

State of Minnesota
County of Anoka

District Court
10th Judicial District

Prosecutor File No.
Court File No.

CA-2018-00020
02-CR-18-105

State of Minnesota,

Plaintiff,

vs.

FUE HER DOB: 03/03/1983

5451 5th Street NE
Fridley, MN 55421

Defendant.

COMPLAINT

Order of Detention

Amended

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: Murder in the 2nd Degree (With Intent) (Not Premeditated)

Minnesota Statute: 609.19.1(1)

Maximum Sentence: 0-40 Years

Offense Level: Felony

Offense Date (on or about): 12/31/2017

Control #(ICR#): 18000308

Charge Description: On or about December 31, 2017, in the County of Anoka, Minnesota, FUE HER, did cause the death of a human being with intent to effect the death of that person or another, but without premeditation.

COUNT II

Charge: Murder - 2nd Degree (Without Intent) (While Committing a Felony)

Minnesota Statute: 609.19.2(1)

Maximum Sentence: 0-40 Years

Offense Level: Felony

Offense Date (on or about): 12/31/2017

Control #(ICR#): 18000308

Charge Description: On or about December 31, 2017, in the County of Anoka, Minnesota, FUE HER, did cause the death of a human being, without intent to effect the death of any person, while committing or attempting to commit a felony offense other than criminal sexual conduct in the first or second degree with force or violence or a drive-by shooting.

STATEMENT OF PROBABLE CAUSE

At 12:26 pm on January 1st, 2018, the Columbia Heights police were dispatched to a call of a suspicious vehicle parked on the street of the 4200 block of 5th Street NE in Columbia Heights, Anoka County. The initial report indicated the vehicle may have been there since about 9:00 that morning. Upon arrival police saw a black GMC Yukon with Minnesota plate #878TKR. The vehicle was running and a large ice patch was visible under the exhaust pipe. By looking into the windows, police saw what looked like a person laying in the third-row seat. The person did not respond to police commands and was unresponsive. In order to check the welfare of the person, police made entry into the vehicle. Police found a female in the third row who appeared deceased and was confirmed deceased a short time later. The female was wearing a black dress and was barefoot. The vehicle and female were transported to the Anoka County Sheriff's Office for investigation.

The deceased female was identified as Linda Pa Vue (DOB: 4/13/88). Ms. Vue was transported to the Midwest Medical Examiner's Office for an autopsy. Initial findings include that Ms. Vue was likely deceased at least 24 hours before being located. Ms. Vue suffered from multiple areas of blunt force trauma to the head and face as a result of multiple strikes. Ms. Vue had intracranial bleeding and closed head trauma. Ms. Vue also had extensive bruising to her arms and left thigh. In addition, Ms. Vue had trauma to her neck and throat, including damage to the cartilage in her neck. Finally, Ms. Vue had a blunt force injury to her abdomen which caused a liver laceration and subsequent bleeding into her abdomen. Ms. Vue's death is a homicide according to the Medical Examiner.

Inside the GMC Yukon was a large men's jacket which had been covering the victim. In the coat pocket was a receipt from a hotel in Brooklyn Center in the name of Fue Her (DOB: 3/3/82), the defendant herein. The receipt was for a period from 12/28/17 – 12/30/17. The guest registration for this transaction lists the guest as Fue Her and a vehicle with Minnesota License #878-TKW. The defendant resides at 5451 5th Street NE in Fridley, Anoka County. This is about 12 blocks from where the victim's body was located. Inside the Yukon was presumed blood and blood smears, but not blood spatter. Given the victim's injuries, it appears likely the injuries were inflicted at a place other than inside the Yukon.

Investigators showed a police report from November 2016 where the defendant reported a theft to the Fridley police. The defendant gave his address as 5451 5th Street NE, #301. On August 2nd, 2017, St. Paul police received a report from the victim. The victim reported that her ex-boyfriend, the defendant herein, was threatening her. The victim said she does not feel safe and wanted police to respond to her residence in St. Paul. The victim described the defendant's vehicle. The victim's description matches the vehicle in which her body was located on January 1st – the black GMC.

Following the checkout from the hotel, the defendant next had contact with the victim on a phone call at 10:33pm on 12/30/17. The defendant is also seen on video leaving his apartment building, appearing to be talking on the phone, at the same time. Then, at 12:35 am on 12/31/17, the defendant calls the victim. At 12:52 am on 12/31/17, the defendant again calls the victim and the defendant's phone is "pinging" off a cell phone tower near the victim's residence in St. Paul.

Investigation obtained video from the video security system located at 5451 5th Street NE in Fridley for a period from December 30th – January 1st, 2018. At 2:44 am on December 31st, 2017, the victim is with an adult male who matches the defendant entering the front door of 5451 5th Street NE, the defendant's residence. The victim appears well and is walking with the defendant upstairs, towards the upper floor of the building. 48 seconds later the defendant and victim are on video on the third floor near the defendant's apartment #301. Then, at about 4:01 am, the same male, the defendant, is on video walking down the same stairs as he went up about an hour earlier. The defendant is carrying a limp, lifeless female body over his shoulder. The defendant then exits the apartment. The female the defendant is carrying appears to be wearing a dress and is barefoot. The defendant is next observed entering his apartment building at 4:26 pm on 12/31/17. The defendant is alone. At 5:50 pm on 12/31/17 the defendant is on video leaving the building with multiple bags, including what appears

to be a large black plastic garbage bag.

At 4:54 am on 12/31/17 the defendant calls his brother, Fong Her (DOB: 9/11/84), a defendant pending charges as an accomplice after the fact. Then, multiple calls occur between the defendant and his brother Fong. At 5:44 am on 12/31/17 the apartment security cameras capture who appears to be Fong Her entering the building. Fong Her shares the apartment with the defendant. Fong is seen leaving the building 12 minutes later. Then, after 5 additional minutes, Fong Her returns to the building.

Attempts to locate the defendant included tracking his cell phone. However, the defendant's cell phone had been turned off starting in the afternoon of December 31st, 2017, before the victim's body was located.

During the early morning hours of January 2nd, 2018, a search warrant was executed at the defendant's apartment. Inside a bedroom which contained items of mail and documents belonging to the defendant, a pair of male boxer shorts and a shirt were located. Both items presumptively tested positive for human blood.

On the morning of January 2nd, detectives searched the garbage dumpster associated with the building of 5451 5th Street NE. Located inside the dumpster were bags, including a black plastic garbage bag, of what appeared to be bloody clothing, cleaning supplies, a scrub brush and latex gloves. Also inside the bags were items of mail belonging to the defendant and his brother, Fong Her, with the same address.

In the early evening hours of January 2nd, 2018, the defendant's cell phone was on and located in the area of Little Canada. A short time later, the defendant was observed leaving a residence and getting into a car with another adult male. The defendant was observed taking a bag from inside the residence and placing it in the vehicle. The defendant was arrested a short time later.

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

Michael Schantzen
Detective
825 41st Ave NE
Columbia Heights, MN
55421-3882
Badge: 224

Electronically Signed:
09/05/2018 03:22 PM
Anoka County, Minnesota

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

Prosecuting Attorney

Melissa M. Saterbak
Assistant County Attorney
2100 3rd Ave
Anoka, MN 55303-2265
(763) 324-5550

Electronically Signed:
09/05/2018 02:17 PM

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 _____, _____ at _____ AM/PM before the above-named court at 2100 Third Avenue, Anoka, MN 55303 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: September 5, 2018.

Judicial Officer

Todd R Schoffelman

Electronically Signed: 09/05/2018 04:00 PM

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

**COUNTY OF ANOKA
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Fue Her

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: Fue Her
DOB: 03/03/1983
Address: 5451 5th Street NE
Fridley, MN 55421

Alias Names/DOB:

SID: MN03407841

Height:

Weight:

Eye Color:

Hair Color:

Gender: MALE

Race: Asian

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #: V552286011612 (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	12/31/2017	609.19.1(1) Murder - 2nd Degree - With Intent-Not Premeditated	Felony	H2001		MN0020400	18000308
2	Charge	12/31/2017	609.19.2(1) Murder - 2nd Degree - Without Intent - While Committing a Felony	Felony	H2851		MN0020400	18000308