

FILED
10-29-2020
John Barrett
Clerk of Circuit Court
2020CF003834
Honorable Milton L.
Childs-02
Branch 2

STATE OF WISCONSIN CIRCUIT COURT MILWAUKEE COUNTY

STATE OF WISCONSIN

Plaintiff,

DA Case No.: 2020ML021468

Court Case No.:

vs.

CRIMINAL COMPLAINT

CLAREY, JOSHUA JAMES
 2410 BROOKSIDE PARKWAY
 NEW BERLIN, WI 53151
 DOB: 01/19/1997

Defendant(s).

For Official Use

THE BELOW NAMED COMPLAINANT BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: POSSESSION OF A FIREARM BY A FELON, MANDATORY MINIMUM - REPEAT FIREARM CRIMES, HABITUAL CRIMINALITY REPEATER

The above-named defendant on or about Tuesday, August 25, 2020, at 1563 South 12th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, did possess a firearm, having been convicted of a felony in this state, contrary to sec. 941.29(1m)(a), 939.50(3)(g), 939.6195(2), 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. 939.6195(2) 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 conviction(s) remain of record and unreversed, upon conviction, the court shall impose a bifurcated sentence under s. 973.01. The term of confinement shall be at least 4 years, but otherwise the penalties for the crime apply, subject to any applicable penalty enhancement. The court may not place the person on probation

Pursuant to 939.6195(3) Wis. Stats., the provisions in sec. 939.6195(2) do not apply to sentences imposed after July 1, 2022.

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.

PROBABLE CAUSE

Complainant is a law enforcement officer employed by the Milwaukee Police, and bases this complaint on official reports prepared by Officer Kyle Veloz, which are of the kind that complainant has used in the past and found to be accurate and reliable and which complainant knows are prepared in the regular course of that department's business.

Those reports reveal that on August 25, 2020, at approximately 6:00 p.m., Officers Veloz and Dammons responded to a request from plain clothes officers regarding a wanted subject being present at 1563 South 12th Street, in the City of Milwaukee, Milwaukee County, Wisconsin.

Upon arrival to that location, the officers observed a subject later identified as the defendant (not the wanted subject) standing in the road near a vehicle. There were other multiple people outside the residence and as soon as the police arrived, people began running in and out of the residence. Officer Veloz observed the defendant hunched over with his hands near his groin area. The defendant appeared to be attempting to conceal himself by the car. As the officers got closer to the residence, Officers Veloz and Dammons observed the defendant with a firearm. Officers ordered the defendant to drop the gun, which he did. Officer Veloz recovered the gun, a Glock 43 9mm with an extended magazine.

Complaint has reviewed records in Manitowoc County Case 16CF497 in which the defendant was convicted of the felony offense of Possession of Methamphetamine in violation of Wisconsin Statute 961.41(3g)(g) on November 30, 2016. That conviction remains of record and unreversed.

****End of Complaint****

Electronic Filing Notice:

This case was electronically filed with the Milwaukee County Clerk of Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases. Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov> and may withdraw as an electronic party at any time. There is a \$ 20.00 fee to register as an electronic party. If you are not represented by an attorney and would like to register an electronic party, you will need to contact the Clerk of Circuit Court office at 414-278-4120. Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Criminal Complaint prepared by Francesco G. Mineo.
Subscribed and sworn to before me on 10/29/20

Electronically Signed By:

Francesco G. Mineo

Assistant District Attorney

State Bar #: 1038329

Electronically Signed By:

Det. Thomas Dneen

Complainant