

STATE OF INDIANA	)	IN THE ST. JOSEPH SUPERIOR COURT
	) SS:	
COUNTY OF ST. JOSEPH)	
)	
STATE OF INDIANA	)	INFORMATION IN FIVE COUNTS:
	)	<u>COUNT I:</u>
VS	)	MURDER
	)	A FELONY
ANTHONY LAMAR PATTON JR.)	
DOB: 1/2/1995	)	<u>COUNT II:</u>
	)	ATTEMPTED MURDER
	)	A LEVEL 1 FELONY
)	
	)	<u>COUNT III:</u>
	)	POINTING A FIREARM
	)	A LEVEL 6 FELONY
)	
	)	<u>COUNT IV:</u>
	)	RESISTING LAW ENFORCEMENT
	)	A LEVEL 6 FELONY

COUNT I

JOSEPH R. DIETZ, upon information and belief, affirms under penalty of perjury that:

On or about October 7, 2018 in St. Joseph County, State of Indiana, ANTHONY LAMAR PATTON Jr. did knowingly kill another human being, to-wit: Tomara Agnew.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-1-1(1) , and against the peace and dignity of the State of Indiana.

COUNT II

JOSEPH R. DIETZ, upon information and belief, affirms under penalty of perjury that:

On or about October 7, 2018 in St. Joseph County, State of Indiana, ANTHONY LAMAR PATTON Jr., while acting with the culpability required for commission of the crime of murder, did attempt to kill Ofc. James Wagner by engaging in conduct that constituted a substantial step toward the commission of the offense of murder, to wit: by firing a gun at Ofc. James Wagner.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-1-1(1) and I.C. 35-41-5-1(a), and against the peace and dignity of the State of Indiana.

COUNT III

JOSEPH R. DIETZ, upon information and belief, affirms under penalty of perjury that:

On or about October 7, 2018 in St. Joseph County, State of Indiana, ANTHONY LAMAR PATTON Jr. did knowingly point a firearm at Terria McRae.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-47-4-3(b) , and against the peace and dignity of the State of Indiana.

COUNT IV

JOSEPH R. DIETZ, upon information and belief, affirms under penalty of perjury that:

On or about October 7, 2018 in St. Joseph County, State of Indiana, ANTHONY LAMAR PATTON Jr. did knowingly flee from Ofc. James Wagner, a law enforcement officer, after said officer identified himself by visible or audible means and visibly or audibly ordered said defendant to stop, and in committing said act the defendant used a vehicle.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-44.1-3-1(a)(3) and I.C. 35-44.1-3-1(b)(1)(A), and against the peace and dignity of the State of Indiana.

I affirm under the penalties for perjury that the foregoing representations are true.



JOSEPH R. DIETZ
DEPUTY PROSECUTING ATTORNEY

The Court, having reviewed the Affidavit in Support of Charging Information, makes a finding of probable cause for this charge. The Court also has considered the weight of the evidence and any defenses as presented in the affidavit and makes a preliminary finding that the State has proven, by a preponderance of the evidence, that the guilt of the Defendant is evident and/or the presumption of guilt is strong. Arrest Warrant Issued.

Defendant ordered held without bond. Further hearing on bond to be set at either party's request.

OR

Bond set in the amount of _____ corporate surety or _____ cash.

Defendant subject to any conditions listed in the attached Pretrial Supervision Order.

So found this 9th day of October, 2018 at 3:52 PM am/pm.



JUDGE, ST. JOSEPH SUPERIOR COURT
John M. Marnocha

WITNESSES:

James Wagner, South Bend Police Department

Terria McRae

Keeper of Records, 911 Call Center

Child of Terria McRae

Inv. Christopher Kronewitter, MHU

Inv. Timothy Wiley, MHU

Inv. Brian Cook, MHU

Inv. Kyle Slater, MHU

Inv. Karl Karch, MHU

Forensic Pathologist

All witnesses listed in police, medical and laboratory reports

STATE OF INDIANA	)	IN THE ST. JOSEPH SUPERIOR COURT
	) SS:	
COUNTY OF ST. JOSEPH)	
)	
STATE OF INDIANA	)	INFORMATION IN FIVE COUNTS:
	)	<u>COUNT FIVE</u>
VS	)	FIREARM ENHANCEMENT
)	
ANTHONY LAMAR PATTON JR.)	
DOB: 1/2/1995)	

COUNT V

JOSEPH R. DIETZ, upon information and belief, affirms under penalty of perjury that:

On or about October 7, 2018 in St. Joseph County, State of Indiana, ANTHONY LAMAR PATTON Jr. did commit a felony under Indiana Code 35-42, to-wit: murder, that resulted in death to Tomara Agnew, and ANTHONY LAMAR PATTON JR. did knowingly or intentionally use a firearm in the commission of the offense.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-1-1(1) and I.C. 35-50-2-11, and against the peace and dignity of the State of Indiana.

I affirm under the penalties for perjury that the foregoing representations are true.



 JOSEPH R. DIETZ
 DEPUTY PROSECUTING ATTORNEY

STATE OF INDIANA	)	IN THE ST. JOSEPH SUPERIOR COURT
	)	SS:
ST. JOSEPH COUNTY	)	CAUSE NO. 71D0__-1810-MR-000__
STATE OF INDIANA)	
)	
v.	)	AFFIDAVIT IN
	)	SUPPORT OF PROBABLE CAUSE
ANTHONY L. PATTON, JR.)	
DOB: 01/02/1995)	

Det. Christopher Kronewitter, upon information and belief, affirms under the penalty of perjury that:

I am a police officer with the South Bend Police Department and have been so employed for approximately 22 years. Currently, I am assigned as an investigator with the St. Joseph County Metro Homicide Unit. On October 7, 2018, I was assigned to investigate a homicide resulting in the death of Tomara Agnew. I make this affidavit based upon my own personal observations, the observations of other law enforcement officers, as well as independent witness information. All events occurred in St. Joseph County, Indiana.

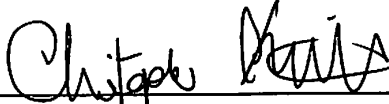
On the 7th day of October, 2018, South Bend Police were called to a shooting in the 1500 block of Anderson Avenue, South Bend, St. Joseph County, IN. The original 9-1-1 caller was a male that indicated he had just shot somebody and that he had meant to do it. This caller identified himself as ANTHONY PATTON, JR. As officers pulled up, they observed a medium colored SUV leaving the parking lot. Officer James Wagner followed the vehicle and initiated a traffic stop a block away with flashing lights on his marked police car. PATTON pulled over for the officer, then waited until the officer to get out of his vehicle, then put a handgun out the driver's window, which he pointed toward the officer. PATTON then shot at the officer multiple times before he sped off. Officer Wagner returned fire toward PATTON, but stopped firing as the vehicle got further away.

On arrival at the apartment address given in the 9-1-1 call, officers found Tomara Agnew suffering from apparent gunshot wounds. Tomara Agnew died of her wounds, and an autopsy determined that her cause of death was multiple gunshot wounds to the chest.

Terria McRae stated that she is the actual and sole renter of the apartment where Ms. Agnew was found. Ms. McRae was in the apartment at the time of the shooting, and she has identified the shooter and described the situation that transpired to police. Terria McRae said that her mother, Tomara Agnew, had come over in the wee hours of the morning and got into a verbal argument with Terria about not leaving a door unlocked like had been requested. PATTON came out and joined the argument due to being woken up. PATTON then went into the bedroom and emerged with a handgun and shot Tomara twice. This all occurred in the presence of Terria McRae's three-year-old child. PATTON then called 9-1-1 in Terria's presence. PATTON then pointed the gun at Terria and demanded the car keys to their vehicle, which Terria McRae described a brown Chevrolet Equinox that is jointly held by her and Anthony Patton, Jr. This description was consistent with the description of the vehicle that was observed to have fled the scene and been involved in shooting at officers as described above. The Chevrolet Equinox was subsequently located at the home of ANTHONY L. PATTON Jr.'s mother on Horne Court, in South Bend. This vehicle has apparent bullet holes in the area of the driver's door and the registration comes back to ANTHONY PATTON, Jr. and Terria McRae.

All of the events herein took place in St. Joseph County, Indiana.

I affirm, under the penalties for perjury, that the foregoing representations are true.



Christopher Kronewitter
Investigator, CMHU