

FILED
04-03-2020
Clerk of Courts
Fond du Lac County WI
2020CM000191

STATE OF WISCONSIN CIRCUIT COURT FOND DU LAC COUNTY

STATE OF WISCONSIN

Plaintiff,

vs.

JAMIE L. BRAY
 51 South Hickory Street
 Fond du Lac, WI 54935
 DOB: 10/03/1984
 Sex/Race: F/W
 Alias:

Defendant.

DA Case No.: 2020FL000982
 Assigned DA/ADA: Kristian K. Lindo
 Agency Case No.: 20-2441
 Court Case No.:
 ATN:

CRIMINAL COMPLAINT

For Official Use

The undersigned law enforcement officer of the Fond du Lac Sheriff, being first duly sworn, states that:

Count 1: VIOLATE HEALTH RULES/ORDERS/ORDINANCE

The above-named defendant on or about Friday, March 27, 2020, in the Town of Taycheedah, Fond du Lac County, Wisconsin, did willfully violate or obstruct the execution of any state statute or rule, county, city or village ordinance or departmental order under chapter 252 Wis. Stats, and relating to the public health, to wit: Emergency Order #12: "Safer at Home Order", contrary to sec. 252.25 Wis. Stats., a Misdemeanor, and upon conviction shall be imprisoned for not more than 30 days or fined not more than \$500 or both.

PROBABLE CAUSE:

I am a Fond du Lac County Sheriff's deputy and base this complaint upon my review of Fond du Lac Sheriff's Office incident reports whose reports are of the type I have relied upon in the past and found to be truthful and reliable. Said reports state as follows:

On March 24, 2020, Wisconsin Governor Tony Evers issued Emergency Order #12: "Safer at Home Order." This emergency order was issued in light of the COVID-19 pandemic, in an effort to slow the spread of the virus among the residents of Wisconsin. This order was highly publicized on multiple media outlets including print news, television, radio, and social media.

Complainant knows, having reviewed Emergency Order 12, that Section 1 of the order outlines rules regarding Social Distancing Requirements. Per those requirements, individuals outside of the home must maintain a distance of six feet from each other. Section 3 of the order prohibits all public and private gatherings of any number of people, unless they are part of a single household or living unit. Section 13(d) (i) of the Order mandates that all restaurants must close, except for take-out or delivery services.

As it relates to restaurants staying open for take-out or delivery services, Section 13(d) also outlines the following prohibited acts.

- (iii) Customers may enter a restaurant only for the purpose of ordering, pick up, or paying for food or beverage or both
- (iv) No seating may be provided
- (v) Food and drink may not be consumed on premises, either indoors or outdoors
- (vi) Establishments shall meet Social Distancing Requirements between all individuals on premises to the extent possible

Emergency Order #12 went into effect at 8:00 am on March 25, 2020 and is in effect until 8:00 am on April 24, 2020 (or until a superseding order is issued).

On March 27, 2020, at approximately 5:37 pm, Fond du Lac County Sheriff's Deputy Jason Bruggink was dispatched to Sunset on the Water, to investigate the claim of a possible violation of Emergency Order #12. The reporting party stated they saw approximately 20 cars in the parking lot, that the restaurant was open; however, they did not know whether anyone was actually in the dining room.

Deputy Bruggink arrived at the supper club, located at N7364 Winnebago Drive, in the Township of Taycheedah, Fond du Lac County. Upon arrival, Deputy Bruggink saw several vehicles in the parking lot along with three individuals and a restaurant working bringing food out to vehicles. Deputy Bruggink entered the restaurant and saw four to five people, bunched in a line, close together, waiting to pay or order food at the bar. Deputy Bruggink also saw three to four other customers waiting in the bar area that were maintaining appropriate social distancing.

Deputy Bruggink spoke with Jamie Bray, an employee who was taking orders, both from customers at the bar and over the phone. Deputy Bruggink advised Bray to have the customers wait outside after paying for their food. Deputy Bruggink also advised the customers in line to either create some space or wait in their vehicle,

Deputy Bruggink asked to speak with the owner of the restaurant and Bray stated that would be Maria Katris who was currently in the kitchen cooking. Deputy Bruggink asked that Bray get Katris and Bray became visibly upset, making remarks to customers. Deputy Bruggink waited approximately 15 to 20 minutes for Katris to come out of the kitchen before again asking Bray to have Katris come out and speak with him. Bray continued to answer calls and became extremely upset towards Deputy Bruggink that he was requesting her to get Katris.

Deputy Bruggink continued to wait patiently, for over 20 minutes, before walking away from the host stand and looking into what should have been an empty dining room. In the dining area, Deputy Bruggink saw a female, later identified as Michelle Matteson. It also appeared that multiple bottles of alcohol were being stored in the dining room. Matteson was seated at a table in the dining room; at the table were two drinks: a glass with ice and some sort of liquid as well as an open bottle of Miller Lite, with approximately one inch of liquid left in the bottle. Matteson was speaking to another female who was later identified as Brenda Bray, the mother of the of Jamie Bray.

Deputy Bruggink spoke with both women. Brenda Bray stated she was waiting for her food order. Matteson informed Deputy Bruggink that she had already eaten her food at the restaurant. When asked how long she had been at the restaurant, Matteson said she had been there for approximately an hour, eating and socializing with friends. Matteson later informed Deputy Bruggink that Jamie Bray had been in and out of the dining room speaking with her mother, Brenda.

After this encounter with Matteson, Deputy Bruggink waited another 10 to 15 minutes for Katris to come out of the kitchen. Eventually, he was told that he could go back into the kitchen to speak with Katris. In the kitchen, Deputy Bruggink saw approximately 15 people working in the kitchen.

Deputy Bruggink was eventually able to speak with Katris, who stated she was only doing pick up orders. Deputy Bruggink advised Katris about the appropriate social distancing needed for customers in the restaurant and offered some suggestions on how to accomplish it. Deputy Bruggink read section 13 of the Emergency Order with Katris and did inform her that it was available to view online.

