and Time of Report

12/06/2009 04:18:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

BUILDING THEY WERE BURGLARIZING.

I PUT SULLY ON HIS 15 FOOT LEAD AND GAVE MULTIPLE WARNINGS "POLICE K9 COME OUT OR YOU MAY BE BIT". I GOT NO RESPONSE. SULLY FIRST SEARCHED 2397 UNIVERSITY (ART STORE) HE PULLED ME RIGHT TO THE BASEMENT STAIRS.

IN THE BASEMENT AREA HE LED ME TO A WALL (WOOD PANEL) THAT WAS RIPPED FROM THE TWO BY FOUR'S TO GAIN ACCESS TO 2389 UNIVERSITY (THE EDGE COFFEE HOUSE AND 2399 SHARRETT'S LIQUOR STORE.

SULLY PULLED ME UP STAIRS TO THE EDGE COFFEE STORE WHERE I SAW EVIDENCE OF A BURGLARY. I CLEARED THAT AREA AND WENT BACK DOWN STAIRS. SULLY THEN PULLED ME INTO A LIQUOR STORAGE AREA AND STARTED AIR SCENT AND CLIMB THE WALLS. NEXT I HEARD FOOT STEPS OF MULTIPLE PEOPLE RIGHT ABOVE US. I STARTED TO MAKE MY WAY TO THE LAST STAIRWELL THAT WAS NOT CHECKED. AS I MADE ENTRY INTO THE LIQUOR STORE SGT. KANE INFORMED US THE SUSPECTS WERE DUCKING DOWN IN SIDE THE LIQUOR STORE.

SULLY PULLED ME TO THE FRONT OF THE STORE WHERE I SAW TWO MALES WEARING DARK CLOTHING. I ORDERED THEM TO THE GROUND AND THEY WERE TAKEN INTO CUSTODY WITHOUT INCIDENT.

PUBLIC NARRATIVE

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

09258604

12/06/2009 06:27:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Alvarez, Amber R

Name of location/business:

Primary squad: 140

Location of incident: 2389 UNIVERSITY AV W

Secondary reporting officer: Christianson, Lance

ST PAUL, MN 55104

Approver: Nelson, Mark

District: Western

Date & time of occurrence: 12/06/2009 04:18:00 to

Site:

12/06/2009 04:18:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Attempt Only:

Appears to be Gang Related:

SOLVABILITY FACTORS

Suspect can be Identified:

By:

Photos Taken: Yes

Stolen Property Traceable:

Evidence Turned In:

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

Participants:

Person Type:

Name:

Address:

Phone:

NARRATIVE

On 12/06/2009 at 0418 hours, Squad# 140 (Alvarez/Christianson) was dispatched to take photos of a burglary .

List of Photos for CN 09258604:

Saint Paul Police Department

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09258604

Date and Time of Report

12/06/2009 06:27:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

-
1. 09258604-12062009_045452-BURGLARY-1.jpg - 2389 University Ave
 2. 09258604-12062009_045459-BURGLARY-2.jpg - 2389 University Ave
 3. 09258604-12062009_045531-BURGLARY-3.jpg - latex gloves on ground
 4. 09258604-12062009_045536-BURGLARY-4.jpg - latex gloves on ground
 5. 09258604-12062009_045752-BURGLARY-5.jpg - black gloves on shelf
 6. 09258604-12062009_045757-BURGLARY-6.jpg - black gloves on shelf
 7. 09258604-12062009_045800-BURGLARY-7.jpg - black gloves on shelf
 8. 09258604-12062009_045809-BURGLARY-8.jpg - black gloves on shelf
 9. 09258604-12062009_045820-BURGLARY-9.jpg - glove located on floor
 10. 09258604-12062009_045825-BURGLARY-10.jpg - gloves located on floor
 11. 09258604-12062009_045832-BURGLARY-11.jpg - glove located on ground
 12. 09258604-12062009_045851-BURGLARY-12.jpg - flash light located on ground
 13. 09258604-12062009_045855-BURGLARY-13.jpg - flashlight located on ground
 14. 09258604-12062009_050210-BURGLARY-14.jpg - Overall of office in basement Sharett's liquor
 15. 09258604-12062009_050225-BURGLARY-15.jpg - Overall of office
 16. 09258604-12062009_050233-BURGLARY-16.jpg - Overall of office
 17. 09258604-12062009_050236-BURGLARY-17.jpg - Overall of office
 18. 09258604-12062009_050240-BURGLARY-18.jpg - Overall of office
 19. 09258604-12062009_050435-BURGLARY-19.jpg - 2399 University Ave (Fair Trade Organic Coffee)
 20. 09258604-12062009_050444-BURGLARY-20.jpg - 2399 University- end table
 21. 09258604-12062009_050452-BURGLARY-21.jpg - Overall of coffee shop (2399 University)
 22. 09258604-12062009_050456-BURGLARY-22.jpg - Overall of register
 23. 09258604-12062009_050505-BURGLARY-23.jpg - Overall of coffee shop
 24. 09258604-12062009_050528-BURGLARY-24.jpg - Overall of coffee shop
 25. 09258604-12062009_050535-BURGLARY-25.jpg - Overall of coffee shop
 26. 09258604-12062009_050549-BURGLARY-26.jpg - Overall of coffee shop
 27. 09258604-12062009_050601-BURGLARY-27.jpg - Flashlight recovered in coffee shop
 28. 09258604-12062009_050729-BURGLARY-28.jpg - Overall of back door 2397 University Ave (molding store)
 29. 09258604-12062009_050742-BURGLARY-29.jpg - Door frame
 30. 09258604-12062009_050746-BURGLARY-30.jpg - wood pieces on floor
 31. 09258604-12062009_050758-BURGLARY-31.jpg - Bakery items outside of 2397 University.
 32. 09258604-12062009_050810-BURGLARY-32.jpg - Overall of drawers outside of 2397 University
 33. 09258604-12062009_050818-BURGLARY-33.jpg - Overall of door frame 2397 University
 34. 09258604-12062009_050828-BURGLARY-34.jpg - Overall of liquor at back door of 2397 University
 35. 09258604-12062009_050912-BURGLARY-35.jpg - Overall of liquor at back door 2397 University
 36. 09258604-12062009_050915-BURGLARY-36.jpg - Overall of liquor piled up at back door of 2397 University
 37. 09258604-12062009_051005-BURGLARY-37.jpg - MN-MLU-367
 38. 09258604-12062009_051008-BURGLARY-38.jpg - Rear of vehicle MLU-367
 39. 09258604-12062009_051015-BURGLARY-39.jpg - driver's side of vehicle
 40. 09258604-12062009_051026-BURGLARY-40.jpg - Overall of front seat
 41. 09258604-12062009_051045-BURGLARY-41.jpg - Overall of front seat
 42. 09258604-12062009_051054-BURGLARY-42.jpg - Overall of front seat
 43. 09258604-12062009_051115-BURGLARY-43.jpg - Overall of trunk
 44. 09258604-12062009_051125-BURGLARY-44.jpg - Tools in black bag located in trunk

Saint Paul Police Department

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09258604

Date and Time of Report

12/06/2009 06:27:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

-
- 45. 09258604-12062009_051147-BURGLARY-45.jpg - Overall of tools that were in black duffel bag
 - 46. 09258604-12062009_051153-BURGLARY-46.jpg - overall of tools in black duffel bag
 - 47. 09258604-12062009_051244-BURGLARY-47.jpg - Overall of items in trunk
 - 48. 09258604-12062009_051245-BURGLARY-48.jpg - Overall of items in trunk
 - 49. 09258604-12062009_051247-BURGLARY-49.jpg - Overall of items in trunk
 - 50. 09258604-12062009_051722-BURGLARY-50.jpg - Overall of vehicle from third floor
 - 51. 09258604-12062009_051727-BURGLARY-51.jpg - Overall of vehicle from third floor
 - 52. 09258604-12062009_051911-BURGLARY-52.jpg - 2399 University Ave- Fair Trade Organic Coffee
 - 53. 09258604-12062009_051929-BURGLARY-53.jpg - 2399 University Ave
 - 54. 09258604-12062009_051941-BURGLARY-54.jpg - 2397 University (Molding store)
 - 55. 09258604-12062009_052238-BURGLARY-55.jpg - Overall of wall that was broken between liquor store and molding store
 - 56. 09258604-12062009_052241-BURGLARY-56.jpg - Wall that was broken
 - 57. 09258604-12062009_052244-BURGLARY-57.jpg - Wall that was broken
 - 58. 09258604-12062009_052347-BURGLARY-58.jpg - Overall of jacket in liquor store
 - 59. 09258604-12062009_052351-BURGLARY-59.jpg - Overall of jacket located in liquor store
 - 60. 09258604-12062009_052403-BURGLARY-60.jpg - Overall of jacket found in liquor store
 - 61. 09258604-12062009_052728-BURGLARY-61.jpg - Overall of money in purse
 - 62. 09258604-12062009_052736-BURGLARY-62.jpg - Overall of money in bag
 - 63. 09258604-12062009_053754-BURGLARY-63.jpg - Overall of businesses connected 2389, 2397, and 2399 University Ave
 - 64. 09258604-12062009_053759-BURGLARY-64.jpg - Overall of businesses.
 - 65. 09258604-12062009_053821-BURGLARY-65.jpg - Overall of businesses.
 - 66. 09258604-12062009_053850-BURGLARY-66.jpg - Overall of businesses
 - 67. 09258604-12062009_054920-BURGLARY-67.jpg - Overall of Jermain English (01/05/1981)
 - 68. 09258604-12062009_054933-BURGLARY-68.jpg - left profile
 - 69. 09258604-12062009_054938-BURGLARY-69.jpg - rear
 - 70. 09258604-12062009_054941-BURGLARY-70.jpg - right profile
 - 71. 09258604-12062009_054946-BURGLARY-71.jpg - Close-up of face
 - 72. 09258604-12062009_055014-BURGLARY-72.jpg - Overall Daniel Drljic (06/03/1976)
 - 73. 09258604-12062009_055018-BURGLARY-73.jpg - right profile
 - 74. 09258604-12062009_055022-BURGLARY-74.jpg - left profile
 - 75. 09258604-12062009_055029-BURGLARY-75.jpg - rear
 - 76. 09258604-12062009_055033-BURGLARY-76.jpg - Close-up
 - 77. 09258604-12062009_055104-BURGLARY-77.jpg - Overall of Tamika Latoi Suttles (12/07/1980)
 - 78. 09258604-12062009_055110-BURGLARY-78.jpg - Right profile
 - 79. 09258604-12062009_055114-BURGLARY-79.jpg - rear
 - 80. 09258604-12062009_055120-BURGLARY-80.jpg - left profile
 - 81. 09258604-12062009_055125-BURGLARY-81.jpg - Close-up of face

The labeled photos were TRANSFERRED to the Media Vault.

PUBLIC NARRATIVE

Supplement.

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09258604

Date and Time of Report

12/06/2009 12:21:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Kane, Patrick M

Primary squad: 107

Secondary reporting officer:

Approver: Kane, Patrick

District: Western

Site:

Name of location/business:

Location of incident: 2389 UNIVERSITY AV W

ST PAUL, MN 55104

Date & time of occurrence: 12/06/2009 04:18:00 to

12/06/2009 04:18:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS**BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL**

Attempt Only:

Appears to be Gang Related:

SOLVABILITY FACTORS

Suspect can be Identified:

By:

Photos Taken:

Stolen Property Traceable:

Evidence Turned In:

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

Participants:

Person Type:

Name:

Address:

Phone:

NARRATIVE

I, Sgt. Patrick Kane, Sq #107, responded to an alarm call at 2389 W. University, Sharrett's Liquors. While I was en route, I heard Officer Gliske stated he was out with one in the rear of the building. Within a minute or two he radioed that he saw a B/M exit the rear forced door to the business then run back inside. He also advised me upon my arrival that a tenant in an adjoining apt. building that had seen at least two people carrying a large bag and place it into the trunk of a nearby Cadi. It should be noted that the vehicle

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09258604

Date and Time of Report

12/06/2009 12:21:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

was parked in a fairly secluded portion of the lot , especially at this hour, and that it was only vehicle nearby not to have frost on it. Gliske also informed me that the witness could see the female he had detained and identified her as one of the parties carrying items from the business.

Squads continued perimeter on building awaiting K-9 and I stayed in the rear securing vehicles. When K-9 arrived, Officer Harrison was briefed and he along with officer searched the building.

PUBLIC NARRATIVE

Supplemental Report.

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09258604

Date and Time of Report

12/07/2009 13:32:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Strickland, Tyrone T*Name of location/business:**Primary squad:**Location of incident:* 2389 UNIVERSITY AV W*Secondary reporting officer:*

ST PAUL, MN 55118

*Approver:**District:* Western*Date & time of occurrence:* 12/06/2009 04:18:00 to*Site:*

12/06/2009 04:18:00

*Arrest made:**Secondary offense:*

*Police Officer Assaulted or Injured:**Police Officer Assisted Suicide:**Crime Scene Processed:*

NARRATIVE

On 12/7/09, I went to RCJ to interview the suspect, Suttles, Tamika Latio, 12/7/09 about her arrest. I read Suttles her Miranda rights from form, PM 247.1-95R. I had Suttles give a verbal yes and initial after each right was read to show that she understood each of her rights. Suttles was given a copy of the right's form she signed at the end of the interview. The interview was recorded. Suttles agreed to talk about her arrest.

Suttles said that she was at home, when she got a call from "Ditto" and "Hood". Suttles said Ditto is Drljic, Danijel and Hood is English, Jermain. Both males were arrested with her. Suttles said that Hood called and asked her to come and pick Ditto and him up. Suttles said that Hood gave her the address. Suttles said that she stopped and got gas first then drove to the area and had a hard time finding the address. Suttles said that she parked in the lot near the address. Suttles said that a w/m came out and put some items in her trunk. One of the items Suttles said she thought was a printer. Suttles said that the w/m she thought lived upstairs at this address. Suttles said that she had got to the parking lot 5 to 10 minutes before the cops showed up. Suttles said that she had got the call from Hood about a hour before the cop showed up.

Suttles said that she and Ditto are going into business of tattoos and piecing. Suttles said that the \$1600.00 dollars in her purse were money to start the business with Ditto. Suttles said that Hood is a person that Ditto knows she only knew the b/m as Hood.

