

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ST. JOSEPH )  
 )  
STATE OF INDIANA )  
 )  
VS )  
 )  
JAMES MICHAEL BROWN )  
DOB: 4/22/1989 )

IN THE ST. JOSEPH SUPERIOR COURT

INFORMATION IN TEN COUNTS:

COUNT I:  
ROBBERY  
A LEVEL 5 FELONY

COUNT II:  
CRIMINAL CONFINEMENT  
A LEVEL 2 FELONY

COUNT III:  
CRIMINAL CONFINEMENT  
A LEVEL 2 FELONY

COUNT IV:  
CRIMINAL CONFINEMENT  
A LEVEL 2 FELONY

COUNT V:  
INTIMIDATION  
A LEVEL 6 FELONY

COUNT VI:  
INTIMIDATION  
A LEVEL 6 FELONY

COUNT VII:  
INTIMIDATION  
A LEVEL 6 FELONY

COUNT VIII:  
LEAVING THE SCENE OF AN ACCIDENT  
A CLASS B MISDEMEANOR

COUNT IX:  
AUTO THEFT  
A LEVEL 6 FELONY

COUNT X:  
BATTERY  
A CLASS A MISDEMEANOR

COUNT I

MATTHEW T. MCVEIGH, upon information and belief, affirms under penalty of perjury that:

On or about September 22, 2019 in St. Joseph County, State of Indiana, JAMES MICHAEL BROWN did

knowingly take property, a Ford Flex vehicle from Victim 1, by using force or threatening the use of force.

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

COUNT II

MATTHEW T. MCVEIGH, upon information and belief, affirms under penalty of perjury that:

On or about September 22, 2019 in St. Joseph County, State of Indiana, JAMES MICHAEL BROWN did knowingly confine Victim 2 without the consent of Victim 2, while hijacking a vehicle, to wit: Ford Flex.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-3-3(a) and I.C. 35-42-3-3(b)(4)(B), and against the peace and dignity of the State of Indiana.

COUNT III

MATTHEW T. MCVEIGH, upon information and belief, affirms under penalty of perjury that:

On or about September 22, 2019 in St. Joseph County, State of Indiana, JAMES MICHAEL BROWN did knowingly confine Victim 3 without the consent of Victim 3, while hijacking a vehicle, to wit: Ford Flex.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-3-3(a) and I.C. 35-42-3-3(b)(4)(B), and against the peace and dignity of the State of Indiana.

COUNT IV

MATTHEW T. MCVEIGH, upon information and belief, affirms under penalty of perjury that:

On or about September 22, 2019 in St. Joseph County, State of Indiana, JAMES MICHAEL BROWN did knowingly confine Victim 4 without the consent of Victim 4, while hijacking a vehicle, to wit: Ford Flex.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-3-3(a) and I.C. 35-42-3-3(b)(4)(B), and against the peace and dignity of the State of Indiana.

COUNT V

MATTHEW T. MCVEIGH, upon information and belief, affirms under penalty of perjury that:

On or about September 22, 2019 in St. Joseph County, State of Indiana, JAMES MICHAEL BROWN did communicate a threat to Victim 2 to commit a forcible felony, with the intent of interfering with the occupancy of a vehicle.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-45-2-1(a)(3)(B) and I.C. 35-45-2-1(b)(1)(A), and against the peace and dignity of the State of Indiana.

COUNT VI

MATTHEW T. MCVEIGH, upon information and belief, affirms under penalty of perjury that:

On or about September 22, 2019 in St. Joseph County, State of Indiana, JAMES MICHAEL BROWN did communicate a threat to Victim 3 to commit a forcible felony, with the intent of interfering with the occupancy of a vehicle.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-45-2-1(a)(3)(B) and I.C. 35-45-2-1(b)(1)(A), and against the peace and dignity of the State of Indiana.

COUNT VII

MATTHEW T. MCVEIGH, upon information and belief, affirms under penalty of perjury that:

On or about September 22, 2019 in St. Joseph County, State of Indiana, JAMES MICHAEL BROWN did communicate a threat to Victim 4 to commit a forcible felony, with the intent of interfering with the occupancy of a vehicle.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-45-2-1(a)(3)(B) and I.C. 35-45-2-1(b)(1)(A), and against the peace and dignity of the State of Indiana.

COUNT VIII

MATTHEW T. MCVEIGH, upon information and belief, affirms under penalty of perjury that:

On or about September 22, 2019 in St. Joseph County, State of Indiana, JAMES MICHAEL BROWN, being the driver of a vehicle that was involved in an accident with Victim 1, did knowingly fail to remain at

the scene of said accident, or as close as possible thereto.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 9-26-1-1.1(a)(2) and I.C. 9-26-1-1.1(b), and against the peace and dignity of the State of Indiana.

COUNT IX

MATTHEW T. MCVEIGH, upon information and belief, affirms under penalty of perjury that:

On or about September 22, 2019 in St. Joseph County, State of Indiana, JAMES MICHAEL BROWN did knowingly exert unauthorized control over a the motor vehicle of Victim 1, with the intent to deprive Victim 1 of the vehicle's value or use.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-43-4-2(a) and I.C. 35-43-4-2(a)(1)(B)(ii), and against the peace and dignity of the State of Indiana.

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

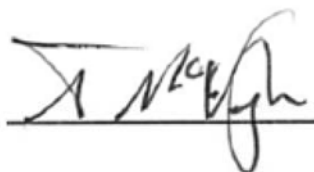
COUNT X

MATTHEW T. MCVEIGH, upon information and belief, affirms under penalty of perjury that:

On or about September 22, 2019 in St. Joseph County, State of Indiana, JAMES MICHAEL BROWN did knowingly touch Victim 2 in a rude, insolent, or angry manner resulting in bodily injury.

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

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

A handwritten signature in black ink, appearing to read 'M. McVeigh', written over a horizontal line.

MATTHEW T. MCVEIGH  
DEPUTY PROSECUTING ATTORNEY

Probable cause found. Arrest Warrant Issued.

\_\_\_ Pursuant to Criminal Rule 26 and the St. Joseph County Release/Detention Matrix, Defendant ordered

released on recognizance with a promise to appear. Defendant subject to any conditions listed in the attached Pretrial Supervision Order.

Defendant to be held for initial bail hearing on 25th day of September, 2019 at 1:00 p.m.

Defendant to be held for next available bail hearing after the warrant is served.

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 24 day of September, 2019 at 4:02 am/pm

  
\_\_\_\_\_  
JUDGE, ST. JOSEPH SUPERIOR COURT

WITNESSES:

- Victim 1
- Victim 2
- Victim 3
- Victim 4
- Brittany Bayles South Bend Police Department
- Jeffery Chamberlain South Bend Police Department
- Luis Cruz
- Dillon Dugger South Bend Police Department
- Jeremiah Hooks South Bend Police Department
- Christopher W. Kozora South Bend Police Department
- Krista Martin
- Scott Reidsma
- Memorial Hospital Staff
- 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     | )     |                                  |
|                      | )     |                                  |
| VS                   | )     | SUPPLEMENTAL AFFIDAVIT IN        |
|                      | )     | SUPPORT OF PROBABLE CAUSE        |
| JAMES MICHAEL BROWN  | )     |                                  |
| DOB: 4/22/1989       | )     |                                  |

Matthew T. McVeigh, upon information and belief and affirming under the penalties for perjury, states that:

I am the Deputy Prosecuting Attorney with the 60th Judicial Circuit, St. Joseph County, State of Indiana. I have reviewed verified South Bend Police Department reports as well as the criminal history for JAMES MICHAEL BROWN. I make this affidavit based upon those reports.

On September 22, 2019, officer Dillon Dugger responded to an accident at Sample St. and Main St. in South Bend, IN. Upon arrival, he observed a silver Honda Odyssey in the middle of the intersection with significant damage to the front of the vehicle. Officer Duggan then spoke with Krista Martin who stated that she was heading eastbound on Sample St. when she saw the driver of the silver Honda Odyssey, later identified as JAMES MICHAEL BROWN, strike the rear end of a Ford Flex while stopped at the light. The driver of the Ford Flex, later identified as Victim 1, exited the Ford Flex. JAMES MICHAEL BROWN then exited the Honda Odyssey, walked towards the sidewalk, and after Victim 2 got out of the Ford Flex, JAMES MICHAEL BROWN ran up to the Ford Flex and got into the vehicle and took off heading eastbound on Sample St.

