

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 22A01238
Court File No. 27-CR-22-2235

State of Minnesota,

Plaintiff,

vs.

FERNANDO VALDEZ ALVAREZ DOB: 08/08/2003

2903 Park Ave S #3
Minneapolis, MN 55407

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 - With Intent-Not Premeditated

Minnesota Statute: 609.19.1(1), with reference to: 609.05.1, 609.05.2, 609.19.1, 609.11.9

Maximum Sentence: 40 YEARS

Offense Level: Felony

Offense Date (on or about): 02/01/2022

Control #(ICR#): 22000347

Charge Description: That on or about February 1, 2022, in Richfield, in Hennepin County, Minnesota, Fernando Valdez-Alvarez, acting alone or intentionally aiding, advising, hiring, counseling or conspiring with another caused the death of Victim 1, a human being, with intent to effect the death of that person or another, but without premeditation.

COUNT II

Charge: Murder - 2nd Degree - With Intent-Not Premeditated

Minnesota Statute: 609.19.1(1), with reference to: 609.17.4(2), 609.05.1, 609.05.2, 609.19.1, 609.11.9

Maximum Sentence: 40 YEARS

Offense Level: Felony

Offense Date (on or about): 02/01/2022

Control #(ICR#): 22000347

Charge Description: That on or about February 1, 2022, in Richfield, in Hennepin County, Minnesota, Fernando Valdez-Alvarez, acting alone or intentionally aiding, advising, hiring, counseling or conspiring with another attempted to cause the death of Victim 2, a human being, with intent to effect the death of that person or another, but without premeditation.

COUNT III

Charge: Murder - 2nd Degree - With Intent-Not Premeditated

Minnesota Statute: 609.19.1(1), with reference to: 609.17.4(2), 609.05.1, 609.05.2, 609.19.1, 609.11.9

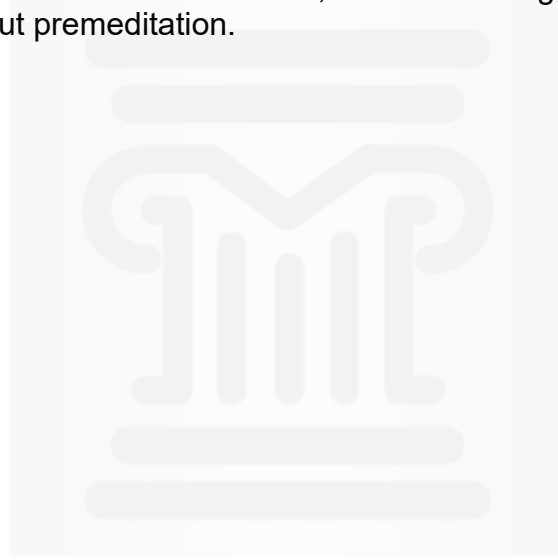
Maximum Sentence: 40 YEARS

Offense Level: Felony

Offense Date (on or about): 02/01/2022

Control #(ICR#): 22000347

Charge Description: That on or about February 1, 2022, in Richfield, in Hennepin County, Minnesota, Fernando Valdez-Alvarez, acting alone or intentionally aiding, advising, hiring, counseling or conspiring with another attempted to cause the death of Victim 3, a human being, with intent to effect the death of that person or another, but without premeditation.



MINNESOTA
JUDICIAL
BRANCH

STATEMENT OF PROBABLE CAUSE

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On February 1, 2022, at approximately 12:06 p.m., officers were dispatched to SECA School, South Education Center on Penn Avenue South in Richfield, Hennepin County, Minnesota on a report of a shooting. While en route officers were advised that two individuals had been shot and the suspects fled in a beige-colored SUV.

Upon arrival officers located a known juvenile male victim, hereinafter Victim 1, outside lying on the sidewalk on the south side of the main parking lot. The school nurse was with Victim 1 assessing his injuries when officers arrived. Victim 1 was unresponsive and did not appear to be breathing. Officers immediately began CPR with the assistance of the school nurse and provided him with oxygen at the scene. Paramedics responded to the scene shortly after and rushed Victim 1 to Hennepin County Medical Center. Despite the life-saving efforts of medical staff at HCMC, Victim 1 died as a result of his injuries.

Officers also located a second known juvenile male victim, hereinafter Victim 2, lying on the floor in the front vestibule of the building being held by a staff member. Officers observed a gunshot wound on Victim 2's upper, left chest area and what appeared to be an exit wound on his lower left back. Officers immediately began providing first aid and placed chest seals on both wounds. Victim 2 was conscious but appeared to be declining in his breathing. Paramedics arrived on scene shortly after officers and immediately transported Victim 2 to Hennepin County Medical Center (HCMC). Victim 2 was taken into surgery at HCMC shortly after arriving. He is currently in critical condition.

While on scene, officers identified a third juvenile male, Victim 3, who was with Victim 1 and Victim 2 when they were shot. According to Victim 3, they had walked out of the school behind two other adult male students who were later identified as FERNANDO VALDEZ-ALVAREZ, Defendant Valdez-Alvarez herein, and ALFREDO ROSARIO SOLIS, Defendant Solis herein. There was a short confrontation in the parking lot and Victim 2 punched Defendant Solis one time. Defendant Valdez-Alvarez then started shooting at Victim 1, Victim 2 and Victim 3. All three of the juvenile males turned and ran towards the building. The defendants then ran to their vehicle and fled with Defendant Valdez-Alvarez driving.

Officers also spoke to several other witnesses, including some of the staff at the school. According to one of the staff, Witness 1, she had been in the parking lot when the incident occurred and saw five boys walking on the south side of the school. It appeared that two of the boys were walking together and the others were following them. Witness 1 saw the boys standing near a gold Chevy SUV, similar to a Tahoe. As she was walking to the school, she heard shots but was behind a truck and could not see what happened. Witness 1 described hearing three shots and about 10-20 seconds later she heard the vehicle pull off and two more shots.

Another staff member, Witness 2, said he saw what he believed to be four students run up to the two defendants like they were getting ready to fight. One of the defendants pulled a gun out of his pocket and started firing it. That defendant then got into the passenger seat of the vehicle, rolled the window down and continued shooting at the victims. Witness 2 told officers that two shots were fired up close at Victim 1 and then four more shots were fired from the vehicle at the victims as they were running away. Witness 2 specifically told officers that he saw Victim 1 turn to run and he was then shot and dropped to the ground. He described the gun the defendants had as a black handgun, similar to a Glock, with an extended magazine. Witness 3 described the defendant vehicle as being an older beige Chevy SUV.

A review of surveillance video from the school shows all five male students exit the building and cross the parking lot. In this video Defendant Solis can be seen wearing a black Polo hooded sweatshirt, dark pants and black tennis shoes. Defendant Valdez-Alvarez can be seen wearing a gray coat, gray sweatshirt, dark pants and black shoes. Minutes after the shooting, Defendant Solis is seen exiting a tan SUV outside of his apartment complex. He is wearing the same black Polo sweatshirt with large red letters across the front and carrying a small bag with a strap.

Officers obtained a search warrant for the residence of Defendant Solis. During their search the following items were located and recovered:

1. A 9 mm Glock 45 handgun from the northeast bedroom. An Empty magazine was removed from the Glock.
2. A Nintendo Switch case with two magazines for a 9 mm handgun and a mailing in the name of Defendant Solis inside from a drawer in the northwest corner bedroom.
3. Back straps for a Glock handgun from a drawer in the northwest corner bedroom.
4. 9 mm ammunition inside a rubber glove from a drawer in the northwest corner bedroom.
5. 9 mm ammunition in a drawer in the northwest corner bedroom.
6. One spent 9 mm casing from the northeast bedroom.
7. A Polo sweatshirt matching the clothing worn by one of the suspects from the north bedroom.

Defendant Solis was located at the residence

During execution of a search warrant at Defendant Valdez-Alvarez's residence, officers located a gold 2007 Chevrolet Tahoe parked in the rear. This vehicle matches the general description witnesses provided of the vehicle that the defendants fled in after the shooting and is registered to the step-father of Defendant Valdez-Alvarez. According to witnesses Defendant Valdez-Alvarez is known to drive this vehicle. Defendant Valdez-Alvarez was located at the residence and taken into custody.

Five 9mm discharged cartridge casings were recovered from the area where the defendant's SUV had been parked. Two were located on one side and three were located on the other side. Ballistics testing is currently pending.

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

Amanda Johnson
Police Officer
6700 Portland Avenue S
Richfield, MN 55423
Badge: 186

Electronically Signed:
02/04/2022 12:01 PM
Hennepin County, MN

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

Prosecuting Attorney

Krista White
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
02/04/2022 11:59 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 as directed in the Notice of Hearing before the above-named court 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: \$1,000,000.00

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: February 4, 2022.

Judicial Officer

Peter A Cahill
Judge of District Court

Electronically Signed: 02/04/2022 12:03 PM

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Fernando Valdez Alvarez

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.