Deputy Bruggink again spoke with Jamie Bray who said she was unaware that Matteson was eating and socializing in the dining room. Katris also denied knowledge of anyone sitting down and eating their meal in her restaurant.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on 04/03/20
Electronically Signed By:
Eric J. Toney
District Attorney
State Bar #: 1079214

Electronically Signed By:
Lt. Chris Randall
Complainant

FILED
04-06-2020
Clerk of Courts
Fond du Lac County WI
2020CM000209

STATE OF WISCONSIN CIRCUIT COURT FOND DU LAC COUNTY

STATE OF WISCONSIN

Plaintiff,

vs.

RODNEY I EMERSON

59-Low E Rees St

Fond Du Lac, WI 54935

DOB: 05/15/1968

Sex/Race: M/B

Alias:

Defendant.

DA Case No.: 2020FL000969

Assigned DA/ADA: Eric J. Toney

Agency Case No.: 20-2215

Court Case No.:

ATN:

CRIMINAL COMPLAINT

For Official Use

The undersigned law enforcement officer of the Fond du Lac Police Department, being first duly sworn, states that:

Count 1: VIOLATE HEALTH RULES/ORDERS/ORDINANCE

The above-named defendant on or about Saturday, March 28, 2020, in the City of Fond du Lac, Fond du Lac County, Wisconsin, did willfully violate or obstruct the execution of any state statute or rule, county, city or village ordinance or departmental order under chapter 252 Wis. Stats, and relating to the public health, to wit: Emergency Order #12: Safer at Home Order, contrary to sec. 252.25 Wis. Stats., a Misdemeanor, and upon conviction shall be imprisoned for not more than 30 days or fined not more than \$500 or both.

PROBABLE CAUSE:

I am a City of Fond du Lac Police Officer and base this complaint upon my review of Fond du Lac Police Department incident reports whose reports are of the type I have relied upon in the past and found to be truthful and reliable. Said reports state as follows:

On March 21, at approximately 2:47 am, City of Fond du Lac Police Officer Baillie Kettleon was dispatched to the area of the Hip Hop Shop, located at 25 N. Main Street in the City and County of Fond du Lac, to investigate a noise complaint. The reporting party stated there were people in the area yelling and revving their car engine. In the course of the investigation, Officer Kettleon discovered over 20 people congregating in the shop.

Officer Kettleon spoke with the shop owner, Rodney Emerson, and discussed Emergency Order #5, issued by Governor Tony Evers on March 17, 2020, which prohibited mass gatherings of over 10 people. Officer Kettleon read the order to Emerson who stated that he would cancel all upcoming events as he wanted to remain in good standing with the City.

On March 24, 2020, Wisconsin Governor Tony Evers issued Emergency Order #12: "Safer at Home Order." This emergency order was issued in light of the COVID-19 pandemic, in an effort to slow the spread of the virus among the residents of Wisconsin. This order was highly publicized on multiple media outlets including print news, television, radio, and social media.

Complainant knows, having reviewed Emergency Order #12, that Section 1 states all individuals present with in the State of Wisconsin are ordered to stay at home or at their place of residence, unless they can claim certain exemptions. Section 2 states all for-profit and non-profit businesses, with a facility in Wisconsin, except Essential Businesses and Operations, are required to cease all activities at facilities located in Wisconsin. Section 3 prohibits any public or private gatherings of any number of people that are not part of a single household or living unit.

On March 28, 2020, at approximately 12:02 am, Officers Kettleon, Tyler Fink, and Lieutenant Michael Noble again responded to the Hip Hop Shop after hearing loud music coming from the shop. Officer Kettleon and Fink observed a group of people inside and spoke with them. They were identified as Shuanita Pope-McDavis, Deunna Reed, Bernice Ivy, Jazzma Lynn, Shelly Emerson, and Rodney Emerson.

Lieutenant Noble spoke with Rodney Emerson who stated that his business was closed but he was hosting private birthday party with the people who were present. During the course of conversation, Rodney Emerson did state that he was open for business earlier in the day (March 27, 2020) until 6:00 pm. When asked ow he would characterize his business, Emerson stated that he sold hookahs and hookah related products. Lieutenant Noble stated he did not believe the business fit any of the exceptions detailed by Emergency Order #12.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on 04/06/20

Electronically Signed By:

Eric J. Toney

District Attorney

State Bar #: 1079214

Electronically Signed By:

Det Kaufman

Complainant

FILED
04-07-2020
Clerk of Courts
Fond du Lac County WI
2020CM000221

STATE OF WISCONSIN CIRCUIT COURT FOND DU LAC COUNTY

STATE OF WISCONSIN

Plaintiff,

vs.

SHELLY M EMERSON

59-Low E Rees St
 Fond Du Lac, WI 54935

DOB: 01/17/1973

Sex/Race: F/W

Alias:

Defendant.

DA Case No.: 2020FL000970
 Assigned DA/ADA: Eric J. Toney
 Agency Case No.: 20-2215
 Court Case No.:
 ATN:

CRIMINAL COMPLAINT

For Official Use

The undersigned law enforcement officer of the Fond du Lac Police Department, being first duly sworn, states that:

Count 1: VIOLATE HEALTH RULES/ORDERS/ORDINANCE

The above-named defendant on or about Saturday, March 28, 2020, in the City of Fond du Lac, Fond du Lac County, Wisconsin, did willfully violate or obstruct the execution of any state statute or rule, county, city or village ordinance or departmental order under chapter 252 Wis. Stats, and relating to the public health, to wit: Emergency Order #12: Safer at Home, contrary to sec. 252.25 Wis. Stats., a Misdemeanor, and upon conviction shall be imprisoned for not more than 30 days or fined not more than \$500 or both.

PROBABLE CAUSE:

I am a City of Fond du Lac Police Officer and base this complaint upon my review of Fond du Lac Police Department incident reports whose reports are of the type I have relied upon in the past and found to be truthful and reliable. Said reports state as follows:

On March 21, at approximately 2:47 am, City of Fond du Lac Police Officer Baillie Kettleon was dispatched to the area of the Hip Hop Shop, located at 25 N. Main Street in the City and County of Fond du Lac, to investigate a noise complaint. The reporting party stated there were people in the area yelling and revving their car engine. In the course of the investigation, Officer Kettleon discovered over 20 people congregating in the shop.

