

State of Minnesota
County of St. Louis

District Court
6th Judicial District

Prosecutor File No. 18-01-145390
Court File No. 69DU-CR-18-301

State of Minnesota,

Plaintiff,

vs.

WILLIE DAVIS NICHOLSON DOB: 07/11/1994

125 N 1st Ave W
Duluth, MN 55802

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: Attempted Murder in the Second Degree

Minnesota Statute: 609.19.1(1), with reference to: 609.17.1

Maximum Sentence: Twenty (20) years

Offense Level: Felony

Offense Date (on or about): 01/27/2018

Control #(ICR#): 18510468

Charge Description: That the defendant, WILLIE DAVIS NICHOLSON, did attempt to cause the death of a human being, to wit: B.H.V. with intent to effect the death of the victim or another person but without premeditation.

COUNT II

Charge: Assault in the First Degree

Minnesota Statute: 609.221.1

Maximum Sentence: Twenty (20) years and/or \$30,000

Offense Level: Felony

Offense Date (on or about): 01/27/2018

Control #(ICR#): 18510468

Charge Description: That the defendant, WILLIE DAVIS NICHOLSON, did assault another and inflict great bodily harm, to wit: B.H.V.

COUNT III

Charge: Burglary in the First Degree

Minnesota Statute: 609.582.1(c)

Maximum Sentence: Twenty (20) years and/or \$35,000

Offense Level: Felony

Offense Date (on or about): 01/27/2018

Control #(ICR#): 18510468

Charge Description: That the defendant, WILLIE DAVIS NICHOLSON, did enter a building without consent and with intent to commit a crime therein, or did commit a crime within said building and did assault another person, to wit: B.H.V., within the building or on the building's appurtenant property.

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

On January 27, 2018, at 6:57 a.m., officers from the Duluth Police Department were dispatched to 4731 Grand Avenue, Apartment 6, in the city of Duluth, St. Louis County, Minnesota, on the report of a stabbing. Officer Frederickson from the Duluth Police Department was the first to respond and made contact with the male victim, who was laying on his back in the living room. The male was covered in blood and was being attended to by his girlfriend. The Victim's girlfriend noted that the Victim had been stabbed in the stomach and was bleeding profusely. She was attempting to hold pressure on the wound and continued to do so until medical responded.

Once medical attention arrived to care for the Victim, Officer Frederickson spoke to the Victim's girlfriend. She stated that she worked the overnight shift and arrived at home at approximately 6:50 a.m. When she attempted to enter the apartment, the deadbolt was not locked. When she tried to push the door open, the chain lock was engaged. She said this was unusual and she began knocking on the door so someone could let her in. At that time, she heard the Victim begin screaming. She began pounding on the door even harder. Her roommate then came and unlatched the chain allowing her inside. When she entered the residence, she observed an unknown male come out of the bedroom she shared with the Victim, with the Victim following him. This male, who she described as a black male, maybe in his 20's, was wearing a dark shirt. She had never seen this male before. He went running past her out the apartment door. The Victim was covered with blood and told her to call 911.

The Victim was transported to St. Luke's Hospital where he received medical treatment for his injuries. The Victim sustained at a minimum fourteen stab wounds to the head, torso, back, and hands. One of these stab wounds resulted in a laceration to the Victim's liver of 2.5 centimeters. Another laceration to the Victim's side perforated his diaphragm. The Victim sustained two stab wounds to his face, which perforated the orbit and his right eye lid. This stab wound may result in the Victim losing his eye. The Victim sustained five lacerations to his chest wall, one laceration to the back of his neck, three lacerations to left of his arm, four lacerations to his back, and may have permanent nerve damage to his face and hand. The location and number of the stab wounds also required the Victim to undergo exploratory surgery to rule out any damage to the bowel.

While responding to the scene, Sergeant Radloff from the Duluth Police Department made contact with a male party matching the suspect's description. This male was identified as WILLIE DAVIS NICHOLSON, DOB 07/11/1994, hereinafter Defendant. Sergeant Radloff noted that the Defendant's clothing appeared to be stained with blood. Upon later inspection, blood was found on the Defendant's face, in his hairline, as well as in his hair. During a subsequent interview, the Defendant admitting to stabbing the Victim in order to keep him from calling law enforcement upon being discovered in the residence. The Defendant denied knowing the Victim or anyone inside the apartment, but was simply looking for a place to sleep and found an open apartment. The Defendant said he stabbed the Victim when he started stirring following an incoming phone call on a cell phone and that the Victim didn't wake up until after he had already stabbed him approximately five times. The Defendant went on to say that he stabbed the Victim between five and fifteen times. When the Victim came to, he hit him in the head in order to stun him, and then continued assaulting him. The Defendant described the Victim as attempting to kick him off as he continued to stab him in the chest. The Defendant got up out of the chair and demonstrated for Sergeant Radloff how he was standing over the Victim and repeatedly stabbing him. The Defendant acknowledged running out of the apartment and pushing past a female who was at the door. He went to the Whole Foods Co-op near the apartment to use the bathroom to wash the blood off of his face. When asked by Sergeant Radloff if he was

trying to kill the Victim, the Defendant said yes.

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

David Decker
Police Officer
2030 N Arlington Avenue
Duluth, MN 55811
Badge: 459

Electronically Signed:
01/30/2018 08:58 AM
St. Louis County, Minnesota

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

Prosecuting Attorney

Kristen E. Swanson
100 N 5th Avenue W
Duluth Courthouse, #501
Duluth, MN 55802
(218) 726-2323

Electronically Signed:
01/30/2018 07:56 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 on _____, _____ at _____ AM/PM before the above-named court at 100 N 5th Avenue W, Duluth, MN 55802-1285 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: January 30, 2018.

Judicial Officer

David M. Johnson
Judge of District Court

Electronically Signed: 01/30/2018 09:11 AM

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

**COUNTY OF ST. LOUIS
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

WILLIE DAVIS NICHOLSON

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: WILLIE DAVIS NICHOLSON
DOB: 07/11/1994
Address: 125 N 1st Ave W
Duluth, MN 55802

Alias Names/DOB:

SID: MN17KG4710

Height:

Weight:

Eye Color:

Hair Color:

Gender:

Race:

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #: K391144899513 (MN)

Alcohol Concentration:

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	1/27/2018	609.19.1(1) Murder - 2nd Degree - With Intent-Not Premeditated	Felony	H2233		MN0690600	18510468
	Modifier	1/27/2018	609.17.1 Anticipatory Crimes-Attempts	No-Level	H2233		MN0690600	18510468
2	Charge	1/27/2018	609.221.1 Assault-1st Degree-Great Bodily Harm	Felony	A1133		MN0690600	18510468
3	Charge	1/27/2018	609.582.1(c) Burglary-1st Deg-Assault Person In Build/On Property	Felony	B1126		MN0690600	18510468