

State of Minnesota
County of Rice

District Court
3rd Judicial District

Prosecutor File No. 0660042974
Court File No. 66-CR-18-2795

State of Minnesota,
Plaintiff,

COMPLAINT
Summons

vs.

ANTHONEY MICHEAL FUGALLI DOB: 10/29/1990

10 12th St NW
Faribault, MN 55021

Defendant.

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 - 3rd Degree - Sell/Give/Distribute Controlled Substance - Schedules 1 & 2

Minnesota Statute: 609.195(b)

Maximum Sentence: 25 years or \$40,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 06/19/2018

Control #(ICR#): 18002453

Charge Description: On or about June 19, 2018, in the County of Rice, Minnesota, Anthony Micheal Fugalli did without intent to cause death, proximately cause the death of Jason Ervin Madow by, directly or indirectly, unlawfully selling or delivering or distributing heroin and fentanyl, a schedule I or II controlled substance,

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

Complainant and/or Signing Officer designated below, declares under penalty of perjury, that he/she has reviewed police reports relating to the above-named Defendant and the allegations contained herein, and/or has spoken with peace officers having knowledge of the incident, and based upon that information, believes the following to be true and correct.

On June 19th, 2018 at 11:52 a.m. Faribault Police, Fire and EMS were dispatched to a medical call at 130 9th Ave SW in Faribault. Upon arrival they found Jason Ervin Madow, (DOB 5-23-1980) lying on the floor. After Narcan and other life saving efforts failed, Madow was pronounced dead at the scene. A 1cc hypodermic needle was located on the floor near Madow. The Reporting Party (RP) stated that Madow may have overdosed on heroin.

RP stated that Madow lived there and offered the following sequence of events, the two of them had been up until 5:00 a.m. an alarm went off at 6:45 and Madow got the kids ready and off to school. RP fell back to sleep. After RP got up she saw Madow's truck in the driveway and found him unresponsive in the bathroom and called 911.

RP stated she though Madow looked heroin high and stated she knew "he got it from this Tony guy." RP stated she had never seen Tony but believed him to be a "black dude that sells a lot of heroin," and that Madow had met him through his friend JS.

Madow's body was transported to the medical examiner to autopsy. Madow had concentrations of heroin, fentanyl, and methamphetamine in his blood. The medical examiner concluded that Madow died of mixed toxicity from the three drugs, though it was not possible to select one of the three as a cause of death.

Anthony Micheal Fugalli (DOB 10-29-1990) was found to have exchanged text messages with Madow in the two days before Madow died. Madow stated he was a friend of JS and wanted to buy heroin. The two arranged to meet near Alexander Park in the City of Faribault where Madow would pay \$50. Madow sent a text message to Fugalli at 6:48 p.m. saying he was in a "White Dodge at the end of the back parking lot." Madow's phone also indicated he had called Fugalli's phone four times on June 18.

Fugalli was arrested as part of another investigation and, following Miranda, admitted that met a guy through JS, who drove a white truck, like Madow's Dodge Dakota, at Alexander Park on June 18th and sold him \$50 worth of heroin. Fugalli was shown a photo of Madow and agreed that was the guy he sold heroin on June 18.

During his interview Fugalli stated that he believed the heroin he was selling was cut with Fentanyl and he believed it to be dangerous. Fugalli said he warned his customers that the heroin was strong and they should be careful not to do too much of it. Fugalli is not black but was associated with another heroin dealer named Tony who is black, Fugalli had taken over much of that dealer's network when that Tony was taken into custody.

PLEASE TAKE NOTICE: Pursuant to Minn. Stat. 609.49., intentional failure to appear for duly scheduled court appearances may result in additional criminal charges, and in addition to any arrest warrant that may otherwise be issued by the Court.

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

Neal Pederson
Captain
25 NW 4th Street
Faribault, MN 55021
Badge: 3202

Electronically Signed:
11/26/2018 01:17 PM
Rice County, Minnesota

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

Prosecuting Attorney

John Fossum
Rice County Attorney
218 NW 3rd Street
Faribault, MN 55021
(507) 332-6103

Electronically Signed:
11/21/2018 03:17 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 218 NW 3rd Street, Faribault, MN 55021 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: November 26, 2018.

Judicial Officer

John T Cajacob

Electronically Signed: 11/26/2018 04:36 PM

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

**COUNTY OF RICE
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Anthony Micheal Fugalli

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: Anthony Micheal Fugalli
DOB: 10/29/1990
Address: 10 12th St NW
Faribault, MN 55021

Alias Names/DOB:
SID:
Height:
Weight: 170lbs.
Eye Color:
Hair Color:
Gender:
Race:
Fingerprints Required per Statute: Yes
Fingerprint match to Criminal History Record: No
Driver's License #: G827056277817 (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	6/19/2018	609.195(b) Murder - 3rd Degree - Sell/Give/Distribute Controlled Substance - Schedules 1 & 2	Felony	H3C02		MN0660100	18002453