PUBLIC NARRATIVE

Saint Paul Police Department

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09258604

Date and Time of Report

12/07/2009 13:51:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Strickland, Tyrone T

Name of location/business:

Primary squad:

Location of incident: 2389 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55118

Approver:

District: Western

Date & time of occurrence: 12/06/2009 04:18:00 to

Site:

12/06/2009 04:18:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

NARRATIVE

On 12/7/09, I went to RCJ to interview the suspect, Drljic, Daniel Nmn , 6/3/1976 about his arrest. I read Drijic his Miranda rights from form, PM 247.1-95R. I had Drljic give a verbal yes and initial after each right was read to show that he understood each of his rights. Drljic was given a copy of the right's form he signed at the end of the interview. The interview was recorded. Drljic agreed to talk about his arrest.

Drljic said that he was at his girlfriend, Suttles, Tamkia home when he got a call from English(English, Jermain). Drljic said that English wanted him to come and help him move some items from a basement. Drljic said that English said that his friend didn't show up to help. Drljic said that he walked from Sulltes home to where English was located. Drljic said that English told him how to get there.

Drljic said that when he got to the door he saw chips on the door edge. Drljic said that English told him to cover his face because of the cameras. Drljic said that English gave him a mask to cover his face and that went to the basement. Drljic said that he then saw a box containing liquor and some other items stacked. Drljic said that he then knew English was doing a burglary. Drljic said that he then went upstairs and saw the cops talking to Suttles. Drljic said that he didn't want to get shot, so by phone he told the cops he didn't have a weapon and would come out.

Drljic said that when he and English saw the cops, English tried to talk him into running out the back, by breaking out a window. Drljic said that he knows English from the south side when he did two tattoos for English.

PUBLIC NARRATIVE

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

09258604

12/07/2009 14:07:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Strickland, Tyrone T

Name of location/business:

Primary squad:

Location of incident: 2389 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55118

Approver:

District: Western

Date & time of occurrence: 12/06/2009 04:18:00 to

Site:

12/06/2009 04:18:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

NARRATIVE

ON 12/7/09, I went to RCJ to interview the suspect, English, Jermain Guy, 1/5/1981 about his arrest. English first agreed to talk about his arrest, then said no.

PUBLIC NARRATIVE

Employer

Saint Paul Police Department

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09258604

Date and Time of Report

12/07/2009 21:43:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL**Identification**

SSN:

License or ID#:

License State:

Physical Description

US:

Metric:

Height: to

Build:

Hair Length:

Hair Color:

Weight: to

Skin:

Facial Hair:

Hair Type:

Teeth:

Eye Color:

Blood Type:

Offender Information

Arrested:

Pursuit engaged:

Violated Restraining Order:

DUI:

Resistance encountered:

Condition:

Taken to health care facility:

Medical release obtained:

SOLVABILITY FACTORS

Suspect can be Identified:

By:

Photos Taken:

Stolen Property Traceable:

Evidence Turned In:

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

PROPERTY**ITEM #1**

Type of Loss: Recovered

Date of Loss:

Location Lost:

Owner: Drljic, Danijel

Date Recovered: 12/7/2009

Location Recovered: 2389 University Ave

Model #:

Quantity: 1

Serial #:

Article Type / Item: Other property / Miscellaneous items

Total value:

Description: US ID of DANIJEL DRLJIC

Turned in at: Property room locker

Locker ID #: 5

Lab exams:

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

09258604

12/07/2009 21:43:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Participants:

Person Type:	Name:	Address:	Phone:
Arrestee	Drljic, Danijel	ST PAUL, MN	

NARRATIVE

On 12/07/09, at 1905 hours, Squad 133 (Sullivan) went to Sharrett's Liquor at 2389 University Ave W to recover evidence from a recent burglary arrest.

The manager, KLINE, EDWARD PAUL (12/29/1974; 651-645-8629), said he had been attempting to copy the surveillance video from the night of the burglary. While watching it, he saw one suspect who appeared to put something behind a six-pack of beer bottles by a cooler. KLINE went to the bottles and moved them. An ID issued by Homeland Security fell to the ground. It had one of the suspects' pictures on it and had the name of DRLJIC, DANIJEL. It said DRLJIC was a citizen of Bosnia-Herzegovina.

I watched the surveillance video and saw one suspect appear to place something behind the six-packs. The second suspect appears to straighten the six-packs on the shelf. The police take the two into custody approximately two minutes later. This section of the video starts at 0553 hours and was seen on Camera #5.

I put the ID into PL #5.

PUBLIC NARRATIVE

Supplement

Saint Paul Police Department

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

09258604

12/09/2009 16:17:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Lundquist, Mark W

Name of location/business:

Primary squad: 150

Location of incident: 2397 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55104

Approver: Sills, Shannon

Date & time of occurrence: 12/09/2009 16:17:00 to

District: Western

12/09/2009 16:17:00

Site:

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Attempt Only:

Appears to be Gang Related:

SOLVABILITY FACTORS

Suspect can be Identified:

By:

Photos Taken:

Stolen Property Traceable:

Evidence Turned In:

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

Participants:

Person Type:

Name:

Address:

Phone:

NARRATIVE

On 12/06/2009 at 0418 hours, Squad# (Lundquist, Mark W) was dispatched to west team per Sgt Strickland, to take photos of BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL.

List of Photos for CN 09258604:

Saint Paul Police Department

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09258604

Date and Time of Report

12/09/2009 16:17:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

-
1. 09258604-12092009_093654-BURGLARY-82.jpg - printer
 2. 09258604-12092009_093700-BURGLARY-83.jpg - computer equip
 3. 09258604-12092009_093708-BURGLARY-84.jpg - computer boxes

The labeled photos were TRANSFERRED to the Media Vault.

PUBLIC NARRATIVE

Saint Paul Police Department

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09258604

Date and Time of Report

12/10/2009 12:39:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Bydzovsky, Peter P

Name of location/business:

Primary squad: 124

Location of incident: 2389 UNIVERSITY AV

Secondary reporting officer:

ST PAUL, MN 55106

Approver: Nelson, Mark

District: Western

Date & time of occurrence: 12/10/2009 12:39:00 to

Site:

12/10/2009 12:40:00

Arrest made:

Secondary offense:

BURGLARY-ATT, FORCED ENTRY, NIGHT, COMMERCIAL

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS**BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL**

Attempt Only:

Appears to be Gang Related:

BURGLARY-ATT, FORCED ENTRY, NIGHT, COMMERCIAL

Attempt Only:

Appears to be Gang Related:

NAMES**Complainant**Doyle, Dan
2389 UNIVERSITY.
ST PAUL, MN 55106**Nicknames or Aliases**

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex: Male

Race: White

DOB: 10/7/1959

Resident Status:

Hispanic:

Age: 50 from to

Phones

Home:

Cell:

Contact:

Work:

Fax:

Pager:

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

09258604

12/10/2009 12:39:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

SOLVABILITY FACTORS

Suspect can be Identified:

By:

Photos Taken:

Stolen Property Traceable:

Evidence Turned In: Yes

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

PROPERTY

ITEM #1

Type of Loss: Recovered

Date of Loss:

Location Lost:

Owner:

Date Recovered:

Location Recovered:

Model #:

Quantity:

Serial #:

Article Type / Item: Other property / Miscellaneous items

Total value:

Description: SMALL RED FLASHLIGHT

Turned in at: Property Room

Locker ID #:

Lab exams:

Participants:

Person Type:	Name:	Address:	Phone:
Complainant	Doyle, Dan	2389 UNIVERSITY ST PAUL, MN 55106	

Suspect

NARRATIVE

I SQ. 124 BYDZOVSKY WENT TO 2389 UNIVERSITY, MET DOYLE, DAN HE GAVE ME A SMALL RED FLASHLIGHT THAT SUSPECTS IN A BURGLARY HAD POSS. LEFT BEHIND.

TURN IN THE PROPERTY PER SGT STICKLAND.

PROPERTY TURNED INTO THE PROPERTY ROOM. SEE SHEET.

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09258604

Date and Time of Report

12/10/2009 12:39:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

PUBLIC NARRATIVE

121009 1239, 2389 UNIVERSITY, SUPP REPORT PCN

Saint Paul Police Department

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09258604

Date and Time of Report

12/16/2009 10:48:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Strickland, Tyrone T*Name of location/business:**Primary squad:**Location of incident:* 2389 UNIVERSITY AV W*Secondary reporting officer:*

ST PAUL, MN 55118

*Approver:**District:* Western*Date & time of occurrence:* 12/06/2009 04:18:00 to*Site:*

12/06/2009 04:18:00

*Arrest made:**Secondary offense:*

*Police Officer Assaulted or Injured:**Police Officer Assisted Suicide:**Crime Scene Processed:*

NARRATIVE

On 12/16/09, I released money that had been recovered from arrested suspect, Suttles, Tamika, P# 612-366-8092. I Faxed property release form to Sgt. Craig Nelson for release of \$16,025.00 to Suttles, Takima. On 12/16/09, I spoke to Suttles at approx. 1045hrs. Suttles said that she went to the SPPD property room and was given her money.

PUBLIC NARRATIVE

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

09258604

12/16/2009 10:53:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Strickland, Tyrone T

Name of location/business:

Primary squad:

Location of incident: 2389 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55118

Approver:

District: Western

Date & time of occurrence: 12/06/2009 04:18:00 to

Site:

12/06/2009 04:18:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

NARRATIVE

On 12/12/09, I released all holds on the vehicle registered to Suttles, Takima.

PUBLIC NARRATIVE

Occupation

Employer

Saint Paul Police Department

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

09258604

01/15/2010 10:24:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Strickland, Tyrone T

Name of location/business:

Primary squad:

Location of incident: 2389 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55118

Approver:

District: Western

Date & time of occurrence: 12/06/2009 04:18:00 to

Site:

12/06/2009 04:18:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

NARRATIVE

On 12/15/09, I met with one of the suspects, English, Jermain Guy, 1/5/1981 arrested for burglary at this address. The suspect, English was brought to the SPPD Western district office by the other two suspects, Drljic, Daniel and Suttles, Tamika arrested with English. English said that he was told by his lawyer not to talk to me because he would be arrested. I told English that I only wanted to interview him to find out his part in the burglary and the part of the other two persons that were arrested with him. I told English whether he talked to me or not he would be free to go. English said that he would talk to me because he wanted to clear the other two suspects. English said that he didn't want a recording but would sign the Miranda right's form.

I read English his Miranda rights from form, PM 247.1-95R. I had English give a verbal yes and initial after each right was read to him to show he understood his rights. The interview wasn't recorded. English was given a copy of the right's form he signed. English said that he had met a w/m that lives above the stores at the corner of Raymond and University. English said that he and the w/m, that he only knows as, "Joe" would have drinks at the bar on University across from the liquor store. English said that he and Joe would smoke crack together. English said that he had fronted Joe some crack and wanted his money for the crack.

English said that he who go to the back alley and whistle and Joe would look out the window then come down. English said that Joe was larger than him and would pay him his money. English said that he would going to jail and wanted the money for his cantina while in jail. English said that he decided to call Drljic, Daniel for muscle, because he was bigger. English said that he knew Daniel because he had did some tattaos for English. English said that he directed Daniel over to Raymond and University and that met with Joe about the money he owned English.

English said that Joe told him he didn't have any money but would give him some items that he had in his storage locker in the basement. English said that when he saw the liquor and other items that he said that he could party before he went to jail. English said that he then called Suttles, Tamika because that had to much to carry and needed a ride. English said that after Tamika came that when the police showed up. English said that he was trying to get out and not be caught.

English said that they spoke to the police and were arrested.

Saint Paul Police Department

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

09258604

01/15/2010 10:24:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

PUBLIC NARRATIVE

Saint Paul Police Department

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

09258604

01/15/2010 11:06:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Strickland, Tyrone T

Name of location/business:

Primary squad:

Location of incident: 2389 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55118

Approver:

District: Western

Date & time of occurrence: 12/06/2009 04:18:00 to

Site:

12/06/2009 04:18:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

NARRATIVE

On 1/15/10, I called the witness, Nolan, Thomas, P# 651-434-3580 about what he saw the night of the burglary. Nolan said that it was after car parked and he saw two persons get out of the car and go into the door. Nolan said that the female stayed next to the car. Nolan said that he saw the a b/m come out to the car at least once carrying items and putting them in the car. Nolan said that he then saw the b/f walk toward the building. Nolan said that he didn't see any one that lives in the building go out to the car, only the person that got out of the car.

PUBLIC NARRATIVE

Saint Paul Police Department

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

09258604

01/15/2010 13:19:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Strickland, Tyrone T

Name of location/business:

Primary squad:

Location of incident: 2389 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55118

Approver:

District: Western

Date & time of occurrence: 12/06/2009 04:18:00 to

Site:

12/06/2009 04:18:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

NARRATIVE

On 12/9/09, I went to the area of Raymond and University to talk to the owners/victim of the burglaries that had occurred on 12/6/09. I first spoke to Cams, Dana, WP# 651-646-4753 half- owner of Sharrett's liquor. I walked through the store with Cams to looked at the where the suspects came through the wall into store's storage area in the store's basement. The whole had been covered since the burglary. Cams said that the basement was alarmed but that the suspects got into the storage area and picked through the liquor. Cams said that he gave the officer a list of items that were taken and recovered, then returned to him by the officers. Cams said that list had the costed of each item that was stolen, total value of \$ 1364.65. Cams said that he had give a copy of video showing the suspects in the store.

I then went to 2399 W. University, The Edge coffee house and spoke to the owner/victim, Patricia. Patricia said that the suspect had forced their way through the back of the store. Patricia said that only thing missing were the money she had hidden for the next day's opening for business. Patricia said that the total was \$150.00 and the break down was fifty dollars in fives, fifty dollars in ones and twenty-five dollars in changes quarters, dimes, nickels and pennies.

The owner of the Art Studio was out of town but I had conversations with him about what was missing from his studio.

PUBLIC NARRATIVE

Saint Paul Police Department

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09258604

Date and Time of Report

01/15/2010 13:57:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Strickland, Tyrone T

Name of location/business:

Primary squad:

Location of incident: 2389 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55118

Approver:

District: Western

Date & time of occurrence: 12/06/2009 04:18:00 to

Site:

12/06/2009 04:18:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

NARRATIVE

On 12/8/09, I received a call from the victim/owner, Brown, Joseph, P# 651-303-3226, of the Art Studio regarding items that were taken from his business. Joseph wanted to know what items were recovered. Joseph also told me that he would be heading out of town but would be back the following week. Joseph wanted me to contact his son, Brown, Peter, P# 612-790-2500 to recovered the items taken from his business.

On 12/8/09, I went to the SPPD impound lot and met with the owner, Suttle, Tamika of the vehicle towed the night of the burglary. Suttles signed a consent to search and I recovered items from the vehicle that were listed as stolen from the vehicle. I recovered a drill, parts of a computer, a computer box and a printer. Suttles said that those were the items that were brought and placed in the trunk of her car by some unknown w/m.

On 12/9/09, I met with Brown, Peter and showed him the items that were recovered from Suttles car trunk. Peter identified the four items as belonging to his father, Brown, Joseph. Peter said that there still were parts of the computer that was missing. I had Officer Mark Lundquist take photos of the recovered and returned items before I gave them to Peter.

I later received a call from Brown, Joseph and I arranged for him to look at the items at the property to see if any other of his items were with those recovered items.

PUBLIC NARRATIVE

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

09258604

03/03/2010 14:08:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Strickland, Tyrone T

Name of location/business:

Primary squad:

Location of incident: 2389 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55118

Approver:

District: Western

Date & time of occurrence: 12/06/2009 04:18:00 to

Site:

12/06/2009 04:18:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

NARRATIVE

On 3/3/10, Per RCA Steven Pfaffe I signed complainants charging the suspects, English, Jermaine Guy, 1/5/1981, Suttles, Tamika Latoi, 12/7/1980 and Drljic, Daniel NMN, 6/3/1976 with Burglary 3rd degree.

PUBLIC NARRATIVE

Employer

Saint Paul Police Department

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
 09258619 09258604

Date and Time of Report

12/06/2009 10:05:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Gliske, Jonathan

Primary squad: 111

Secondary reporting officer:

Approver: Reding, Mark

District: Western

Site:

Name of location/business:

Location of incident: 2397 UNIVERSITY AV W
ST PAUL, MN 55108

Date & time of occurrence: 12/06/2009 04:18:00 to

12/06/2009 04:18:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed: Yes

OFFENSE DETAILS**BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL**

Attempt Only:

Appears to be Gang Related:

Crime Scene

Method & Point of Entry

Type: Office/commercial

Force used:

Hid Inside:

Description:

Point of entry:

Method:

Victims

PERSONAL ART STUDIO

NAMES

Arrestee

KNOWN

ST PAUL, MN

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex:

Race:

DOB:

Resident Status:

Hispanic:

Age:

from

to

Saint Paul Police Department

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

09258619 09258604

Date and Time of Report

12/06/2009 10:05:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL**Phones**

Home:	Cell:	Contact:
Work:	Fax:	Pager:

Employment

Occupation: Employer:

Identification

SSN: License or ID#: License State:

Physical Description

US:	Metric:		
Height: to	Build:	Hair Length:	Hair Color:
Weight: to	Skin:	Facial Hair:	Hair Type:
Teeth:	Eye Color:	Blood Type:	

Offender Information

Arrested:	Pursuit engaged:	Violated Restraining Order:
DUI:	Resistance encountered:	
Condition:	Taken to health care facility:	Medical release obtained:

Owner

Brown, Peter Jacob
713 ROUNDHOLE RD
MENDOTA HEIGHTS, MN 55118

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex: Male	Race: White	DOB: 11/15/1963	Resident Status:
	Hispanic:	Age: 46 from to	

Phones

Home: 651-688-9129	Cell: 612-790-2500	Contact:
Work:	Fax:	Pager:

Employment

Occupation: Employer:

Saint Paul Police Department

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
 09258619 09258604

Date and Time of Report
 12/06/2009 10:05:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL**SOLVABILITY FACTORS**

Suspect can be Identified: Yes

By: Police

Photos Taken: Yes

Stolen Property Traceable:

Evidence Turned In: Yes

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

PROPERTY

ITEM #1

Type of Loss: Damaged Date of Loss: 12/06/2009 Location Lost: 2397 University
 Owner: PERSONAL ART STUDIO Date Recovered: Location Recovered:
 Model #: Quantity: 3 Serial #:

Article Type / Item: Other property / Miscellaneous items Total value:
 Description: Rear door, east and west walls

Turned in at: Locker ID #: Lab exams:

ITEM #2

Type of Loss: Stolen Date of Loss: Location Lost:
 Owner: PERSONAL ART STUDIO Date Recovered: 12/06/2009 Location Recovered: Trunk of susp vehicle
 Model #: Quantity: 2 Serial #:

Article Type / Item: Other property / Miscellaneous items Total value: \$40.00
 Description: 4' Alum ruler, 3' Alum T square

Turned in at: Turned Over to Owner Locker ID #: Lab exams:

Participants:

Person Type: Name: Address: Phone:

Arrestee

ST PAUL, MN

Owner Brown, Peter Jacob

713 ROUNDHOLE RD
MENDOTA HEIGHTS, MN 55118

651-688-9129

Saint Paul Police Department

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
09258619 09258604

Date and Time of Report
12/06/2009 10:05:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Victim	PERSONAL ART STUDIO	2397 UNIVERSITY AV W
		ST PAUL, MN 55108

NARRATIVE

Details for this burglary see PCN#09258604.

PUBLIC NARRATIVE

Police were sent to 2389 University Ave on an alarm at a business. Police found that the business as well as two others (2397, 2399 University) were burglarized. Three suspects were caught by Police on scene two of which were still inside the business with the assistance of SPPD K-9. SUTTLES, TAMIKA LATOI (28 yoa, female), DRLJIC, DANIEL (33 yoa, male) and ENGLISH, JERMAIN GUY (28 yoa, male) were all arrested and booked into the Ramsey Co. LEC with out incident for Felony Burglary

Saint Paul Police Department

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
 09258620 09258604

Date and Time of Report
 12/06/2009 10:08:00

Primary offense:
BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Gliske, Jonathan

Name of location/business:

Primary squad: 111

Location of incident: 2399 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55108

Approver: Odonnell, Jennifer

Date & time of occurrence: 12/06/2009 04:18:00 to

District: Western

12/06/2009 04:18:00

Site:

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed: Yes

OFFENSE DETAILS**BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL**

Attempt Only:

Appears to be Gang Related:

Crime Scene**Method & Point of Entry**

Type: Office/commercial

Force used:

Hid Inside:

Description: Restaurant

Point of entry:

Method:

NAMES**Arrestee****KNOWN**

ST PAUL, MN

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex:

Race:

DOB:

Resident Status:

Hispanic:

Age:

from

to

Phones

Home:

Cell:

Contact:

Work:

Fax:

Pager:

Saint Paul Police Department

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
09258620 09258604

Date and Time of Report
12/06/2009 10:08:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

which were still inside the business with the assistance of SPPD K-9. SUTTLES, TAMIKA LATOI (28 yoa, female), DRLJIC, DANIEL (33 yoa, male) and ENGLISH, JERMAIN GUY (28 yoa, male) were all arrested and booked into the Ramsey Co. LEC with out incident for Felony Burglary

Saint Paul Police Department

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN
 09258619 09258604

Date and Time of Report
 12/06/2009 10:05:00

Primary offense:
BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Gliske, Jonathan

Name of location/business:

Primary squad: 111

Location of incident: 2397 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55108

Approver: Reding, Mark

Date & time of occurrence: 12/06/2009 04:18:00 to

District: Western

12/06/2009 04:18:00

Site:

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed: Yes

OFFENSE DETAILS

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Attempt Only:

Appears to be Gang Related:

Crime Scene

Method & Point of Entry

Type: Office/commercial

Force used:

Hid Inside:

Description:

Point of entry:

Method:

Victims

PERSONAL ART STUDIO

NAMES

Arrestee

KNOWN

ST PAUL, MN

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex:

Race:

DOB:

Resident Status:

Hispanic:

Age:

from

to

Saint Paul Police Department

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number 09258619 Reference CN 09258604

Date and Time of Report 12/06/2009 10:05:00

Primary offense: BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Phones

Home: Cell: Contact: Work: Fax: Pager:

Employment

Occupation: Employer:

Identification

SSN: License or ID#: License State:

Physical Description

US: Metric: Height: to Build: Hair Length: Hair Color: Weight: to Skin: Facial Hair: Hair Type: Teeth: Eye Color: Blood Type:

Offender Information

Arrested: Pursuit engaged: Violated Restraining Order: DUI: Resistance encountered: Condition: Taken to health care facility: Medical release obtained:

Owner Brown, Peter Jacob 713 ROUNDHOLE RD MENDOTA HEIGHTS, MN 55118

Nicknames or Aliases

Nick Name: Alias: AKA First Name: AKA Last Name:

Details

Sex: Male Race: White DOB: 11/15/1963 Resident Status: Hispanic: Age: 46 from to

Phones

Home: 651-688-9129 Cell: 612-790-2500 Contact: Work: Fax: Pager:

Employment

Occupation: Employer:

Saint Paul Police Department

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number 09258619 Reference CN 09258604

Date and Time of Report 12/06/2009 10:05:00

Primary offense: BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Identification

SSN: License or ID#: License State:

Victim PERSONAL ART STUDIO 2397 UNIVERSITY AV W ST PAUL, MN 55108

Nicknames or Aliases

Nick Name: Alias: AKA First Name: AKA Last Name:

Details

Sex: Race: DOB: Resident Status: Hispanic: Age: from to

Phones

Home: Cell: Contact: Work: Fax: Pager:

Employment

Occupation: Employer:

Identification

SSN: License or ID#: License State:

Victim Information

Type: Business Can Identify Offender: No Willing to Press Charges: No Condition: Taken to health care facility: No Medical release obtained: No

Saint Paul Police Department

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number 09258619
 Reference CN 09258604

Date and Time of Report
 12/06/2009 10:05:00

Primary offense:
BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

SOLVABILITY FACTORS

Suspect can be Identified: Yes By: Police
 Photos Taken: Yes Stolen Property Traceable:
 Evidence Turned In: Yes Property Turned In:
 Related Incident:

Lab

Biological Analysis: Fingerprints Taken:
 Narcotic Analysis: Items Fingerprinted:
 Lab Comments:

PROPERTY

ITEM #1

Type of Loss: Damaged Date of Loss: 12/6/2009 Location Lost: 2397 University
 Owner: PERSONAL ART STUDIO Date Recovered: Location Recovered:
 Model #: Quantity: 3 Serial #:

Article Type / Item: Other property / Miscellaneous items Total value:
 Description: Rear door, east and west walls

Turned in at: Locker ID #: Lab exams:

ITEM #2

Type of Loss: Stolen Date of Loss: Location Lost:
 Owner: PERSONAL ART STUDIO Date Recovered: 12/6/2009 Location Recovered: Trunk of susp vehicle
 Model #: Quantity: 2 Serial #:

Article Type / Item: Other property / Miscellaneous items Total value: \$40.00
 Description: 4' Alum ruler, 3' Alum T square

Turned in at: Turned Over to Owner Locker ID #: Lab exams:

Participants:

Person Type:	Name:	Address:	Phone:
Arrestee		ST PAUL, MN	
Owner	Brown, Peter Jacob	713 ROUNDHOLE RD MENDOTA HEIGHTS, MN 55118	651-688-9129

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

09258619

03/03/2010 14:13:00

Primary offense:

BURGLARY FORCED ENTRY, NIGHT, COMMERCIAL

Primary Reporting Officer: Strickland, Tyrone T

Name of location/business:

Primary squad:

Location of incident: 2397 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55108

Approver:

District: Western

Date & time of occurrence: 12/06/2009 04:18:00 to

Site:

12/06/2009 04:18:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

NARRATIVE

On 3/3/10, Per RCA Steven Pfaffe I signed complainants charging the suspects, English, Jermaine Guy, 1/5/1981, Suttles, Tamika Latoi, 12/7/1980 and Drjic, Daniel NMN, 6/3/1976 with Burglary 3rd degree.

PUBLIC NARRATIVE

Employer

STATE OF MINNESOTA **COPY** DISTRICT COURT
COUNTY OF RAMSEY SECOND JUDICIAL DISTRICT

State of Minnesota, File No. 62-CR-10-1463

Plaintiff,

vs.

GUILTY PLEA

Jermaine G. English,

Defendant.

The above-entitled matter came duly on for hearing before the Honorable Joanne M. Smith, Judge of the District Court, on the 30th day of June 2010, at the Ramsey County Courthouse, 15 West Kellogg Boulevard, St. Paul, Minnesota.

A P P E A R A N C E S

Richard Dusterhoft, Esq., Assistant Ramsey County Attorney, appeared for and on behalf of the State of Minnesota.

Thomas Handley, Esq., Assistant Ramsey County Public Defender, appeared for and on behalf of the Defendant, who was present in court.

Kathleen M. Conlee - Court Reporter

1 THE CLERK: This is the matter on page
2 1, line 1, Jermaine English.

3 THE COURT: Good afternoon.

4 THE DEFENDANT: Good afternoon.

5 MR. DUSTERHOFT: Richard Dusterhoft on
6 behalf of the state.

7 MR. HANDLEY: Tom Handley appearing
8 with Mr. English who is present.

9 THE DEFENDANT: Jermaine English.

10 MR. HANDLEY: Sorry, Jermaine English.

11 THE COURT: In conversations through
12 my law clerk, I understand that perhaps there's
13 been a resolution here.

14 MR. HANDLEY: Yes, Your Honor. In
15 essence, Mr. English will be pleading guilty as
16 charged to third degree burglary, level-four
17 felony. There would be a guideline sentence
18 imposed. And that sentencing would be up to
19 the court.

20 THE COURT: All right.

21 Mr. Dusterhoft?

22 MR. DUSTERHOFT: That is correct, Your
23 Honor. There is no offer from the state.

24 MR. HANDLEY: Your Honor, in essence,
25 the benefit to Mr. English here is that there

1 will be no filing of any additional charges.
2 There was the possibility of as many as three
3 counts of burglary. There was also the
4 possibility that the severity level of those
5 burglaries could be level five or even a level
6 six. That's now not going to happen as a
7 result of Mr. English's plea in this matter.

