

State of Minnesota,

Plaintiff,

vs.

ROBERT BRYANT SALLEY JR DOB: 08/25/2001



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: Murder - 2nd Degree - Without Intent - While Committing a Felony**

Minnesota Statute: 609.19.2(1), with reference to: 609.19.2(1)

Maximum Sentence: Imprisonment for Not More Than 40 Years

Offense Level: Felony

Offense Date (on or about): 01/10/2020

Control #(ICR#): 20001515

Charge Description: On or about January 10, 2020, within the County of Olmsted, Robert Bryant Salley Jr. did wrongfully, unlawfully and feloniously cause the death of a human being, to-wit: Victim, without intent to effect the death of any person, while committing or attempting to commit a felony offense other than criminal sexual conduct in the first or second degree with force or violence or a drive-by shooting.

**COUNT II**

**Charge: Possess Ammo/Any Firearm-Conviction or Adjudicated Delinquent for Crime of Violence**

Minnesota Statute: 624.713.1(2), with reference to: 624.713.2(b)

Maximum Sentence: 5 to 15 years, a \$30,000 fine or both (MSG SL 6)

Offense Level: Felony

Offense Date (on or about): 01/10/2020

Control #(ICR#): 20001515

Charge Description: On or about January 10, 2020, within the County of Olmsted, Robert Bryant Salley Jr. did wrongfully, unlawfully, and feloniously possess a pistol or semiautomatic military-style assault weapon or, except for clause (1), any other firearm and Robert Bryant Salley Jr. has been convicted of, or adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing, in this state or elsewhere, a crime of violence.

### COUNT III

**Charge: Possess Ammo/Any Firearm-Conviction or Adjudicated Delinquent for Crime of Violence**

Minnesota Statute: 624.713.1(2), with reference to: 624.713.2(b)

Maximum Sentence: 5 to 15 years, a \$30,000 fine or both (MSG SL 6)

Offense Level: Felony

Offense Date (on or about): 01/10/2020

Control #(ICR#): 20001515

Charge Description: On or about January 10, 2020, within the County of Olmsted, Robert Bryant Salley Jr. did wrongfully, unlawfully, and feloniously possess ammunition and Robert Bryant Salley Jr. has been convicted of, or adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing, in this state or elsewhere, a crime of violence.

## STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

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Your complainant is a licensed peace officer employed by the Rochester Police Department. In that capacity your Complainant has reviewed the police reports relating to Robert Bryant Salley, the above-named defendant, and the allegations contained therein. Based upon that information, your complainant believes the following to be true and correct.

On January 10, 2020, approximately 2:03 PM, officers of the Rochester Police Department were dispatched to the Quarters Apartments at 832 21st Ave SE in Rochester, Olmsted County, Minnesota, on a report of a shooting. The initial caller reported hearing several gun shots and observed an individual lying motionless outside a vehicle. The caller described the shooter as a black male in his 20s. A second caller to dispatch reported the suspect when running towards the back of the building and described the suspect as a black male and wearing a black shirt, black winter hat, which ran towards 21st Ave SE. Officers arrived on scene and located an adult male, Victim- fully identified in police reports, behind the victim's vehicle, a white Ford 500. Lifesaving measures were attempted but were ultimately unsuccessful. Officers and Investigators assisted with securing the scene and located six shell casings nearby the Ford 500 in the north parking lot of The Quarters. Inv. Weber and Inv. Edge contacted management at The Quarters to assist in reviewing surveillance. The Quarters had camera footage, which covered the area where the shooting occurred. Inv. Edge reviewed the West door camera footage from the 832 building, which is near the entrance/exit of the building. During review of the surveillance at approximately 2:02 PM a black male wearing a black puffer style coat, black jeans, and red in color shoes with white soles exited the building. The male proceeded in a northeast direction of travel towards the Ford 500, which was parked in the east side of the lot. At 2:03 PM the male is observed exiting the Ford 500 and running towards The Edge Apartments. Inv. Edge obtained several still images of the suspect and clothing observed and disseminated it to the Rochester Police Department Patrol and Investigations to assist with locating the suspect. Inv. Edge also sent it to LEC dispatch and requested the images be forwarded to the Olmsted County Sheriff's Department to assist.

Surveillance captured the suspect entering the 832 building in advance of the shooting and using a key to gain entry; leading investigators to believe he was a resident. A former property manager reviewed a still of the suspect and identified him with 90% certainty as Robert Bryant Salley, Jr. (8/25/2001), Defendant herein. At approximately 2:46 PM, RPD received information the suspect was behind the clubhouse of Oak Terrace Estates, 1618 SE Marion Rd. The suspect was described as wearing a black sweater, black pants and red shoes.

Sgt. C. Blanchette arrived in the area of Oak Terrace Estates and began searching for the suspect towards the clubhouse. Sgt. Blanchette observed a silver SUV, which was occupied by two black males. Blanchette noted the passenger of the SUV was wearing clothing that was consistent with photos Investigator Edge previously disseminated of the suspect that were obtained from The Quarters surveillance footage. Sgt. Blanchette contacted the driver of the vehicle who had exited the vehicle and asked if that was the suspect RPD was looking for, which the driver indicated it was. Sgt. Blanchette contacted the suspect and ordered him into a prone position. Sgt. Blanchette noted the suspect was wearing the red in color shoes observed in the surveillance footage. Sgt. Blanchette also noticed there was a handgun in the passenger side floorboards of the vehicle. Sgt. Blanchette took custody of the male suspect who was identified as Defendant. Defendant was in possession of a loaded magazine at the time of his arrest. Defendant was then transported to LEC Investigations. Inv. Weber reviewed lease paperwork which showed Defendant was a resident of 832 21st Ave SE. #34.

Inv. Weber spoke with Defendant in the ADC and advised him of his rights. Defendant agreed to give a statement. Defendant reported he set up a deal with an unknown individual over snapchat to purchase

marijuana for \$70. At approximately 3:50 PM, the unknown male told Defendant he was out in the parking lot. Defendant went out to the parking lot and reported that he observed a single male occupant he described as a white male. Defendant reported that he got into the passenger side of the vehicle. Defendant reported that he and the unknown male exchanged money and marijuana. According to Defendant, the male then told him that Defendant had a bounty on his head, and he produced a gun. Defendant reported he lunged at the gun and the two males fought over the gun, which went off approximately three times inside the car. Defendant reported the driver's door opened and male got out or fell out of the vehicle. Defendant reported the gun fell onto the floorboards between the driver's seat and passenger seat. Defendant reported he picked up the gun and opened the center console to look for more marijuana and saw a handgun magazine and picked it up. Defendant stated he then got out of the vehicle and as he was walking away, he turned away and shot at the vehicle at least once. Defendant then fled the scene.

The Ford 500 was searched pursuant to Search Warrant.

Defendant's apartment was searched pursuant to warrant. Inside the residence officers located a box of 9mm ammunition.

Defendant was previously adjudicated delinquent of Terroristic Threats in Ramsey County District Court File No. 62-JV-16-1927, and of Felony Assault in the Fourth Degree in court file 62-JV-15-1887. Defendant was also adjudicated delinquent of Ineligible Person In Possession of Firearm/Ammunition in Ramsey County District Court File No. 62-JV-18-1856.

PLEASE TAKE NOTICE: YOU MUST APPEAR FOR EVERY COURT HEARING REGARDING THIS CASE. FAILURE TO APPEAR FOR COURT IS A CRIMINAL OFFENSE AND MAY RESULT IN ADDITIONAL CRIMINAL CHARGES BEING IMPOSED AND PUNISHED AS PROVIDED IN MINNESOTA STATUTES SECTION 609.49.