

STATE OF WISCONSIN

Plaintiff,

-vs-

DA Case No.: 2014OU005157

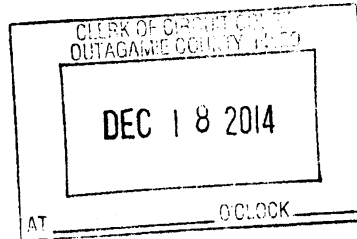
Assigned DA/ADA: Peter A. Hahn

Agency Case No.: LOU14-040127

Court Case No.: 14CF1027

ATN:

Jay L. Fuss
N4731 Cty U
DePere, WI 54115
DOB: 02/24/1966
Sex/Race: M/W
Eye Color: Hazel
Hair Color: Blonde
Height: 5 ft 10 in



Criminal Complaint

Defendant,

SHAWN PEDRANZAN, being first duly sworn, states that:

Count 1: ATTEMPTING TO FLEE OR ELUDE A TRAFFIC OFFICER

The above-named defendant on or about Wednesday, December 17, 2014, Outagamie County, Wisconsin, while operating a motor vehicle on a highway, after having received a visual or audible signal from a marked police vehicle, did knowingly flee or attempt to elude a traffic officer by increasing the speed of the vehicle in an attempt to flee, contrary to sec. 346.04(3), 939.50(3)(i), 973.046(1r) Wis. Stats., a Class I Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than three (3) years and six (6) months, or both.

And furthermore, invoking the provisions of Wisconsin Statute 343.31(3)(d)1, upon conviction the department shall revoke the defendant's operating privileges for 6 months.

And furthermore, invoking the provisions of Wisconsin Statute 973.046(1r), if the court imposes a sentence or places a person on probation, the court shall impose a deoxyribonucleic acid analysis surcharge, calculated as follows: (a) For each conviction for a felony, \$250 (b) For each conviction for a misdemeanor, \$200.

PROBABLE CAUSE:

AND PRAYS SAID DEFENDANT BE DEALT WITH ACCORDING TO LAW; AND THAT THE BASIS FOR THE COMPLAINANT'S CHARGE OF SUCH OFFENSE IS AS FOLLOWS:

Complainant is an employee of the Outagamie County Sheriff's Department and bases this complaint upon the report and investigation of Deputy Brozewski of the Outagamie County Sheriff's Department, as well as the statements of Jay Fuss. Complainant and Deputy Brozewski are presumed to be truthful and reliable as sworn law enforcement officers. Jay Fuss made statements against his penal interest.

Complainant reports that Deputy Brozewski reports that on 12/17/2014 he was travelling eastbound on CTH EE approaching STH 55 when a vehicle stopped at the stop sign in

front of him. Deputy Brozewski reports the vehicle in front of him proceeded eastbound on CTH EE and Deputy Brozewski observed the vehicle having a difficult time maintaining its lane of travel as it was drifting from fog line to center line and back. Deputy Brozewski reports the vehicle approached the stop sign at CTH EE and CTH E and started to turn right onto CTH E before stopping. Deputy Brozewski reports the vehicle proceeded southbound on CTH E and Deputy Brozewski followed. Deputy Brozewski reports the vehicle continued to weave between the fog line and the center line and then crossed the center line as they approached Tip Road. Deputy Brozewski reports the vehicle accelerated at a high rate of speed before he conducted a traffic stop.. Deputy Brozewski reports the vehicle was travelling in excess of 120 MPH. Deputy Brozewski reports he activated his emergency lights and siren and the vehicle did not yield.


Deputy Brozewski reports the vehicle turned left onto CTH J and travelled southbound. Deputy Brozewski reports he continued to pursue the vehicle which again exceeded 120 MPH. Deputy Brozewski reports the vehicle slowed and stopped on CTH J approximately 0.2 miles north of Van Asten Road in the Town of Freedom, Outagamie County, WI. Deputy Brozewski reports he estimated the distance from the location where he activated his emergency lights to the location where the vehicle stopped to have been approximately 2 miles.

Deputy Brozewski reports he identified the driver and sole occupant of the vehicle by WI driver's license as Jay L. Fuss (DOB: 2/24/1966). Deputy Brozewski reports Fuss acknowledged he heard the siren and saw the lights and knew the police were behind him. Deputy Brozewski reports Fuss admitted to consuming alcohol and submitted a PBT with a result of 0.183. Deputy Brozewski reports Fuss was arrested for OWI.

Deputy Brozewski reports the above incident occurred in the Town of Freedom, Outagamie County, Wisconsin.

Subscribed and sworn to before me,
and approved for filing on:

This 18th day of December, 2014


Complainant


Assistant District Attorney

State Bar No. 1084726 for Assigned DA/ADA

State of Wisconsin

Circuit Court

Outagamie County

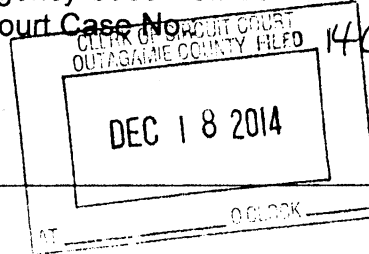
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SUMMONS

Defendant,

THE STATE OF WISCONSIN TO SAID DEFENDANT:

A complaint, a copy of which is attached, having been made accusing the defendant of committing the crime(s) of:

<u>THE CRIME(S) OF:</u>	<u>DATE OF VIOLATION:</u>	<u>CONTRARY TO WIS. STATUTE(S):</u>
Attempting to Flee or Elude a Traffic Officer	12/17/2014	346.04(3)


The original of such complaint has been filed in the office of the Clerk of Courts for Outagamie County.

You, the defendant, are therefore summoned to appear before the Court Commissioner of Outagamie County, at the Outagamie County Justice Center, 320 S. Walnut St. Appleton, WI 54911, in on:

DATE/TIME: December 18, 2014 at 3:30 PM

And in case of your failure to appear, a warrant for your arrest may be issued. If you would like attorney representation at this appearance, contact the State Public Defender's Office at 100 W. Lawrence St. Suite 250, Avenue, Appleton, WI 54911 (920-832-2774).

Dated 18th day of December, 2014


Peter A. Hahn
Assistant District Attorney
State Bar No. 1084726

Enclosure