8 THE COURT: All right.

9 MR. DUSTERHOFT: That's correct, Your
10 Honor.

11 THE COURT: So Mr. English, you've
12 heard what's been stated here, and is that your
13 understanding?

14 THE DEFENDANT: Yes.

15 THE COURT: And is that how you intend
16 to proceed today?

17 THE DEFENDANT: Yes.

18 THE COURT: All right. Would you
19 please then state your full name for the
20 record?

21 THE DEFENDANT: Jermaine Guy English.

22 THE COURT: And would you spell your
23 last name?

24 THE DEFENDANT: English,
25 E-N-G-L-I-S-H.

1 THE COURT: And your date of birth?

2 THE DEFENDANT: 01/05/1981.

3 THE COURT: And your present address?

4 THE DEFENDANT: 2614 Longfellow Avenue
5 South, Minneapolis, Minnesota, 55407.

6 THE COURT: Thank you.

7 Then how do you, Jermaine Guy English,
8 answer to the complaint of the county attorney,
9 charging on December 6, 2009, in Ramsey County
10 you did commit the offense of burglary in the
11 third degree, guilty or not guilty?

12 THE DEFENDANT: Guilty.

13 THE COURT: Would you please raise
14 your right hand?

15 Jermaine G. English,

16 in the above-entitled action, after having been
17 first duly sworn, was examined and testified as
18 follows:

19 THE COURT: Thank you.

20 Mr. Handley, if you'd like to inquire?

21 MR. HANDLEY: Thank you.

22 EXAMINATION

23 BY MR. HANDLEY:

24 Q Mr. English, I'm showing you this one-page,
25 two-sided document entitled "Petition to Enter

1 a Plea of Guilty in a Felony Case Pursuant to
2 Rule 15." Do you recognize this document?

3 A Yes, I do.

4 Q And on the second side of this document at the
5 bottom, is that your signature?

6 A Yes, it is.

7 Q Dated today's date?

8 A Yes.

9 Q And did you sign and date this document after
10 we had had a chance to go through this document
11 together?

12 A Yes.

13 Q Did I also give you this document to read to
14 yourself?

15 A Yes, you have.

16 Q You have at least a GED, is that correct?

17 A Yes, I do.

18 Q And you're also currently in college, is that
19 right?

20 A Yes.

21 Q So no problem reading or understanding all the
22 paragraphs in this document, correct?

23 A Correct.

24 Q And are you thinking clearly today?

25 A Yes, I am.

1 Q The decision to plead guilty in this case, is
2 it your own personal decision?

3 A Yes, it is.

4 Q Have any force, threats or promises been made
5 to you, other than what we've talked about here
6 in open court, to get you to plead guilty?

7 A No.

8 Q Are you under the influence of any drugs,
9 medicine or alcohol that would interfere with
10 your ability to think clearly?

11 A No, I'm not.

12 Q And you know you're pleading guilty to a felony
13 here today?

14 A Yes, I do.

15 Q Felonies are serious offenses that, number one,
16 stay on your record permanently; and number
17 two, can result in a sentence to prison?

18 A Yes.

19 Q And you know the maximum penalty for the
20 offense you're pleading guilty to is five
21 years?

22 A Yes.

23 Q Now, your sentence will be imposed pursuant to
24 the Minnesota Sentencing Guidelines, correct?

25 A Correct.

1 Q We don't know exactly what your criminal
2 history score is, correct?

3 A Correct.

4 Q And you know that if you have four criminal
5 history points or more, the sentence in this
6 case will be a sentence to prison?

7 A Yes.

8 Q And you know that you're close. We don't know
9 exactly what your score is but we know it's at
10 least three, possibly three and a half, but you
11 know it could be more than that, correct?

12 A Correct.

13 Q And when you come to sentencing on September
14 14th and you have four or more points, you know
15 your sentence will be to prison that day?

16 A Yes.

17 Q Any questions about that?

18 A No.

19 Q Mr. English, you know by entering this plea
20 you're giving up certain rights?

21 A Yes, I do.

22 Q One of those rights is to have a hearing before
23 your trial regarding any constitutional issues
24 or legal issues in this case?

25 A Yes.

1 Q Like whether or not the police had a reason to
2 arrest you, search you, question you, things of
3 that nature?

4 A Correct.

5 Q By entering this plea you're giving up your
6 right to have that hearing?

7 A Yes, I am.

8 Q Now, you know that I've looked at this case
9 pretty carefully and I couldn't find any of
10 those motions to file on your behalf, okay?

11 A Okay.

12 Q And that's based on the facts of the case, you
13 know what I mean?

14 A Um-hum.

15 Q That basically the police arrested you at a
16 business where a burglary was in progress,
17 correct?

18 A Correct.

19 Q And so based on that I have not filed any
20 motions on your behalf because it does not
21 appear as though there are any constitutional
22 issues; do you understand?

23 A Yes, I do.

24 Q However, you could still have a trial if you
25 wanted a trial?

1 A Yes.

2 Q But you're giving up your right to have a trial
3 by entering this plea?

4 A Yes.

5 Q And you know that the state would have to prove
6 at that trial that you entered or remained in
7 this building unlawfully, meaning without
8 permission or consent with the intent to commit
9 a crime in there, and in this case the state
10 would try to prove that you entered the
11 building with the intent of stealing things
12 that didn't belong to you, right?

13 A Right.

14 Q You know that's basically what a burglary is
15 most of the time, correct?

16 A Yes, yes.

17 Q You know that's what this plea of guilty means,
18 right?

19 A Yes.

20 Q Any questions about the trial rights that
21 you're giving up?

22 A No.

23 Q You've entered pleas of guilty before to other
24 felony-level offenses, is that correct?

25 A Correct.

1 Q So you've been advised of your right to have a
2 trial by other lawyers?

3 A Yeah.

4 Q As well as judges?

5 A Yes.

6 Q Do you think you know how a trial works?

7 A I'm familiar.

8 Q Like a jury of 12 and the presumption of
9 innocence --

10 A Yeah.

11 Q -- and all of that. You're giving up all those
12 rights by entering this plea?

13 A Yes.

14 Q Are you satisfied with the legal representation
15 you've received?

16 A Yes, I am.

17 Q Now, between today's date and the date set for
18 sentencing you're going to have to cooperate
19 with probation in the preparation of a
20 presentence report.

21 A Okay.

22 Q You're going to have to remain law-abiding and
23 you're going to have to appear on time for
24 sentencing on September 24th, 2010 at nine
25 a.m.?

1 A Okay.

2 Q And what's important about those conditions is
3 if you violate any of those conditions the
4 court could reject this agreement in its
5 entirety; we can start over again, or it could
6 take that into consideration in imposing your
7 sentence. You understand that?

8 A Yes, I do.

9 Q Now, Mr. English, you understand that this is a
10 significant event, this plea of guilty?

11 A Yes.

12 Q That you're not going to be allowed to withdraw
13 this plea of guilty unless the court is
14 satisfied that it's fair and just to allow you
15 to withdraw your plea of guilty?

16 A Yes.

17 Q Or that it's necessary to correct a manifest
18 injustice, okay?

19 A Okay.

20 Q So you know that after we leave here today,
21 that this is a done deal?

22 A Yes.

23 Q Okay. Also, that the state has filed their
24 complaint, and their theory is that you aided
25 and abetted other people in the commission of

1 this burglary. Do you think you know what that
2 means?

3 A Yes, I do.

4 Q That you guys were working as a team?

5 A As a team.

6 Q There's three of you and you're all involved in
7 entering this building with the intent to take
8 things that didn't belong to you, correct?

9 A Correct.

10 Q So you understand what aiding and abetting
11 means as well, correct?

12 A Yes, I do.

13 MR. HANDLEY: I'd offer the plea
14 petition at this time.

15 MR. DUSTERHOFT: I've seen it, Your
16 Honor, have no objection.

17 THE COURT: All right, thank you then.
18 The plea petition will be received.

19 At this time, Mr. English,
20 Mr. Dusterhoft needs to ask you a few questions
21 about what occurred on this particular day. I
22 would just ask if you'd answer those the best
23 that you can. If there's something you don't
24 understand or wish to have clarified, just
25 please let me know, okay?

1 THE DEFENDANT: Okay.

2 THE COURT: Mr. Dusterhoft?

3 MR. DUSTERHOFT: Thank you.

4 EXAMINATION

5 BY MR. DUSTERHOFT:

6 Q Mr. English, I want to direct your attention to
7 the early morning hours of December 6th, 2009.
8 Did you go to a building at 2389 University
9 Avenue?

10 A Yes.

11 Q And that's located in the city of St. Paul and
12 in Ramsey County, correct?

13 A Correct.

14 Q Why did you go to that building that night?

15 A I was brought to that building that night.

16 Q Okay. Who brought you to that building?

17 A Daniel Drljic and Tamika Suttles.

18 Q So Drljic, according to the complaint, is
19 spelled D-R-L-J-I-C. Does that sound correct?

20 A Yeah, but I don't know him by his last name.

21 Q You know him as Daniel?

22 A Yes.

23 Q He was the individual that was inside the
24 liquor store when you were arrested, is that
25 correct?

1 A Yes.

2 Q And you said Tamika Suttles was with Mr. Drljic
3 when you were brought to the liquor store, is
4 that right?

5 A Yes.

6 Q How did you get to the liquor store?

7 A They came to my address in Minneapolis and
8 picked me up and drove me with them.

9 Q Okay. Did you know where you were going?

10 A No, actually, I didn't.

11 Q At some point you arrived outside of this
12 building, is that correct?

13 A Yes.

14 Q What happened next?

15 A Drljic wanted to go in and look around, and he
16 asked if I would stay outside for a minute, and
17 I did. And then I heard him making noises, so
18 I went inside to let him know he's making too
19 much noise, and then when I came back out the
20 police was there.

21 Q Okay. And you saw the police?

22 A Yeah.

23 Q And then you ran back in, is that right?

24 A Yeah.

25 Q Now, you said Mr. Drljic was making a lot of

1 noise, is that correct?

2 A Yes.

3 Q You told him not to make so much noise?

4 A I told him he's making too much noise.

5 Q Too much noise for what?

6 A For what he was in there doing.

7 Q What did you think --

8 A He was in there after hours, so I'm thinking he
9 was breaking walls or something to get in.

10 Q Okay. So you knew that Drljic did not have
11 consent to be in the building, is that correct?

12 A Correct.

13 Q And you knew that he was in there committing a
14 burglary, is that right?

15 A Yes.

16 Q So you knew that he was inside with the intent
17 to steal or commit some other crime while he
18 was in the building?

19 A Yes.

20 Q You said he was breaking a wall, is that right?

21 A Yeah. Actually, I really don't know. I went
22 to the top of the stairs and, you know, called
23 his name and he came back up. I'm like: Man,
24 you're making too much noise; I hear you
25 outside.

1 Q You knew he was committing a burglary?

2 A Yeah.

3 Q So by warning him that he was making too much
4 noise, you agree that you were aiding and
5 abetting him in committing the burglary?

6 A Yes.

7 Q What about Ms. Suttles, what was she doing?

8 A At the point, at that point I don't know what
9 she was doing. I know she was in the facility
10 playing the same position that I was playing on
11 lookout.

12 Q There was an individual who lives upstairs in
13 that building who told the police that she,
14 that the witness saw Ms. Suttles carry
15 something out of the building. Did that
16 happen?

17 A Yeah, yes.

18 Q And there were items that were taken from the
19 building that were in a vehicle that was parked
20 outside the building. Whose vehicle was that?

21 A That would be Tamika Suttles and Daniel Drljic.

22 Q That was their vehicle?

23 A Yeah.

24 Q And how did those items from inside the
25 building end up in the trunk of that car?

1 A Tamika placed them.

2 Q She went inside the building?

3 A Yeah.

4 Q And she took things from inside the building?

5 A Right.

6 Q And she put them in the vehicle?

7 A Correct.

8 Q And you know that Tamika Suttles didn't have
9 any consent to be in the building?

10 A Yes.

11 Q And you know that she didn't have anyone's
12 consent to take that property from inside the
13 building?

14 A Yes.

15 Q And so you agree that she was committing a
16 burglary at that building that night?

17 A Correct.

18 Q You went back inside the building and then you
19 ended up in the liquor store, is that correct?

20 A Yes.

21 Q Why were you and Mr. Drljic inside the liquor
22 store upstairs?

23 A Because when I came in the -- I don't know what
24 that shop, that store was -- but when I came in
25 there and I went to the top of the stairs to

1 tell him after I went back out and seen the
2 police and went back in, I told him that the
3 police was there, so he said: Follow me this
4 way, so we ran around and ended up in the
5 liquor store.

6 Q Just to be clear, Mr. English, the day after
7 you were arrested you went back to the St. Paul
8 Police Department, is that correct?

9 A I believe it was a couple of days after.

10 Q Okay. You went back there to talk to the
11 investigator in this case, is that correct?

12 A Yes.

13 Q You told him something about someone named Joe
14 who lived in the building?

15 A Yes.

16 Q And that that individual owed you money or
17 something?

18 A Yes.

19 Q Is it true that when you gave that statement to
20 the police, that was not true?

21 A Yes, it was not true. That statement -- Tamika
22 gave me that statement so her and Drljic can
23 receive their money.

24 Q They drove you to the police department when
25 you gave that statement, is that correct?

1 A Yes, it is.

2 Q And did they tell you what to say?

3 A Yes.

4 Q And that's what you did?

5 A That's what I did.

6 Q Thank you, Mr. English.

7 MR. DUSTERHOFT: Nothing further, Your
8 Honor.

9 THE COURT: Anything further to add to
10 the factual basis then, Mr. Handley?

11 MR. HANDLEY: No, Your Honor.

12 THE COURT: Okay. Mr. English, based
13 on the facts as stated then, your plea will be
14 accepted and we will, as Mr. Handley has
15 already indicated, continue this matter for
16 sentencing. I'm just going to ask that you
17 cooperate with whomever it is that you speak to
18 in our probation department so the information
19 they provide for us will be ready when you come
20 back to court, and I guess that date then will
21 be September 14th, is the date we've secured.

22 MR. HANDLEY: Yes, Your Honor.

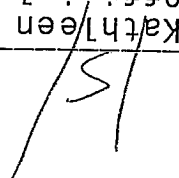
23 THE COURT: Okay. And that will be at
24 nine in the morning. That will be a Tuesday
25 morning back here.

25
24
23
22
21
20
19
18
17
16
15
14
13
12
11
10
9
8
7
6
5
4
3
2
1

CERTIFICATE

I, Kathleen M. Conlee, one of the Official
court reporters in and for the District Court
of the Second Judicial District, State of
Minnesota, do hereby certify that the foregoing
transcript constitutes a full, true and correct
record of the proceedings had in the matter of
State of Minnesota versus Jermaine G. English
as taken at the time and place stated herein.

Dated: July 1, 2010



Kathleen M. Conlee
Official Court Reporter
15 West Kellogg Boulevard - #1530
St. Paul, MN 55102
(651) 266-9191