

CCT	LIST CHARGE STATUTE ONLY	M.O.C.	GOC	CTY. ATTY. FILE NO.	CONTROLLING AGENCY	CONTROL NO.
1	609.235 Subd. II ADMINISTRATIVE INFORMATION	I2157	N		MN0620900	12188503
				COURT CASE NO.	DATE FILED	
				Amended	Tab Charge Previously Filed	

FILE COPY

State of Minnesota			<input type="checkbox"/> SERIOUS FELONY <input checked="" type="checkbox"/> SUMMONS <input type="checkbox"/> FELONY <input type="checkbox"/> WARRANT <input type="checkbox"/> GROSS MISDM DWI <input type="checkbox"/> ORDER OF DETENTION <input checked="" type="checkbox"/> GROSS MISDM	
VS.	PLAINTIFF,			
NAME: first, middle, last Cheryl Ann Tchida		Date of Birth		
7169 Windgate Avenue		4/17/62		
Saint Paul MN 55125		DEFENDANT,	RAMSEY	CTY

COMPLAINT

The Complainant, being duly sworn, makes complaint to the above-named Court and states that there is probable cause to believe that the Defendant committed the following offense (s). The complainant states that the following facts establish PROBABLE CAUSE:

At all times relevant to the events described below, CHERYL ANN TCHIDA (DOB: 4/17/1962), Defendant herein, was the legal guardian and sole caretaker of her 19 year old daughter L.L.T., who is a vulnerable adult. L.L.T is profoundly developmentally disabled, with a diagnosis of Severe Cognitive Delay and an Intelligence Quotient (IQ) of 45. She is unable to tell time, read at a functional level, or perform basic daily living skills. She functions at the same developmental level as a five or six year old child. Additionally, L.L.T. has Hypochondroplasia, a form of dwarfism. In her original guardianship petition (signed October 22, 2011), Defendant acknowledged that L.L.T. is vulnerable to exploitation by others and requires 24 hour supervision to remain safe at home and in the community.

On August 8, 2012, St. Paul police officers received a call from Defendant stating that approximately one month earlier her daughter, L.L.T., had been repeatedly raped and forced to engage in prostitution. An investigation was initiated which included interviews with both Defendant and L.L.T., among others. L.L.T. told police that on July 3, 2012, her mother, the Defendant, had taken her to a Roseville hotel and dropped her off there to "hang out" with a 17 year old male "friend" whom L.L.T. had met three days earlier at the drive-through of a fast food restaurant. L.L.T. stated that after her mother dropped her off and she got to the hotel room, her new friend was there with his uncle "Red" (later identified to be Hassan Muhammad, age 33), as well as four other adult males. During the evening, L.L.T. says she was coerced into having sexual intercourse with the four men. Muhammed then took her cell phone from her and used it to set up a LiveLinks advertisement soliciting other men to have sex with L.L.T. for \$200. L.L.T. told Muhammed she didn't want to do that but he threatened to hurt her if she refused. L.L.T. reported having sexual intercourse with five "customers" that night. Muhammed then took a picture of the money L.L.T. had made and sent it to her mother, the Defendant. Defendant admitted to officers that she received this picture text that night. After the picture was sent, L.L.T. called her mother, the Defendant, to pick her up but her mother never came. Defendant admits that she instead called her daughter back and her daughter's phone was answered by Muhammed, who told Defendant that "[L.L.T.] needs more chocolate and isn't coming home." Defendant never returned to the hotel that night to pick her daughter up.

THEREFORE, Complainant requests that said 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'S NAME: Sgt. Heather Weyker	COMPLAINANT'S SIGNATURE
<i>Being duly authorized to prosecute the offense(s) charged, I hereby approve this Complaint.</i>	
DATE: January 2, 2013	PROSECUTING ATTORNEY'S SIGNATURE:
PROSECUTING ATTORNEY:	

NAME/TITLE: Tara K. Patet, Asst. City Attorney, 500 City Hall, St. Paul, MN 55102	ADDRESS/TELEPHONE:
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Early the next morning Muhammed drove L.L.T. to his apartment at 313 Dale St. in St. Paul, Ramsey County, Minnesota. Once there, he had sexual intercourse with her. L.L.T. again called her mother, the Defendant, to pick her up; this time her mother agreed. Muhammed then got on L.L.T.'s phone and agreed to meet Defendant at a nearby Subway restaurant at University Ave. and Dale St. in St. Paul to drop her daughter off. Defendant did not report this incident to police. Instead, over the next several weeks, Defendant continually dropped her daughter off at the 313 Dale St. apartment building (and the nearby Subway restaurant) without supervision.

On July 5, 2012 – two days after the incident at the hotel – Defendant dropped her daughter off at a fast food restaurant on University Ave. so her daughter could “hang out” with a friend she identified only as “Jessie.” At that time, “Jessie” resided in the same apartment building as Muhammad (313 Dale). Defendant admitted to police that she did not like or approve of “Jessie” but agreed to drop her daughter off anyway. Police reports document that at approximately midnight that night, L.L.T. was seen running in a park by a St. Paul police officer in the area of Arundel and Central in St. Paul. She told the officer that she had been with a male friend she identified as “David,” who was Muhammad’s 18 year old nephew and who stayed at 313 Dale. Moments before encountering the police officer, L.L.T. had called her mother, the Defendant, to pick her up saying that David and some other men were trying to coerce her into having sex with them and she didn’t want to. She was scared and was unable to direct her mother where to pick her up. The officer who had found L.L.T. got on the phone with Defendant and directed her to the location so that she could pick her daughter up.

In the days following the July 3 hotel incident, Muhammad had been texting L.L.M. several times asking her to come and “hang out” with him. Eventually, on July 8, 2012, L.L.M. agreed to visit Muhammed at his apartment at 313 Dale. She asked her mother to drop her off there and her mother agreed. Defendant drove L.L.T. to the apartment building at 313 Dale St., St. Paul, Ramsey County, Minnesota, and dropped her off. L.L.T. told Defendant she was going there to spend time with her friend “Eric.” Instead, L.L.T. went to Muhammed’s apartment. Muhammed told her he wanted to have sex with her and she replied no. He then told her she had to dress in a tank top, shorts, and high-heeled sandals and would not allow her to wear a bra or underwear. He then drove L.L.T. to Minneapolis where he arranged for her to have sexual intercourse with several different men for \$200 each while he stood nearby and collected the money. He then drove L.L.T. back to the Dale street apartment building in St. Paul and L.L.T. called her mother, the Defendant, to pick her. When her mother picked her up L.L.T. told her what had just happened.

Despite L.L.T.’s reports to Defendant of being victimized at 313 Dale St., Defendant continued to drive her there and drop her off there, unsupervised. This apartment building requires guests to sign in upon entry. Guest log records reveal that L.L.T. visited the building on August 9, 11, 12, 14, 15, and 16, 2012. On August 16, 2012, L.L.T. was “trespassed” from the building by management after she was found unaccompanied by a resident in one of the apartment units. After management gave L.L.T. her trespass notice, they contacted Defendant by telephone and told her she needed to come and pick her daughter up from the building.

In mid-August, 2012, it was discovered that L.L.T. is pregnant. Doctors have determined that this baby was conceived during the first or second week of July. Both L.L.T. and Defendant indicate that they do not know the identity of the baby’s father. On October 12, 2012, Washington County Community Services petitioned for and received a Guardianship over L.L.T. who now resides in a licensed group home.

Based upon the foregoing, your complainant believes the following: that between July 3, 2012 and August 16, 2012, within the city limits of Saint Paul, Ramsey County, Minnesota, Cheryl Ann Tchida, Defendant herein, did wrongfully and unlawfully...

COUNT I. NEGLECT OF VULNERABLE ADULT - GROSS MISDEMEANOR.

§609.233, Subd. 1. PENALTY: 0-1 year and/or \$3,000 fine.

as a caretaker who intentionally neglects a vulnerable adult or knowingly permits condition to exist that result in the abuse or neglect of a vulnerable adult.

Court Case #: _____

This COMPLAINT was subscribed and sworn to before the undersigned this _____ day of _____.

NAME: _____

SIGNATURE: _____

TITLE: _____

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. The Defendant (s) is/are thereof charged with the above-stated offense.

SUMMONS

X THEREFORE You, THE ABOVE-NAMED DEFENDANT(S), ARE HEREBY SUMMONED to appear on the 14th day of February, 2013 at 12:30 PM before the above-named court at 131 Courthouse Saint Paul to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

WARRANT

EXECUTE IN MINNESOTA ONLY

To the sheriff of the above-named county; or other person authorized to execute this WARRANT; I hereby order, in the name of the State of Minnesota, that the above-named Defendant (s) be apprehended and arrested without delay and brought promptly before the above-named Court (if in session, and if not, before a Judge of Judicial Officer of such Court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon thereafter as such Judge or Judicial Officer is available) to be dealt with according to law.

ORDER OF DETENTION

Since the above-named Defendant (s) is/are already in custody; I hereby order; subject to bail or conditions of release, that the above-named Defendant (s) continue to be detained pending further proceedings.

Bail: _____

Conditions of Release: _____

This COMPLAINT -SUMMONS/WARRANT/ORDER OF DETENTION, duly subscribed and sworn to, is issued by the undersigned Judicial Officer this _____ day of _____

NAME: _____

SIGNATURE: _____

TITLE: _____

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

STATE OF MINNESOTA COUNTY of

RAMSEY

State of Minnesota

Plaintiff,

vs.

Cheryl Ann Tchida,

Defendant (s)

Clerk's Signature or File Stamp:

RETURN OF SERVICE

I hereby Certify and Return that I have served a copy of this COMPLAINT - SUMMONS/WARRANT/ORDER OF DETENTION upon the Defendant (s) herein-named.

Signature of Authorized Service Agent:

State of Minnesota

VS.

Cheryl Ann Tchida

NOTICE BY PROSECUTING ATTORNEY OF
EVIDENCE AND IDENTIFICATION
PROCEDURES PURSUANT TO RULE 7.01, DISCLOSURE
BY PROSECUTION
PURSUANT TO RULE 9.01 AND DEMAND
FOR DISCLOSURE PURSUANT TO RULE 9.02

TO: The above-named defendant or their attorney:

A. Pursuant to Rule 7.01 Minn. Rules of Criminal Procedure, you are advised that in the above-named case the prosecution has: x evidence against the defendant obtained as a result of a search, search and seizure. x confessions, admissions or statements in the nature of confessions made by the defendant. x evidence against the defendant discovered as a result of confessions, admissions or statements in the nature of confessions made by defendant. Evidence of the following identifications procedures: x lineups, x the exhibition of photographs of the defendant or any other person, x other observations of the defendant.

B. Disclosure pursuant to Rule 9, Minn. Rules of Criminal Procedures:

- 1) Names and addresses of prospective witnesses for the State are contained in the attachments hereto or to the complaint: and you are hereby notified that St. Paul Criminalists and Minnesota BCA Laboratory analysts may be called as State's witnesses in DUI cases.
- 2) The relevant written or recorded statements if any, and the substance of any oral statements made either by the defendant or by any accomplices, if any, are attached to the complaint or to this notice.
- 3) At trial, the State may offer any of the items of physical evidence described in the attachments to the complaint or to this disclosure. The State may also offer diagrams or maps of the crime or arrest scenes, medical records, driver's license or motor vehicle records, business records, photographs of the victim, the defendant and others, or of the arrest or crime scene, and photographs of lineups and photo displays used by the police.
- 4) Any results or reports of physical or mental examinations, scientific tests, experiments or comparisons are attached hereto or to the complaint.
- 5) Defendants prior convictions known to the State will be disclosed upon disclosure by defense of prior convictions known to defendant.
- 6) The State is not aware of information negating or reducing the guilty of the accused except as has been disclosed.
- 7) If the defense has been served with notice of other offenses pursuant to Minn. Rules of Criminal Procedure 7.02, and if such other offenses are separately charged, disclosures made to the defense in connection with such charges are incorporated herein by reference.

FURTHER, DEMAND IS HEREBY MADE PURSUANT TO THE RULE 9.02 OF THE MINN. RULES OF CRIMINAL PROCEDURE THAT YOU MAKE THE DISCLOSURES REQUIRED BY THAT RULE BEFORE THE DATE OF THE OMNIBUS HEARING.



Tara K. Patet
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Attorney Reg #: 260034