Officer Brittany Bayles arrived on scene and observed that the Ford Flex was at the intersection of Michigan Street and Sample Street. Officer Bayles then spoke with Scott Reidsma, who saw the driver of the silver Honda Odyssey rear end the Ford Flex. Mr. Reidsma stated he saw JAMES MICHAEL BROWN get out of the Honda Odyssey and go up to the driver of the Ford Flex, push the driver away from the vehicle, and then JAMES MICHAEL BROWN got into the driver seat of the Ford Flex and drove eastbound to the intersection of Michigan and Sample Streets. After stopping at the Michigan and Sample intersection, JAMES MICHAEL BROWN got out of the Ford Flex and ran towards the northeast across the street. Mr. Reidsma described JAMES MICHAEL BROWN as a white male with a pony tail in a white

shirt and blue jeans.

Officer Jeremiah Hooks spoke with Victim 1. Victim 1 stated he was waiting at the intersection of Main and Sample Streets when JAMES MICHAEL BROWN smashed into the back of his vehicle. Victim 1 got out of his Ford Flex to check on his wife, Victim 2, and their two sons, Victim 3 (DOB 2003) and Victim 4 (DOB 2006), who were also in the vehicle. Victim 1 then saw JAMES MICHAEL BROWN trying to leave the scene, and Victim 1 told JAMES MICHAEL BROWN that he needed stay at the scene. JAMES MICHAEL BROWN then came up to Victim 1, pushed him out of the way, and jumped into Victim 1's Ford Flex. JAMES MICHAEL BROWN put the car in gear and left with Victim 2, Victim 3, and Victim 4 still in the vehicle.

Officer Hooks then spoke with Victim 2, who was visibly shaking when speaking with officer Hooks. Victim 2 stated that JAMES MICHAEL BROWN hopped into the vehicle and sped off at a high rate of speed toward Michigan Street. JAMES MICHAEL BROWN then looked at Victim 2 with a crazy look in his eye and said, "I am going to kill all of you, you are all going to die today!" While at the intersection of Michigan and Sample, Victim 2 reached over and turned the vehicle off. JAMES MICHAEL BROWN then began fighting with Victim 2, and that JAMES MICHAEL BROWN was trying to restart the car. Victim 2 was able to stop JAMES MICHAEL BROWN, at which point JAMES MICHAEL BROWN jumped out of the car and left. Victim 2 complained of back pain and was later taken to Memorial Hospital for her injuries.

Officer Jeff Chamberlain arrived on scene and was flagged down by Luis Cruz who pointed at the Deliverance Cathedral building located at 760 S. Michigan St. indicating that the suspect went into that building. Mr. Cruz described him as a white male, with a pony tail, in a white shirt and light-colored pants. Prior going into the building, JAMES MICHAEL BROWN was seen trying to get into two other vehicles, but the drivers of those vehicles drove off before JAMES MICHAEL BROWN could open the doors. Officer Chamberlain went into building and upstairs where he found JAMES MICHAEL BROWN matching the description.

Officer Christopher Kozora transported JAMES MICHAEL BROWN back to the scene, where JAMES MICHAEL BROWN was positively identified as the driver of the Silver Honda Odyssey and then the Ford Flex. JAMES MICHAEL BROWN was taken to Memorial Hospital where he informed medical staff that on today's date he had used "Meth" and "Weed."

All of the above occurred in St. Joseph County, Indiana.

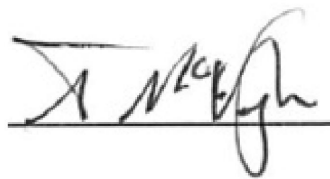
**DETENTION CONSIDERATIONS**

The Defendant is a a substantial flight risk or a danger to self, others or the community for the following reasons:

1. The Defendant presents a clear danger to the community based on the facts from this case: the Defendant rear-ended Victim 1's car, robbed him of the car, and then drove off with Victim 1's spouse and two children in the car. After driving off with Victim 2, Victim 3, and Victim 4, Defendant then threatened to kill them, and only the quick thinking and action by Victim 2 prevented further harm to Victim 2, Victim 3, and Victim 4.
2. The Defendant attempted to hi-jack additional cars before fleeing into the building.
3. The Defendant has a prior conviction for Auto Theft from January 16, 2019, in cause number 71D03-1804-F5-000081, in which he served a two-year executed sentence.

WHEREFORE, the State requests that the Court detain the Defendant until the Court conducts a bail hearing in open court and post a bond no less than \$50,000 cash.

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

A handwritten signature in black ink, appearing to read "M. McVeigh", is written over a horizontal line.

Matthew T. McVeigh  
Deputy Prosecuting Attorney