

STATE OF MINNESOTA, COUNTY OF WASHINGTON  
COURT

DISTRICT

STATE OF MINNESOTA )  
 ) SS.  
COUNTY OF WASHINGTON

APPLICATION FOR SEARCH WARRANT AND  
SUPPORTING AFFIDAVIT.

Det. Marc Lombardi #144, being duly sworn upon oath, hereby makes application to this Court for a warrant to search the Premises and Motor Vehicles, hereinafter described, for the property and things hereinafter described.

Affiant knows the contents of this application and supporting affidavit, and the statements herein are true of his/her own knowledge, save as to such as are herein stated on information and belief, and as to those, he/she believes them to be true.

Affiant has good reason to believe, and does believe, that the following described property and things, to wit:

1. To collect and process all firearms and firearm accessories to include cases.
2. Ammunition to include live cartridges, cartridge cases, and all packaging associated with ammunition.
3. Journal notes or documentation that will show motive or state of mind of suspect.
4. Papers and documents that would tend to show constructive possession or occupancy of residence.
5. Computers to include electronic media, cell phones, cameras.
6. Firearms purchase receipts.
7. To fully forensically process the residence and all outbuildings using commonly accepted forensic techniques.
8. To fully document the residence and outbuildings using digital photography, videography, Panoscan and measurements to include scale diagrams.
9. Black Infiniti SUV with MN LIC PL 890GEX parked in driveway at 699 Guthrie Av N and owned by family member of suspect.

will be at the premises, described as:

699 Guthrie Av N, Oakdale Minnesota 55128, a single family residence and attached garage, to include all outbuildings and curtilage.

located in the City of Oakdale, County of Washington, and State of Minnesota.

This affiant applies for issuance of a search warrant upon the following grounds:

- The property above-described was used as means of committing a crime.
- The property above-described is in the possession of a person with intent to use such property as a means of committing a crime.
- The property above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

File # \_\_\_\_\_  
 WASHINGTON COUNTY  
 DISTRICT COURT  
 FEB 22 2013  
 COURT ADMINISTRATOR  
 Rv DK

FILED

The facts tending to establish the foregoing grounds for issuance of a search warrant are as follows:

Your affiant is a licensed peace officer in the State of Minnesota. Your affiant has a Bachelor of Arts degree in political science from Augsburg College. Your affiant completed the required POST Skills police training through Metropolitan State University. Your affiant has been a licensed peace officer for the Washington County Sheriff's Office for ten years. Your affiant is currently assigned as a detective with the Washington County Sheriff's Office Investigations Unit. Your affiant worked in the Patrol Division as a patrol officer from March of 1999 to September of 2004. As a patrol officer your affiant attended training with regards to animal abuse and neglect issues and was assigned as the animal Abuse/neglect Investigator until July of 2004. Your affiant attended DARE Instructor School. Your affiant attended the Burnsville Crime Scene School in 2006. Your affiant attended a death scene/homicide School in 2007. Your affiant attended stalking response protocol training in 2008. Your affiant attended Exploring the Sexual Offender & Physical Abuser training in 2008. Your affiant attended undercover techniques and survival and Minnesota Bureau of Criminal Apprehension search warrant training in 2009. Your affiant attended basic, intermediate and advanced arson school in 2010. Your affiant attended Incident Response to Terrorist Bombings at New Mexico Tech in June of 2010. Your affiant attended physical surveillance training in September 2011. Your affiant continues to attend educational classes in law enforcement relative to my profession. Your affiant has drafted and executed numerous search warrants in the past.

On 02/11/13, at approximately 1809 hours, the Oakdale Police Department was dispatched to the area of 7<sup>th</sup> St. and Hadley Av. for a report of shots fired. Upon arrival, Oakdale Officers learned several vehicles in the area were struck with bullets. The occupants of MN LIC/013DXN were both struck by bullets, a juvenile male was killed by the gunfire and his mother was struck and is currently being treated at Regions Hospital. MN LIC/238ENY was also struck by gunfire causing an adult female to get struck by a bullet; her life status is unknown at this time.

