

UNITED STATES DISTRICT COURT

for the

District of Minnesota

UNITED STATES OF AMERICA)

v.)

TEARISE BREON BAUGH,)

Case No. 13 MS-830 FLW

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

Count 1

On or about December 13, 2013, in Anoka County, in the State and District of Minnesota, the defendant, aiding and abetting others, did knowingly, by force, violence, and intimidation, take from the person and presence of a victim teller approximately \$5,808 in United States currency belonging to and in the care, custody, control, management, and possession of the TCF Bank located in Blaine, Minnesota, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and in committing such offense, did assault and put in jeopardy the life of another person by the use of a dangerous weapon, that is, a .40 caliber pistol, all in violation of Title 18, United States Code, Sections 2113(a) and 2113(d).

Count 2

On or about December 13, 2013, in Anoka County, in the State and District of Minnesota, the defendant did knowingly brandish a firearm, namely, a .40 caliber pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, specifically, armed bank robbery, all in violation of Title 18, United States Code, Section 924(c)(1)(A)(ii).

I further state that I am a Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

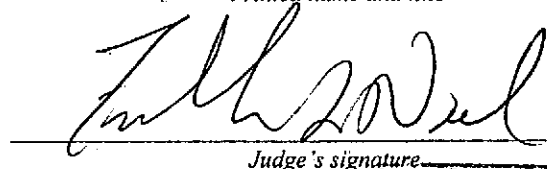
Continued on the attached sheet and made a part hereof: Yes No


Complainant's signature

DAVID T. WALDEN, FBI Special Agent
Printed name and title

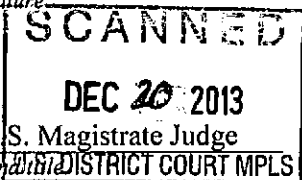
Sworn to before me and signed in my presence.

Date: December 16, 2013


Judge's signature

City and state: Minneapolis, MN

Honorable Franklin L. Noel, U.S. Magistrate Judge
Printed name and title



STATE OF MINNESOTA)
)
COUNTY OF HENNEPIN)

ss. AFFIDAVIT OF DAVID T. WALDEN

I, David T. Walden, being duly sworn under oath, depose and state as follows:

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and my primary assignment is the investigation of bank robbery matters and other violent crimes. I have been a Special Agent since November 1999.

2. This affidavit is submitted in support of a criminal complaint against TEARISE BREON BAUGH on grounds that he committed violations of Title 18, United States Code, Section 2113(a) and (d) (Armed Bank Robbery), and Title 18, United States Code, Section 924(c)(1)(A)(ii) (Brandishing a Firearm During a Crime of Violence). The elements of these offenses are as follows: (1) the defendant used force, violence, or intimidation; (2) in taking money belonging to a financial institution; (3) the deposits of that financial institution were then insured by the Federal Deposit Insurance Corporation (FDIC); (4) while assaulting and putting in jeopardy the life of another person by the use of a dangerous weapon in committing the offense; and (5) during and in relation to the commission of this crime, carried or brandished a firearm.

3. This affidavit is made for the purpose of establishing probable cause in support of a federal arrest warrant and therefore contains only a summary of relevant facts. This affidavit is based on my training, experience, personal knowledge and observations in this investigation; upon my discussions with other law enforcement officers and agents directly involved in this investigation; and, upon my review of official reports submitted in relation to this investigation.

4. In connection with my official duties, I have participated in the investigation of the

December 13, 2013, robbery of the TCF Bank, 331 Highway 10 Service Road NE, Blaine, Minnesota (hereinafter, "the bank"). In connection with my official duties, I have obtained the following information through my investigation, Blaine Police Department (BPD) officers, Anoka County Sheriff Department (ACSD) deputies, and numerous other State and local police departments and officers.

5. On or about Friday, December 13, 2013, at approximately 6:30 p.m., three (3) black male adults (hereinafter, "Robber #1, Robber #2, and Robber #3") entered the bank and ordered everyone on the ground. Robber #1, wearing blue Nike shoes, khaki cargo pants, and a blue hooded sweatshirt, brandished a black pistol, pointed the pistol at the heads and bodies of the victim tellers and jumped over the teller counter. Robber #2 also jumped over the teller counter and started to remove cash from the cash drawers. Robber #3 walked into the lobby and approached the bank manager. Robber #3 zip-tied the bank manager's hands behind his back and controlled the rest of the occupants of the lobby. Robbers #1 and #2 opened cash drawers and took cash. Shortly thereafter, all three robbers exited the bank and entered their vehicle, a 1994 GMC K1500 with stolen license plates. However, the vehicle did not function properly and the three robbers exited the vehicle and fled on foot.

6. Robber #1 fled the bank, ran into the nearby Arby's restaurant and entered the bathroom. Witnesses at the Arby's restaurant attempted to enter the bathroom, but the door remained locked. The police were called to the Arby's and the witnesses identified a black male in the restaurant as the suspicious person. Police then detained TEARIS BREON BAUGH, who was wearing blue Nike shoes, at the Arby's restaurant. Responding police officers entered the bathroom and located dye-stained money in the toilet and the trash can. Numerous other items of evidence – including khaki cargo pants – were subsequently located at or near the Arby's that

further implicated BAUGH in the robbery.

7. Robbers #2 and #3 fled on foot and were pursued by responding officers. The search to locate the other robbers was unsuccessful.

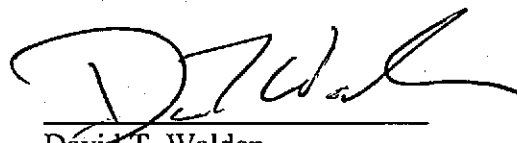
8. Following the robbery, bank employees completed an audit. According to the audit, the bank suffered a loss of \$5,808 in United States currency. At the time of the robbery, the deposits at the bank were federally insured by the Federal Deposit Insurance Corporation (FDIC) with certificate number 28330.

9. Subsequent to arrest, investigating Agents interviewed BAUGH. Prior to the interview, BAUGH was advised of his rights under Miranda. BAUGH stated that he understood his rights, agreed to waive them and speak with investigating Agents without an attorney present. Thereafter, BAUGH confessed to his participation in the armed bank robbery of the TCF Bank, 331 Highway 10 Service Road NE, Blaine, Minnesota, on Friday, December 13, 2013. BAUGH stated he entered the bank, displayed a loaded .40 caliber pistol and ordered the employees to the ground. BAUGH admitted that he jumped the teller counter and took cash from the bank. BAUGH admitted he brandished a black .40 caliber pistol as a means to intimidate the employees into complying with his demands for cash.

10. Based on the above information, I submit there is probable cause to believe that TEARISE BREON BAUGH, aiding and abetting others and aided and abetted by others, did knowingly, by force, violence, and intimidation, take from the person and presence of a victim teller approximately \$5,808 in United States currency belonging to and in the care, custody, control, management, and possession of the TCF Bank located in Blaine, Minnesota, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and in committing such offense, did assault and put in jeopardy the life of another person by the use of a dangerous

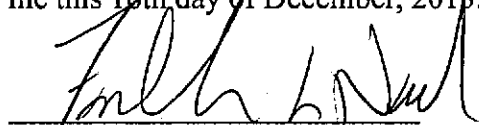
weapon, that is, a .40 caliber pistol, in violation of Title 18, United States Code, Section 2113 (a) and (d); and that TEARISE BREON BAUGH knowingly brandished a firearm, namely, a .40 caliber pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, specifically, armed bank robbery, in violation of Title 18, United States Code, Section 924 (c)(1)(A)(ii).

Further your Affiant sayeth not.



David T. Walden
Special Agent,
Federal Bureau of Investigation

SUBSCRIBED and SWORN to before
me this 16th day of December, 2013.



The Honorable Franklin L. Noel
United States Magistrate Judge