Officer Kettleon spoke with the shop owner, Rodney Emerson, and discussed Emergency Order #5, issued by Governor Tony Evers on March 17, 2020, which prohibited mass gatherings of over 10 people. Officer Kettleon read the order to Emerson who stated that he would cancel all upcoming events as he wanted to remain in good standing with the City.

On March 24, 2020, Wisconsin Governor Tony Evers issued Emergency Order #12: "Safer at Home Order." This emergency order was issued in light of the COVID-19 pandemic, in an effort to slow the spread of the virus among the residents of Wisconsin. This order was highly publicized on multiple media outlets including print news, television, radio, and social media.

Complainant knows, having reviewed Emergency Order #12, that Section 1 states all individuals present with in the State of Wisconsin are ordered to stay at home or at their place of residence, unless they can claim certain exemptions. Section 2 states all for-profit and non-profit businesses, with a facility in Wisconsin, except Essential Businesses and Operations, are required to cease all activities at facilities located in Wisconsin. Section 3 prohibits any public or private gatherings of any number of people that are not part of a single household or living unit.

On March 28, 2020, at approximately 12:02 am, Officers Kettleon, Tyler Fink, and Lieutenant Michael Noble again responded to the Hip Hop Shop after hearing loud music coming from the shop. Officer Kettleon and Fink observed a group of people inside and spoke with them. They were identified as Shuanita Pope-McDavis, Deunna Reed, Bernice Ivy, Jazzma Lynn, Shelly Emerson, and Rodney Emerson.

Lieutenant Noble spoke with Rodney Emerson who stated that his business was closed but he was hosting private birthday party with the people who were present. During the course of conversation, Rodney Emerson did state that he was open for business earlier in the day (March 27, 2020) until 6:00 pm. When asked ow he would characterize his business, Emerson stated that he sold hookahs and hookah related products. Lieutenant Noble stated he did not believe the business fit any of the exceptions detailed by Emergency Order #12.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on 04/07/20

Electronically Signed By:

Eric J. Toney

District Attorney

State Bar #: 1079214

Electronically Signed By:

Captain Scott Krause

Complainant

FILED
04-07-2020
Clerk of Courts
Fond du Lac County WI
2020CM000220

STATE OF WISCONSIN CIRCUIT COURT FOND DU LAC COUNTY

STATE OF WISCONSIN

Plaintiff,

vs.

BERNICE T IVY
 171-11 S Royal Av
 Fond Du Lac, WI 54935
 DOB: 03/06/1987
 Sex/Race: F/B
 Alias:

Defendant.

DA Case No.: 2020FL000971
 Assigned DA/ADA: Eric J. Toney
 Agency Case No.: 20-2215
 Court Case No.:
 ATN:

CRIMINAL COMPLAINT

For Official Use

The undersigned law enforcement officer of the Fond du Lac Police Department, being first duly sworn, states that:

Count 1: VIOLATE HEALTH RULES/ORDERS/ORDINANCE

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PROBABLE CAUSE:

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Officer Kettleson spoke with the shop owner, Rodney Emerson, and discussed Emergency Order #5, issued by Governor Tony Evers on March 17, 2020, which prohibited mass gatherings of over 10 people. Officer Kettleson read the order to Emerson who stated that he would cancel all upcoming events as he wanted to remain in good standing with the City.

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Complainant knows, having reviewed Emergency Order #12, that Section 1 states all individuals present with in the State of Wisconsin are ordered to stay at home or at their place of residence, unless they can claim certain exemptions. Section 2 states all for-profit and non-profit businesses, with a facility in Wisconsin, except Essential Businesses and Operations, are required to cease all activities at facilities located in Wisconsin. Section 3 prohibits any public or private gatherings of any number of people that are not part of a single household or living unit.

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Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on 04/07/20

Electronically Signed By:

Eric J. Toney

District Attorney

State Bar #: 1079214

Electronically Signed By:

Det Kaufman

Complainant

FILED
04-03-2020
Clerk of Courts
Fond du Lac County WI
2020CM000192

STATE OF WISCONSIN	CIRCUIT COURT	FOND DU LAC COUNTY
STATE OF WISCONSIN	Plaintiff,	DA Case No.: 2020FL000983 Assigned DA/ADA: Kristian K. Lindo Agency Case No.: 20-2441 Court Case No.: ATN:
vs.		
MARIA V KATRIS 822 S Pioneer Pkwy Fond du Lac, WI 54935 DOB: 11/30/1974 Sex/Race: F/W Alias:		CRIMINAL COMPLAINT
	Defendant.	
		<i>For Official Use</i>

The undersigned law enforcement officer of the Fond du Lac Sheriff, being first duly sworn, states that:

Count 1: VIOLATE HEALTH RULES/ORDERS/ORDINANCE

The above-named defendant on or about Friday, March 27, 2020, in the Town of Taycheedah, Fond du Lac County, Wisconsin, did willfully violate or obstruct the execution of any state statute or rule, county, city or village ordinance or departmental order under chapter 252 Wis. Stats, and relating to the public health, to wit: Emergency Order #12: Safer at Home Order, contrary to sec. 252.25 Wis. Stats., a Misdemeanor, and upon conviction shall be imprisoned for not more than 30 days or fined not more than \$500 or both.

PROBABLE CAUSE:

I am a Fond du Lac County Sheriff's deputy and base this complaint upon my review of Fond du Lac Sheriff's Office incident reports whose reports are of the type I have relied upon in the past and found to be truthful and reliable. Said reports state as follows:

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Complainant knows, having reviewed Emergency Order 12, that Section 1 of the order outlines rules regarding Social Distancing Requirements. Per those requirements, individuals outside of the home must maintain a distance of six feet from each other. Section 3 of the order prohibits all public and private gatherings of any number of people, unless they are part of a single household or living unit. Section 13(d) (i) of the Order mandates that all restaurants must close, except for take-out or delivery services.

As it relates to restaurants staying open for take-out or delivery services, Section 13(d) also outlines the following prohibited acts.

- (iii) Customers may enter a restaurant only for the purpose of ordering, pick up, or paying for food or beverage or both
- (iv) No seating may be provided
- (v) Food and drink may not be consumed on premises, either indoors or outdoors
- (vi) Establishments shall meet Social Distancing Requirements between all individuals on premises to the extent possible

Emergency Order #12 went into effect at 8:00 am on March 25, 2020 and is in effect until 8:00 am on April 24, 2020 (or until a superseding order is issued).

On March 27, 2020, at approximately 5:37 pm, Fond du Lac County Sheriff's Deputy Jason Bruggink was dispatched to Sunset on the Water, to investigate the claim of a possible violation of Emergency Order #12. The reporting party stated they saw approximately 20 cars in the parking lot, that the restaurant was open; however, they did not know whether anyone was actually in the dining room.

Deputy Bruggink arrived at the supper club, located at N7364 Winnebago Drive, in the Township of Taycheedah, Fond du Lac County. Upon arrival, Deputy Bruggink saw several vehicles in the parking lot along with three individuals and a restaurant working bringing food out to vehicles. Deputy Bruggink entered the restaurant and saw four to five people, bunched in a line, close together, waiting to pay or order food at the bar. Deputy Bruggink also saw three to four other customers waiting in the bar area that were maintaining appropriate social distancing.

Deputy Bruggink spoke with Jamie Bray, an employee who was taking orders, both from customers at the bar and over the phone. Deputy Bruggink advised Bray to have the customers wait outside after paying for their food. Deputy Bruggink also advised the customers in line to either create some space or wait in their vehicle,

Deputy Bruggink asked to speak with the owner of the restaurant and Bray stated that would be Maria Katris who was currently in the kitchen cooking. Deputy Bruggink asked that Bray get Katris and Bray became visibly upset, making remarks to customers. Deputy Bruggink waited approximately 15 to 20 minutes for Katris to come out of the kitchen before again asking Bray to have Katris come out and speak with him. Bray continued to answer calls and became extremely upset towards Deputy Bruggink that he was requesting her to get Katris.

Deputy Bruggink continued to wait patiently, for over 20 minutes, before walking away from the host stand and looking into what should have been an empty dining room. In the dining area, Deputy Bruggink saw a female, later identified as Michelle Matteson. It also appeared that multiple bottles of alcohol were being stored in the dining room. Matteson was seated at a table in the dining room; at the table were two drinks: a glass with ice and some sort of liquid as well as an open bottle of Miller Lite, with approximately one inch of liquid left in the bottle. Matteson was speaking to another female who was later identified as Brenda Bray, the mother of the of Jamie Bray.

Deputy Bruggink spoke with both women. Brenda Bray stated she was waiting for her food order. Matteson informed Deputy Bruggink that she had already eaten her food at the restaurant. When asked how long she had been at the restaurant, Matteson said she had been there for approximately an hour, eating and socializing with friends. Matteson later informed Deputy Bruggink that Jamie Bray had been in and out of the dining room speaking with her mother, Brenda.

After this encounter with Matteson, Deputy Bruggink waited another 10 to 15 minutes for Katris to come out of the kitchen. Eventually, he was told that he could go back into the kitchen to speak with Katris. In the kitchen, Deputy Bruggink saw approximately 15 people working in the kitchen.

Deputy Bruggink was eventually able to speak with Katris, who stated she was only doing pick up orders. Deputy Bruggink advised Katris about the appropriate social distancing needed for customers in the restaurant and offered some suggestions on how to accomplish it. Deputy Bruggink read section 13 of the Emergency Order with Katris and did inform her that it was available to view online.

Deputy Bruggink again spoke with Jamie Bray who said she was unaware that Matteson was eating and socializing in the dining room. Katris also denied knowledge of anyone sitting down and eating their meal in her restaurant.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on 04/03/20
Electronically Signed By:
Eric J. Toney
District Attorney
State Bar #: 1079214

Electronically Signed By:
Lt. Chris Randall
Complainant

FILED
04-03-2020
Clerk of Courts
Fond du Lac County WI
2020CM000196

STATE OF WISCONSIN CIRCUIT COURT FOND DU LAC COUNTY

STATE OF WISCONSIN

Plaintiff,

vs.

BRADLEY D LENZ
47 Oakridge Ct
Fond Du Lac, WI 54937
DOB: 10/24/1976
Sex/Race: M/W
Alias:

Defendant.

DA Case No.: 2020FL000981
Assigned DA/ADA: Eric J. Toney
Agency Case No.: 20-2431
20-2470
Court Case No.:
ATN:

CRIMINAL COMPLAINT

For Official Use

The undersigned law enforcement officer of the Fond du Lac Sheriff, being first duly sworn, states that:

Count 1: VIOLATE HEALTH RULES/ORDERS/ORDINANCE

The above-named defendant on or about Thursday, March 26, 2020, at W4425 Overland Trail, Empire WI 54937, in the Town of Empire, Fond du Lac County, Wisconsin, did willfully violate or obstruct the execution of any state statute or rule, county, city or village ordinance or departmental order under chapter 252 Wis. Stats, and relating to the public health, to wit: Emergency Order #12: Safer at Home Order, contrary to sec. 252.25 Wis. Stats., a Misdemeanor, and upon conviction shall be imprisoned for not more than 30 days or fined not more than \$500 or both.

Count 2: VIOLATE HEALTH RULES/ORDERS/ORDINANCE

The above-named defendant on or about Monday, March 30, 2020, at W4425 Overland Trail, Empire WI 54937, in the Town of Empire, Fond du Lac County, Wisconsin, did willfully violate or obstruct the execution of any state statute or rule, county, city or village ordinance or departmental order under chapter 252 Wis. Stats, and relating to the public health, to wit: Emergency Order #12: Safer at Home Order, contrary to sec. 252.25 Wis. Stats., a Misdemeanor, and upon conviction shall be imprisoned for not more than 30 days or fined not more than \$500 or both.