On 02/11/13, I spoke with Oakdale PD Det. Barry Smith by phone. Det. Smith said Nhan Lap Tran 01/28/79 was arrested at 486 Hale Av N in Oakdale. Det. Smith said arresting officers recovered a pistol on Tran. Det. Smith told me Woodbury PD Det. Paul Kroshus responded to Nhan Tran's residence after he was arrested. Det. Kroshus went to the residence to check the welfare of Nhan Tran's parents and siblings. While securing the residence, he was directed to Nhan Tran's room in the residence by Tran's parents. Det. Smith said Det. Kroshus cleared Nhan Tran's bedroom and he observed in plain view a note on a desk in this bedroom. Det. Kroshus observed the words, "Random Kill, Fake Plates." Det. Kroshus also observed the numbers 12/12/12 written all over the walls in this bedroom. It should be noted the numbers 12/12/12 are known to be the date for the end of the Mayan calendar.

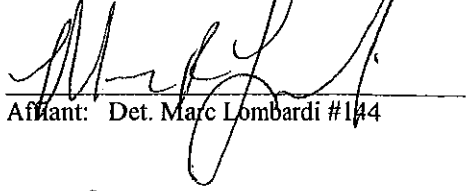
Det. Smith told me that he had completed a Mirandized interview with suspect Nhan Lap Tran 01/28/79. Det. Smith said Nhan Tran told him that he had shot at cars while they drove past his residence. Det. Smith said Nhan Tran told him that cars had been following him around for a while and the persons driving the cars had been revving up their engines while parked in front of his house waking him up. Det. Smith said Nhan Tran said this is why he shot at the cars tonight. Det. Smith said Nhan Tran told him that the gun case for the firearm that he used to shoot the passing cars was in his bedroom at 699 Guthrie Av N, Oakdale MN 55128. Nhan Tran also said the receipt for the purchase of the firearm could be located in an aluminum file cabinet located in his bedroom.

A black Infiniti SUV with MN LIC plate 890GEX is currently parked in the driveway at 699 Guthrie Av N and is owned by a family member of suspect.

Based on the statements that Nhan Tran gave to Det. Smith indicating his disgruntled attitude towards the driving conduct of drivers in the neighborhood, your affiant is requesting the search of all computers, cell phones or any electronic media that could show motive and/or premeditation for these crimes. A nighttime search outside the hours between 7:00 a.m. and 8:00 p.m. is necessary to prevent the loss, destruction or removal of objects of the search or to protect the searchers or the public because:

**Oakdale Police Officers have seized and secured the residence to search for items related to this homicide. Items need to be seized immediately so no there is no loss of evidence.**

WHEREFORE, Affiant requests a search warrant be issued, commanding **Det. William Harrell, Senior Special Agent Scott Mueller, Sgt. Scott Olson, Det. Cassie Anderson, Det. Barry Smith, Det. Wayne Hager, Sgt. VanKlei, Det. Lombardi, Det. Aldean, Special Agent Luke Hanegraaf, Senior Special Agent Bill O'Donnell, Members of the MN BCA Crime Scene Team, Oakdale Police Officers**, (a) peace officer(s), of the State of Minnesota, and **all other personnel under your direction and control outside the hours of 7:00 a.m. and 8:00 p.m. only** to search the hereinbefore described Premises and Motor Vehicle(s), for the described property and things and to seize said property and things and keep said property and things in custody until the same be dealt with according to law.

  
Affiant: Det. Marc Lombardi #1144

Subscribed and sworn to before me this

<sup>th</sup>  
12 day of Feb, 2013

  
Judge of District Court

**SEARCH WARRANT**

STATE OF MINNESOTA, COUNTY OF WASHINGTON  
COURT

DISTRICT

TO: **DET. MARC LOMBARDI #144**, (A) PEACE OFFICER(S) OF THE STATE OF MINNESOTA.

WHEREAS, **DET. MARC LOMBARDI #144** has this day on oath, made application to the said Court applying for issuance of a search warrant to search the following described Premises and Motor Vehicles:

**699 Guthrie Av N, Oakdale Minnesota 55128, a single family residence and attached garage, to include all outbuildings and curtilage.**

located in the City of Oakdale, County of Washington, STATE OF MINNESOTA for the following described property and things:

WHEREAS, the application and supporting affidavit of Det. Marc Lombardi #144 was/were duly presented and read by the Court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following grounds:

1. **To collect and process all firearms and firearm accessories to include cases.**
2. **Ammunition to include live cartridges, cartridge cases, and all packaging associated with ammunition.**
3. **Journal notes or documentation that will show motive or state of mind of suspect.**
4. **Papers and documents that would tend to show constructive possession or occupancy of residence.**
5. **Computers to include electronic media, cell phones, cameras.**
6. **Firearms purchase receipts.**
7. **To fully forensically process the residence and all outbuildings using commonly accepted forensic techniques.**
8. **To fully document the residence and outbuildings using digital photography, videography, Panoscan and measurements to include scale diagrams.**
9. **Black Infiniti SUV with MN LIC PL 890GEX parked in driveway at 699 Guthrie Av N and owned by family member of suspect.**

- **The property above-described was used as means of committing a crime.**
- **The property above-described is in the possession of a person with intent to use such property as a means of committing a crime.**
- **The property above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.**

The Court further finds that probable cause exists to believe that the above-described property and things will be at the above-described premises,

The Court further finds that a nighttime search is necessary to prevent the loss, destruction, or removal of the objects of said search.

NOW, THEREFORE, YOU commanding Det. William Harrell, Senior Special Agent Scott Mueller, Sgt. Scott Olson, Det. Cassie Anderson, Det. Barry Smith, Det. Wayne Hager, Sgt. VanKlei, Det. Lombardi, Det. Aldean, Special Agent Luke Hanegraaf, Senior Special Agent Bill O'Donnell, Members of the MN BCA Crime Scene Team, Oakdale Police Officers THE PEACE OFFICER(S) AFORESAID, AND ALL OTHER PERSONNEL UNDER YOUR DIRECTION AND CONTROL ARE HEREBY COMMANDED OUTSIDE THE HOURS OF 7:00 A.M. AND 8:00 P.M. TO SEARCH THE DESCRIBED PREMISES AND MOTOR VEHICLE(S), FOR THE ABOVE-DESCRIBED PROPERTY AND THINGS, AND TO SEIZE SAID PROPERTY AND THINGS AND TO RETAIN THEM IN CUSTODY SUBJECT TO COURT ORDER AND ACCORDING TO LAW.  
BY THE COURT:

Dated: 2/12/13

E.H. Martin  
JUDGE OF DISTRICT COURT

~~13012780~~  
13012780

STATE OF MINNESOTA, COUNTY OF Washington District COURT

RECEIPT, INVENTORY AND RETURN

I, DET. MARC Lombardi #144, received the attached search warrant

issued by the Honorable Elizabeth MARTIN, on Feb 12<sup>th</sup> 2013 (yr) and have executed it as follows:

Pursuant to said warrant, on Feb, 12<sup>th</sup> 2013 (yr) at 0115 o'clock hrs I searched the (premises) (motor vehicle) (person) described in said warrant, and left a true and correct copy of said warrant (with) (in) (at) 699 Guthrie Av N, Oakdale MN 55128

I took into custody the property and things listed below: (attach and identify additional sheet if necessary)

1. ~~7-Empty Ammunition holders~~ - Empty Ammunition holders - N/W upstairs Bedroom - 593
2. Glock 19 Gun case with s/n TEE620, with Candler Mtn Receipt - N/W Bedroom bottom drawer - 593
3. Permit to purchase FIRE ARM - N/W Bedroom bottom drawer of FILE CABINET - 593
- 4 - DVD - N/W Bedroom top drawer of FILE CABINET - 593
- 5 - DVD - N/W Bedroom in BLUE TOTE - 583.
- 6 - Black note book - N/W Bedroom in BLUE TOTE - 583
- 7 - TAN PANTS Pocket with Black Belt - N/W Bedroom next to FILE CABINET - 583
- 8 - Notes & MISC WRITINGS - N/W Bedroom on top of DRESSER - 583
- 9 - Candler Mtn bag with misc shooting supplies - N/W Bedroom 2nd FROM TOP DRESSER DRAWER - 583
- 10 - T-mobile SAMSUNG Flip phone located in Candler Mtn Bag from N/W Bedroom - 583
- 11 - BEAR MCC Knife, stainless steel 4 1/2 knife - N/W Bedroom 2nd FROM TOP DRESSER DRAWER - 583
- 12 - BLACK WALLET with MAPDI NHAN TRAN - N/W Bedroom on top of DRESSER - 583.
- 13 - 38.00 From BLACK WALLET (FICMIA) - N/W Bedroom - 583
- 14 - GATEWAY Laptop S/N LXWTR020010052F1821601 - Kitchen/Dining - 583
- 15 - COMPAC PERSERID Laptop S/N CND816XNR - S/W Bedroom on top of DRESSER - 583

Strike when appropriate:

- I left a receipt for the property and things listed above with a copy of the warrant.
- None of the items set forth in the search warrant were found.
- I shall (retain) or (deliver) custody of said property as directed by Court order.

I, DET MARC Lombardi #144, being first duly sworn, upon oath, depose and say that I have read the foregoing receipt, inventory and return and the matters stated are true and correct, except as to such matters stated therein on information and belief, and as to those, I believe them to be true.

Subscribed and sworn to before me this 12<sup>th</sup> day of February (yr)

Crosby

Notary Public County, MN  
My commission expires 1-31-17



13012780

STATE OF MINNESOTA, COUNTY OF Washington District COURT

RECEIPT, INVENTORY AND RETURN

I, DET. MARC Lombardi #144, received the attached search warrant

issued by the Honorable Elizabeth MARLIN, on FEB 12TH 2013 (yr) and have executed it as follows:

Pursuant to said warrant, on Feb 12th 2013 (yr) at 0115 o'clock hrs m., I searched the (premises) (motor vehicle) (person) described in said warrant, and left a true and correct copy of said warrant

(with) (in) (at) 699 GUTHRIE AV N, OAKDALE MN 55128

DKM I took into custody the property and things listed below: (attach and identify additional sheet if necessary)

- 16 - ACER Laptop (DAMAGE) S/N LXE540X007735019362000 - S/W Bedroom <sup>on top of dresser</sup> - 503
- 17 - WESTERN DIGITAL 100 gig HARD DRIVE S/N WXE3068549W2 - S/W Bedroom <sup>on top of shelf dresser</sup> - 503
- 18 - SONY VAIO Laptop S/N 275067313095864 - S/W Bedroom <sup>on top of shirt dresser</sup> - 503
- 19 - HTC SMART phone - S/W Bedroom on top of Nightstand - 503
- 20 - ACER TOWER COMPUTER S/N PTSF702014111065DD3000 - S/W Bedroom - DESK - 503
- 21 - MICRO CENTER 4 gig FLASH DRIVE - S/W Bedroom on top of desk - 503
- 22 - Seagate 500 gig ~~INTERNAL~~ <sup>W/external</sup> HARD DRIVE S/N 26E7HRC5 - S/W Bedroom <sup>on top of desk</sup> - 503
- 23 - ~~bag of~~ MISC LIVE AMMO - DOWNSTAIRS Bedroom Closet - 503

Strike when appropriate:

- I left a receipt for the property and things listed above with a copy of the warrant.
- None of the items set forth in the search warrant were found.
- I shall (retain) or (deliver) custody of said property as directed by Court order.

I, DET. MARC Lombardi #144, being first duly sworn, upon oath, depose and say that I have read the foregoing receipt, inventory and return and the matters stated are true and correct, except as to such matters stated therein on information and belief, and as to those, I believe them to be true.

Subscribed and sworn to before me this 12TH day of February (yr)

K Crosby  
Notary Public County, MN  
My commission expires 1-31-17