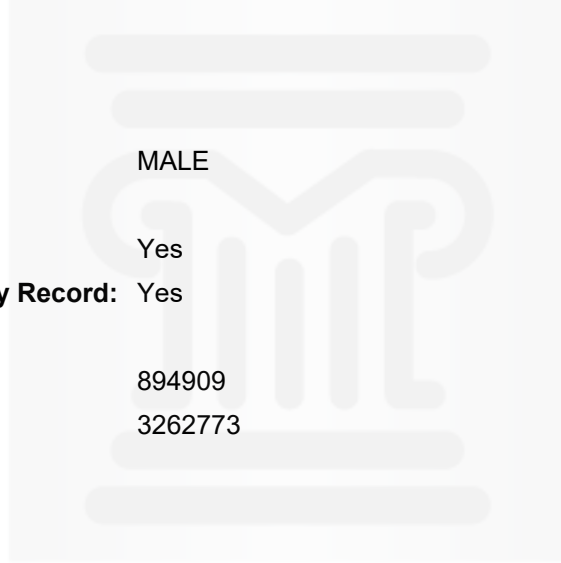
Signature of Authorized Service Agent:

DEFENDANT FACT SHEET

Name: Fernando Valdez Alvarez
DOB: 08/08/2003
Address: 2903 Park Ave S #3
 Minneapolis, MN 55407

Alias Names/DOB: Fernando Valdez-Alvarez DOB: 8/8/2003
SID: MN22DB6088

Height:
Weight:
Eye Color:
Hair Color:
Gender: MALE
Race:
Fingerprints Required per Statute: Yes
Fingerprint match to Criminal History Record: Yes
Driver's License #:
SILS Person ID #: 894909
SILS Tracking No. 3262773
Alcohol Concentration:



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STATUTE AND OFFENSE GRID

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	2/1/2022	609.19.1(1) Murder - 2nd Degree - With Intent-Not Premeditated	Felony	H2812	X	MN0271800	22000347
	Penalty	2/1/2022	609.19.1 Murder - 2nd Degree	Felony	H2812	X	MN0271800	22000347
	Modifier	2/1/2022	609.11.9 Minimum Sentences of Imprisonment - Applicable Offenses	No-Level	H2812	X	MN0271800	22000347
	Modifier	2/1/2022	609.05.1 Liability for Crimes of Another-Intentional	No-Level	H2812	X	MN0271800	22000347
	Modifier	2/1/2022	609.05.2 Liability for Crimes of Another-Reasonably Forseeable	No-Level	H2812	X	MN0271800	22000347
2	Charge	2/1/2022	609.19.1(1) Murder - 2nd Degree - With Intent-Not Premeditated	Felony	H2812	A	MN0271800	22000347
	Penalty	2/1/2022	609.19.1 Murder - 2nd Degree	Felony	H2812	A	MN0271800	22000347
	Modifier	2/1/2022	609.11.9 Minimum Sentences of Imprisonment - Applicable Offenses	No-Level	H2812	A	MN0271800	22000347
	Modifier	2/1/2022	609.05.2 Liability for Crimes of Another-Reasonably Forseeable	No-Level	H2812	A	MN0271800	22000347
	Penalty	2/1/2022	609.17.4(2) Anticipatory Crimes-Attempts-Penalty-1/2 Of Intended	Felony	H2812	A	MN0271800	22000347
	Modifier	2/1/2022	609.05.1 Liability for Crimes of Another-Intentional	No-Level	H2812	A	MN0271800	22000347
3	Charge	2/1/2022	609.19.1(1) Murder - 2nd Degree - With Intent-Not Premeditated	Felony	H2812	A	MN0271800	22000347
	Penalty	2/1/2022	609.19.1 Murder - 2nd Degree	Felony	H2812	A	MN0271800	22000347
	Modifier	2/1/2022	609.11.9 Minimum Sentences of Imprisonment - Applicable Offenses	No-Level	H2812	A	MN0271800	22000347
	Modifier	2/1/2022	609.05.2 Liability for Crimes of Another-Reasonably Forseeable	No-Level	H2812	A	MN0271800	22000347
	Penalty	2/1/2022	609.17.4(2) Anticipatory Crimes-Attempts-Penalty-1/2 Of Intended	Felony	H2812	A	MN0271800	22000347
	Modifier	2/1/2022	609.05.1 Liability for Crimes of Another-Intentional	No-Level	H2812	A	MN0271800	22000347