

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No. 0070107356
Court File No. 07-CR-24-741

State of Minnesota,

Plaintiff,

vs.

DAYTIN JAMES ZIMMERMAN-FATIS DOB: 08/21/2000

201 Johnson St. Apt. 3
Eagle Lake, MN 56024

Defendant.

COMPLAINT

Order of Detention

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: Assault-1st Degree-Great Bodily Harm

Minnesota Statute: 609.221.1

Maximum Sentence: 20 years, or \$30,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 02/19/2024

Control #(ICR#): 24002751

Charge Description: On or about February 19, 2024, in the County of Blue Earth, Minnesota, Daytin James Zimmerman-Fatis, did assault another and inflicted great bodily harm.

STATEMENT OF PROBABLE CAUSE

On February 19, 2024 at approximately 12:22 PM dispatch received a report of suspected child abuse from a hospital. Lieutenant Mitch Gahler of the Blue Earth County Sheriff's Office learned a 20-month-old who appeared to have bruises on his face and scalp, hereinafter referred to as "Victim", was brought in for medical treatment. The female that brought Victim was identified as the mother of Victim, hereinafter Witness 1. Witness 1's boyfriend, who resides with Witness 1 and Victim, was identified as Daytin James Zimmerman-Fatis (DOB 08/21/2000).

Lieutenant Gahler made contact with Witness 2, a medical provider. Witness 2 stated Witness 1 arrived at the clinic with Victim and Witness 3. Witness 1 told Witness 2 that Victim was totally normal last night, but this morning he had bruises scattered all over his face and eyes. Due to the observations Witness 2 made, Witness 1 and Witness 3 were directed to take Victim to the emergency department for treatment.

Medical professionals who tended to Victim determined it was necessary to send Victim to Rochester to receive medical care and for his safety. While at the emergency department, Victim was noted to have extensive bruising on both sides of his face, a left subconjunctival hemorrhage, bruising to his chest, back and buttocks, possible bruising on his abdomen, and bruising on both lower extremities. Following additional medical tests and assessments in the ICU, Victim was discovered to have a laceration of the kidney, laceration of the liver, laceration of the lower bowels, a fracture in his spine strongly associated with abdominal trauma, and a ligament injury to his upper spine. Victim underwent surgery to install pins and stabilize his spine.

Witness 4, a pediatrician specializing in child abuse, noted Victim's injuries are diagnostic of child physical abuse.

Detective Welle and Lieutenant Gahler spoke with Witness 1 on multiple occasions. Witness 1 stated Zimmerman-Fatis and Witness 5, a juvenile female under the age of 10, called her and told her Victim had bruises on his face. They told Witness 1 that Victim just woke up standing there with bruises on his face at a residence in Blue Earth County. Witness 1 stated Victim likes to throw himself around and has a tendency of thrashing around in his crib when he has tantrums. Witness 1 reported Victim went to bed at 8:00 PM on February 18 and he had no bruises visible on his face. Witness 1 stated she left at approximately 5:45 AM on February 19 and Zimmerman-Fatis was still sleeping. Victim was awake and not fussy. Witness 1 provided a photo taken of Victim at 1:48 on February 18 and Victim had no visible bruises to his face. Witness 1 reported receiving a photo of Victim at 6:41 AM when Zimmerman-Fatis told her he got Victim out of the crib, Zimmerman-Fatis then called her. Witness 1 also reported Victim has never looked like this before.

Witness 1 later reported Zimmerman-Fatis gave her a ride to work and she clocked in at 5:55 AM. It was at 6:47 AM that Zimmerman-Fatis sent her a text saying Victim started "beyond screaming" like somebody slapped him. Zimmerman-Fatis told her he didn't know what happened to Victim started screaming when he was in the bathroom.

Witness 3 told investigators Zimmerman-Fatis arrived at her house on February 19 and told her there was a situation with bruising on Victim's face. Zimmerman-Fatis told her Victim has tantrums in his crib and throws himself into the crib which causes the bruising. Witness 3 stated when she saw Victim she was beyond herself and told Zimmerman-Fatis they needed to take Victim in right away. Witness 3 stated both Zimmerman-Fatis and Witness 1 told her Victim went to bed with no bruising and woke up and looked this way and they were concerned about Victim being taken away from them. Witness 3 noted she was concerned that if she let Witness 1 take Victim in by herself, that Witness 1 would not take him in so Witness 3 went with to the hospital.

