

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-1022
07-CR-16-2522

State of Minnesota,

Plaintiff,

vs.

DOMONIQUE TYESHA SHANA MOHAMED DOB: 11/17/1986

613 Tanager Path
Mankato, MN 56001-8931

Defendant.

COMPLAINT

Summons

Amended

Tab Charge/Citation Previously Filed

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Traffic - DWI - Operate Motor Vehicle Under Influence of Alcohol

Minnesota Statute: 169A.20.1(1), with reference to: 169A.25.2

Maximum Sentence: 1 year and/or \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 06/18/2016

Control #(ICR#): 16008731

Charge Description: Domonique Tyesha Shana Mohamed

On or about June 18, 2016, in the County of Blue Earth, said Defendant, Domonique Tyesha Shana Mohamed did, drive, operate, or was in physical control of any motor vehicle when he/she was under the influence of alcohol, and two or more aggravating factors were present when the violation was committed.

COUNT II

Charge: Traffic - DWI - Operate Motor Vehicle - Alcohol Concentration 0.08 Within 2 Hours

Minnesota Statute: 169A.20.1(5), with reference to: 169A.25.2

Maximum Sentence: 1 year and/or \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 06/18/2016

Control #(ICR#): 16008731

Charge Description: Domonique Tyesha Shana Mohamed

On or about June 18, 2016, in the County of Blue Earth, said Defendant, Domonique Tyesha Shana Mohamed did, drive, operate, or was in physical control of any motor vehicle, when his/her alcohol concentration at the time, or as measured within two hours of the time, of driving, operating or being in

physical control of the motor vehicle was 0.08 or more, and two or more aggravating factors were present when the violation was committed.

COUNT III

Charge: Drivers License-Driving Without a Valid License or Vehicle Class/Type; Multiple Licenses Prohibited

Minnesota Statute: 171.02.1

Maximum Sentence: 90 days and/or \$1,000

Offense Level: Misdemeanor

Offense Date (on or about): 06/18/2016

Control #(ICR#): 16008731

Charge Description: Domonique Tyesha Shana Mohamed

On or about June 18, 2016 in the County of Blue Earth, said Defendant, Domonique Tyesha Shana Mohamed did drive a motor vehicle upon a street or highway in this state without a valid driver's license.

COUNT IV

Charge: Traffic Regulation - Failure to Stop at Stop Signs or Stop Lines at Entrance to Through Highway

Minnesota Statute: 169.30(b)

Maximum Sentence: A fine of not more than \$300

Offense Level: Petty Misdemeanor

Offense Date (on or about): 06/18/2016

Control #(ICR#): 16008731

Charge Description: Domonique Tyesha Shana Mohamed

On or about June 18, 2016, in the County of Blue Earth, said Defendant, Domonique Tyesha Shana Mohamed did fail to stop at a stop sign or at a clearly marked stop line before entering the intersection.

STATEMENT OF PROBABLE CAUSE

On June 18, 2016 at approximately 10:35 p.m., Deputy Martin of the Blue Earth County Sheriff's Office was dispatched to County Road 43 and State Highway 83 in the City of St. Clair, County of Blue Earth, State of Minnesota, regarding a vehicle that drove off the road and into a ditch.

Dispatch advised Deputy Martin that the complainant, Witness 1, saw a driver 'flying' past a stop sign and drove into a ditch. Witness 1 advised Dispatch that another vehicle, possibly a green SUV, Toyota Highlander, took a car seat and a child out of the vehicle located in the ditch, and drove towards Pemberton, away from the scene. Witness 1 stated to Dispatch that the driver of the vehicle in the ditch attempted to drive her vehicle out of the ditch. Witness 1 also advised Dispatch that the driver of the vehicle in the ditch was an African American female in her 30's. Shortly thereafter, Deputy Martin arrived at the scene.

Upon arrival, Deputy Martin observed a silver Ford Focus located in the west ditch at the intersection of County Road 43 and Highway 83. Two Caucasian females and one African American female were located outside the vehicle. The two Caucasian female advised they stopped to help the driver of the vehicle in the ditch. The driver was later identified as Domonique Tyesha Shana Mohamed, the defendant herein. The defendant told Deputy Martin that the vehicle in the ditch was hers and that she did know what happened, but that a sharp turn may have caused her to drive into the ditch. The defendant admitted to driving the vehicle and when questioned by Deputy Martin as to whether the defendant was driving with children in the vehicle, the defendant initially stated there were no children in the vehicle. Upon further inquiry, the defendant stated a friend was driving behind her and after driving the car into the ditch, the defendant gave the kids to the friend. The friend placed the kids in a vehicle after the accident and drove away. The defendant advised there were two children in the car, a 1-year-old and a 4-year-old.

While speaking with the defendant, Deputy Martin observed a strong odor of alcoholic beverage emitting from her breath. The defendant had bloodshot watery eyes, slurred speech, and swayed while standing and walking. At one point, the defendant almost fell into the traffic lane. After being asked if she was okay, the defendant stated, 'No. No. No. No, I'm not okay. The only reason I'm drinking' look at my foot.' The defendant stated she had one cup of beer to drink. The defendant stated she had never been in 'Mount Clair' and was subsequently advised by Deputy Martin that she was in St. Clair; however, the defendant was adamant that she was in 'Mount Clair.'

Deputy Martin attempted to identify the defendant by name and date of birth. Deputy Martin was advised by the defendant that her name was Domonique Tyesha Parker and given a date of birth. Deputy Martin asked the defendant to spell her name and when she attempted to spell it, she spelled it 'Tyeshtar' and then attempted again, spelling the name 'Yesharia.' It was later determined that 'Parker' is the maiden name of the defendant as 'Mohamed' is her current/married name.

Deputy Martin administered and the defendant attempted to perform field sobriety tests. Specifically, the defendant performed the horizontal gaze nystagmus. Due to the defendant's complaint regarding gravel for the walk-and turn test and the failure to listen to Deputy Martin's instructions, Deputy Martin discontinued effort to administer the walk-and-turn and one-legged-stand tests. Deputy Martin asked the defendant if she could count to 100, to which the defendant replied she could and proceed to count '1, 2, 3, 4, 5' stopping at five and began counting without being asked to do so. Deputy Martin asked the defendant to count backward from 69 to 48, the Defendant miscounted numbers and stopped at 51. Deputy Martin asked the defendant to perform a preliminary breath tests to which the defendant agreed. The defendant recorded a 0.235 alcohol concentration on the PBT.

Based on the poor performance of field sobriety tests, the strong odor of alcohol, the bloodshot watery eyes, slurred speech, and the inability to avoid swaying while standing and walking, as well as the conversation regarding the defendant's name, Deputy Martin placed the defendant under arrest. The defendant was uncooperative, belligerent, insulting, and emotional.

Deputy Martin transported the defendant to the Blue Earth County Justice Center and noted that while en route to the Justice Center, the defendant's attitude deteriorated. The defendant became argumentative and loud. Once inside the Justice Center, the defendant continued to yell at Deputy Martin while in the holding cell. The defendant made comments that he was 'doing this to her because she was black.' The defendant's behavior was recorded. Deputy Martin drafted a search warrant to obtain a blood sample from the defendant. Judge Bradley Walker reviewed and granted the aforementioned search warrant. Mankato Police Officer Chris Arkell accompanied Deputy Martin to MCHS, with the defendant, due to the defendant's behavior. Officer Arkell and Deputy Martin escorted the defendant into the MCHS Lab, all while the defendant continued to argue.

Once in the lab, Deputy Martin broke open the seal on the BCA blood kit #B379132, removed its contents, and observed powder present in both tubes. A medical technologist, Witness 2, swabbed the defendant's arm and drew two tubes of blood. After explaining what the purpose of the labels were, the defendant argued with Deputy Martin. The kit was subsequently sealed per instructions and later mailed to the BCA for analysis. The results of the blood test are pending. The defendant was escorted back to the squad vehicle by Officer Arkell and Deputy Martin. Due to the defendant's high level of intoxication, she was transported to Brown County Detox until she could be brought back to the Blue Earth County Justice Center. She was subsequently picked up by Detox staff.

While processing the defendant, Deputy Suckow of the Blue Earth County Sheriff's Office went to the defendant's address in an attempt to locate the individual who took the children from the scene and conduct a welfare check on the children. Deputy Suckow made contact with a male who was previously sleeping. He stated he did not know anything about the children. The defendant would not provide a name of the person who picked up the children at the scene. Due to the defendant's uncooperative attitude, Deputy Martin did not attempt to interview her further.

Deputy Martin noted that records showed that the defendant is 'ID Only' in the State of Minnesota. Defendant has a valid license in the State of Mississippi, but has been a Minnesota resident beyond 60 days. Due to the fact that the defendant has various involvements in CIS dating back to 2014 and even older involvements under her maiden name, 'Parker,' the defendant has clearly been a Minnesota resident longer than 60 days. An LOT was sent to the County Attorney's Office for charging.

SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

Complainant

Richard Murry
Captain
401 Carver Rd
Mankato, MN 56002-0228
Badge: 2708

Electronically Signed:
06/27/2016 09:30 AM
Blue Earth County, MN

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

Prosecuting Attorney

Nicholas Boulieris
Assistant County Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
06/27/2016 09:26 AM

FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear on _____, _____ at _____ AM/PM before the above-named court at 401 Carver Rd, Mankato, MN 56002-0347 to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

Execute in MN Only

Execute Nationwide

Execute in Border States

ORDER OF DETENTION

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

Bail: \$
Conditions of Release:

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: June 27, 2016.

Judicial Officer

Kurt D Johnson
District Court Judge

Electronically Signed: 06/27/2016 11:07 AM

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

**COUNTY OF BLUE EARTH
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

**DOMONIQUE TYESHA SHANA
MOHAMED**

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE
*I hereby Certify and Return that I have served a copy of this
Summons upon the Defendant herein named.*

Signature of Authorized Service Agent: