

ORIGINAL

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA  
CRIMINAL BRANCH

RB # R07377

THE STATE OF NEBRASKA )

DOC. 146 NO. 129

Plaintiff )

-vs- )

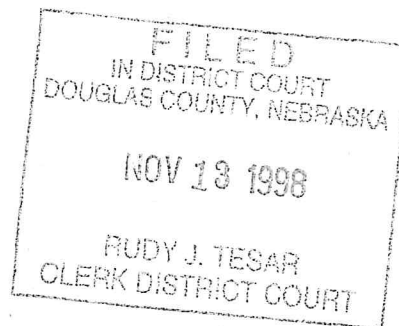
**AFFIDAVIT OF  
COMPLAINING WITNESS**

DALTON, John W. Jr. )  
3489 Ruggles St., Omaha, NE )  
black male, DOB: 12-20-71 )

Defendant )

STATE OF NEBRASKA )

County of Douglas )



Affiant Officers Kathryn HEARN, #1084 and Kevan BARBOUR, #1002, being first duly sworn on oath, deposes and says that this affiant is an officer of the Omaha Police Department, City of Omaha, Douglas County, Nebraska. This affiant further states, that, based upon the investigation of Omaha Police Officer, HEARN and BARBOUR, are grounds for issuance of an arrest warrant for the above defendant:

On Monday, 7 Sep 98 at 0211 hours, Omaha Police Officers responded to a shooting at 3489 Ruggles, Omaha, Douglas County, NE. Upon arrival, officers found the victim, Shannon DALTON, inside the residence on the living room floor. There was a considerable amount of blood on the carpet near the victim's head and the coffee table next to the victim. Upon further examination of the victim, it appeared she had received one gunshot wound to the head. The victim was found to be deceased.

Present at the scene upon officers arrival was a witness identified as Fonzo WILLIAMS, black male, DOB: 10-18-70, who resides at 3212 Seward St., Omaha, NE, who gave the following information after being transported to Central Police Headquarters.

WILLIAMS advised that at approximately 1400 to 1600 hours on Sunday, 6 Sep 98, he had been at the address of 3489 Ruggles St. visiting his cousin identified as John DALTON, Jr. WILLIAMS stated that John DALTON, Jr., received a telephone call from his father and mother, identified as John DALTON, Sr. and Jean DALTON. WILLIAMS stated the telephone conversation between John DALTON, Jr. and his parents became heated and that he heard John DALTON, Jr. state: "How could you do this to me". WILLIAMS stated he also heard John DALTON, Jr., state: "He is degradable". WILLIAMS stated he became uncomfortable at the residence of John DALTON, Jr. and decided to leave. WILLIAMS stated just before dark he telephoned John DALTON, Jr. to see how he was doing. He was advised by DALTON, Jr. that he and Shannon DALTON were talking and that WILLIAMS' conversation was brief with DALTON.

At 0541 on Monday, 7 Sep 98, Affiant Officer BARBOUR interviewed Jean DALTON, black female, DOB: 3-11-52, who resides at 3912 N. 37<sup>th</sup> St., who gave the following information.

ORIGINAL

CONTINUATION OF AFFIDAVIT OF COMPLAINING WITNESS

PAGE 2

Jean DALTON stated that in the early afternoon hours of Sunday, 6 Sep 98, her daughter-in-law, identified as victim Shannon DALTON, arrived at her residence of 3912 N. 37<sup>th</sup> St. Jean DALTON stated that she was advised by Shannon DALTON that John DALTON, Jr. had started accusing her again of having an affair with Jean DALTON's husband, John DALTON, Sr. Jean DALTON stated that Shannon DALTON was fearful of John DALTON, Jr. and was concerned for her personal safety. Also present during this conversation is John DALTON, Sr., black male, DOB: 2-26-47, who resides at 3912 N. 37<sup>th</sup> St.

John DALTON, Sr. stated that after talking with victim Shannon DALTON, he called his son over the phone and confronted him in regard to the accusations that he had made to Shannon. John DALTON, Sr. stated that for the first time that he could remember, his son John DALTON, Jr. was disrespectful to him and accused him of having an affair with Shannon DALTON.

John DALTON, Sr. stated that after the conversation with John DALTON, Jr., Shannon DALTON stated she felt confident enough to go back home and that John DALTON, Sr., Jean DALTON, and Shannon DALTON all prayed together before Shannon DALTON proceeded back home.

Jean DALTON stated that just before it was getting dark, she went to the address of 3489 Ruggles St. to check on Shannon and John DALTON, Jr. She stated John DALTON, Jr. would not allow her to come inside the residence and that she was only allowed to speak to John DALTON, Jr., Shannon, and the children through the windows of the residence. She stated that when she initially knocked on the door, she was not allowed in but that a window was opened by Shannon DALTON who immediately gave her a sign with her hand indicating that John DALTON, Jr. had a gun. Jean DALTON stated upon talking with the children at their bedroom window, the youngest of the three advised her that John DALTON, Jr. had a gun. She stated she advised the youngest child to tell her dad to put the gun away.

John DALTON, Sr. stated that during the period of time that his wife was at 3489 Ruggles St., he contacted his son by phone and thought it strange that his son would not allow him to talk to his wife Jean. John DALTON, Sr. stated he became worried and drove down to the address to find out what was going on.

Upon John DALTON, Sr.'s arrival at 3489 Ruggles St., both he and his wife pleaded with John DALTON, Jr. to open the door and to quit making these accusations against Shannon as they were unfounded. He stated his son refused to allow them into the residence and that he convinced his wife to leave and go home.

At approximately 2200 hours on Sunday, 6 Sep 98, John DALTON, Sr. and Jean DALTON stated that they received a phone call at their residence from John DALTON, Jr. within minutes after leaving 3489 Ruggles St. According to Jean DALTON, her son appeared in better spirits and that she talked to him for approximately 20 minutes before ending the conversation.

John DALTON, Sr. stated that his son does have access to what he believes is an illegal firearm that he would characterize as an assault rifle. It should be noted that a 7.62 spent casing was located at the crime scene.

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Jean DALTON also stated that her son is a convicted felon but has possession of a rifle style weapon that is not a handgun but is shorter than a shotgun. 98 SEP -6 AM 3:14

At approximately 0141 hours on Monday, 7 Sep 98, WILLIAMS received a phone call from John DALTON, Jr. at his residence. WILLIAMS stated he was advised by DALTON, Jr. that he was scared and from DALTON, Jr.'s voice, WILLIAMS could tell he was crying. WILLIAMS stated DALTON asked that he come directly to the address

ORIGINAL

CONTINUATION OF AFFIDAVIT OF COMPLAINING WITNESS

PAGE 3

of 3489 Ruggles St. as soon as he could. WILLIAMS stated that he would and arrived at DALTON, Jr's residence in approximately 10 minutes. WILLIAMS stated when he arrived he observed the garage door open and the driver's door of DALTON's 4-wheel drive vehicle open in the garage. He stated he approached the front door of the residence and after knocking several times, opened the door and gained entrance into the threshold of the living room. WILLIAMS stated that he observed a large pool of blood on the coffee table and living room floor and saw what he believed to be the body of Shannon DALTON lying on the floor between the couch and the coffee table. WILLIAMS state that he proceeded into the children's bedroom and observed them motionless but was too afraid to check on their well-being. He stated he obtained a phone from inside the residence and then went outside where he called 911.

WILLIAMS stated John DALTON, Jr. was not present at the residence and has not attempted to contact him since the phone call at approximately 0141 hours.

This affiant Officer further states that there is reasonable cause to believe the crime of 2nd degree murder and use of a firearm to commit a felony was committed and that the said defendant committed the said crime.

DATED this 7th day of September, 1998.

*Kathryn Hearn #1084*  
*Kevin D. [Signature] #002*  
OMAHA NEBRASKA POLICE OFFICER

SUBSCRIBED AND SWORN to before me this 7th day of September, 1998.

*Jane H. Proctor*  
JUDGE OF THE COUNTY COURT  
OF DOUGLAS COUNTY, NEBRASKA

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98 SEP -8 AM 9:14

CRIM/TRAFF DIVISION  
COUNTY COURT  
DOUGLAS COUNTY, NEBRASKA