PROBABLE CAUSE:

I am a Fond du Lac County Sheriff's deputy and base this complaint upon my review of Fond du Lac Sheriff's Office incident reports whose reports are of the type I have relied upon in the past and found to be truthful and reliable. Said reports state as follows:

On March 24, 2020, Wisconsin Governor Tony Evers issued Emergency Order #12: "Safer at Home Order." This emergency order was issued in light of the COVID-19 pandemic, in an effort to slow the spread of the virus among the residents of Wisconsin. This order was highly publicized on multiple media outlets including print news, television, radio, and social media.

Complainant knows, having reviewed Emergency Order #12, that Section 1 states all individuals present with in the State of Wisconsin are ordered to stay at home or at their place of residence, unless they can claim certain exemptions. Section 2 states all for-profit and non-profit businesses, with a facility in Wisconsin, except Essential Businesses and Operations, are required to cease all activities at facilities located in Wisconsin. Section 3 prohibits any public or private gatherings of any number of people that are not part of a single household or living unit.

Section 13 of the Order lists Essential Businesses and Operations. Section 13(x) does list hotels and motels as Essential Businesses; however, the swimming pools, hot tubs, and exercise facilities must remain closed at all times.

On March 26, 2020, at approximately 8:37 pm, Fond du Lac County Sheriff's Deputy Jason Bruggink checked on the residence at W4425 Overland Trail in the Township of Empire, Fond du Lac County. The Sheriff's Office received information that the residence was a vacation rental property and there were new tenants playing in the swimming pool. The caller stated that the earlier tenants had moved out and new tenants had arrive later that day. The caller was positive that it was a rental as the owner did not live there and was rarely present.

Prior to going to the address, Deputy Bruggink attempted to contact the property owner, Brad Lenz. Deputy Bruggink made multiple phone calls, eventually leaving a message. The defendant did call Deputy Bruggink back and stated there should be no issues as he received an e-mail from the Fond du Lac Health Department stating he could continue to rent the property out. Deputy Bruggink asked when the defendant received the email and the defendant stated he received it on March 17th. Deputy Bruggink pointed out that the Emergency Order #12 went into effect the day prior, a week after the e-mail was received. While trying to find the appropriate section of the Order, so that he may inform the defendant, the defendant became impatient and hung up. Deputy Bruggink attempted to call the defendant back and there was no answer.

Deputy Bruggink and Sergeant Logan Will went to the residence at W4425 Overland Trail. Upon arrival, they noted the house was dark and there was one car with Ohio registration in the driveway. As Deputy Bruggink approached the front door, he saw a tall male approach the window with a blanket, as if he were attempting to block the window. When the individual saw the Deputies, he dropped the sheet and stepped to the side, behind cover. Deputy Bruggink was still able to see a silhouette and could see what appeared to be a projection television that was on, put not displaying anything. Both deputies knocked multiple times for approximately half an hour, with no answer. They also walked around the house and saw that all the shades on the windows were pulled down. Both deputies also attempted to contact the defendant multiple times, with no luck. At approximately 9:09 pm, Deputy Bruggink left the residence without having made any contact with the people who were clearly inside hiding.

At 9:37 pm, the defendant called Deputy Bruggink back and stated he was renting his property out to a family of four; a male and female with two children.

Complainant has reviewed the website VRBO.com and knows that the property at W4425 Overland Trail is on the website, listing itself as a vacation rental property. The property listing on VRBO.com states that the property is owned by Lake Country Homes & Cabins, LLC. Complainant further knows, from doing a corporation search through the Wisconsin Department of Financial Institutions, that Lake Country Homes & Cabins, LLC is for profit Domestic Limited Liability Company with Brad Lenz listed as a Registered Agent.

Complainant knows the defendant has the W4425 Overland Trail residence registered as a rooming house, which is defined as a hotel/motel. Per Wisconsin Statute § 97.01(7), a hotel is defined as a place "wherein sleeping accommodations are offered for pay to transients, in 5 or more rooms...." Wisconsin Statute § 77.52(2)(a)1 further defines hotel or motel as "a building...in which the public may obtain accommodation for a consideration, including...such establishments as inns, motels, tourist homes, tourist houses or courts, lodging houses, rooming houses...."

On March 30, 2020, at approximately 6:32 pm, an anonymous individual reported that new renters, from Illinois, had arrived at the W4425 Overland Trail residence. The caller stated they have seen at least six people and they are using the pool.

Deputies Bruggink, Quinn Button, and Andrew Kohlmann went to the property to investigate the new incident. Upon arrival, Deputy Bruggink walked around the corner and could clearly hear children playing in the pool and he could hear water splashing. Deputy Bruggink knocked on the door and Marian Krupicka answered. Krupicka stated that she was currently at the residence with her daughter, two of her grandchildren, and two of the grandchildren's friends, and her daughters neighbors from Illinois. Deputy Bruggink also spoke with Caroline Durkin, who was the mother of two of the children at the residence.

When asked, Durkin stated that she and Krupicka arranged for the rental of the property. Durkin did confirm that she arranged the rental through Brad Lenz. Moreover, Durkin stated she was told by Lenz that she would be able to utilize the pool. Deputy Bruggink informed the women of Emergency Order #12, which would prohibit the use of pools at any hotel or motel. Both women stated there were similar orders in Illinois. When asked again, Durkin said she was told by Lenz that they would be able to utilize the pool and that they made the arrangements

approximately three weeks prior. When asked about whether there was any signage in the pool area, Durkin stated there were signs with rules of use, but was unsure if there were any signs prohibiting the use of the pool.

Deputies asked if they could go back to check what signage was posted around the pool and were told they could not go back there as Lenz told the women not to allow law enforcement into the residence. Deputy Bruggink asked the women if the pool was covered or uncovered when they arrived; both women were unsure. Krupicka stated that she was unsure if she would even know how to retract the pool cover if it had been up. Both women also stated that they would not have booked the VRBO if they knew they could not have used the pool as it was the only reason they scheduled the rental.

Deputy Bruggink called Lenz to inform him of the reason he was at the residence. When asked, Lenz stated there were signs up at the pool stating that it was closed. Lenz denied that he ever told his renters they could use the pool. Deputy Bruggink was eventually able to convince Lenz to come to the property and escort deputies in so they could see the pool area.

Lenz did arrive and let deputies into the residence to the pool area. Deputy Bruggink saw multiple signs related to rules of use, maintaining quiet hours, no glass in the pool room, etc. These rules were printed on standard 8.5"x11" sized paper. On a 4"x5" piece of paper taped to the very top of the right hand corner on a sliding glass door, it stated "notice pool closed." Inside the pool room, just above eye level on an outlet was another 4"x5" piece of paper which said "notice pool closed." Under that notice was the switch to operate the pool cover.

Complainant has also reviewed the VRBO listing related to the W4425 Overland Trail property, which states that the property has six bedrooms and sleeps approximately 25 people. The listing does show pictures of the pool. Moreover, the introduction/overview of the advertising listing includes the statement: "year-round vacation home because the pool room and water is always warm." Further, there is a question and answer section which references the pool multiple times. There is also a question asking about the pool. The listed answer states "since we don't have a license to operate as a public pool, don't have a lifeguard on duty, etc. we cannot advertise pictures of the pool or advertise that we have a pool.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on 04/03/20
Electronically Signed By:
Eric J. Toney
District Attorney
State Bar #: 1079214

Electronically Signed By:
ryan flood
Complainant

FILED
04-06-2020
Clerk of Courts
Fond du Lac County WI
2020CM000208

STATE OF WISCONSIN CIRCUIT COURT FOND DU LAC COUNTY

STATE OF WISCONSIN Plaintiff, vs. JAZZMA J LYNN 104-302 S Main St Fond Du Lac, WI 54935 DOB: 12/16/1990 Sex/Race: F/B Alias: Defendant.	DA Case No.: 2020FL000972 Assigned DA/ADA: Eric J. Toney Agency Case No.: 20-2215 Court Case No.: ATN: <p style="text-align: center;">CRIMINAL COMPLAINT</p>	For Official Use
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The undersigned law enforcement officer of the Fond du Lac Police Department, being first duly sworn, states that:

Count 1: VIOLATE HEALTH RULES/ORDERS/ORDINANCE

The above-named defendant on or about Saturday, March 28, 2020, in the City of Fond du Lac, Fond du Lac County, Wisconsin, did willfully violate or obstruct the execution of any state statute or rule, county, city or village ordinance or departmental order under chapter 252 Wis. Stats, and relating to the public health, to wit: Emergency Order #12: Safer at Home, contrary to sec. 252.25 Wis. Stats., a Misdemeanor, and upon conviction shall be imprisoned for not more than 30 days or fined not more than \$500 or both.

PROBABLE CAUSE:

I am a City of Fond du Lac Police Officer and base this complaint upon my review of Fond du Lac Police Department incident reports whose reports are of the type I have relied upon in the past and found to be truthful and reliable. Said reports state as follows:

On March 21, at approximately 2:47 am, City of Fond du Lac Police Officer Baillie Kettleson was dispatched to the area of the Hip Hop Shop, located at 25 N. Main Street in the City and County of Fond du Lac, to investigate a noise complaint. The reporting party stated there were people in the area yelling and revving their car engine. In the course of the investigation, Officer Kettleson discovered over 20 people congregating in the shop.

Officer Kettleson spoke with the shop owner, Rodney Emerson, and discussed Emergency Order #5, issued by Governor Tony Evers on March 17, 2020, which prohibited mass gatherings of over 10 people. Officer Kettleson read the order to Emerson who stated that he would cancel all upcoming events as he wanted to remain in good standing with the City.

On March 24, 2020, Wisconsin Governor Tony Evers issued Emergency Order #12: "Safer at Home Order." This emergency order was issued in light of the COVID-19 pandemic, in an effort to slow the spread of the virus among the residents of Wisconsin. This order was highly publicized on multiple media outlets including print news, television, radio, and social media.

Complainant knows, having reviewed Emergency Order #12, that Section 1 states all individuals present with in the State of Wisconsin are ordered to stay at home or at their place of residence, unless they can claim certain exemptions. Section 2 states all for-profit and non-profit businesses, with a facility in Wisconsin, except Essential Businesses and Operations, are required to cease all activities at facilities located in Wisconsin. Section 3 prohibits any public or private gatherings of any number of people that are not part of a single household or living unit.

On March 28, 2020, at approximately 12:02 am, Officers Kettleson, Tyler Fink, and Lieutenant Michael Noble again responded to the Hip Hop Shop after hearing loud music coming from the shop. Officer Kettleson and Fink observed a group of people inside and spoke with them. They were identified as Shuanita Pope-McDavis, Deunna Reed, Bernice Ivy, Jazzma Lynn, Shelly Emerson, and Rodney Emerson.

Lieutenant Noble spoke with Rodney Emerson who stated that his business was closed but he was hosting private birthday party with the people who were present. During the course of conversation, Rodney Emerson did state that he was open for business earlier in the day (March 27, 2020) until 6:00 pm. When asked ow he would characterize his business, Emerson stated that he sold hookahs and hookah related products. Lieutenant Noble stated he did not believe the business fit any of the exceptions detailed by Emergency Order #12.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on 04/06/20

Electronically Signed By:

Eric J. Toney

District Attorney

State Bar #: 1079214

Electronically Signed By:

Det Kaufman

Complainant

FILED
04-03-2020
Clerk of Courts
Fond du Lac County WI
2020CM000193

STATE OF WISCONSIN	CIRCUIT COURT	FOND DU LAC COUNTY
STATE OF WISCONSIN Plaintiff,	DA Case No.: 2020FL000984 Assigned DA/ADA: Kristian K. Lindo Agency Case No.: 20-2441 Court Case No.: ATN:	
vs.		
MICHELLE M. MATTESON 203 Welsh Street Fond du Lac, WI 54935 DOB: 08/02/1970 Sex/Race: F/W Alias: Defendant.	CRIMINAL COMPLAINT	
		<i>For Official Use</i>

The undersigned law enforcement officer of the Fond du Lac Sheriff, being first duly sworn, states that:

Count 1: VIOLATE HEALTH RULES/ORDERS/ORDINANCE

The above-named defendant on or about Friday, March 27, 2020, in the Town of Taycheedah, Fond du Lac County, Wisconsin, did willfully violate or obstruct the execution of any state statute or rule, county, city or village ordinance or departmental order under chapter 252 Wis. Stats, and relating to the public health, to wit: Emergency Order #12: Safer at Home Order, contrary to sec. 252.25 Wis. Stats., a Misdemeanor, and upon conviction shall be imprisoned for not more than 30 days or fined not more than \$500 or both.

PROBABLE CAUSE:

I am a Fond du Lac County Sheriff's deputy and base this complaint upon my review of Fond du Lac Sheriff's Office incident reports whose reports are of the type I have relied upon in the past and found to be truthful and reliable. Said reports state as follows:

On March 24, 2020, Wisconsin Governor Tony Evers issued Emergency Order #12: "Safer at Home Order." This emergency order was issued in light of the COVID-19 pandemic, in an effort to slow the spread of the virus among the residents of Wisconsin. This order was highly publicized on multiple media outlets including print news, television, radio, and social media.

Complainant knows, having reviewed Emergency Order 12, that Section 1 of the order outlines rules regarding Social Distancing Requirements. Per those requirements, individuals outside of the home must maintain a distance of six feet from each other. Section 3 of the order prohibits all public and private gatherings of any number of people, unless they are part of a single household or living unit. Section 13(d) (i) of the Order mandates that all restaurants must close, except for take-out or delivery services.

As it relates to restaurants staying open for take-out or delivery services, Section 13(d) also outlines the following prohibited acts.

- (iii) Customers may enter a restaurant only for the purpose of ordering, pick up, or paying for food or beverage or both
- (iv) No seating may be provided
- (v) Food and drink may not be consumed on premises, either indoors or outdoors
- (vi) Establishments shall meet Social Distancing Requirements between all individuals on premises to the extent possible

Emergency Order #12 went into effect at 8:00 am on March 25, 2020 and is in effect until 8:00 am on April 24, 2020 (or until a superseding order is issued).

On March 27, 2020, at approximately 5:37 pm, Fond du Lac County Sheriff's Deputy Jason Bruggink was dispatched to Sunset on the Water, to investigate the claim of a possible violation of Emergency Order #12. The reporting party stated they saw approximately 20 cars in the parking lot, that the restaurant was open; however, they did not know whether anyone was actually in the dining room.

Deputy Bruggink arrived at the supper club, located at N7364 Winnebago Drive, in the Township of Taycheedah, Fond du Lac County. Upon arrival, Deputy Bruggink saw several vehicles in the parking lot along with three individuals and a restaurant working bringing food out to vehicles. Deputy Bruggink entered the restaurant and saw four to five people, bunched in a line, close together, waiting to pay or order food at the bar. Deputy Bruggink also saw three to four other customers waiting in the bar area that were maintaining appropriate social distancing.

Deputy Bruggink spoke with Jamie Bray, an employee who was taking orders, both from customers at the bar and over the phone. Deputy Bruggink advised Bray to have the customers wait outside after paying for their food. Deputy Bruggink also advised the customers in line to either create some space or wait in their vehicle,

Deputy Bruggink asked to speak with the owner of the restaurant and Bray stated that would be Maria Katris who was currently in the kitchen cooking. Deputy Bruggink asked that Bray get Katris and Bray became visibly upset, making remarks to customers. Deputy Bruggink waited approximately 15 to 20 minutes for Katris to come out of the kitchen before again asking Bray to have Katris come out and speak with him. Bray continued to answer calls and became extremely upset towards Deputy Bruggink that he was requesting her to get Katris.

Deputy Bruggink continued to wait patiently, for over 20 minutes, before walking away from the host stand and looking into what should have been an empty dining room. In the dining area, Deputy Bruggink saw a female, later identified as Michelle Matteson. It also appeared that multiple bottles of alcohol were being stored in the dining room. Matteson was seated at a table in the dining room; at the table were two drinks: a glass with ice and some sort of liquid as well as an open bottle of Miller Lite, with approximately one inch of liquid left in the bottle. Matteson was speaking to another female who was later identified as Brenda Bray, the mother of the of Jamie Bray.

Deputy Bruggink spoke with both women. Brenda Bray stated she was waiting for her food order. Matteson informed Deputy Bruggink that she had already eaten her food at the restaurant. When asked how long she had been at the restaurant, Matteson said she had been there for approximately an hour, eating and socializing with friends. Matteson later informed Deputy Bruggink that Jamie Bray had been in and out of the dining room speaking with her mother, Brenda.

After this encounter with Matteson, Deputy Bruggink waited another 10 to 15 minutes for Katris to come out of the kitchen. Eventually, he was told that he could go back into the kitchen to speak with Katris. In the kitchen, Deputy Bruggink saw approximately 15 people working in the kitchen.

Deputy Bruggink was eventually able to speak with Katris, who stated she was only doing pick up orders. Deputy Bruggink advised Katris about the appropriate social distancing needed for customers in the restaurant and offered some suggestions on how to accomplish it. Deputy Bruggink read section 13 of the Emergency Order with Katris and did inform her that it was available to view online.

Deputy Bruggink again spoke with Jamie Bray who said she was unaware that Matteson was eating and socializing in the dining room. Katris also denied knowledge of anyone sitting down and eating their meal in her restaurant.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on 04/03/20
Electronically Signed By:
Eric J. Toney
District Attorney
State Bar #: 1079214

Electronically Signed By:
Lt. Chris Randall
Complainant

FILED
04-06-2020
Clerk of Courts
Fond du Lac County WI
2020CM000207

STATE OF WISCONSIN CIRCUIT COURT FOND DU LAC COUNTY

STATE OF WISCONSIN

Plaintiff,

vs.

SHUANITA KL POPE

3341 Bay Pointe Dr

Elkhart, IN 46514

DOB: 08/22/1996

Sex/Race: F/B

Alias:

Defendant.

DA Case No.: 2020FL000973

Assigned DA/ADA: Eric J. Toney

Agency Case No.: 20-2215

Court Case No.:

ATN:

CRIMINAL COMPLAINT

For Official Use

The undersigned law enforcement officer of the Fond du Lac Police Department, being first duly sworn, states that:

Count 1: VIOLATE HEALTH RULES/ORDERS/ORDINANCE

The above-named defendant on or about Saturday, March 28, 2020, in the City of Fond du Lac, Fond du Lac County, Wisconsin, did willfully violate or obstruct the execution of any state statute or rule, county, city or village ordinance or departmental order under chapter 252 Wis. Stats, and relating to the public health, to wit: Emergency Order #12: Safer at Home, contrary to sec. 252.25 Wis. Stats., a Misdemeanor, and upon conviction shall be imprisoned for not more than 30 days or fined not more than \$500 or both.

PROBABLE CAUSE:

I am a City of Fond du Lac Police Officer and base this complaint upon my review of Fond du Lac Police Department incident reports whose reports are of the type I have relied upon in the past and found to be truthful and reliable. Said reports state as follows:

On March 21, at approximately 2:47 am, City of Fond du Lac Police Officer Baillie Kettleson was dispatched to the area of the Hip Hop Shop, located at 25 N. Main Street in the City and County of Fond du Lac, to investigate a noise complaint. The reporting party stated there were people in the area yelling and revving their car engine. In the course of the investigation, Officer Kettleson discovered over 20 people congregating in the shop.

Officer Kettleson spoke with the shop owner, Rodney Emerson, and discussed Emergency Order #5, issued by Governor Tony Evers on March 17, 2020, which prohibited mass gatherings of over 10 people. Officer Kettleson read the order to Emerson who stated that he would cancel all upcoming events as he wanted to remain in good standing with the City.

On March 24, 2020, Wisconsin Governor Tony Evers issued Emergency Order #12: "Safer at Home Order." This emergency order was issued in light of the COVID-19 pandemic, in an effort to slow the spread of the virus among the residents of Wisconsin. This order was highly publicized on multiple media outlets including print news, television, radio, and social media.

Complainant knows, having reviewed Emergency Order #12, that Section 1 states all individuals present with in the State of Wisconsin are ordered to stay at home or at their place of residence, unless they can claim certain exemptions. Section 2 states all for-profit and non-profit businesses, with a facility in Wisconsin, except Essential Businesses and Operations, are required to cease all activities at facilities located in Wisconsin. Section 3 prohibits any public or private gatherings of any number of people that are not part of a single household or living unit.

On March 28, 2020, at approximately 12:02 am, Officers Kettleson, Tyler Fink, and Lieutenant Michael Noble again responded to the Hip Hop Shop after hearing loud music coming from the shop. Officer Kettleson and Fink observed a group of people inside and spoke with them. They were identified as Shuanita Pope-McDavis, Deunna Reed, Bernice Ivy, Jazzma Lynn, Shelly Emerson, and Rodney Emerson.

Lieutenant Noble spoke with Rodney Emerson who stated that his business was closed but he was hosting private birthday party with the people who were present. During the course of conversation, Rodney Emerson did state that he was open for business earlier in the day (March 27, 2020) until 6:00 pm. When asked ow he would characterize his business, Emerson stated that he sold hookahs and hookah related products. Lieutenant Noble stated he did not believe the business fit any of the exceptions detailed by Emergency Order #12.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on 04/06/20

Electronically Signed By:

Eric J. Toney

District Attorney

State Bar #: 1079214

Electronically Signed By:

Captain Scott Krause

Complainant

FILED
04-06-2020
Clerk of Courts
Fond du Lac County WI
2020CM000206

STATE OF WISCONSIN CIRCUIT COURT FOND DU LAC COUNTY

STATE OF WISCONSIN

Plaintiff,

vs.

DEUNNA R REED
 821 Security Dr Apt AA106
 Fond du Lac, WI 54935
 DOB: 03/27/1990
 Sex/Race: F/B
 Alias:

Defendant.

DA Case No.: 2020FL000974
 Assigned DA/ADA: Eric J. Toney
 Agency Case No.: 20-2215
 Court Case No.:
 ATN:

CRIMINAL COMPLAINT

For Official Use

The undersigned law enforcement officer of the Fond du Lac Police Department, being first duly sworn, states that:

Count 1: VIOLATE HEALTH RULES/ORDERS/ORDINANCE

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Officer Kettleson spoke with the shop owner, Rodney Emerson, and discussed Emergency Order #5, issued by Governor Tony Evers on March 17, 2020, which prohibited mass gatherings of over 10 people. Officer Kettleson read the order to Emerson who stated that he would cancel all upcoming events as he wanted to remain in good standing with the City.

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Complainant knows, having reviewed Emergency Order #12, that Section 1 states all individuals present with in the State of Wisconsin are ordered to stay at home or at their place of residence, unless they can claim certain exemptions. Section 2 states all for-profit and non-profit businesses, with a facility in Wisconsin, except Essential Businesses and Operations, are required to cease all activities at facilities located in Wisconsin. Section 3 prohibits any public or private gatherings of any number of people that are not part of a single household or living unit.

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Lieutenant Noble spoke with Rodney Emerson who stated that his business was closed but he was hosting private birthday party with the people who were present. During the course of conversation, Rodney Emerson did state that he was open for business earlier in the day (March 27, 2020) until 6:00 pm. When asked ow he would characterize his business, Emerson stated that he sold hookahs and hookah related products. Lieutenant Noble stated he did not believe the business fit any of the exceptions detailed by Emergency Order #12.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on 04/06/20

Electronically Signed By:

Eric J. Toney

District Attorney

State Bar #: 1079214

Electronically Signed By:

Det Kaufman

Complainant