

CRIMINAL COMPLAINT

STATE OF WISCONSIN

DA Case No.:2011ML024529

Plaintiff,

vs.

Complaining Witness:

Detective Brian Morgan, MCSO

Welz, Thomas Steven
2101 S 14th St
Milwaukee, WI 53215
DOB: 08/09/1962

Court Case No.:

Defendant,

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

COUNT 1: CONSPIRACY TO COMMIT FIRST DEGREE INTENTIONAL HOMICIDE

The above-named defendant on or about Wednesday, October 12, 2011, at 8885 S 68th Street, in the City of Franklin, Milwaukee County, Wisconsin, conspired to cause the death of Stacey Brown, another human being, with intent to kill that person, contrary to sec. 940.01(1)(a), 939.50(3)(a), 939.31 Wis. Stats.

Upon conviction for this offense, a Class B Felony, the defendant may be sentenced to a term of imprisonment not to exceed sixty (60) years.

COUNT 2: FELONY INTIMIDATION OF A WITNESS (BY PERSON CHARGED WITH A FELONY)

The above-named defendant on or about Thursday, July 07, 2011, at 949 N. 9th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, being a person charged with a felony, did knowingly and maliciously attempt to dissuade Stacey Brown, a witness, from attending a proceeding authorized by law, in connection with that felony, contrary to sec. 940.43(7), 939.50(3)(g) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

COUNT 3: FELONY INTIMIDATION OF A WITNESS (BY PERSON CHARGED WITH A FELONY)

The above-named defendant on or about Monday, July 11, 2011, at, 949 N. 9th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, being a person charged with a felony, did knowingly and maliciously attempt to dissuade Stacey Brown, a witness, from attending a proceeding authorized by law, in connection with that felony, contrary to sec. 940.43(7), 939.50(3)(g) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

COUNT 4: FELONY INTIMIDATION OF A WITNESS (FURTHERANCE OF A CONSPIRACY)

The above-named defendant between July 14, 2011 and October 12, 2011 at 949 N. 9th Street, in the City of Milwaukee, Milwaukee County, and 8885 S 68th Street, in the City of Franklin, Milwaukee County, Wisconsin, did as a continuing course of conduct, knowingly and maliciously attempt to dissuade Stacey Brown, a witness, from attending a trial authorized by law, where the act was in furtherance of a conspiracy, contrary to sec. 940.43(4), 939.50(3)(g) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

This complaint is based on the written reports of Detectives with the Milwaukee County Sheriff's Office, as well as the written reports of Investigators with the Milwaukee County District Attorney's Office Witness Protection Unit, which were prepared through the normal course of a criminal investigation and which your complaining witness has relied upon in the past and found to be truthful and reliable. Based upon a review of the reports pertaining to the investigation of this matter, your complaining witness believes that:

On July 7, 2011 the defendant, Thomas Welz, was charged in Milwaukee County case 2011CF3108 with the criminal offense of Physical Abuse of a child - Intentional Causation of Bodily Harm. According to the criminal complaint in that matter, the defendant is accused of punching his two year old son, C.W. 5/25/2009 D.O.B., in the face resulting in a bloody nose. Stacey Brown, C.W.'s mother, was a witness to the defendant's actions. Your complaining witness has personally reviewed CCAP and that matter remains open and is presently scheduled for a jury trial on October 19, 2011 before the Honorable Mel Flanagan, Branch 4 of the Milwaukee County Circuit Court.

Attached to this criminal complaint and incorporated by reference is a copy of the criminal complaint filed in Milwaukee County case 2011CF3108.

AS TO ALL COUNTS:

Milwaukee County Sheriff's Detective Brian Morgan reports personally reviewing records of the Milwaukee County Sheriff's Office which are kept through the normal course of business, which establish that the defendant was held in custody at the Milwaukee County Jail, 949 N. 9th Street, in the City of Milwaukee, County of Milwaukee from the defendant's arrest on July 2, 2011 through July 20, 2011. According to Detective Morgan, from July 20, 2011 through October 13, 2011 the defendant has been held in custody at Milwaukee County Correctional Facility-South, located at 8885 S. 68th Street, in the City of Franklin, County of Milwaukee.

AS TO COUNT ONE:

On October 10, 2011 Milwaukee County Sheriff Detective Brian Morgan reports responding to the County Correctional Facility – South to meet with a potential informant. Upon arriving on scene, Detective Morgan met with an inmate at the County Correctional Facility, who provided the following information to Detective Morgan.

During the past month and while in custody the confidential informant disclosed that he has gotten to know the defendant, Thomas Welz. According to the informant, during this time frame the defendant has been obsessed with getting revenge against the mother of C.W., Stacey Brown. The defendant asked the informant to reach out to the informant's family members to have Stacey Brown killed. According to the informant, the defendant was willing to pay \$5,000 to have Ms. Brown killed.

The informant told Detective Morgan that at first he did not believe that the defendant was serious. However, the defendant began to provide detailed information as to how he wanted Stacey Brown to be killed. The defendant provided the informant with a detailed description of Stacey Brown's current residence, as well as directions to Ms. Brown's residence. When the informant asked the defendant what the defendant wanted done to Ms. Brown, the defendant replied, "I don't care how you do it, kill her, break her back, paralyze her and shoot her."

The defendant gave the informant a deadline of October 12, 2011 to find someone to carry out the murder of Stacey Brown or the defendant would find someone else to do it.

Detective Morgan asked the informant what the informant sought to gain from this information and the informant responded, "nothing, I already have a plea deal." The informant then continued by stating, "I've done a lot of bad shit in my life but taking a mother from her children, I wouldn't want that on my conscience."

On October 11, 2011 Detective Morgan sought to corroborate the details provided by the informant. Detective Morgan provided the description of Stacey Brown's residence given by the informant to Detective Todd Rosenstein. Detective Morgan then asked Detective Rosenstein to drive around the area of 27th Street and College Avenue to look for a house that matched the description. Detective Rosenstein located a residence matching the informant's description, specifically 3231 W. College Avenue, in the City of Greenfield, County of Milwaukee. Detective Morgan searched Department of Transportation records and verified that address as Stacey Brown's residence.

On October 11, 2011 Milwaukee County Sheriff Detectives Brian Morgan and Todd Armstrong met with Milwaukee County District Attorney's Office Investigators Joseph Link and Thomas Boehlke. Investigators Link and Boehlke informed Detectives Morgan and Armstrong that the defendant was being investigated for witness intimidation relating to the underlying child abuse case. Both law enforcement agencies debriefed one another as to the current status of each agency's investigation.

Detectives Morgan and Armstrong then proceeded to the County Correctional Facility – South to meet with the informant. During this meeting, the informant told Detectives Morgan and Armstrong that the informant got to know the defendant by assisting the defendant with the defendant's criminal case in the library of the correctional facility. During this time, the defendant discussed how to beat his child abuse case on a daily basis. The defendant also discussed causing harm to Stacey Brown on a daily basis. The informant reiterated that the defendant was becoming impatient and may begin to seek another inmate to assist in the killing of Stacey Brown.

Detective Armstrong subsequently briefed the informant on a plan by which Detective Armstrong, acting in an undercover capacity, would act as the informant's nephew and field calls from the informant and the defendant concerning the defendant's desire to have Stacey Brown killed.

At approximately 12:47 PM on October 12th, 2011 Detective Armstrong, acting in an undercover capacity as the nephew of the informant, received a call from the informant. The call was placed from the County Correctional Facility-South, where the defendant was in custody. During the first call, Detective Armstrong reports that the informant passed the phone to the defendant and the defendant stated that he was "trying to get something done, probably sooner than later." When asked what he wanted done, the defendant responded, "he (the informant) is going to holler at you and let you know what's up."

When Detective Armstrong asked about the payment amount and informed the defendant that he (Detective Armstrong) heard the discussed amount was \$5,000 the defendant responded, "yeah we can probably do that."

At approximately 2:49 PM on October 12, 2011 Detective Armstrong reports receiving a second call from the informant and the defendant. During this call, the defendant, who believed he was talking to the nephew of the informant, provided detailed directions on how to get to Stacey Brown's residence. Specifically, the defendant instructed Detective Armstrong to take 27th street south to College Avenue and turn right. The defendant instructed Detective Armstrong to look for a blue house on the left hand side of the road. According to the defendant, the house would have a number of cars in the driveway that were for sale.

Once at the residence, the defendant instructed Detective Armstrong to "go to the side door, okay, and ask for Stacey." "Make it look drug related."

At approximately 3:08 PM on October 12, 2011 Detective Armstrong received a third call from the informant wherein the defendant was again placed on the phone. During the third call, the defendant reiterated the directions to Stacey Brown's residence. The defendant then instructed Detective Armstrong to go to the side door, ask for Stacey, and "make it look drug related." The defendant further instructed Detective Armstrong to get her "one time in the lower back." The defendant repeatedly informed Detective Armstrong that it must occur on Halloween, October 31, 2011.

When asked if he wanted Stacey Brown to walk after this, the defendant responded, "just make it look drug related, put one in the spine, lower end, the spine." The defendant further stated, "you take care of that, I'll pay you man."

AS TO COUNTS TWO THROUGH FOUR:

On October 10, 2011 Investigator Joseph Link of the Milwaukee County District Attorney's Office Witness Protection Unit reports attending a briefing with District Attorney John Chisholm and Milwaukee County Sheriff Detectives Brian Morgan and Todd Armstrong concerning the defendant's plot to have Stacey Brown killed. After the briefing, Investigator Link examined an open case in the Witness Protection Unit concerning potential witness intimidation on the underlying child abuse case. According to Investigator Link, an analyst from the Witness Protection Unit found jail calls placed by the defendant that were concerning for intimidation back in July of 2011.

Investigator Link reports having an analyst from the Witness Protection Unit examine recent calls placed by the defendant. The analyst, Timothy Holdmann, discovered three calls placed by the defendant to citizen witness Marie Weiland.

On October 14, 2011 Investigator Link reports that he and Investigator Carl Buschmann proceeded to Marie Weiland's residence to interview Ms. Weiland. Investigator Link reports that Ms. Weiland provided the following information in her interview with Investigator Link.

Ms. Weiland has known the defendant for approximately twenty years and she has been fielding his calls from the jail since his arrest for child abuse. During this time frame, the defendant has sent Ms. Weiland a number of letters from jail. Among the letters Ms. Weiland received was a letter that contained a draft of a letter that the defendant wanted Stacey Brown to write. Ms. Weiland provided a stack of letters she reported receiving from the defendant while the defendant was being held on the child abuse charges.

Since the defendant has been in jail on the child abuse case, Ms. Weiland believes that she has received approximately twenty phone calls from the defendant. According to Ms. Weiland, of those twenty calls approximately six calls involved the defendant instructing Ms. Weiland about things he wanted Stacey Brown to do in an attempt to get the child abuse charges dropped. Ms. Weiland further informed Investigator Buschmann that during a number of these calls, Stacey Brown was present inside Ms. Weiland's residence and Ms. Weiland would put the phone on speaker so that Stacey could hear the defendant's instructions.

This complaint is further supported by the written report of Milwaukee County Investigator Carl Buschmann of the Witness Protection Unit, who reports that on September 13, 2011 Witness Protection analyst Timothy Holdmann began to monitor the jail calls of the defendant.

AS TO COUNT TWO:

According to Holdmann, in a call placed by the defendant on July 7, 2011 the defendant advises Marie to talk to Stacey and tell Stacey that nothing will happen if Stacey does not come to court. The defendant further advises Marie that if Stacey does not appear in court, the charges would be dropped. Significantly, the phone number the defendant called belonged to Marie Weiland, who is believed to be the "Marie" that the defendant was talking to on July 7, 2011.

AS TO COUNT THREE:

Investigator Buschmann reports that the defendant placed a second call to Marie Weiland on July 11, 2011 in which, according to the analyst who listened to the call, the defendant told Ms. Weiland "well you need to pull her to the side and you know what to tell her." "Just say hey man act like you did, don't go, fucking save Tom 7 years 8 years in prison and just let it go." The defendant further states, "I'm not supposed to be telling you this over the phone because there is a restraining order and I can't use you as the middle person."

Investigator Buschmann reports that on July 14, 2011 there was a preliminary hearing for Milwaukee County case 2011CF3108 wherein Stacey Brown was called as a witness and testified. Based on the testimony of Stacey Brown, the defendant was bound over for trial in the Circuit Court.

AS TO COUNT FOUR:

On October 14, 2011 Investigator Buschmann and Investigator Link proceeded to Stacey Brown's residence to inform Ms. Brown of the threats against her life.

During the interview, Stacey Brown admitted to writing a recant letter. According to Ms. Brown, sometime in July of 2011 prior to the preliminary hearing, Ms. Brown was present at Marie Weiland's residence. Ms. Weiland was on the phone with the defendant and Ms. Weiland put the phone on speaker so that Ms. Brown could hear what the defendant was saying. During this call, the defendant informed Ms. Brown that she needed to write a letter saying that she never saw the defendant punch C.W.

According to Stacey Brown, out of fear of the defendant she authored a letter to the defendant's probation agent in which Ms. Brown indicated that she never saw the defendant punch C.W. Ms. Brown informed Investigator Buschmann that what she wrote in the letter was not the truth, but she wanted the defendant to leave her alone.

After authoring this letter, Stacey Brown informed Investigator Buschmann that a defense investigator called Ms. Brown and asked her to rewrite the letter and to add that the defendant was a good guy and that the defendant was never violent towards the children.

Stacey Brown subsequently rewrote the letter and swore to the contents of the letter as being the truth, even though it was not the truth.

Investigator Buschmann reports questioning Stacey Brown about a letter written by the defendant on October 5, 2011 in which the defendant writes out exactly what he wants Stacey Brown to say in a letter to the defendant's attorney. Stacey Brown acknowledged seeing the letter at Marie Weiland's residence and recognizing the handwriting as the defendant's.

Investigator Buschmann reports playing portions of the three calls between the defendant and Detective Armstrong, who was acting in an undercover capacity. Investigator Buschmann reports that Stacey Brown positively identified the voice of the person attempting to set up the murder for hire plot as the defendant's voice.

Your complaining witness has personally reviewed the letters provided by Marie Weiland which Ms. Weiland reports receiving from the defendant while the defendant was in jail on the child abuse charges relating to Milwaukee County case 2011CF3108. A review of those letters reveals the following significant excerpts: (Please note that all spelling and grammatical errors are intended for accuracy)

IN A LETTER ENTITLED "FRIDAY":

"You are going to have to have Marie help you write out a statement saying we were arguing and thought I was cheating on you because Dale said I was fucking whores. You were just following someone else's lead when you heard someone say I broke [C.W.]'s nose. You did not mean it but you were angry at me and wanted to get even. Say what you want but do not ever say I spoke to you or wrote to you in any way, shape or form! Then you make a copy of the letter + have it notarized and have one given to my P.O. on Mitchell + one to my lawyer. This has to be done verry soon. As soon as possible A.S.A.P. I well keep doing what I can to make sure I get some therapy or counseling + help. Also, you must give child services a copy also. You well not get in trouble. You did not get in trouble the last time you gave them the letter. I have a cool P.O. The letter needs to be done real soon before the P.O. supervisor tries to revoke me. It's all up to you.... I'm sorry for relapsing. I'll change for the kids and for you. There is a job out there waiting for me. We need the money.... Get me out of hear and write the letter this week."

IN A LETTER SIGNED OFF WITH C-U-LATER:

"...Because what she (Stacey) said in court is enough to put me away for 6 years. The statement is good for shit because nothing in it states that she did not see me hit [C.W.] nothing!! The purpose of the statement is to keep me from getting 6 years and she knows what the fuck she is doing."

IN A LETTER DATED SEPTEMBER 14, 2011:

"...I think I have figured out a way to speed up my way out of jail: When I get to court I am going to ask if I can get 10 minutes to speak with Stacey with her + my lawyer present. I am going to tell Stacey that if she don't lift a finger to help me, then I am going to push to put the kids up for adoption! That should wake her up.... Did you remind Stacey when she came over what is she going to do to get me out? She needs to be reminded even if she don't give a fuck. She needs to be told to go to the D.A. and tell then she is sorry and so forth."

IN A LETTER DATED SEPTEMBER 17, 2011:

"... This is a serious crime I am being charged for and it's not going to go away unless Stacey wakes the fuck up from being spoiled with no care or worries in the world. Her fuckin re-tracktion statements are not good enough. She was not there and she showed up after the fact when the head butt happen. She has to say that in person and in writeing (notarized) and she has to say

this to the prosecuting D.A. and to my P.O.s supervisor!! Stacey needs to wake up and do this because I can't do shit with a criminal background. Waiting for the last day or week before court is not enough. She needs to be confronted each + every time she is seen. I can't do it because I got a fuckin restraining order. If my mom could catch Stacey one day so my mom could confront her + tell her to get me off this shit she + Dan + Dale got me into. Take the bitch to the D.A. office and have her tell the truth so I can be released back into society!..."

IN A LETTER DATED SEPTEMBER 24, 2011:

"I wrote 2 pages front + back to the grandmom in Boloit. I explained to her that I am letting go my ties with Stacey and I want her to try and help me. I asked if she could get her to go to the D.A. + P.O. and do a face to face and have someone go + hold her hand."

IN A LETTER DATED OCTOBER 5, 2011:

"...(Enclosed) is a draft on how I think the statement should be made because I might as forget about trying to have Stacey go see the PO, DA, etc. It is going to happen soon enough and I might as well have better luck if there is something to see and show in court. My lawyer said it will be better if Stacey did not show up in court on the 19th because the D.A. well try and scare Stacey and say that they will take the kids away or lock her up for lieing because there only job is to get a conviction and lock me up.... So the enclosed letter needs to be done vary fast, vary soon, and A.S.A.P. so then maybe the D.A. office well drop the charges and the P.O. so I can be home for Christmas... call Stacey + explain + show her the letter and explain it needs to be done today, now, tonight, this afternoon, you get the picture, it's got to be done. It well only take a half hour to do. Thank you. If she well not, then call my mom and ask her to go see Stacey at Jim's house and find out why. The 19th is vary close!!! I already wrote my mom explaining the same thing. Now!

IN A LETTER ENTITLED "DRAFT" THAT WAS INCLUDED WITH THE OCTOBER 5, 2011 LETTER:

"To whom it may concern, I Stacey M. Brown, born on 5-11-1985,.... Swear this statement to be true and it was made out on my own free will. I am writeing this statement in hopes to help Thomas S. Welz, the father of [C.W.] I Stacey M. Brown have made a serious mistake and it was a vary poor decision on my part. On July 1st of 2011 I told police that seen Mr. Welz punch our son [C.W.] with a closed fist. (It was a lie). I did not see what happen and I was not there when [C.W.] received a bloody nose..."

Your complaining witness asserts that the information contained within this complaint does not exhaust your complaining witnesses knowledge of the evidence in this matter and that Investigators from the Milwaukee County District Attorney's Office Witness Protection Unit are still reviewing letters and calls related to this matter.

****End of Complaint****

Subscribed and sworn to before me and approved for filing this ____ day of October, 2011.

John T. Chisholm
District Attorney
Milwaukee County
1023023

Detective Brian Morgan
Milwaukee County Sheriff's Office

MJT

CRIMINAL COMPLAINT

STATE OF WISCONSIN

DA Case No.:2011ML017500

Plaintiff,

vs.

Complaining Witness:

Blackmon, Fitzgerald
3001 W. Silver Spring Dr, #107
Milwaukee, WI 53209
DOB: 05/09/1967

Court Case No.:

Defendant,

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: FELONY INTIMIDATION OF A WITNESS (BY PERSON CHARGED WITH A FELONY), DOMESTIC ABUSE

The above-named defendant on or about Tuesday, July 12, 2011, at 8885 South 68th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, being a person charged with a felony, did knowingly and maliciously attempt to dissuade and prevent Karen Ann Norton, a witness, from attending and giving testimony at a proceeding authorized by law, in connection with that felony, contrary to sec. 940.43(7), 939.50(3)(g), 968.075(1)(a) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

And further, invoking the provisions of sec. 968.075(1) (a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

Count 2: FELONY INTIMIDATION OF A WITNESS (BY PERSON CHARGED WITH A FELONY), DOMESTIC ABUSE

The above-named defendant on or about Saturday, July 16, 2011, at 8885 South 68th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, being a person charged with a felony, did knowingly and maliciously attempt to dissuade and prevent Karen Ann Norton, a witness, from attending and giving testimony at a proceeding authorized by law, in connection with that felony, contrary to sec. 940.43(7), 939.50(3)(g), 968.075(1)(a) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

And further, invoking the provisions of sec. 968.075(1) (a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

I am a Milwaukee County Law enforcement Officer, and bases this complaint upon the statement of Milwaukee County District Attorney Investigator, Carl A. Bushmann. Bushmann conducted an investigation regarding Milwaukee County Inmate Jail calls that were made on July 12th and 16th, 2011, by the above named defendant, Fitzgerald Blackmon, who was housed at the Milwaukee County House of Correction (HOC), to Karen Norton (Norton).

Norton is the alleged victim in Milwaukee County Circuit Court Cases 2011CM2698 and 2011CF2782. Blackmon is the defendant.

Investigator Carl A. Buschmann conducted an investigation of possible intimidation and dissuasion by Blackmon. Buschmann discovered that on the above dates that the defendant had placed phone calls from the HOC to Norton, dissuading Norton from coming to court or assisting the prosecution with their case. Buschmann is familiar with both Norton and the defendant's voice.

On Tuesday, July 12, 2011, the defendant placed a call to 262-225-7221. Buschmann noted that this number was the listed number given by Karen Norton, as he has conducted follow up investigations on the above cases. This phone call lasted about 14 minutes. In this phone call, the defendant can be heard telling Norton that he is facing 15 years for the above cases. He then tells Norton that he has sent her a letter instructing her to write a letter to his lawyer, in her own handwriting, and have it notarized. In the letter, the defendant tells Norton to write to his lawyer that she lied about the above cases, so he can get out of jail. Prior to hanging up the phone, the defendant states to Norton, "Are you going to write the letter to his lawyer?" Norton replies, "Yes Gerald (short for Fitzgerald)." He then says, "Thank you, ok baby, this is my life, I ain't got no 15 years to give these people."

On Saturday, July 16, 2011, Blackmon placed another phone call to the above number. This call lasted 15 minutes. In this call, Blackmon is heard repeatedly asking to Norton if she wrote the letter to his lawyer. He further ask if she put everything in the letter, including that she will be out of town in Colorado at the time of trial, as he has suggested she write. Norton states she has complied. The defendant then states, "If the DA talks to you and ask if you have had contact with me, what are you going to say?" Norton replied, "No."

On Monday, July 18, 2011, Bushmann made contact with Karen Norton. Norton confirmed that Blackmon did call her on the above dates, and that he asked her not to cooperate with the prosecution. Norton then allowed Bushmann to go retrieve her mail, as her elevator is broken, and she had no way of getting down the stairs. Bushmann retrieved two envelopes addressed to Michael Blackmon, the defendant's son. Norton informed Bushmann that the defendant will address the letters to his son, but they are meant for Norton. Norton states the defendant does this, so it looks as though he is not having contact with Norton. Inside of two envelopes, there were two letters addressed to Norton. In both letters, the defendant is providing Norton with instructions to assist him in having his cases dropped and telling her not to come to court and cooperate with his prosecution.

****End of Complaint****

Subscribed and sworn to before me and approved for filing this 19th day of August, 2011.

Dewey B. Martin
Assistant District Attorney
1066201

Complaining Witness

CRIMINAL COMPLAINT

STATE OF WISCONSIN

DA Case No.:2012ML005313

Plaintiff,

vs.

Complaining Witness:

Inv. Joseph Link

King, Lovell
2858 N. 24th St
Milwaukee, WI 53206
DOB: 02/09/1970

Court Case No.:

Defendant,

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: FELONY INTIMIDATION OF A WITNESS (BY PERSON CHARGED WITH A FELONY), DOMESTIC ABUSE

The above-named defendant on or about Thursday, January 26, 2012, at 949 North 9th Street (CJF), in the City of Milwaukee, Milwaukee County, Wisconsin, being a person charged with a felony, did knowingly and maliciously attempt to dissuade Gloria J Byrd, a witness, from attending at a trial authorized by law, in connection with that felony, contrary to sec. 940.43(7), 939.50(3)(g), 968.075(1)(a) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

Count 2: FELONY INTIMIDATION OF A WITNESS (BY PERSON CHARGED WITH A FELONY), DOMESTIC ABUSE

The above-named defendant on or about Wednesday, February 08, 2012, at 949 North 9th Street (CJF), in the City of Milwaukee, Milwaukee County, Wisconsin, being a person charged with a felony, did knowingly and maliciously attempt to dissuade Gloria J Byrd, a witness, from attending at a trial authorized by law, in connection with that felony, contrary to sec. 940.43(7), 939.50(3)(g), 968.075(1)(a) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

Count 3: FELONY INTIMIDATION OF A WITNESS (BY PERSON CHARGED WITH A FELONY), DOMESTIC ABUSE

The above-named defendant on or about Thursday, February 16, 2012, at 949 North 9th Street (CJF), in the City of Milwaukee, Milwaukee County, Wisconsin, being a person charged with a felony, did knowingly and maliciously attempt to dissuade Gloria J Byrd, a witness, from attending at a trial authorized by law, in connection with that felony, contrary to sec. 940.43(7), 939.50(3)(g), 968.075(1)(a) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

I am a Milwaukee County District Attorney's Office law enforcement officer and base this complaint upon my examination of the official Milwaukee County Circuit Court file in Case# 2011CF5341, in which the defendant was charged with the felony offense of Escape From Custody (In Custody For Crime), in violation of Wisconsin Statutes Section 946.42(3)(a), 939.50(3)(h), 968.075(1)(a) and the misdemeanor offenses of Misdemeanor Battery, Domestic Abuse and Misdemeanor Battery, Domestic Abuse, both in violation of Wisconsin Statutes Section 940.19(1), 939.51(3)(a), 968.075(1)(a).

This complaint is further based upon your complainant's examination of the certified criminal complaint in the official Milwaukee County Circuit Court file in Case # 2011CF5341. Said complaint, sworn by Officer Derrick Vance of the Milwaukee Police Department, states the following:

I am a Milwaukee Police Officer and base this complaint on the statements of Gloria Byrd, who observed the following: on October 29, 2011, Byrd's boyfriend, Lovell King, assaulted her at their residence at 2858 North 24th Street in the City and County of Milwaukee, Wisconsin. There, King grabbed Byrd and threw her to their bed. King climbed on top of Byrd. King punched Byrd's face four or five times. Byrd reached out and grabbed a knife from the bedside. King fell onto the knife as he beat her. The knife cut King's chest.

Byrd then escaped the bedroom. She ran to the kitchen. King chased her. King pushed Byrd into the dining room. There, King again punched Byrd three or four times.

Again Byrd escaped. She ran upstairs to roommate Crystal Edwards. Edwards lent Byrd her phone. King followed Byrd upstairs. Again, he punched Byrd's face two or three times. King then rifled through Byrd's purse and left the house.

I also base this complaint on statements King made to Milwaukee Police Officer Daniel Keller as they rode in the back of a Milwaukee Fire Department vehicle to Froedert Hospital. King said he was injured when he "fell on a knife." He said Byrd was his girlfriend of five years. He denied arguing with her.

KING ESCAPES

Milwaukee Police Officer Blaine Grobowksi reports the following: During their investigation on October 29, 2011, Milwaukee Police Officers Keller and Grabowski found King crouched by the corner of a building at 2652 West Fond Du Lac Avenue. King was arrested for battering Byrd. Because of his knife injury, King was taken on October 29 to Froedert Hospital, 9200 West Wisconsin Avenue in the City and County of Milwaukee, Wisconsin. Officers notified hospital security that King was under arrest and to be held. After treatment, security was told, King would be taken to MPD District 5 for booking. At about 3:30 pm on October 31, 2011, Milwaukee Police Officer Keith Garland went to Froedert to take King to District 5. King was missing. Hospital security was unable to locate King on hospital grounds.

I also base this complaint on the statements of Froedert Nurse Bonnie Schultz, who estimated that King left at about 3:45 pm on October 31 and must have taken with him all of his belongings. Schultz says King was never told he was free to leave the hospital.

Finally, I base this complaint on the observations of Milwaukee County Deputy Rohde, who found King riding a Milwaukee County bus near 3500 West State Street. Rohde arrested King for escape. This time, King was immediately taken to District 5.

This complaint is further based upon your complainant's examination of the certified judgment roll in the official Milwaukee County Circuit Court file in Case # 2011CF5341, which indicates that on November 4, 2011, after setting a \$1,500 cash bond with conditions for the defendant's release, including that the defendant not have contact with Gloria B. (whom your complainant knows to be Gloria Byrd). On January 17, 2012, while the defendant was present in court, the Honorable Judge Mary Triggiano set the case for jury trial for March 12, 2012 at 8:30 a.m. Said file reflects that from November 4, 2011 to present, the no contact order involving Gloria Byrd has remained in full force and effect.

This complaint is further based upon your complainant's review of fellow Milwaukee County Witness Protection (WITSEC) Investigator Carl Buschmann's report, which is of a type your complainant has reviewed in the past and found to be truthful and accurate. The report states the following, in pertinent part:

On 2/24/12 WITSEC Analyst Timothy Holdmann began to monitor the jail calls of the defendant, Lovell King. Analyst Holdmann did come across a call that was placed on 1/26/12 at 13:12:12. The call was placed to 414 202-9887 from CJF (which your complainant knows to be the Criminal Justice Facility, located at 949 North 9th Street (CJF), in the City of Milwaukee, Milwaukee County, Wisconsin), Pod 3B. The call ended at 13:27:07. It should be noted that the phone number called, 414 202-9887, is the number that Lovell King provided to the authorities when he was arrested

At about 1 min. and 46 sec. into the call a female (Gloria Byrd) is heard stating how she got papers for her to come down there on the 12th of March. She says "I aint coming down there." King replies "I know, don't." "You know what I mean, try not to say nothing like that on the phone though you know what I'm saying?" "Just don't." The female states "OK, right ok, I'll leave it alone, OK, alright."

At 11min. and 48 sec. into the call King states "I'm kinda fucked up in the head because little Junior Lovell, aw shit damn, what the fuck did I say that for, God Damn, Damn!" "Well anyway, uh his birthday was on the 3rd, he turned 18."

At 12min and 33 sec. King states "You know what to do when they come around trying to um, you know what I'm saying."

Analyst Holdmann prepared a synopsis of the pertinent portions of the phone call as they relate to witness intimidation. I, Investigator Buschmann listened to the above listed call and found the synopsis prepared by Analyst Holdmann to be an accurate account of the pertinent portions of the call.

I then checked Milwaukee Co. Sheriffs jail records and found that Lovell King was housed at the CJF, Pod 3B on the date and time of the above described phone call. King also makes a slip during his phone conversation and names his son "Little Junior Lovell". The court date mentioned in the call, March 12th, is the jury trial date for Lovell King.

Although King doesn't state Gloria's name during the call he does ask her if she is still living at the same place they were living at and she replies yes. They talk about their relationship and how he wants to marry her when he gets out of jail.

On Thursday, March 8, 2012 Analyst Holdmann monitored two additional jail calls from Lovell King. The first call was placed on 2/8/12 at 15:13:08 from CJF Pod 3B to (414) 202-9887. The call ended at 15:27:52.

At about 3min. and 12 sec. King is talking to Gloria and is telling her that he might take it to trial on the 12th. He states: "March 12th, so I'm probably just gonna go ahead, take it to trial." "You know what to do." "Don't even, you know what I'm saying, don't even say it on the phone, you know what to do." Gloria replies "OK". King states "Then they gonna have to let me go." At about 8min. 49sec. into the conversation Gloria wishes King a happy birthday (King's birthday is on 2/9/70)

The second call was placed on 2/16/12 at 15:47:32 from CJF Pod 3B to (414) 202-9887. The call ended at 16:02:15.

At about 1min. and 49sec. into the call King is talking to Gloria about his court date. Gloria asks King "When they said, when they gonna let you home?" "I want to talk, I want to know when you coming home, I'm tired of crying." King replies "March, March 12Th." "You know what I'm saying." "If everything go good, you know, you don't come." "I mean, I'm gonna get off regardless if you do." "But just don't, you know what I'm saying." Gloria tells him "I said don't talk about that no more baby."

Analyst Holdmann prepared a synopsis containing the pertinent portions of the jail calls as they relate to intimidation of a witness. I, investigator Carl Buschmann, listened to the two calls and found that the synopsis prepared by Analyst Holdmann to be an accurate account of the pertinent portions of the phone conversations.

A Check with Milwaukee Co. Sheriffs jail records showed that on the dates of the calls, 2/8/12 and 2/16/12, Lovell King was housed at the CJF in Pod 3B.

****End of Complaint****

Subscribed and sworn to before me and approved for filing this 9th day of March, 2012.

Peter M Tempelis
Assistant District Attorney
State Bar # 1054579

Complaining Witness

CRIMINAL COMPLAINT

STATE OF WISCONSIN

DA Case No.:2012ML006932

Plaintiff,

vs.

Complaining Witness:

Investigator Carl BuschmannCuret-Rodriguez, Luis
1813 S 19 St
Milwaukee, WI 53204
DOB: 09/11/1971

Court Case No.:

Defendant,

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

COUNT 1: FELONY INTIMIDATION OF A WITNESS - PARTY TO A CRIME (BY PERSON CHARGED WITH A FELONY) REPEATER

The above-named defendant on or around February 10, 2012, at 8885 S. 68th St., in the City of Franklin, Milwaukee County, Wisconsin, being a person charged with a felony, did as a party to a crime knowingly and maliciously attempt to dissuade Cheryl Dixon, a witness, from attending at a proceeding authorized by law, in connection with that felony, contrary to sec. 940.43(7), 939.05, 939.50(3)(g), 939.62(1)(b) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least one felony during the five year period immediately preceding the commission of this offense, which remains of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than 4 years, if the prior conviction was a felony.

COUNT 2: FELONY INTIMIDATION OF A WITNESS (BY PERSON CHARGED WITH A FELONY) REPEATER

The above-named defendant on or about Tuesday, February 14, 2012, at 8885 S. 68th St., in the City of Franklin, Milwaukee County, Wisconsin, being a person charged with a felony, did knowingly and maliciously attempt to dissuade Cheryl Dixon, a witness, from attending at a proceeding authorized by law, in connection with that felony, contrary to sec. 940.43(7), 939.50(3)(g), 939.62(1)(b) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least one felony during the five year period immediately preceding the commission of this offense, which remains of record and unreversed, the

maximum term of imprisonment for this offense may be increased by not more than 4 years, if the prior conviction was a felony.

This complaint is supported by the written reports of Investigators with the Milwaukee County District Attorney's Office Witness Protection Unit which were prepared through the normal course of police business and which your complaining witness has relied upon in the past and found to be truthful and reliable. Based upon a review of the reports pertaining to the investigation of this matter, your complaining witness believes that:

On February 17, 2012 Investigator Carl Buschmann of the Milwaukee County District Attorney's Office Witness Protection Unit reports receiving a request from Assistant District Attorney Matthew Torbenson to investigate allegations of witness intimidation by the defendant, Luis Curet-Rodriguez, relating to Milwaukee County case 2012CF0662 wherein the defendant is charged with physical abuse of a child and strangulation/suffocation. Based upon this request, Investigator Buschmann reports meeting with Cheryl Dixon, a material witness from 2012CF0662 and the mother to the child victim, L.C., who provided the following information to Investigator Buschmann.

AS TO COUNT ONE:

According to Cheryl Dixon, on February 12, 2012 she received a phone call at her residence from a male who asked if "Penny" was there. Ms. Dixon informed Investigator Buschmann that her nickname is "Penny." Ms. Dixon responded "yes" to the caller, who then proceeded to tell Ms. Dixon that he had a message from the defendant. The caller informed Ms. Dixon that his name was Keith and that he (Keith) was just released from the House of Corrections on February 10, 2012. Keith further informed Ms. Dixon that he shared a dorm with the defendant while in the House of Corrections. Keith informed Ms. Dixon that the defendant gave him (Keith) a letter to read to Ms. Dixon. Keith then read the letter to Ms. Dixon over the phone. The letter instructed Ms. Dixon not to come to court on February 17, 2012 and to keep L.C., the victim in 2012CF0662, out of school on that day as well.

Ms. Dixon provided Keith's phone number and information to Investigator Buschmann, who was able to identify Keith as Keith Kelly, 8/31/1963 D.O.B. Investigator Buschmann further reports personally reviewing records from the House of Corrections that confirm that the defendant shared the same dorm as Keith Kelly while Keith Kelly was held at the House of Corrections, located at 8885 S. 68th St., in the City of Franklin, Milwaukee County.

On February 20, 2012 Keith Kelly reported to the Milwaukee County District Attorney's Office to meet with Investigator Buschmann. Upon arriving on scene, Mr. Kelly turned over a hand written letter given to Mr. Kelly by the defendant. According to Mr. Kelly, on Friday February 10, 2012 he (Mr. Kelly) was set to be released from the House of Corrections. Prior to being released, Mr. Kelly was given a letter by the defendant. The defendant asked Mr. Kelly to call "Penny" and read the letter to her. The defendant told Mr. Kelly that the defendant wanted Mr. Kelly to attempt to convince "Penny" to stay away from court so that the defendant could get back together with her. The defendant further instructed Mr. Kelly to tell "Penny" to keep L.C. out of school because L.C. is involved in the social service system. The defendant further instructed Mr. Kelly to tell "Penny" to write the defendant and inform the defendant of her intentions. The defendant instructed Mr. Kelly to tell "Penny" to write the letter using the neighbor's name and address so that the letter could not be traced back to her.

Based upon the defendant's instructions, on February 12, 2012 Mr. Kelly called "Penny" and read the defendant's letter to "Penny" over the phone. Your complaining witness has personally

reviewed a copy of the letter provided by Keith Kelly to Investigator Buschmann. The letter includes the following:

“PSS – Don’t show in court on tha 2-17-12 Hide Please.”

Investigator Buschmann further reports that he showed the letter to Cheryl Dixon, who identified the handwriting as the defendant’s handwriting.

AS TO COUNT TWO:

On February 17, 2012 Investigator Buschmann reports assigning Timothy Holdmann, an analyst with the Milwaukee County District Attorney’s Office Witness Protection Unit, to monitor jail calls being placed by the defendant. Investigator Buschmann reports that Analyst Holdmann identified a call placed by the defendant on February 14, 2012 to Cheryl Dixon’s phone number. During the phone call, the defendant tells Cheryl Dixon:

Defendant: So (inaudible) you need to, that Friday, (inaudible) if you stay home I’d appreciate it.

Ms. Dixon: Hey I’m not getting no warrant for my arrest buddy.

Defendant: Oh my god.

Ms. Dixon: I’ll tell you that right now I don’t care. I’m not getting a warrant. I’m not going to jail Luis.

Defendant: Ok so don’t press charges (inaudible) Penny.

Ms. Dixon: Huh?

Defendant: Don’t press charges, neither of you.

Ms. Dixon: I’m not pressing charges. I’m not pressing charges, I’m not going to jail though I know that.

Defendant: I know Penny, but you have to learn how to talk. You see you go over there and say ‘no, I don’t want to press no charges on him. (inaudible), you know what I’m saying?

Ms. Dixon: Yeah well don’t, how are you gonna tell me to go to jail?

Defendant: I’m not telling you that. You put me, you guys put me in this situation.

Later in the call the following conversation takes place:

Defendant: The first time you said you’d (inaudible) go to court, now you’re saying you’re going to court. See what I’m saying?

Ms. Dixon: Luis I have to!

Defendant: Penny what do you mean you have to? You don’t have to do jack shit.

Ms. Dixon: Look, they already gave me a warrant Luis. I’m not going to jail.

Defendant: Penny you don't have to go to it. You don't get it? The only thing you have to say is, 'No I don't want to do nothing. I don't want to go against him cuz he's my baby daddy.'

Investigator Buschmann reports checking Milwaukee County Sheriff's Department records and verifying that the defendant was being held at the House of Corrections, located at 8885 S. 68th St., in the City of Franklin, Milwaukee County, when the call was placed by the defendant on February 12, 2012. Investigator Buschmann further confirmed that the call was placed from the defendant's dorm in the House of Corrections.

On March 27, 2012 Investigator Buschmann played a portion of the recorded call believed to have been placed by the defendant to Cheryl Dixon on February 12, 2012 to Ms. Dixon. Ms. Dixon positively identified the voice on the call as the defendant's voice. Ms Dixon further informed Investigator Buschmann that this was the last call that she accepted from the defendant.

AS TO BOTH COUNTS:

Attached to this complaint are certified copies of the criminal complaint, court docket, and no contact order in Milwaukee County case 2012CF0662 which establish that the defendant was charged on February 2, 2012 with Physical Abuse of a Child and Strangulation/Suffocation. Those records further establish that Cheryl Dixon appeared on February 17, 2012 and testified at the preliminary hearing wherein the defendant was bound over for trial after the testimony of Cheryl Dixon.

Also attached to this criminal complaint and incorporated by reference are copies of certified records of the criminal complaint, docket, and judgment of conviction in Milwaukee County case 2008CF1412 wherein the defendant was convicted of the felony offense of substantial battery contrary to Wisconsin State Statute § 940.19(2) . Those records establish that the conviction remains of record and unreversed and occurred within the five year period preceding these offenses.

****End of Complaint****

Subscribed and sworn to before me and approved for filing this ____ day of April, 2012.

Matthew J. Torbenson
Assistant District Attorney
Child Protection & Advocacy Unit
1049925

Investigator Carl Buschmann
Witness Protection Unit
Milwaukee County District Attorney's Office

CRIMINAL COMPLAINT

STATE OF WISCONSIN

DA Case No.:2011ML014066

Plaintiff,

vs.

