

State of Minnesota
County of Ramsey

District Court
2nd Judicial District

Prosecutor File No. 0620420917
Court File No. 62-CR-20-675

State of Minnesota,

Plaintiff,

vs.

DARRELL ROGER JOHNSON DOB: 08/04/1969

3300 Bayside Road
Long Lake, MN 55356

Defendant.

COMPLAINT

Summons

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: Theft-By Swindle

Minnesota Statute: 609.52.2(a)(4), with reference to: 609.52.3(2)

Maximum Sentence: 10 years or \$20,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 12/10/2018

Control #(ICR#): 19000389

Charge Description: On or about December 10, 2018, in the County of Ramsey, Minnesota, Darrell Roger Johnson did obtain possession of property or services from another person of a value more than \$5,000, by means of swindle.

STATEMENT OF PROBABLE CAUSE

Darrell Roger Johnson (DOB: 8/4/1969) was, before March 2017, a residential building contractor licensed by the State of Minnesota. On March 9, 2017, the Minnesota Department of Labor and Industry revoked his residential building contractor license and assessed a fine against him. The reason for this order was that in three instances Johnson received money for construction work and failed to complete the work and/or failed to pay subcontractors and material suppliers. The 2017 order from the Department of Labor and Industry specifically states: "Because your license is now revoked, you cannot offer to perform or perform any services in this State that requires licensure as a residential building contractor, including holding yourself out to the public as a residential building contractor."

Nevertheless, that is exactly what Johnson did.

In September 2018, an electrical fire caused extensive damage to a home at 1763 East Minnehaha Ave, in St. Paul, Ramsey County Minnesota. This home was owned by CJH (DOB: 11/14/1946) and her son, RBK Jr. (DOB: 9/30/1964), who resided in the home. The owners filed a claim with their insurance agent, who also recommended a contractor—Johnson—to help restore the home. In December 2018, RBK Jr., and the insurance agent met with Johnson at a restaurant across the street from the home. At this meeting, Johnson held himself out as a residential building contractor. Johnson proposed to provide a complete restoration including new windows, sheetrock, carpet, shingles, cabinets, electrical, and insulation for a total of \$100,000. Alternatively, Johnson proposed a contract for \$85,000 with Johnson performing all the work except the electrical and insulation. Under either scope of work, this was a project that required a licensed residential building contractor, but at no time did Johnson disclose to RBK Jr. that his license had been revoked.

RBK Jr. agreed to the second proposal, for \$85,000, and provided Johnson with a bank check in the amount of \$22,000 as a down payment. Johnson deposited that check into an account in the name of JBS Homes, Inc. on December 10, 2018. In one week, he withdrew or transferred over \$19,000, and by the end of the month the balance in the account was less than \$350.00. Johnson performed no work on RBK Jr.'s house. He also never provided RBK Jr. with a contract even though RBK Jr. requested one. Eventually, RBK Jr. decided he would never get any work out of Johnson and had to hire someone else to help restore the home.

On or about December 10, 2018, in Ramsey County, Johnson engaged in a theft by swindle by inducing RBK Jr. to give him \$22,000 for contractor services without disclosing that because his residential building contractor license had been revoked, he would be unable to provide the services he offered.

NOTICE: Pursuant to Minnesota Statute 609.49, subd. 1 (a) A person charged with or convicted of a felony and released from custody, with or without bail or recognizance, who intentionally fails to appear when required after having been notified that a failure to appear for a court appearance is a criminal offense, or after having been released on an order or condition that the release personally appear when required with respect to the charge or conviction, is guilty of a crime for failure to appear and may be

sentenced to not more than one-half of the maximum term of imprisonment or fine, or both, provided for the underlying crime for which the person failed to appear, but this maximum sentence shall, in no case, be less than a term of imprisonment of one year and one day or a fine of \$1,500, or both.

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

Scott J. Willson
Special Agent
85 7th Place East
Suite 100
St. Paul, MN 55101
Badge: 106

Electronically Signed:
01/28/2020 11:43 AM
Ramsey County, Minnesota

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

Prosecuting Attorney

Thomas B Hatch
345 Wabasha Street N
Suite 120
St Paul, MN 55102
(651) 266-3222

Electronically Signed:
01/28/2020 11:36 AM

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 **March 4, 2020 at 9:00 AM** before the above-named court at 15 W Kellogg Blvd, St Paul, MN 55102 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: January 28, 2020.

Judicial Officer

JaPaul Harris
Judge

Electronically Signed: 01/28/2020 02:23 PM

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

COUNTY OF RAMSEY
STATE OF MINNESOTA

State of Minnesota

Plaintiff

vs.

Darrell Roger Johnson

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE
*I hereby Certify and Return that I have served a copy of this
Summons upon the Defendant herein named.*

Signature of Authorized Service Agent:

DEFENDANT FACT SHEET

Name: Darrell Roger Johnson
DOB: 08/04/1969
Address: 3300 Bayside Road
Long Lake, MN 55356

Alias Names/DOB:

SID:

Height:

Weight: 196lbs.

Eye Color:

Hair Color:

Gender:

Race:

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: No

Driver's License #:

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	12/10/2018	609.52.2(a)(4) Theft-By Swindle	Felony	U106G	N	MN062095Y	19000389
	Penalty	12/10/2018	609.52.3(2) Theft-Value over \$5,000 or Trade Secret, Explosive, Controlled Substance I or II	Felony	U106G	N	MN062095Y	19000389