

State of Minnesota
County of Wright

District Court
10th Judicial District

Prosecutor File No.
Court File No.

0860224299

State of Minnesota,

Plaintiff,

vs.

DILLON LAWRENCE TILBURY DOB: 09/15/2004

729 11TH ST N
Moorhead, MN 56560

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 - 2nd Degree - With Intent-Not Premeditated

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

Maximum Sentence: 20 years

Offense Level: Felony

Offense Date (on or about): 01/16/2023

Control #(ICR#): 23001286

Charge Description: On or about January 16, 2023, in the County of Wright, Minnesota, Dillon Lawrence Tilbury did attempt to cause the death of a human being with intent to effect the death of that person without premeditation,

COUNT II

Charge: Assault-1st Degree-Great Bodily Harm

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

Maximum Sentence: 20 years, or \$30,000 fine, or both Mandatory minimum sentence of not less than 3 years nor more than 20 years

Offense Level: Felony

Offense Date (on or about): 01/16/2023

Control #(ICR#): 23001286

Charge Description: On or about January 16, 2023, in the County of Wright, Minnesota, Dillon Lawrence Tilbury did assault another and inflict great bodily harm,

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

The complainant is a licensed police officer with the State of Minnesota. The complainant is familiar with the law enforcement officers submitting reports in this matter and believe those persons to be reliable and their reports to be true and accurate. The complainant attests that, based on those reports, the following facts establish probable cause:

On January 16, 2023, at 8:31 p.m. Deputy Emanuel and Deputy Weekes, assisted by other deputies, responded to the compost site at Montissippi Park located at 1707 River Street West in Monticello, Wright County, Minnesota, on a report that a male had been shot. Deputy Weekes arrived first and located a black SUV parked in the driveway of the compost site. Deputy Weekes observed a male, J.J.N. DOB: 09/25/1978, walking from the passenger side of the SUV. J.J.N. was covered in blood. Deputy Weekes observed a small hole in J.J.N.'s shirt near his upper chest. Deputy Weekes assisted J.J.N. to the ground as Deputy Emanuel arrived with his medical bag to provide medical care. Deputy Weekes removed J.J.N.'s shirt and saw what appeared to be a bullet hole in his right chest directly corresponding to the hole observed in his shirt. Deputy Weekes rolled J.J.N. over and did not observe an exit wound for the bullet. J.J.N. also had an apparent bullet wound on the left side of his neck. The bullet that struck J.J.N. in the neck had an observed entrance and exit wound. J.J.N. complained of difficulty breathing. Deputy Weekes supplied oxygen to J.J.N. and both deputies continued emergency medical care until paramedics arrived. J.J.N. was transported by ambulance to North Memorial.

Deputies spoke with three witnesses present on scene, who were fully identified by law enforcement. All three witnesses had been in the black SUV with J.J.N. and the suspect in the shooting. The shooting suspect was identified by the witnesses as Dillon Lawrence Tilbury, DOB: 09/15/2004, defendant herein. Based on the accounts of the witnesses, deputies learned that J.J.N. and the defendant got into a physical altercation outside the vehicle. Based on the accounts of the witnesses, deputies learned that the defendant shot J.J.N. during the physical altercation. Based on the accounts of the witnesses, deputies learned the shooting occurred at this location. Based on the accounts of the witnesses, the deputies learned that the defendant fled east on River Street after shooting J.J.N.

A witness called the Wright County Sheriff's Office and reported someone ran to a neighborhood off River Street West. This neighborhood is in the area in which the defendant fled. Several deputies responded to this neighborhood in pursuit of the defendant. Deputy Tavares observed tracks going through the snow to a broken section of a fence. Sgt. McMackins, Deputy Tavares, and Deputy Cotten assisted by his K9 Chase. tracked footprints in the snow to a garage. It appeared to deputies that the defendant was hiding in a garage of the residence at this location as there were no footprints leaving the area. The Wright County Sheriff's Office Emergency Response Team (ERT) was activated and responded to the location where the defendant fled. Deputies and members of the ERT maintained a perimeter around the residence and conducted surveillance.

ERT members utilized a robot to access the service door to the garage. ERT conducted two drone flights into the garage and did not observe anyone inside. The homeowner noticed by viewing the drone footage that items in the garage had been disturbed consistent with the suspect being there. ERT members opened the overhead garage door. Deputy Cotten deployed Chase into the garage. Chase alerted on the trunk of a vehicle that was in the garage by bracketing back and forth across the trunk. After Chase alerted on the trunk, ERT shouted commands into the garage for the suspect to give up. Chase was deployed into the garage a second time. Chase again alerted on the trunk and started aggressively barking. At this

time, Deputy Cotten heard the suspect yelling from inside the trunk of the car that he was giving up. ERT members shouted commands to the suspect. The suspect opened the trunk and complied with commands. The suspect was taken into custody by ERT members. The suspect was identified as the defendant. The defendant was arrested at 3:09 a.m. on January 17, 2023.

Following the apprehension of the defendant, deputies began searching the garage and surrounding area. Deputy Loomis, with the assistance of his K9 partner Grizz, recovered a black semi-automatic handgun from the rafters of the garage. Deputy Cotten, assisted by Chase, located a firearm magazine in the bottom of a gas can that was in the backyard. The firearm and magazine were collected by the Major Crimes Investigative Unit (MCIU).

J.J.N. was listed in critical condition at North Memorial. At one point during his medical care at North Memorial, doctors were required to resuscitate J.J.N. The injuries sustained by J.J.N. from being shot by the defendant required surgery and amount to great bodily harm. Due to his injuries, J.J.N. has not been able to provide a statement to law enforcement.

The firearm recovered from the garage in which the defendant fled to and was hiding was identified as a Diamondback Firearms D89 9mm pistol. While processing the crime scene near the compost site, deputies located a fired 9mm bullet consistent with the bullet wound to J.J.N.'s neck.

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 Kevin Olson
Deputy Sheriff
3800 Braddock Avenue NE
Buffalo, MN 55313
Badge: 161

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

Prosecuting Attorney Brian Anthony Lutes
County Attorney
3700 Braddock Avenue NE
Suite 2100
Buffalo, MN 55313
(763) 682-7340

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 as directed in the Notice of Hearing before the above-named court 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: _____, _____.

Judicial Officer <judge name>

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

**COUNTY OF WRIGHT
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Dillon Lawrence Tilbury

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: Dillon Lawrence Tilbury
DOB: 09/15/2004
Address: 729 11TH ST N
Moorhead, MN 56560

Alias Names/DOB:

SID: MN18AA2825

Height:

Weight: 205lbs.

Eye Color:

Hair Color:

Gender:

Race:

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #: G000071022600 (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	1/16/2023	609.19.1(1) Murder - 2nd Degree - With Intent-Not Premeditated	Felony	H2912		MN0860000	23001286
	Modifier	1/16/2023	609.17.1 Anticipatory Crimes-Attempts	No-Level	H2912		MN0860000	23001286
2	Charge	1/16/2023	609.221.1 Assault-1st Degree-Great Bodily Harm	Felony	A1122		MN0860000	23001286
	Modifier	1/16/2023	609.11.5(a) Minimum Sentences of Imprisonment-Firearm Use or Possession	Felony	A1122		MN0860000	23001286