Complaining Witness:

Murphy, Jahir Joel
4648 N. 19th Pl.
Milwaukee, WI 53206
DOB: 08/22/1988

Court Case No.:

Defendant,

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: FELONY INTIMIDATION OF A WITNESS (BY PERSON CHARGED WITH A FELONY), REPEATER, DOMESTIC ABUSE

The above-named defendant on or about April 12, 2011, through April 29, 2011, at 8885 S. 68th St, in the City of Franklin, Milwaukee County, Wisconsin, being a person charged with a felony, did knowingly and maliciously attempt to dissuade and prevent Renae Nicole Sanford, a witness, from attending a proceeding authorized by law, in connection with that felony, contrary to sec. 940.43(7), 939.50(3)(g), 939.62(1)(b), 968.075(1)(a) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least one felony during the five year period immediately preceding the commission of this offense, which remains of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than 4 years, if the prior conviction was a felony.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

Count 2: BAIL JUMPING (MISDEMEANOR), DOMESTIC ABUSE, REPEATER

The above-named defendant on or about Thursday, June 09, 2011, at 901 W. Wells St, in the City of Milwaukee, Milwaukee County, Wisconsin, having been charged with a misdemeanor and released from custody under Chapter 969 of the Wisconsin Statutes, did intentionally fail to comply with the terms of his bond, contrary to sec. 946.49(1)(a), 939.51(3)(a), 968.075(1)(a), 939.62(1)(a) Wis. Stats.

Upon conviction for this offense, a Class A Misdemeanor, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And further, invoking the provisions of sec. 939.62(1)(a) Wis. Stats., because the defendant is a repeater, having been convicted of at least one felony during the five year period immediately preceding the commission of this offense, which remains of record and unreversed, the maximum term of imprisonment for this offense may be increased to not more than 2 years.

I am an Investigator with the Milwaukee County District Attorney's Office WITSEC Unit, and base this complaint upon my review of official reports prepared by the WITSEC Unit, as well as my examination of the official records maintained by the Milwaukee County Clerk of Circuit Court, the latter being attached and incorporated by reference, and both of which I have relied upon in the past and know to be truthful and reliable. The reports and the records reflect that:

On April 9, 2011, Jahir Murphy, the defendant, was charged in case # 11CF1552 with one felony count of Strangulation contrary to Wis. Stat. 940.235(1), and three misdemeanor counts of Criminal Trespass to a Dwelling, Criminal Damage to Property, and Bail Jumping, contrary to Wis. Stats. 943.14, 943.01(1), and 946.49(1)(a), respectively. The defendant made his initial appearance on that same date, cash bail was set at \$1500, and as a condition of his release, he was ordered to have no contact with Renae Sanford, the alleged victim in all four counts. A preliminary hearing was scheduled for April 19, 2011, at 8:30 AM, at which time Sanford failed to appear. The State began the hearing by taking testimony from an officer witness, and then requested an adjournment to secure Ms. Sanford's appearance, which was granted by the court. The preliminary hearing was adjourned until April 29, 2011, at which time Sanford again failed to appear. The State then filed an amended complaint reducing the felony Strangulation count to one of misdemeanor Disorderly Conduct, contrary to Wis. Stat. 947.01. The defendant then appeared for a bail hearing on May 6, 2011, at which time his bail was set at \$800 cash bail, and the case adjourned for a final pretrial on June 9, 2011. On June 6, 2011, the defendant was able to post the \$800, and was subsequently released from custody.

On Wednesday, June 8, 2011, WITSEC Analyst Amy Lagueux monitored the jail calls of the defendant, Jahir Murphy. The purpose of the monitoring was to determine if any type of intimidation had occurred as the victim Renae Sanford had failed to appear at the preliminary hearing. Analyst Lagueux did discover several calls from the House of Correction (HOC), located at 8885 S. 68th St, in the City of Franklin, Milwaukee County, where the defendant is requesting someone to contact the victim Sanford and to make sure that she doesn't come to court. Portions of the pertinent calls described below were subsequently played for Sanford, who positively identified the male voice in all of the calls as being that of Jahir Murphy, her boyfriend.

Analyst Lagueux monitored a call from April 12, 2011, at 7:04 PM, that was placed from the HOC room G2 to (414) 837-7675. In this call Murphy is heard telling a female to tell "Carter" to keep on calling her to make sure she don't come. He states to have "Carter" stay on her, for real, because he can't do this shit. The female asks what "Carter" is doing, and Murphy tells her that Carter is calling her and telling her not to come and shit, making sure she's not coming.

Analyst Lagueux monitored another call from April 12, 2011 at 7:30 PM, from the HOC room G2 to (414) 837-7675. Murphy talks to a female and instructs her to talk to "Carter," and to stay on "Carter" because "Carter" is the one talking it over with Sanford. Murphy further talks about how they won't let him "PR" out because of his bail jumping charge.

Analyst Lagueux monitored a call from April 13, 2011, at 7:28 PM, from room G2 of the HOC to (414) 837-7675. In this call Murphy asks the female if she talked to "Carter," and the female replies "Ya, he said everything good". Murphy states to the female "Stay on Carter for me, man, that's all I ask. Keep on telling him to call her or whatever the fuck he gotta do". The female asks if Murphy is trying to keep Sanford from showing up, and Murphy replies, "Yeah".

Analyst Lagueux monitored another call from April 14, 2011, at 7:46 PM, from the HOC room G2 to (414) 837-7675. During this call Murphy is heard stating "Stay on Carter and make sure this bitch ain't coming. If she motherfucking pop up in court I'm gonna start crying".

Analyst Lagueux monitored a call from April 15, 2011, at 1:36 PM, from the HOC room G2 to (414) 837-7675. During this call Murphy tells the female to tell "Carter" that Sanford can go downtown and drop the charges, that she can tell them that she don't want to press charges.

Analyst Lagueux monitored a call from April 19, 2011, at 3:50 PM, from the HOC room H2 to (414) 837-7675. During this call Murphy tells the female "It's on the 29th, you gotta call Carter and tell her to keep dodging the motherfuckers because they keep on her ass now". The female tells Murphy that Carter told her that the bitch has a smirk ass attitude and says that she can't drop the charges. Murphy then states, "They probably called on her scaring her and shit. They gonna keep pressuring her to come, she gonna keep on thinking they gonna lock her up if she don't come and all she gotta do is keep on dodging em". As previously noted, a preliminary hearing in 11CF1552 was scheduled for April 19, 2011, at 8:30 AM, and then adjourned until April 29, 2011.

Analyst Lagueux monitored a call from May 25, 2011, at 7:44 PM, from the HOC room L2 to (414) 837-7675. In this call Murphy is talking to a female about posting his bail at the HOC and says to bring the \$800.00 directly out there. Murphy also talks about having court on the 9th, and that he needs to have the bitch (Sanford) drive him down to court to make sure "motherfucker aint going in there" (court) and to make sure everything is good. As previously noted, in 11CF1552, Murphy's bail was set at \$800 on May 6, 2011, and the case was adjourned until June 9, 2011.

A check with Milwaukee Co. Sheriffs Office jail movement records revealed that the defendant Jahir Murphy was housed in the particular areas of the HOC on the specific dates and times which are documented above.

Based upon the jail call from May 25, 2011, WITSEC investigators conducted surveillance outside of the Milwaukee Co. Courthouse in an attempt to determine if the defendant and Sanford were together in violation of the no-contact order bail condition. Through law enforcement resources it was learned that Renae Sanford was the registered owner of a 2000 Hyundai Elantra 4 door, white in color, Wisconsin registration 251NJY. Upon checking the area, Unit 788, Investigator Aaron Weiss, did locate the above described vehicle parked on W. Wells St. in the 900 block. The vehicle had a lone black female occupant. Investigators Weiss and Bratonja then conducted surveillance on the vehicle. Investigator Carl Buschmann, along with Investigator Thomas Boehlke, monitored the 5th floor of the Courthouse for the defendant Murphy. Murphy did appear and was wearing a black hoody, a black and white plaid shirt, and light colored jeans.

After getting a visual of Murphy, Investigator Buschmann met with Investigators Weiss and Bratonja in their surveillance vehicle. At about 11:00 AM, they were advised by Investigator Boehlke, who was still on the 5th floor of the courthouse, that Murphy had just borrowed his, Boehlke's, phone and placed a call to (414) 213-6900, and that Boehlke could hear Murphy tell the person on the other end that he believed that when his court case was called that he may be

taken into custody. Murphy also told the person that if he was not out 15 minutes or so after the case was called that "you might as well leave because I'm being locked up." Boehlke indicated that after making the call, Murphy was heading for the elevators. At about 11:30 AM, Investigator Buschmann observed the defendant exit the south doors of the Courthouse, and positively identified Murphy from seeing him previously on the 5th floor of the Courthouse. Buschmann watched as Murphy walked up to the driver's side of the white Hyundai vehicle, leaned into the car, had a conversation with the occupant, and ended the conversation by kissing her. Murphy then was observed by Investigator Anna Linden re-entering the Courthouse.

Investigators Weiss and Buschmann then approached the white Hyundai and spoke to the driver. The driver identified herself as being Renae Sanford, and she agreed to accompany them to their office to be interviewed.

Sanford stated that Jahir Murphy is her boyfriend, and that they have been together for the past one and a half years. Sanford stated that about a week or a few days before she was suppose to go to court, she received a call from one of Murphy's guys named "Carter." She stated that "Carter" stated that Jahir wanted to know if she was going to court, or if she was going to get the charges dropped. Sanford stated that she told "Carter" she couldn't do that and she hung up. Sanford stated that while Murphy was in jail, he called her on her cell phone at (414) 213-6900 about five or six times.

Sanford stated that since Murphy has been out on bail he has been staying with her at her residence at 9231 N. 75th St. Apt. #3. Sanford stated that earlier that day (June 9, 2011), Murphy told her that she needed to drive him downtown to his court appearance. Sanford stated that she did drive him to the courthouse in her white Hyundai, and that Murphy told her to wait in the car for him. Investigator Buschmann viewed Sanford's cell phone and noted that at about 11:12 AM, Sanford received a call from (414) 510-4349, which is the number of Investigator Boehlke's work phone. Sanford stated that she did not recognize the number when it came in, but when she answered it the caller was Murphy. Sanford confirmed that at one point Murphy did come out to the car and told her that he thought that he was going to be taken into custody and that if he didn't come back that was the reason, and that Murphy then gave her a kiss and walked back into the Courthouse.

ONE FELONY

This complaint is further based upon my examination of the official records maintained by the Milwaukee County Clerk of Circuit Court, which reflect that on October 23, 2006, the defendant was convicted in the Circuit Court of Milwaukee County, in Felony Case No.: 05CF6272 of the felony offense of Vehicle Operator Flee/Elude Officer, in violation of Wisconsin Statutes Section 346.04(3), and that said conviction remains of record and unreversed.

A certified copy of that judgment of conviction is attached to this complaint and incorporated by reference.

****End of Complaint****

Subscribed and sworn to before me and approved for filing this ____ day of June, 2011.

Dax C Odom
Assistant District Attorney
1056655

Complaining Witness

CRIMINAL COMPLAINT

STATE OF WISCONSIN

DA Case No.:2011ML012523

Plaintiff,

vs.

Complaining Witness:

Bell, Ronald D Sr.,
3513 W Lisbon Ave
Milwaukee, WI 53208
DOB: 03/04/1971

Court Case No.:

Defendant,

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: CONSPIRACY TO COMMIT FELONY INTIMIDATION OF A WITNESS (BY PERSON CHARGED WITH A FELONY) - PTAC, AS A PARTY TO A CRIME, DOMESTIC ABUSE

The above-named defendant on or between Tuesday, April 12, 2011 and Wednesday, April 13, 2011, at 8885 S 68th Street, in the City of Franklin, Milwaukee County, Wisconsin, as a party to a crime, being a person charged with a felony, conspired to knowingly and maliciously attempt to dissuade and prevent Peggie Ann Wells, a witness, from attending a proceeding authorized by law, in connection with that felony, contrary to sec. 940.43(7), 939.50(3)(g), 939.05, 939.31, 968.075(1)(a) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

And further, invoking the provisions of sec. 968.075(1) (a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

I am a Milwaukee County Law enforcement Officer, and base this complaint upon the statement of Milwaukee County District Attorney Investigator Carl A. Buschmann (Buschmann), who conducted an investigation regarding Milwaukee County Inmate Jail calls that were made by the above named defendant, Ronald D. Bell (Bell) on the following dates: April 7th, 12th, 13th, 18th, and 21st, of 2011.

Bell made these phone calls while he was housed in unit North6, at the Milwaukee County House of Correction (HOC), except for the April 7th, 2011 call which was made at the Milwaukee County Criminal Justice Facility (CJF). Your complainant knows that the HOC is located at 8885 S 68th Street, in the City of Franklin, Milwaukee County, Wisconsin, and the CJF is located at 949 N 9th Street, in the City of Milwaukee, Milwaukee County, Wisconsin. During these phone calls, Bell instructed three men, later identified as Brian Bell (the defendant's brother), Daryl Brown (AKA "Big D"), and a person known as Tommy, to go to the home of Peggie Ann Wells (Wells), and pay her and dissuade her to not come to court to testify against him. Wells is the defendant's former girlfriend and the alleged victim, and therefore is a witness, in Milwaukee County Circuit Court Case 2011CF1520. In the above case, Bell was charged with the felony charges of Battery to a Person Subject to a 72 Hour No Contact Order (a Repeater); and Substantial Battery Use of a Dangerous Weapon.

This case was scheduled for a Preliminary Hearing on April 18, 2011. The victim, Wells, did not show up for the hearing and these charges were amended to Misdemeanor Battery and Battery while armed. As a result of Wells not showing up for the hearing, Investigator Carl A. Buschmann

conducted an investigation of possible intimidation and dissuasion of the victim by Bell. Buschmann identified seven calls, two of which are specifically described below.

On Tuesday, April 12, 2011, the defendant placed a call to the number 414-627-1088. This phone call lasted 1 minute and 47 seconds. In this phone call, the defendant can be heard telling a person, later identified as Brian Bell, to "Talk to Peggie, so she doesn't come to court." The defendant then says, "Tell her not to."

On Wednesday, April 13, 2011, at 10:53 a.m. Bell placed another phone call to 414-553-2414. This call lasted 15 minutes. In this call, Bell is heard stating to persons, later identified as "Big D., and Tommy," that if, "She don't come Monday (April 18th 2011 Preliminary hearing), I am out of here (released from the HOC)."

Big D responds: "Alright, I'm going to talk to her (Meaning Wells)." Buschmann went out to interview Peggie Ann Wells.

On Friday, May 20, 2011, Buschmann made contact with Peggie Ann Wells. Wells was played recordings of the phone calls described above. Wells identified and confirmed the voices in the calls, as that of the defendant, his brother Brian Bell, Daryl Brown (AKA Big D), and Tommy (unknown last name), who Wells' states is the defendant's cousin.

Wells further informed Buschmann that on April 17, 2011, Brian Bell came to her home and told her not to come to court. On Monday, April 18, 2011, Big D, came to her house and asked her if there was anything she needed; he then told her that she should not be going to court. Lastly, Wells stated that later that same day, on April 18, 2011, Tommy came to her home and offered her a bag of crack, not to come to court and testify against the defendant. Wells stated that she refused the bag of crack. Wells stated that she will testify against Bell in these cases.

****End of Complaint****

Subscribed and sworn to before me and approved for filing this 25th day of May, 2011.

Dewey B. Martin
Assistant District Attorney
1066201

Complaining Witness

CRIMINAL COMPLAINT

STATE OF WISCONSIN

DA Case No.: 2010ML028693

Plaintiff,

vs.

Complaining Witness:

Flores, Felisha M
1558 South 24th Street Apt #4
Milwaukee, WI 53215
DOB: 03/01/1991

Det. Jeffrey Wiesmueller

Court Case No.:

Thames, Deyul
2902 W. Arthur, #1
Milwaukee, WI 53215
DOB: 05/02/1972

Court Case No.:

Defendants.

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: SOLICITATION OF PERJURY (BEFORE A COURT COMMISSIONER) - AS A PARTY TO A CRIME (As to both defendants), **REPEATER** (As to defendant Deyul Thames)

The above-named defendants on or about November 24, 2010, at 8885 South 68th St., in the City of Franklin, Milwaukee County, Wisconsin, as a party to a crime, advised another, Alicia Nikunen, to orally make a false material statement under oath which she did not believe to be true, in a proceeding before a court commissioner legally constituted, contrary to sec. 946.31(1)(c), 939.50(3)(h), 939.30 and 939.05 Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendants may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further as to defendant Deyul Thames, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least one felony during the five year period immediately preceding the commission of this offense, which remains of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than 4 years.

Count 2: CONSPIRACY TO COMMIT FIRST DEGREE INTENTIONAL HOMICIDE (As to both defendants), **REPEATER** (As to defendant Deyul Thames)

The above-named defendants on or about November 24, 2010, at 8885 South 68th St., in the City of Franklin, Milwaukee County, Wisconsin, conspired to cause the death of Alicia Nikunen, another human being, with intent to kill that person, contrary to sec. 940.01(1)(a), 939.50(3)(a), and 939.31 Wis. Stats.

Upon conviction for this offense, a Class B Felony, the defendants may be sentenced to a term of imprisonment not to exceed sixty (60) years.

And further as to defendant Deyul Thames, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of at least one felony during the five year period immediately preceding the commission of this offense, which remains of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than 6 years.

I am a City of Milwaukee law enforcement officer and I base this complaint upon the statement of Alicia Nikunen that on December 3, 2010, during the preliminary hearing in Milwaukee County Circuit Court Case # 10CF4751, captioned State of Wisconsin v. Deyul Thames (one of the above-named defendants), she testified falsely that items recovered by members of the Milwaukee Police Department, from 2902 W. Arthur Ave., # 1, on November 19, 2010, including 2 guns and a briefcase, belonged to her. Nikunen states that the aforementioned items actually belonged to defendant Thames. Nikunen states that she testified as she did because defendant Thames told her that she needed to take responsibility for the items found in her home. Nikunen states that she was scared that defendant Thames would otherwise hurt her, so she falsely testified that the items belonged to her. Nikunen further states that defendant Thames has been contacting her from custody since he was arrested on November 18, 2010, including on or about November 24, 2010, at two telephone numbers, one belonging to her and a second belonging to above-named named defendant Felisha Flores.

I also base this complaint upon the statement of Milwaukee County Sheriff's Detective Warren Spottek that he has reviewed official records created and maintained by the Milwaukee County Sheriff's Office and that said records reflect that defendant Thames was booked into the Sheriff's Custody on November 19, 2010 and transferred to the Milwaukee County Correctional Facility—South, at 8885 South 68th St., in the City of Franklin, Milwaukee County, on November 20, 2010, where he was held through December 7, 2010.

I also base this complaint upon the statement of defendant Flores that on or about November 24, 2010, she received telephone calls and at least one letter from defendant Thames, who she has known for several months and whose handwriting she recognizes, while defendant Thames was in custody wherein defendant Thames told defendant Flores to make sure Nikunen follows the "script" when she testifies at the preliminary hearing on December 3, 2010. Defendant Flores states that the "script," which defendant Thames conveyed to Flores in phone calls and a letter, consisted of Nikunen testifying falsely that the illegal items found in Nikunen's home belonged to her and not defendant Thames. Defendant Flores further states that on or about November 24, 2010, she relayed these messages from defendant Thames to Nikunen. Defendant Flores states that she told Nikunen that defendant Thames wanted Nikunen to testify that the items belonged to Nikunen and not defendant Thames.

I further base this complaint upon the statement of Police Officer Michael Slomczewski that he listen to a phone call made by defendant Thames while he was in the Milwaukee County Correctional Facility—South to defendant Flores on November 24, 2010, wherein defendant Thames has defendant Flores write down the following coded message:

9R, 25R
6R, (9), 1R, 25R, 7R
12R, 18R, (19)
16R, 14R
6R, 22R
18R, 5R, 11R, 16R, 22R, 11R
24R, 24R
24R, 2R, 12R
15R, 4R, 7R, 6R, 2R, 10R, 3R

Officer Slomczewski states that defendant Thames then stressed to defendant Flores not to lose the message and not to tell anyone about the message. Officer Slomczewski states that defendant Thames told defendant Flores that the message was for "Pops" and that defendant Flores was to give the message to "Pops" when defendant Thames told her to do so. Officer

Slomczewski states that he listened a second phone call made by defendant Thames while he was in the Milwaukee County Correctional Facility—South to defendant Flores on November 26, 2010, wherein defendant Thames told defendant Flores to write down the alphabet from A to Z and to number the letters from 1 to 26 with number 1 for the letter A and number 26 for the letter Z. Officer Slomczewski states that defendant Thames then told defendant Flores that when she gets the name, that will be how to decipher the message.

Officer Slomczewski further states that a search warrant was executed at defendant Flores's home wherein officers recovered a notebook containing the aforementioned code and wherein defendant Flores had also written in her own hand the name "Anthony Davis" along with the code 4R, 1R, 22R, 9R, 19R.

I also base this complaint upon the statement of Police Officer Robert Crawley that he was able to decipher the aforementioned code and that it reads as follows:

MZ
BITCH
HAS
TO
BE
KILLED
BY
TKE
SECOUND

I also base this complaint upon the statement of defendant Flores that she knew the aforementioned code was an order from defendant Thames to kill Alicia Nikunen that she, defendant Flores, was meant to decipher and deliver the order to "Pops" at defendant Thames request. Defendant Flores states that she called a phone number defendant Thames had given her to get the name "Anthony Davis," which was the key to deciphering the code. Defendant Flores states that she would have delivered the order to kill Nikunen to "Pops" had defendant Thames asked her to do so. Defendant Flores further states that she gave "Pops" \$230 after a three way phone call involving her, defendant Thames, and "Pops." Defendant Flores states that she believes that this money was for "Pops" to get another gun.

I also base this complaint upon my review of certified copies of documents contained in Milwaukee County Clerk of Circuit Court file 10CF4751, which reflect that defendant Thames was charged with various felony offenses and had a preliminary hearing on December 3, 2010. Said records also reflect that the defendant Thames was convicted of the felony offense of Bail Jumping, contrary to Wisconsin Statute Section 946.49(1)(b), on June 15, 2007. Said records also reflect that the aforementioned felony conviction remains of record and unreversed. Said certified copies are attached to this complaint and incorporated by reference.

****End of Complaint****

Subscribed and sworn to before me and approved for filing this 20th day of December, 2010.

Zach S. Whitney
Assistant District Attorney
1046655

Complaining Witness

COUNTY OF MILWAUKEE
DISTRICT ATTORNEY'S OFFICE
WITSEC Unit

Investigator's Report

Submitted by: Investigator Anna Linden

Re: Deyul Thames (M/B, 05/02/72)

Date: 12/16/10

On Friday, 12/10/10, Witness Protection Unit of the Milwaukee County District Attorney's Office received a referral from ADA Zach Whitney to check on the jail calls from Deyul Thames to his witness, Alicia Nikunen, as she recanted her original story during the preliminary hearing and there were concerns about her intimidation. This referral was assigned to me, Investigator Anna Linden.

On Monday, 12/13/10, I checked the jail call system and found numerous calls from the Criminal Justice Facility (CJF) and the House of Correction (HOC) to 414-502-5210, which is listed as the Nikunen's contact phone number, from 11/19/10 to 12/08/10. In the majority of the calls the inmate identified himself as "Deyul". In the call on 11/20/10 at 5:32 PM from CJF, the inmate told the female on the phone his booking number, "040965119" and the correct spelling of his name, "De-Yul Thames" as well as his date of birth, "05/02/72" so she could write him letters. He then asked the female for the correct spelling of her name and she stated, "Nikunen."

I listened to the calls and transcribed portions deemed important by me. Below are the transcriptions:

11/19/10 at 6:31 PM

4:00

Thames: you still have those two rubber bands that I had you put up, right?

Nikunen: yeah

Thames: so that's some money, right?

Nikunen: yeah its some

Thames: what about the money that was in that other thing?

Nikunen: what other thing? Umm I don't know, you're not gonna...Um, I don't know how to say this but the police came here.

Thames: and?

Nikunen: and they trashed the whole house

Thames: and?

Nikunen: and they took some things

Thames: what did they take?

Nikunen: they took your briefcase and your guns

Thames: I didn't have any guns, don't say nothing like that on the phone

Nikunen: huh?

Thames: I said I didn't have any guns or anything, don't say anything like that over the phone

Nikunen: well you asked me what they were gonna take

Thames: yeah just, ok

Nikunen: I'm sorry

Thames: did you uh I mean how did they get in?

Nikunen: they just came, they had a search warrant

Thames: they had a search warrant?

Nikunen: yup, you're the one, didn't you tell them where your address was?

Thames: no

Nikunen: the officer said that you told 'em

Thames: no, that's not my address, my address is 902 S 3rd St. You didn't tell them I lived there, did you?

Nikunen: they asked me my address, I gave it to 'em

Thames: your address, you didn't tell them I lived there did you?

Nikunen: that I didn't tell them what?

Thames: that I lived there.

Nikunen: uh-uh (no)

11/23/10 at 10:21 AM

8:00

Nikunen: what do you think is gonna happen to me?

Thames: say what?

Nikunen: my name is on that lease and what they found in here.

What do you think is gonna happen to me?

Thames: that's why I told you, baby, that's why I'm telling you to stop talking to the police because they're gonna use anything you say against you. No matter what you say, if you say something against me it's gonna work against you, if you say something against anybody, it's gonna work against you because they're gonna charge you, too. You have to listen to me! You have to do what I've asked you to do! Because if you don't, you're gonna fuck shit up (inaudible) already fucked up and you don't even know it. I know about these things, baby. Do you understand what I'm saying?

Nikunen: yeah

Thames: the DA don't want to talk to you Friday about no damn

Nikunen: yes, he does!

Thames: listen, listen to what I'm saying. He don't want to talk to you Friday about no damn, what did you say? Bribery, he don't want to talk to you about no damn bribing an officer...listen...

Nikunen: yes, I swear to God

Thames: would you listen to what I'm saying?

Nikunen: yes I do, yes I am.

Thames: he want to get you in his mother fucking office and he might start out talking to you about some stupid shit like bribing the officer. He's gonna try to get you talk about everything else under the sun and whatever you say, he's gonna use that against you, against me because they're charging me with this shit. He's gonna use that against you, against me and it's got shit to do with that bribery. That shit is so petty, that aint nothing. Listen.

Nikunen: I don't know

Thames: baby

Nikunen: what?

Thames: that's why I tell you to stop talking to the police. You don't have to say shit to them except for your name, your date of birth, your social security number and your address. That's it. You tell them that you don't want to talk about anything else. If they talk to you, let them talk. Don't respond to shit they say. No response. Your only response should be "I don't want to talk, I don't have anything to say." That's it, other than your name, your date of birth, your social security (inaudible) listen baby, listen. This is serious

Nikunen: I know it is

Thames: I shouldn't even be talking about it this much over the phone but I have to because you don't understand how this... (gets cut off by Nikunen).

11:33

Thames: listen, listen baby

Nikunen: what?

Thames: you can't talk to the police. You can't. This is not good because this is what they're gonna do. They're gonna threaten you, scare you, and it's gonna sound like all kind of horrible shit because the charges are horrible but they're not even nearabout, they don't even come close to being as bad as if you (inaudible) of me. If they pin this shit on me, it's gonna be the rest of my life. If they pin this shit on you at most, at worst it's for like two years, which is horrible. I'm not gonna you know fool with you or say that two years isn't horrible but two years versus the rest of my life? And they know this, so they're gonna try to use you and scare you with all the time that you'll be facing because they're gonna charge you baby. You hear me? They're gonna charge you and they're gonna tell you you're facing like a billion years and you will be but that has absolutely nothing to do with what would actually happen in the case because you don't have any felonies, do you? Baby? Baby? Alicia?

Nikunen: yeah

Thames: do you have any felonies?

Nikunen: do I have any what? No.

Thames: have you ever been convicted of a crime?

Nikunen: uh-uh (no)

Thames: they know that they're not gonna be able to do nothing to you, they know this, like I said, worst case scenario - about two years. They'll do that so that'd be like two years in and four years on paper, something like that. They know this, they don't care about that. With me, baby, it'd be literally the rest of my life. It'd be like 30 or 40 years in.

Nikunen: hold on, say it one more time

Thames: it'd be like 30 or 40 years in with me, 50 years in with me. (Inaudible) they're trying to get you to say things that would give them the opportunity to take my life and I don't know anything about any of this shit.

Nikunen: I don't know. What do you want me to do? Hold on, I'm thirsty.

11/23/10 at 10:38 AM

1:35

Thames: baby, do you hear what I'm saying to you?

Nikunen: huh?

Thames: do you hear what I'm saying to you? Do you understand what I'm saying to you?

Nikunen: yeah

Thames: tell me what I'm saying?

Nikunen: you're saying don't say anything.

Thames: I'm saying more than that, baby.

7:10

Thames: this is what's gonna happen, ok?

Nikunen: ok, tell me

Thames: these people, they wanna charge you as a necessity or a party to a crime. The charges are not gonna look good. They will be scary because you never did do anything like this before. It is understandable that it's gonna be unnerving and it's gonna frighten you, that's understandable, but you can't fall apart baby. You hear me? Because it's gonna be serious but it's not gonna be as serious of uh (inaudible) it's not gonna be as serious as the people will, as they're gonna make it seem like it is. But it's gonna be serious, baby. I'm not gonna tell you that it's not. Ok?

Nikunen: yes, it's serious. Yeah. It is serious. I mean, I'm a nervous wreck. You want to know why I slept so late? 'cause I haven't slept in 3 days.

11:35

Thames: hey, you cannot talk to the police, the district attorney, any of them. Just tell them you don't have anything to say.

Nikunen: mhm

Thames: mhm, what does that mean?

Nikunen: I said ok.

Thames: baby, I know what I'm talking about here.

Nikunen: I know you do!

Thames: another thing you have to do is, you see, another thing you have to do is you have to go and get a complaint and fill out a complaint form.

Nikunen: go to district 2, you said?

Thames: you should be able to get that from any district. You might as well get one from the district on 27th St. Get a complaint form and fill out a complaint form and state the fact that officers came in your house or whatever with a warrant

Nikunen: yeah uh (cough) geez

Thames: huh?

Nikunen: yeah? Maybe this phone isn't working and I need to charge it.

Thames: and they took your uh they took your money, what was it? \$3000 or something?

Nikunen: two

Thames: it was three, baby

Nikunen: you took one

Thames: it was three. Just, it was three. They took your \$3000 and uh they shouldn't have because you've been saving that up for all your life. For you adult life or whatever. And you want the money returned to you.

The above transcriptions are not complete transcriptions of the entire calls and do not summarize the entire conversations that took place. I believe the contents of the above calls constitute evidence of Intimidation of a Witness, 940.43 of the WI Statutes.

End of report.

COUNTY OF MILWAUKEE
DISTRICT ATTORNEY'S OFFICE
WITSEC Unit

Investigator's Report

Submitted by: Investigator Anna Linden

Re: Alicia L. Nikunen (F/W, 11/01/81)

Date: 12/20/10

On Thursday, 12/16/10, I, Investigator Anna Linden, of the Milwaukee County District Attorney's Office, interviewed Alicia L. Nikunen (F/W, 11/01/81) at about 12 PM at 821 W. State St., Room 404, Milwaukee, WI regarding her testimony during the Preliminary Hearing in case # 2010CF4751 on 12/03/10.

Nikunen stated that she lied during her testimony because she was scared of Deyul Thames. After his arrest Thames told her to take responsibility for what was located during a search of her residence (2902 W. Arthur Ave. # 1, Milwaukee, WI). Nikunen stated that she was afraid to tell the truth in court for fear that Thames would have her killed.

End of report.

COUNTY OF MILWAUKEE
DISTRICT ATTORNEY'S OFFICE
WITSEC Unit

Investigator's Report

Submitted by: Investigator Anna Linden

Re: Lorenzo Conery (M/B, 01/27/88)

Date: 03/18/11

On Friday, 03/18/11, I, Investigator Anna Linden, of the Milwaukee County District Attorney's Office, was listening to calls made from Pod 4D of the Milwaukee County Jail from 12/20/10 to present. I was looking for any evidence of Deyul Thames (M/B, 05/02/72), who was housed in 4D 12/20/10 - 03/11/11, of making calls to anyone other than his attorney as he had no phone/mail privileges per court order issued on 12/20/10.

I came across jail calls made by Lorenzo Conery (M/B, 01/27/88) from 4D to a female at 414-372-4349 from 02/22/11-03/17/11. During a phone call made on 03/02/11 at 6:45 PM, Conery asked the female to make a three-way call for another inmate who goes by the name of "Doc." During my investigation of Thames, I came to know his street name as "Doc." The female made the three-way call to 414-429-8569 and Conery passed a message from Doc to the male who answered the phone.

During a call on 03/04/11 at 6:47 PM, Conery spoke with the same female and informed her that another inmate by the name of Phong would be using Conery's PIN number to call out and he would say "Chinese" at the beginning of the call. Conery stated that Phong did not have mail or phone privileges and would compensate him for letting him use the PIN.

I searched the Milwaukee County Sheriff's Department database and located an inmate by the name of Phong Duong (M/A, 07/23/87) who was housed at 4D at the time Conery made the call on 03/04/11.

During a call on 03/10/11 at 4:21 PM, Conery asked his mother to dial 414-931-1831 on three-way. A female answered the phone and Conery passed a message to her from Phong. This message consisted of asking her whether she was coming to his trial and whether she sent him a letter yet. He asked her to send a letter to Woodley.

From my previous investigation of Thames, Darius Woodley (M/B, 01/18/73) came up as the person also housed at 4D who sends and receives mail for inmates who are on mail restriction.

End of report.

COUNTY OF MILWAUKEE
DISTRICT ATTORNEY'S OFFICE
WITSEC Unit

Investigator's Report

Submitted by: Investigator Anna Linden

Re: Royce L. Hawthorne (M/B, 08/17/87)

Date: 06/17/11

On Thursday, 06/09/11, WITSEC Analyst, Timothy Holdmann, advised me that he came across three jail calls, which he believed contained evidence of Intimidation of a Witness, Wis. Stat. 940.43. He presented me with three phone calls, which originated from the Milwaukee County Jail (CJF, 909 N. 9th St., Milwaukee, WI) on 04/07/11 and 04/11/11. Holdmann believed that Royce L. Hawthorne (M/B, 08/17/87), who had an open case in the Milwaukee County Circuit Court case no. 2011CF001566, was talking to his friends to dissuade victim and witness in the case from appearing in court.

The call from 04/07/11, was placed to 414-241-1601 at 1:16 PM from CJF Booking Room and lasted 1.35 min. The two calls from 04/11/11, were placed to 414-445-6862 from CJF Pod 6C at 12:38 PM and 12:57 PM, both lasting 15 min.

I searched the Milwaukee County Sheriff's Department inmate records and found that Hawthorne was booked into the CJF on 04/07/11 and transferred to Pod 6C the same date, where he remained until 04/14/11. On 04/14/11, Hawthorne was transferred to the Milwaukee County Correctional - South (Franklin) where he remains until the present day.

Holdmann transcribed portions deemed important and they are included in this report.

Milwaukee County CJF, WI	Book Room R 9	(1) 4142411601 Local	04-07-2011 13:16:30	04-07-2011 13:17:51	81 (s) 1.35 (m)
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R = Royce: C = Corey

1:06

R: "Hey, they didn't find that pistol, did they?"

C: "No."

R: "Ok. Hey, tell Dono (phonetic) and momma to come up here and tell them that I didn't do nothin cuz I can't do it myself Corey. Tell them to come in, and tell them that I didn't do nothin. Or just don't ever come to court."

C: "Alright."

R: "You heard me man? Make sure."

Milwaukee County CJF, WI	6 C Left 5	(1) 4144456862 Local	04-11-2011 12:38:32	04-11-2011 12:53:32	900 (s) 15 (m)
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P = Pebbles: R = Royce: A = Amber

9:10

R: "Shit, they ain't got no gun on me, no statement on me, none of that shit."

P: "Oh nothin like that?"

R: "No. Shit, now I'm just waiting till the preliminary hearing, you know what I'm saying, hopefully he don't come to court and shit. And then if he don't come to court the shit get dismissed."

P: "Well, boy, is he gonna come or not?"

R: "Man you gotta go fuckin holler at him! Go to the house, all you do is go across the fuckin alley. And holler at my momma and tell her ass, she supposed to be my bitch, you go do what the fuck a bitch supposed to do."

P: "Ok."

R: "Shit, 'ok' you supposed to already been to the crib. What the fuck you're at Amber house for?"

11:05

R: "They ain't got nothin on me, so I can beat this shit. If my brother don't come to court I'm out of here."

P: "Well, I'm fin to go over there then."

R: "You go over there right after you get the fuck off the phone with me! Then I swear to god. I'm lettin you know Amber gonna tell me everything, I'm just lettin you know that."

P: "And then say what when I get over there?"

R: "Go over there! And holler at my momma and tell her what I told you, say it's good, say just DON'T FUCKING COME TO COURT. That's all you do, you make sure. You make sure that they don't come to court. You keep tellin, tell her, you know what I'm saying, I'm so sorry, you know how to do it, you know how to play the game."

R: "yeah, yeah"

R: "And then remind her about my son and shit like that. Don't forget my son, you know, looking for me right now. He don't know what the fuck is going on."

P: "Yeah, that's what I said on the phone the first time. That's what I said to her on the phone the first time. And she, she wasn't saying nothing she was like I don't want to talk about it and stuff like that so"

11:58

R: "So right when you get off the phone with me you go right across the mother fuckin alley and you just have a long talk with her. And tell her you talked to me, and tell her that they ain't got nothin on me, so at the preliminary as long as my brother and

her or whatever don't come to court my shit get dismissed. Tell her if they never come to court and testify on me, it'll get dismissed. And tell her ain't nothin gonna happen to her if she don't come to court, that's what I'm sayin. Tell her all she have to do is just don't come to court. You make sure you tell her ain't nothin gonna happen to her if she don't come to court, now. Tell her this, say your momma been through this situation before and tell her that they tried to threaten her with a subpoena one time but they just be doing that so they can get a case. They just been trying to lie to you that you gotta come to court. Say your momma didn't go to court and nothing happened to her. They just been doing it been trying to lie. If they subpoena, you make sure you tell her that and tell my brother that. You make sure you tell him, don't come court."

P: "What if he ain't want to talk to me?"

R: "Alright tell him this, tell him this, tell him, alright I'm lyin but I got somethin over his head. Tell him that the detectives came and hollered at me about a shooting he did at Texture and I didn't say nothin about it. He gonna know what I'm talkin about, about the little girl getting shot. You tell him that shit, he gonna make sure his ass don't come to court on me cuz if he do, that shit is what's gonna happen. If he gonna play that game that's what's gonna happen."

P: "Ok, ok, ok."

R: "Yeah, see, then he ain't gonna come to court. You make sure you tell momma and him that. Do it ASAP, and then come see me tomorrow and let me know what they said tomorrow."

P: "Ok, ok, ok. Can you just tell me, what was you thinking? Why did you do that?"

R: "You know why the fuck I did that shit man! (can't understand) coming up there drunk and shit, you know what the fuck I did that shit man. I'm tired of that shit, last time for that shit."

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P = Pebbles: R = Royce: A = Amber

5:08

R: "You know I wasn't meaning to do this, I didn't want to do it, you see what I'm sayin? But I knew he was gonna come on some drunk shit talkin shit man, that's what I'm sayin man."

A: "Bro watch what you be sayin man."

R: "Yeah, yeah, yeah you already know..."

13:16

P: "So tell me again."

R: "You know what the fuck you gotta do! Bitch I already told you. You know what you gotta do, you go holler at my momma and (inaudible) and come see me tomorrow."

P: "She talkin to her now, baby."

R: "Ok, what she sayin?!"

P: "She asked her what she, you wanted to know what's goin on. (Amber in the background talking to Grace Hawthorne, "he wanted to know if you'all goin to court, you don't know if you gonna go?")"

R: "No, tell her, listen, tell her, man listen, tell her I said I'm sorry. Tell her I said don't do that man. Tell her I said if she don't do it I'ma beat it, damn man."

A: (to GH) "Ok, he said he don't want you to go, ma. Ok, alright." (Now to Royce) "She tryin to hurry up and get off though cause she drivin. She said she not gonna come."

R: "she said she not?"

A: "no. She said she not gonna come. At first she was sayin she didn't know, but I just told her you said don't, so she said she's not. I guess bro already is not goin."

R: "Alright, alright. Let me holler at Pebbles real quick for a second."

P: "Hello?"

R: "Alright listen you already know what to do. Holler at her and my brother and come see me tomorrow. Matter of fact, don't tell my brother about that Texture thing."

P: "Ok. Because you don't know if he said he not goin or not."

R: "Yeah, yeah. Tell him I said I'm sorry you know what I'm saying and all that shit, you know what I'm sayin, holler at him and then come see me tomorrow (inaudible)"

On Thursday, 06/16/11, I met with Grace Hawthorne (F/B, 10/01/54) who is the defendant's mother and a witness in the state's case. I played her all three jail calls. She positively identified the inmate on all calls to be her son, Royce Hawthorne. She positively identified the second male on the first call to be her son, Cory Hawthorne. I asked her whether she knew anyone by the nickname of Dono and she stated that her son, Corneil Hawthorne, the victim in case no. 2011CF001566, goes by the childhood nickname of Dono.

Mrs. Hawthorne positively identified the two females on the second and third calls to be Royce Hawthorne's girlfriend, Pebbles S. Griffin (F/B, 07/20/89) and next door neighbor, Amber L. Jurgensen (F/B, DOB 11/14/88, 3116 N. 44th St., Milwaukee, WI).

Hawthorne stated that she remembers receiving a call from Amber asking her about going to court. She recalled that the defendant was on the other line and was asking her not to come to court. She then recalled receiving another call from Pebbles and her mother some time in April. During the conversation, Pebbles told Hawthorne about her mother receiving a subpoena and not showing up for it. Pebbles assured Hawthorne that nothing would happen if she didn't show up

Royce L. Hawthorne (M/B, 08/17/87)

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to court. Hawthorne stated that she had a bench warrant issued for her some time ago for not honoring a subpoena and that she would not jeopardize her freedom at this juncture in her life.

End of report.