

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Minnesota

UNITED STATES OF AMERICA )

v. )

JAMILLO DONTE SPIGHT )

Case No. 13-MJ-674 (JJG)

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about September 21, 2013, in Ramsey County, in the State and District of Minnesota, defendant, who had previously been convicted in a court of crimes punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, a Smith & Wesson, Model M&P 40, .40 caliber pistol, bearing serial number MPA0902,

in violation of Title 18, United States Code, Section 922(g)(1) and 924(e).

I further state that I am a(n) and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof:  Yes  No

[Handwritten signature]

Complainant's signature

ATF Special Agent Kylie Williamson

Printed name and title

Sworn to before me and signed in my presence.

Date: October 7, 2013

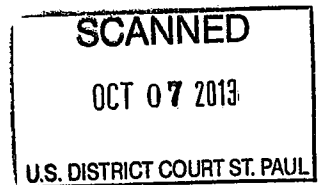
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Judge's signature

City and state: St. Paul, Minnesota

The Honorable Jeanne J. Graham

Printed name and title



13-MJ-674 (JSG)

STATE OF MINNESOTA )  
 ) ss. **AFFIDAVIT OF KYLIE M. WILLIAMSON**  
COUNTY OF RAMSEY )

I, Kylie M. Williamson, being duly sworn, depose and state as follows:

1. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been so employed since August of 2007. Prior to that, I was employed by ATF for two years as an Industry Operations Investigator. I am currently assigned to the St. Paul Group I Field Office, and work with various law enforcement agencies and drug task forces throughout the state of Minnesota. My responsibilities include conducting criminal investigations of individuals and organizations related to violations of Federal laws, particularly those found in Titles 18, 21, and 26. I have participated in numerous investigations which have resulted in the arrests, searches, seizures, and convictions of individuals who have violated Federal law.

2. This Affidavit is submitted in support of a Complaint establishing probable cause to believe that on September 21, 2013, JAMILLO DONTE SPIGHT possessed a firearm in violation of Title 18, United States Code, Chapter 44, Section 922(g)(1).

3. The facts set forth in this Affidavit are based on my personal knowledge and observations in this investigation, on my review of police reports, and on discussions I have had with other law enforcement personnel directly

involved in the investigation. The facts set forth herein contain information sufficient to support probable cause. This Affidavit is not intended to convey all of the facts learned during the course of this investigation.

4. On September 21, 2013, at approximately 0108 hrs, Officers with the Saint Paul Police Department (hereinafter SPPD), responded to a shots fired call at 981 West University Avenue (Johnny Baby's Bar) in the city of Saint Paul, County of Ramsey, State and Judicial District of Minnesota.

5. When SPPD Officers arrived on scene, witnesses informed them that multiple shots had been fired inside the bar. The owner of the bar advised SPPD Officers that the defendant, later identified as SPIGHT, had entered the bar with a firearm in his hand and had subsequently been tackled by a bar security officer. The security officer wrestled the firearm away from SPIGHT and detained him until police arrived. During the struggle, SPIGHT fired two shots from the firearm. No one was hit when the shots were fired. The owner then directed SPPD Officers to the area where the security officer had SPIGHT detained.

6. SPPD Officers recovered the firearm that had been wrestled away from SPIGHT. The recovered firearm was determined to be a Smith & Wesson, Model M&P40, .40 caliber pistol, bearing serial number MPA0902. In addition, SPPD

Officers recovered a pair of underwear that the firearm had been wrapped in and two spent .40 caliber shell casings.

7. I determined that the firearm recovered from SPIGHT, namely, a Smith & Wesson model M&P40, .40 caliber semi-automatic pistol, bearing serial number: MPA0902, was manufactured outside of the State of Minnesota. Therefore, at some point after manufacture, the aforementioned firearm traveled in interstate commerce into the State of Minnesota, as defined in Title 18, United States Code, Chapter 44, Section 921(g)(1).

8. I reviewed a copy of the surveillance video from Johnny Baby's bar at the time of the incident. The video depicts the event in a manner consistent with the facts given by the security officer.


9. Based, in part, on the above-referenced facts, on or about September 24, 2013, SPIGHT was charged for this conduct in the Second Judicial District, State of Minnesota, County of Ramsey, with Possession of a Firearm by an Ineligible Person, in violation of Minnesota Statutes 624.713.1(2); 624.713.2(b); and 609.11.5(b) (Ramsey County Court File No. 62CR137296).

10. I have also reviewed SPIGHT'S criminal history and determined that SPIGHT has the following convictions: Felony Theft (2002); Felony 1<sup>st</sup> Degree Aggravated Robbery (2002); Felony 3<sup>rd</sup> Degree Sale (2002); Felony 3<sup>rd</sup> Degree Sale

(2009); Misdemeanor Contempt of Court (2011); and Felony Terroristic Threats (2012). As a convicted felon, SPIGHT is prohibited from possessing firearms.

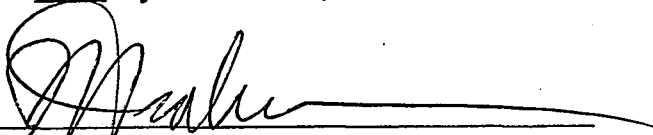
11. Based on my training, experience and participation in this and other investigations, I believe probable cause exists that JAMILLO DONTE SPIGHT possessed a firearm in violation of Title 18, United States Code, Chapter 44, Sections 922(g)(1), and 924(e).

Further your Affiant sayeth not.

  
KYLIE M. WILLIAMSON  
SPECIAL AGENT, ATF

SUBSCRIBED and SWORN to before me

this 7<sup>th</sup> day of October, 2013

  
The Honorable Jeanne J. Graham  
United States Magistrate Judge