State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No. BEC-15-1768-02
Court File No. 07-CR-15-5067

State of Minnesota,

Plaintiff,

vs.

NYARUOT WUOR TANG DOB: 09/15/1994

206 Eastport Dr.
Mankato, MN 56001

Defendant.

COMPLAINT

Order of Detention

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: Burglary-1st Deg-Assault Person In Build/On Property
Minnesota Statute: 609.582.1(c), with reference to: 609.05.1
Maximum Sentence: 20 years and/or $35,000
Offense Level: Felony

Offense Date (on or about): 12/13/2015

Control #(ICR#): 15039362

Charge Description: Nyaruot Wuor Tang

On or about December 13, 2015, in the County of Blue Earth, said Defendant, Nyaruot Wuor Tang did intentionally aid, advise, hire, counsel, or conspire with, or otherwise procure another to commit the crime; to wit: did enter a building without consent and with intent to commit a crime, or entered a building without consent and committed a crime while in the building, either directly or as an accomplice and the burglar assaults a person within the building or on the buildings appurtenant property.

COUNT II

Charge: Assault-5th Deg-Inflict or Attempt Bodily Harm
Minnesota Statute: 609.224.1(2), with reference to: 609.05.1
Maximum Sentence: 90 days and/or $1,000
Offense Level: Misdemeanor

Offense Date (on or about): 12/13/2015

Control #(ICR#): 15039362

Charge Description: Nyaruot Wuor Tang

On or about December 13, 2015, in the County of Blue Earth, said Defendant, Nyaruot Wuor Tang did

intentionally aid, advise, hire, counsel, or conspire with, or otherwise procure another to commit the crime, and/or did personally commit said crime; to wit: did intentionally inflict or attempted to inflict bodily harm upon another.

COUNT III

Charge: Damage to Property-4th Deg-Intentional Damage-Other Circumstances
Minnesota Statute: 609.595.3, with reference to: 609.05.1
Maximum Sentence: 90 days and/or $1,000
Offense Level: Misdemeanor

Offense Date (on or about): 12/13/2015

Control #(ICR#): 15039362

Charge Description: Nyaruot Wuor Tang

On or about December 13, 2015, in the County of Blue Earth, said Defendant, Nyaruot Wuor Tang did intentionally aid, advise, hire, counsel, or conspire with, or otherwise procure another to commit the crime; to wit: did cause damage to another person's physical property without the other person's consent.

STATEMENT OF PROBABLE CAUSE

On December 13, 2015, at approximately 4:39 a.m., Officers Jamie Eggersdorfer, Jacob Price, Daniel Best, Gary Schnorenberg, and Bill Reinbold, all of the Mankato Department of Public Safety, responded to a call from Adult 1, a resident at 108 Joseph Path in the City of Mankato who indicated that a group of individuals had broken into his home and assaulted him.

Officer Eggersdorfer was one of the first officers to arrive at the residence. As Officer Eggersdorfer was proceeding towards the residence on foot, he observed a white sport utility vehicle with its taillights lit and then the reverse lights activated. Officer Eggersdorfer informed Officer Price that a vehicle was preparing to leave. While Officer Price and Officer Eggersdorfer approached, they observed several persons fleeing from the area. The suspects proceeded south on the 100 block of Joseph Path until they turned west between the residences. After informing officers of the fleeing suspects, Officer Eggersdorfer contacted the complainant, identified as Adult 1. Adult 1's demeanor was very escalated, and Officer Eggersdorfer attempted to calm him down in order to acquire information about the incident. Adult 1 stated that he was awakened and heard persons being very loud in front of his residence. He contacted the persons and told them to be quiet and not park in front of his residence in the tow away zone. The suspects were identified as six Somalis, three being male and three being female. The males were described as being between 6' and 6'2" tall.

The male suspects confronted Adult 1 and pushed past him into Adult 1's residence. The male suspects began damaging the property in Adult 1's residence in the living room area and in his bedroom, including denting/damaging several doors inside the residence. Adult 1 confronted the male suspects in an attempt to protect Adult 2, a female who was in the bedroom area. The male suspects assaulted Adult 1 by punching and kicking him all over his body. Adult 1 advised he "got a few good licks in on them" as he fought them off. The male suspects returned to their described vehicle and then returned a second time to assault Adult 1 further a short while later. According to Adult 1, the female suspects did not take an active role in the incident as they stayed outside by the vehicle. The male suspects left Adult 1's residence and went to 100 Joseph Path, leaving Adult 1 an opportunity to call 911.

Adult 1 did not wish to be treated or evaluated by Gold Cross but thought he might have been "concussed." Adult 1 indicated he was not going to go to the hospital even though the incident caused the right side of his jaw to sustain a "clicking" sound. Officer Eggersdorfer then proceeded to 100 Joseph Path to speak with the residents of that address. Officer Eggersdorfer met with Adult 3, who indicated he was at the residence with other persons earlier in the evening and that he heard a disturbance at 108 Joseph Path. Adult 1 and Adult 2 were yelling for assistance. Adult 3 went into the open door of his residence into his bedroom where he located unknown suspects going through his belongings. The suspects fled from the residence when police arrived a short time later.

Officers Price, Reinbold and Schnorenberg located persons in the area matching the description of the suspects. The suspects were transported back to their location. According to Officer Schnorenberg, he was dispatched along with other officers to a burglary and assault in progress; that Officer Eggersdorfer and Price arrived before him and advised they had people running to the south between the houses and then to the west. Officer Schnorenberg approached on Monks Avenue and turned west on Woodhaven Lane, shining the houses to the north where they ran. He next turned north on Jacob Drive and saw two Somalian males, later identified as Kuyien Kang and Chudier Tang, defendants herein, coming out of the houses traveling westbound to Jacob Drive. These two males started running north on Jacob Drive in front of Officer Schnorenberg. He was driving an unmarked black squad car and pulled up beside the first male, Tang, and shouted, "Stop, police," through his wide-open driver's side window.

As Officer Schnorenberg yelled at Tang, he turned west into a driveway. Officer Schnorenberg was able to cut Tang off with the squad car. Tang turned and ran around the back of the squad car to continue southbound following Kang. Officer Schnorenberg got out to run north after them and continued twice more to yell, "Stop, police." Officer Schnorenberg saw lights flash through the trees from the other officers east of him, and the two suspects stopped running and put their hands up. Officers were able to gain control of both Tang and Kang, and the males were returned to the apartment where Officer Eggersdorfer had Adult 1 and Adult 3 identify them as being involved in the burglary and assault. Officer Price also identified both males as two of the people who ran away from him as he was arriving at the scene.

Kang's PBT result was a .060. Officer Best assisted by having Adult 3 come out to the vehicle to identify the suspects. Adult 3 immediately stated he recognized Tang as one of the males who robbed him his residence and had also assaulted his neighbor, Adult 1. Officer Best then escorted Adult 3 to Officer Reinbold's squad where Adult 3 immediately stated that he recognized Kang as one of the males who broke into his residence and also assaulted his neighbor, Adult 1.

A third suspect, identified as Nyarout Tang, was detained in front of Adult 3's residence; and Adult 3 immediately recognized Nyarout as the female that had been at his residence earlier in the evening but had then left. According to Adult 3, Nyarout was with some other people that he didn't really know but that she had texted a friend of Adult 3's after she left his residence. According to Adult 3, the text stated that she had left her purse at Adult 3's residence and was coming to get it. Adult 3 stated that he saw Nyarout pull up in a white SUV and was "directing Tang and Kang" when they were assaulting his neighbor, Adult 1, and when they were entering Adult 3's residence.

Nyarout had the strong odor of an alcoholic beverage coming from her breath and appeared mildly intoxicated. Nyarout was noted to be on probation with Blue Earth County under a no-use restriction. Officer Reinbold had made contact with Nyarout just a few minutes prior to her identification by Adult 3. According to Officer Reinbold, Nyarout came from across the street and was walking up to the residence where the assault had occurred when she was recognized by law enforcement. Officer Reinbold thanked her for returning to the incident scene and asked why she had run away. Nyarout claimed she had not run anywhere but that she had just walked from her residence to look for her brother, who she heard had been arrested. Because Nyarout was identified as having assisted and been involved in the burglary and assault of Adult 1, Nyarout was handcuffed, placed under arrest, and transported to the Blue Earth County Jail.

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	Ken Baker Sergeant/Patrol Division 710 S Front St Mankato, MN 56001-3803 Badge: 3144	Electronically Signed: 12/14/2015 03:27 PM Blue Earth County, Minnesota

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

Prosecuting Attorney	Stefanie Menning 401 Carver Road PO Box 3129 Mankato, MN 56002 (507) 304-4600	Electronically Signed: 12/14/2015 01:16 PM

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: December 14, 2015.

Judicial Officer Krista J Jass
Judge of District Court

Electronically Signed: 12/14/2015 03:48 PM

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.

NYARUOT WUOR TANG

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE

I hereby Certify and Return that I have served a copy of this Order of Detention upon the Defendant herein named.

Signature of Authorized Service Agent: