

CCT	LIST CHARGE STATUTE ONLY	MOC	GOC
1	§609.342	L1287	N
2	§609.342	L2387	N
3	§609.582	B1252	N

CTY ATTY
FILE NO.

05-6036

CONTROLLING
AGENCY
0270900

CONTROL NO.
91004661

05 SEP 22 PM 1:53

COURT CASE NO.

DATE FILED

009.11

DEPT
HENN. CO. DISTRICT
COURT ADMINISTRATOR

if more than 6 counts (see attached) if Domestic Assault as defined by MS 518B01, sub2a,b

State of Minnesota,

PLAINTIFF,

VS.

Amended

Tab Charge Previously Filed

SERIOUS FELONY

SUMMONS

FELONY

WARRANT

GROSS MISDM DWI

ORDER OF DETENTION

GROSS MISDM

EXTRADITION

NAME: first, middle, last

Date of Birth

Legal Edge Number

GREGORY A. ALLEN 05055973

1/17/54

LE#: 05-43262

Inmate No. 167930-A

c/o Waupun Correctional Facility

200 S. Madison St.

Waupun, WI 53963-0351 DEFENDANT.

SOR

COMPLAINT

The Complainant, being duly sworn, makes complaint to the above-named Court and states that there is probable cause to believe that the Defendant committed the following offense(s). The complainant states that the following facts establish PROBABLE CAUSE:

COMPLAINANT, Detective Raymond Laudenbach of the Hopkins Police Department, has reviewed relevant police reports and believes that the following information establishes probable cause:

On June 1, 1991, a known adult female then known as [redacted] was sexually assaulted in her Hopkins, Hennepin County home. Twenty-two-year-old [redacted] was sleeping in her bed at 2:00 a.m. in the morning when she was awoken by a hand being placed over her mouth and a knife from her own kitchen being placed on her throat. A man, unknown to her, was holding the knife. [redacted] asked him what he wanted and he said he was there to get money for crack cocaine. He told her that once he saw how beautiful she was, he decided he wanted more than that. He took his shirt off and told her he wanted oral sex. [redacted] told him she would not do that.

[redacted] convinced the man to put the knife down. He began kissing her neck and telling her how beautiful she was. He touched her breasts and removed her pants and underwear. The man then climbed on top of her and had sexual intercourse with her. He repeatedly told her he was sorry they had to meet this way and not under different circumstances. The defendant then left.

Investigation revealed that the man entered through a patio door that was unlocked. The knife was left near [redacted]'s bed. [redacted] underwent a sexual assault examination, which revealed the presence of semen.

While a number of suspects were developed over the years, no one was identified as [redacted]'s assailant.

In 1999, the Minnesota BCA determined that the DNA in the sperm collected during the sexual assault examination matched the DNA profile in the blood sample taken from defendant **GREGORY A. ALLEN**. The defendant is an inmate serving a 60-year sentence for second-degree sexual assault, burglary, and kidnapping at the Wisconsin Correctional Institute in Waupun, Wisconsin.

After securing a search warrant and a buccal sample, complainant submitted the known DNA sample to the BCA in 2005. Testing revealed a match between the DNA in defendant's known sample and the DNA from the sperm.

In addition to the offenses in Wisconsin, the defendant's criminal history includes a Minnesota simple robbery conviction in 1971 (the defendant was a juvenile), felony possession of marijuana from North Dakota in 1976, and battery of a police officer in Wisconsin in 1987.

The defendant is currently in custody in Waupun, Wisconsin. He was taken into custody on October 25, 1995, and has been in custody in Wisconsin since that date.

O F F E N S E

COUNT 1: CRIMINAL SEXUAL CONDUCT IN THE FIRST DEGREE (FELONY)
MINN. STAT. 1991, §609.342, SUBD. 1(c), SUBD. 2; §609.101, SUBD. 2
PENALTY: 0 -25 YEARS AND/OR \$500-\$40,000

That on or about June 1, 1991, in Hopkins, Hennepin County, Minnesota, **GREGORY A. ALLEN** engaged in sexual penetration with _____, a known adult female, and circumstances existing at the time of the act caused _____ to have a reasonable fear of imminent great bodily harm to herself or another.

COUNT 2: CRIMINAL SEXUAL CONDUCT IN THE FIRST DEGREE (FELONY)
MINN. STAT. 1991, §609.342, SUBD. 1(d), SUBD. 2; §609.11; §609.101, SUBD. 2
PENALTY: 1 YEAR AND 1 DAY -25 YEARS AND/OR \$500-\$40,000

That on or about June 1, 1991, in Hopkins, Hennepin County, Minnesota, **GREGORY A. ALLEN**, armed with a dangerous weapon, to-wit: a knife, engaged in sexual penetration with _____, a known adult female, and used or threatened to use the weapon to cause _____ to submit.

OFFENSES CONTINUED ON NEXT PAGE

COMPLAINT SUPPLEMENT

CCT	SECTION/Subdivision	M.O.C.	GOC

OFFENSES – CONTINUED

CHARGE 3: BURGLARY - FIRST DEGREE (FELONY)
MINN. STAT. 1991, §609.582, SUBD. 1(a), 1a
PENALTY: 6 MONTHS-20 YEARS AND/OR \$35,000

On or about June 1, 1991, in Hopkins, Hennepin County, Minnesota, **GREGORY A. ALLEN** entered a dwelling, without consent, and with intent to commit a crime or committed a crime while in the dwelling and another person, a known adult female, who was not an accomplice, was in the dwelling at any time while **GREGORY A. ALLEN** was in the dwelling.

NOTE: You must appear for every court hearing on this charge. A failure to appear for court on this charge is a criminal offense and may be punished as provided in Minn. Stat. § 609.49.

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

COMPLAINANT'S NAME:

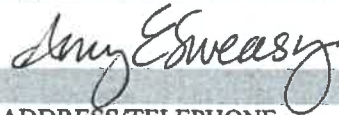
Donald Laudenbach

COMPLAINANT'S SIGNATURE:



Being duly authorized to prosecute the offense(s) charged, I hereby approve this Complaint.

PROSECUTING ATTORNEY'S SIGNATURE:



September 2005

Red

PROSECUTING ATTORNEY:

TITLE:

Amy E. Sweasy (#26104X)
Assistant County Attorney

ADDRESS/TELEPHONE:

C2100 Government Center, Minneapolis, MN 55487
Telephone: (612) 348-6552

Court Case # _____

This COMPLAINT was subscribed and sworn to before the undersigned this _____ day of _____, 20____.

NAME:

SIGNATURE:

TITLE:

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 his detention, if already in custody, pending further proceedings. The Defendant(s) is/are thereof charged with the above-stated offense.

SUMMONS

THEREFORE YOU, THE ABOVE-NAMED DEFENDANT(S), ARE HEREBY SUMMONED to appear on the _____ day of _____, 20____ at _____ AM/PM before the above-named court at _____ to answer this complaint.

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

WARRANT

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

ORDER OF DETENTION

Since the above-named Defendant(s) is already in custody; I hereby order, subject to bail or conditions of release, that the above-named Defendant(s) continue to be detained pending further proceedings.

Bail: \$1,000,000.00

Conditions of Release:

This COMPLAINT- WARRANT duly subscribed and sworn to, is issued by the undersigned Judicial Officer this _____ day of _____, 20____.

NAME:

SIGNATURE

/S/ PATRICIA L. BELOIS
Judge of District Court

TITLE: **JUDGE OF DISTRICT COURT**

SEP 22 2005

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

STATE OF MINNESOTA COUNTY OF HENNEPIN

Clerk's Signature or File Stamp:

STATE OF MINNESOTA

Plaintiff

Vs.

GREGORY A. ALLEN

Defendant.

RETURN OF SERVICE

I hereby Certify and Return that I have served a copy of this COMPLAINT – SUMMONS, WARRANT, ORDER OF DETENTION upon Defendant(s) herein-named.

Signature of Authorized Service Agent: