
State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

EDWIN DARVIS VAIL DOB: 08/19/1947

200 3rd Street
Holdingford, MN 56340

Defendant.

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: Attempt, Dangerous Weapon – Firearm Murder - 2nd Degree - With Intent-Not Premeditated

Minnesota Statute: 609.19.1(1), with reference to: 609.19.1, 609.17.1, 609.11.5(a)

Maximum Sentence: Not less than three (3), and not more than twenty (20) years imprisonment.

Offense Level: Felony

Offense Date (on or about): 09/13/2014

Control #(ICR#): 14068815

Charge Description: That the defendant, Edwin Darvin Vail, then and there being, did wrongfully, unlawfully, and feloniously attempt to cause the death of another person with intent to effect the death of that person or another.

COUNT II

Charge: Dangerous Weapon – Firearm Assault-1st Degree-Great Bodily Harm

Minnesota Statute: 609.221.1, with reference to: 609.221.1, 609.11.5(a)

Maximum Sentence: Not less than three (3) years and not more than twenty (20) years imprisonment and/or a \$30,000 fine.

Offense Level: Felony

Offense Date (on or about): 09/13/2014

Control #(ICR#): 14068815

Charge Description: That the defendant, Edwin Darvis Vail, then and there being, did wrongfully, unlawfully, and feloniously assault another and inflict great bodily harm.

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

At approximately 2:17 a.m. in the early morning hours of September 13, 2014, Stearns County Sheriff's deputies were dispatched to a reported shooting occurring at a residence located in the 200 block of 3rd Street, in the City of Holdingford, County of Stearns, State of Minnesota. A 911 call had been placed by a male who identified himself as Edwin Darvis Vail, DOB: 8/19/1947, the defendant herein. The defendant admitted to dispatchers that he had shot a victim who he identified as D.J.Y., an adult male who is fully identified in police reports. The defendant admitted shooting D.J.Y. "twice in the stomach, once in the head," while they were both outside of the defendant's residence. The defendant stated that he was not going to try to assist D.J.Y. while he was lying there.

Deputies arrived on scene within minutes and observed the defendant sitting in a chair outside of his residence, holding what was later identified as a .22 caliber revolver. D.J.Y. lay nearby on the ground behind a golf cart, bleeding from multiple gunshot wounds to the chest, abdomen, hand, and face. D.J.Y. was treated on scene by medical personnel and ultimately airlifted to North Memorial Hospital in Minneapolis. D.J.Y. stated that the defendant had shot him "point-blank" multiple times, and that D.J.Y. never saw the defendant's revolver before he was shot. The bullets broke a bone in D.J.Y.'s right hand and his left eye was severely swollen. CT scans revealed that a bullet appeared lodged near D.J.Y.'s spine and apparent bullet fragments were located throughout D.J.Y.'s face and head. D.J.Y. has undergone multiple major surgeries and faces a long-term recovery. D.J.Y. currently remains hospitalized and is unable to speak to investigators.

Investigators located three unspent rounds and three spent .22 caliber casings in the cylinder of the defendant's firearm. Investigators spoke with M.A.R., an adult female fully identified in police reports, who lives near the defendant and has observed the defendant and D.J.Y. together at the defendant's residence on multiple occasions. M.A.R. stated that she and her husband had heard the defendant repeatedly complain that he was upset with D.J.Y. because D.J.Y. allegedly owed him money and was not paying. Investigation remains ongoing.

Complainant has reason to believe and does believe that all of the above information is true and correct.

The above facts constitute your complainant's basis for believing that, on or about the 13th day of September, 2014, in the City of Holdingford, County of Stearns, State of Minnesota, the above-named defendant committed the offenses described herein:

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	Jon F. Lentz Lieutenant 807 Courthouse Square St. Cloud, MN 56303 Badge: 2504	Electronically Signed: 09/16/2014 10:14 AM
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Subscribed and sworn to before the undersigned.

Notary Public or Judicial Official	Jessie A Jensen Senior Office Specialist, County of Stearns 807 Courthouse Square St. Cloud, MN 56303 Notary ID: 31044143	Commission expires: 01/31/2016 Electronically Signed: 09/16/2014 10:20 AM
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Being authorized to prosecute the offenses charged, I approve this complaint.

Prosecuting Attorney	Carl Ole Tvedten Assistant Stearns County Attorney 705 Courthouse Square St. Cloud, MN 56303 (320) 656-3880	Electronically Signed: 09/16/2014 10:06 AM
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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 725 Courthouse Square, St. Cloud, MN 56303 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 is issued by the undersigned Judge as of the following date: September 16, 2014.

Judicial Officer

Mary B Mahler
Stearns County District Court Judge

Electronically Signed: 09/16/2014 10:44 AM

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

**COUNTY OF STEARNS
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Edwin Darvis Vail

Defendant

Clerk's Signature or File Stamp:

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: Edwin Darvis Vail
DOB: 08/19/1947
Address: 200 3rd Street
Holdingford, MN 56340
Alias Names/DOB:
SID: MN00213186
Fingerprints Needed: Yes
Fingerprinted: Yes
Handgun Permit: No
Driver's License #: B732074889012 (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	9/13/2014	609.19.1(1) Murder - 2nd Degree - With Intent-Not Premeditated	Felony	H2012	N	MN0730000	14068815
	Penalty	9/13/2014	609.19.1 Murder - 2nd Degree	Felony	H2012	N	MN0730000	14068815
2	Charge	9/13/2014	609.221.1 Assault-1st Degree-Great Bodily Harm	Felony	A1122	N	MN0730000	14068815
	Penalty	9/13/2014	609.221.1 Assault-1st Degree-Great Bodily Harm	Felony	A1122	N	MN0730000	14068815