On February 19, Zimmerman-Fatis was interviewed. Zimmerman-Fatis immediately asked if anybody was going to jail. Zimmerman-Fatis confirmed Victim went to bed fine on February 18 and his face was not

bruised. Zimmerman-Fatis stated in the morning of February 19, Witness 5 went to the crib and all of a sudden Victim had bruises all over his face. Zimmerman-Fatis indicated this was around 6:00 or 6:30 AM. Zimmerman-Fatis told officers "he was like, what the fuck are you doing? Like, why are you bruising yourself?" Zimmerman-Fatis told officers that on February 18 around 9:30 or 10:00 PM there were noises like a ghost, or somebody was in there moving stuff. He went in and Victim had a bruise on the side of his face. Zimmerman-Fatis then stated around midnight he heard a big bang and he noted Victim had a big scratch mark on his left or right side. Zimmerman-Fatis told officers he asked Victim if he hit himself and Victim nodded yes. Zimmerman-Fatis also stated he took Witness 1 to work that morning and he was gone for 15 or 20 minutes and that Witness 5 would have been watching Victim. Zimmerman-Fatis said he knew he'd be involved in this because of the bruising. Zimmerman-Fatis reported Victim had fallen to the floor that morning and then stood up with Witness 5 found him. Zimmerman-Fatis indicated several times that Victim injures himself while Zimmerman-Fatis and Witness 1 are sleeping.

A forensic interview of Witness 5 was conducted. Witness 5 stated when Zimmerman-Fatis woke up to take a shower that's when they discovered all the bruises. Witness 5 indicated that maybe somebody was trying to break in the house and causing Victim's injuries.

On February 22 Zimmerman-Fatis was interviewed again. During this interview, Zimmerman-Fatis asked repeatedly if he was going to jail. Zimmerman-Fatis stated he got up the morning of February 19 and took Witness 1 to work. He did not physically turn on any lights, but they put their hands over Victim's nose to see if he was breathing. He then went to drop Witness 1 off at work. Zimmerman-Fatis now reported that he dropped Victim once when he was standing and Victim was trying to get up to his chest. When he did this, Victim hit the back of his spine on the floor. Zimmerman-Fatis demonstrated he could have accidentally pushed or used extra force when this happened. When attempting to explain how Victim may have been injured, Zimmerman-Fatis also stated Victim had previously fallen off a stand, had got his head caught underneath the crib several nights before February 19, that they had to stop Witness 5 from shaking victim in the past. Zimmerman-Fatis demonstrated hitting the Victim's head on a cupboard and stated it was accidental. Zimmerman-Fatis then claimed Witness 5 had hit Victim. Zimmerman-Fatis claimed his dog was aggressive and likes to nip/pick and bite and jump on Victim. Zimmerman-Fatis also stated there's been times he picked up Victim really quickly and he might have shaken him just enough to cause the injuries. This could have happened the morning of February 19. Zimmerman-Fatis also stated he was playing Xbox and got frustrated and he hit Victim with the controller on his head. He stated this happened twice over the past few weeks. Zimmerman-Fatis also reported Victim grabbed a tool at one point and hit his head with it sometime within the last month. Zimmerman-Fatis also told investigators Witness 5 has hit and kicked Victim before.

Detectives spoke with Witness 4 who indicated there would be no possible way for Victim's injuries to have been sustained in the manner Zimmerman-Fatis reported and could not have been caused by an accidental drop or fall from a high chair. Witness 4 indicated the injuries were consistent with child abuse and are consistent with a motor vehicle accident or riding a bicycle at 15 or 20 mph and flying over the handlebars. Witness 4 also indicated a child Witness 5's age would be incapable of causing the type of trauma Victim sustained.

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

Mitchell Gahler
Deputy Sheriff
401 Carver Rd
Mankato, MN 56002-0228
Badge: 2731

Electronically Signed:
03/01/2024 03:08 PM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Taylor Fast
Assistant County Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
03/01/2024 02:51 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 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: March 1, 2024.

Judicial Officer

Kristine Weeks
District Court Judge

Electronically Signed: 03/01/2024 03:56 PM

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

COUNTY OF BLUE EARTH
STATE OF MINNESOTA

State of Minnesota

Plaintiff

vs.

Daytin James Zimmerman-Fatis

Defendant

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: