	IN CIRCUIT COURT SECOND JUDICIAL CIRCUIT
	SESSION CONTROLL
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*	AFFIDAVIT IN SUPPORT
	OF ARREST WARRANT
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*	CR123-3314
	* * *

- I, Detective Morgan Black, being first duly sworn on oath, deposes and states that she is a Detective of the Sioux Falls Police Department and states that she is one of the officers in charge of the investigation of the above-styled matter. That your Affiant makes this Affidavit in support of the State's Attorney's request for a warrant for the arrest of the above-named Defendant(s), and in compliance with SDCL 26-10-1 and states as follows:
 - On 05/14/2023 at 0150hrs Officer Bennett with the Sioux Falls Police Department
 was dispatched to S 7TH AVE, Sioux Falls, Minnehaha County, South
 Dakota for a report of a sexual assault. A Sioux Falls police report was
 generated under incident number PD23-009724.
 - 2. Officers were approached by the victim, stated that she had been sexually assaulted. The victim showed officers where the assault occurred, S 7TH AVE (Egger Steel). The assault occurred in the north parking lot behind Egger Steel.
 - 3. Earlier that night the victim was in the area of W 14th Street and S Duluth Avenue when she was approached by a Hispanic male driving a dark colored Chevrolet Impala. The suspect asked the victim if she would like a ride, and the victim agreed.

- 4. The victim told the suspect where she would like to go. The suspect started driving in a different direction other than her requested destination. When the victim told the suspect he was going the wrong way he stated, "we are going for a drive."
- 5. The suspect then drove the victim to S 7th Avenue. The suspect stopped the vehicle, walked around to the driver's side, and pulled the victim out of the vehicle.
- 6. The suspect tried to kiss the victim and she said "no". The victim tried to pull away from the suspect, but he threw her to the ground.
- 7. The suspect then told the victim to take off her pants and she said "no". The suspect then pulled a firearm from his waistband and pulled the victim's pants with his other hand, this caused her pants to rip. Officers observed this on the victim's clothing as well.
- The suspect then inserted his penis into the victim's vagina. The victim told the suspect "no" several times. The assault occurred for several minutes.
- The suspect the removed his penis from the victim's vagina and ejaculated on the ground.
- 10. The suspect then told the victim to walk north. The victim continued to walk until she found officers that were responding to another call.
- 11. Officers collected evidence from the scene at South 7th Avenue. There was mark officers saw on the ground where the victim stated the assault occurred. Officer noted that this mark was possibly semen. This mark was swabbed and placed into evidence at the Sioux Falls Police Department. The swabs were then sent to the South Dakota Forensic Laboratory. On 05/25/2023 I was informed by the Forensic Laboratory that the swabs matched a Combined DNA Index System (CODIS) DNA sample from the defendant.

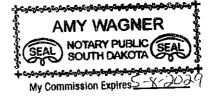
13. All these events took place in Sioux Falls, Minnehaha County, and South Dakota.



Subscribed and sworn before me

This 25th day of May, 2023.

Notary Public



MAY 2 4 2023

Minnehaha County, S.D.

Clerk Circuit Court