

State of Minnesota  
County of Carver

District Court  
1st Judicial District

Prosecutor File No. FE-21-56446  
Court File No. 10-CR-21-377

State of Minnesota,  
Plaintiff,

**COMPLAINT**  
Order of Detention

vs.

**JOSEPH THOMAS NESS DOB: 08/27/1999**

3732 Landings Dr.  
Chanhassen, MN 55317

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 - 2nd Degree - With Intent-Not Premeditated**

Minnesota Statute: 609.19.1(1), with reference to: 609.19.2(1)

Maximum Sentence: Imprisonment for Not More Than 40 Years

Offense Level: Felony

Offense Date (on or about): 05/08/2021

Control #(ICR#): 21012346

Charge Description: On or about May 8, 2021, within the County of Carver, State of Minnesota, defendant caused the death of a human being with intent to effect the death of that person or another, but without premeditation.

**STATEMENT OF PROBABLE CAUSE**

The Complainant states that the following facts establish probable cause:

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On Saturday, May 8, 2021, at approximately 2:20 p.m., Carver County Deputies were dispatched to 3732 Landings Drive in Chanhassen, Carver County, Minnesota, regarding a fire alarm. While responding, the Carver County dispatcher received a subsequent call within minutes indicating there had been a shooting at this residence. As of May 8, the current residents of 3732 Landings Drive were Paul Ness, Alyssa Ness, and their two adult children, Noelle and Joseph Ness.

This subsequent 911 call regarding the shooting was placed by a nearby neighbor after Alyssa Ness had run to this neighbor's home exclaiming, "Joey shot and killed Noelle." As a number of deputies were responding, one deputy stopped at this neighbor's house to meet with Alyssa Ness, noting that Alyssa Ness was distraught. However, Alyssa Ness repeated that her son had shot her daughter and that there were multiple weapons in the house. Alyssa did not currently know whether her son still remained in the house.

At approximately, 3:05 p.m., a different homeowner, approximately a half-mile north of the Ness residence in Hennepin County, called 911 stating that a white male had walked onto her property from the public trail that bordered her property. This neighbor indicated that the male, later identified as Joseph Ness, and hereafter referred to as the Defendant, stated, "Please help me. I need your help. I need you to call the police for me. I just killed my sister. I want to surrender peacefully. I am unarmed." Although startled by the encounter, this second neighbor then called 911. Deputies soon arrived and took the Defendant into custody without further incident at approximately 3:15 p.m.

Deputies subsequently entered the residence of 3732 Landings Drive. Upon entering, deputies noted hundreds of spent rifle casings, bullet holes in walls, and many windows shattered by gunfire. Further examination revealed that the Defendant had shot, in part, from his bedroom into Noelle Ness's bedroom across a hallway, those rounds travelling in largely a horizontal manner. Next, it appears Noelle may have been shot at a closer range as rounds travelled vertically through her bed and some of her wounds had stippling. 12 spent rifle casings were recovered near her bed. Paramedics arrived at the scene and pronounced Noelle dead. In the execution of a subsequent search warrant, six rifles, ammunition, and high-capacity drum magazines were seized. These rifles included AR-15 and AK-47 variants.

Please note that the information in this complaint is preliminary. The Carver County Sheriff's Office and the Minnesota Bureau of Criminal Apprehension continues with the investigation. In addition, the Midwest Medical Examiner's Office will submit a full autopsy report.

The State reserves the right to amend the complaint and charges as may be allowed by the Minnesota Rules of Criminal Procedure.

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**

Dave Murphy  
Deputy Sheriff  
606 E 4th Street  
Chaska, MN 55318  
Badge: 888

Electronically Signed:  
05/11/2021 09:00 AM  
Carver County, Minnesota

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

**Prosecuting Attorney**

Angella Erickson  
604 E 4th Street  
Chaska, MN 55318-2102  
(952) 361-1400

Electronically Signed:  
05/11/2021 08:50 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 as directed in the Notice of Hearing before the above-named court 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: May 11, 2021.

Judicial Officer Eric Braaten

Electronically Signed: 05/11/2021 10:28 AM

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

**COUNTY OF CARVER  
STATE OF MINNESOTA**

**State of Minnesota**

Plaintiff

vs.

**Joseph Thomas Ness**

Defendant

STATE OF MINNESOTA COUNTY OF CARVER  
Certified to be a true and correct copy of the  
original on file and of record in my office.

Mary P. Dalbec  
Court Administrator

5-11-21

By

*[Signature]*  
Deputy

**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: