

STATE OF WISCONSIN

-vs-

Plaintiff,

Stephanie M Ortiz
907 Kellogg Street Lower
Green Bay, WI 54303
DOB: 07/06/1989
Sex/Race: F/H
Eye Color: Brown
Hair Color: Black
Height: 5 ft 5 in
Weight: 155 lbs

DA Case No.: 2013BR005170
Assigned DA/ADA: Kate R. Zuidmulder
Agency Case No.: BCDTF130206
Court Case No.:
ATN:

CRIMINAL COMPLAINT

Defendant,

Complainant, an Assistant District Attorney, being first duly sworn on oath, deposes and says that:

Count 1: MAINTAINING A DRUG TRAFFICKING PLACE - PTAC, AS A PARTY TO A CRIME, SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Tuesday, July 09, 2013, in the City of Green Bay, Brown County, Wisconsin, as a party to a crime, did keep or maintain a building/dwelling which is used for delivering, used for manufacturing or resorted to by persons using controlled substances in violation of chapter 961 Wis. Stats., contrary to sec. 961.42(1), 939.05, 961.48(1)(b) 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 further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Possession of THC in Brown County case 10CF272 on August 24, 2010, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

And the Court may suspend the defendant's operating privileges for not less than six (6) months nor more than five (5) years. If the defendant's driving privileges are already suspended, any suspension imposed must be served consecutively.

Count 2: CONSPIRACY TO DELIVER THC (TETRAHYDROCANNABINOLS) (>200 - 1000G), SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Tuesday, July 09, 2013, in the City of Green Bay, Brown County, Wisconsin, conspired to deliver a controlled substance, to-wit: Tetrahydrocannabinols, in an amount of more than 200 grams but not more than 1000 grams, contrary to sec. 961.41(1)(h)2, 961.41(1x), 961.48(1)(b) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Possession of THC in Brown County case 10CF272 on August 24, 2010, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

And the Court may suspend the defendant's operating privileges for not less than six (6) months nor more than five (5) years. If the defendant's driving privileges are already suspended, any suspension imposed must be served consecutively.

Count 3: POSSESSION OF DRUG PARAPHERNALIA

The above-named defendant on or about Tuesday, July 09, 2013, in the City of Green Bay, Brown County, Wisconsin, did knowingly possess with primary intent to use drug paraphernalia to ingest, inject, inhale, pack or store a controlled substance, contrary to sec. 961.573(1) Wis. Stats., a Misdemeanor, and upon conviction may be fined not more than Five Hundred Dollars (\$500), or imprisoned for not more than thirty (30) days, or both.

And the Court may suspend the defendant's operating privileges for not less than six (6) months nor more than five (5) years. If the defendant's driving privileges are already suspended, any suspension imposed must be served consecutively.

Complainant is an Assistant District Attorney with the Brown County District Attorney's Office and knows of the above offense on information and belief based upon:

PROBABLE CAUSE

1. Her review of the report of Narcotics Investigator Jason Stuckart of the Brown County Drug Task Force indicates that on Tuesday, June 25, 2013, at 6:30 am, he conducted a garbage pull at 907 Kellogg Street in the City of Green Bay, Brown County, Wisconsin in reference to an ongoing Drug Task Force investigation. N/I Stuckart contacted the driver of the Green Bay waste management truck in the area and advised him that there was garbage on the tree border at 907 Kellogg Street and that the trash appeared to have been abandoned on the side of the road. After collecting and separating the bags located

at 907 Kellogg Street, the City of Green Bay waste management provided those bags to N/I Stuckart, who then searched them. Two of the bags contained items of evidentiary value. In bag #1, N/I Stuckart located mail addressed to Stephanie Ortiz at 907 Kellogg Street, lower front, Green Bay, WI 54303, as well as mail addressed to Luis Ortiz at 907 Kellogg Street, lower front, Green Bay, WI 54303. In bag #4, N/I Stuckart located paperwork for Stephanie Ortiz, again with the address of 907 Kellogg Street, as well as a blue and clear colored "Juicy" rolling paper machine, marked as Exhibit #4, and a black metal grinder containing trace amounts of green plant like material, marked as Exhibit #5. N/I Stuckart is aware, based upon his training and experience, that it is common for people to roll their own marijuana cigarettes using the rolling paper machine and grinding the marijuana up in the metal grinders. N/I Stuckart later tested the green plant like material found in Exhibit #5 utilizing the Duquenois-Levine Reagent test and received a positive indication for presence of THC, a controlled substance.

2. Her review of the reports of Narcotics Investigator Shepardson of the Brown County Drug Task Force indicates that on July 9, 2013 at approximately 5:19 am, members of the Green Bay Police Department SWAT team executed a search warrant at 907 Kellogg Street in the City of Green Bay, Brown County, Wisconsin. Agents of the Brown County Drug Task Force then conducted a search warrant of two apartments at that address. As a result of this search, agents of the Brown County Drug Task Force seized \$11,738 in US Currency, approximately 38 tablets which weighed approximately 10.68 grams consistent with Ecstasy and two digital scales. Upon entering the lower front apartment, officers located four individuals; two adults who were later identified as Stephanie M. Ortiz, DOB: 07/06/1989 and Devin L. Tinnon, DOB: 05/02/1991. The other two individuals were minors. N/I Shepardson then acted as the evidence custodian and in the south bedroom in the second drawer from the top of the wooden dresser, N/I Windorff located a snowman tin box that contained \$138 in US Currency. In the same drawer, N/I Windorff located a Wisconsin Quest card for Luis E. Ortiz as well as a clear plastic bag that contained 38 multi-colored tablets with various logos imprinted on the tablets. Inside the clear plastic bag was 10 blue tablets weighing approximately 2.90 grams with a Batman logo, eight light blue tablets weighing approximately 2.36 grams with a Batman logo, 11 pink/blue tablets weighing approximately 2.70 grams with a LV logo, one yellow/green tablet weighing approximately .34 grams with an unidentified logo, one pink tablet weighing approximately .31 grams with an unidentified logo, three green tablets weighing approximately .90 grams with an Apple logo, two yellow/green tablets weighing approximately .60 grams with the Superman logo, one maroon tablet weighing approximately .30 grams with an unidentified logo, and one pink tablet weighing approximately .27 grams with a horseshoe logo. Based on his training and experience, N/I Shepardson recognized the packaging, color, and logos imprinted on the tablets and believed that they were consistent with that of Ecstasy.

In the same south bedroom, along the north wall, N/I Windorff located a black shelving unit and on the top shelf a tan box that contained stacks of US Currency. The first stack contained \$11,000. The money was wrapped with a black rubber band and also contained a small piece of paper that read \$11,000. A second stack of money contained \$600 US Currency and was also banded with black rubber bands. On the top of that

stack was a Wisconsin photo drivers license for Ruben Ortiz, DOB: 09/25/1983. In the kitchen of the apartment, N/I Windorff located a Wisconsin Public Service bill for a Devin L. Tinnon and Stephanie M. Ortiz. The bill was addressed to 907 Kellogg Street, lower front. In the common hall entrance way to 907 Kellogg Street, N/I Scanlan located a gray Nike shoe box that contained a white Fuzion ZX-200 scale, a black Taylor digital scale, and a bottle of Pure Inositol powder. In the north bedroom in a book storage unit on top of a computer desk, N/I Roush located a white piece of paper with names and numbers on it. The piece of paper had numerous names that are associated with numbers directly behind the name. N/I Shepardson indicated, based on the nature of his search warrant training and experience, that this appeared to be a drug ledger.

3. Her review of the statement given by Stephanie M. Ortiz indicates that on July 9, 2013 at approximately 8:38 am, she voluntarily gave a statement to N/I Wysocki, which indicates that she currently lives with her boyfriend Devin L. Tinnon at 907 Kellogg Street, lower front, and has lived there since January of this year. She indicated that before that she lived with her brother Luis E. Ortiz in the lower rear apartment at the same address. She states that in her apartment there is a spare bedroom which belongs to her brother Ruben Ortiz and that she keeps some of her things in that room but that the rest of the items belong to Ruben. Stephanie indicated that she is aware that Ruben has been selling marijuana for years and has also been selling cocaine. In 2011, Ruben borrowed over \$100,000 from an individual up north and that they then went to California with another guy to pick up marijuana but got pulled over and arrested. She states that while Ruben was in jail, she and her other brother Luis would sell marijuana and Ruben would call her and tell her who to sell to and who to collect money from. She states that she is aware that they would get marijuana from a Hispanic male she knows as "KoKo." Stephanie was able to identify the person she knows as KoKo through an unlabeled photograph as Jose S. Patino, DOB: 12/13/1985. She states that she and Luis would get 1-2 pounds 2 to 3 times a month from KoKo between January 2012 to September 2012. KoKo would charge them \$2,000 a pound most of the time. Stephanie indicates that she kept a drug ledger in her bedroom so that she could keep track of who owed her money and who owed money for marijuana. Stephanie states that she would normally sell a quarter pound for \$900-\$1,000 to about 3 people while Ruben was in jail. Another person she and Ruben would get marijuana from was another Hispanic male she knows as "D-Boy." Stephanie was able to identify the person she knows as D-Boy as Daniel R. Pena-Sanantonio, DOB: 07/03/1989. Stephanie states that D-Boy is who Ruben currently gets his marijuana from because KoKo is in jail. D-Boy was last at their house a week or two ago. She states when Ruben was in jail both she and Luis were selling marijuana and that the most she owed Luis was \$1,000 and that the most they all owed KoKo was over \$5,000. She states that KoKo would either come himself or send someone for him to get the money or drop off the marijuana. Stephanie states that the previous night Ruben stopped by around 7:00 pm and had her count some money for him, which she is aware was collected from selling drugs. Stephanie indicated that in total she counted \$11,600 and put that money in his bedroom. She states Ruben always has a lot of money from selling drugs and that he paid for a BMW with drug money, which he traded in for his silver GMC Yukon, which was parked in the driveway. Stephanie indicates that they received \$7,500 for the BMW and that Ruben put down another \$3,000 cash, but that he

still owes \$14,000 for the vehicle. She states that Ruben needed someone to co-sign for the loan so she did that for him and put it in her name. She knows that Ruben sells drugs to over 20 people and that a lot of them would stop by at her house. She states that she would keep track of who owed money to Ruben after he got out of jail up until May of this year when she stopped. She states that on her drug ledger, she knows that Ruben has owed \$10,000 to \$15,000 to his marijuana sources and that people have owed Ruben more money than that. Stephanie indicates that about a month ago Ruben brought a duffel bag into the home which had large vacuum sealed bags of marijuana inside of it. Stephanie is aware that this is how the marijuana always comes. She states that Ruben currently gives Luis about ¼ of a pound of marijuana at a time to sell. She states that when she lived with Luis they would use a small digital scale to weigh the marijuana and that the scale is still probably in Luis' house. She states that the last time someone dropped money off for Ruben was on July 4, 2013 when a bald guy gave her a plastic baggie, which contained money that she then gave to Ruben. Stephanie indicates that she knows the Ecstasy that was in her apartment belongs to Ruben and that her boyfriend Devin Tinnon knew a black male named Prince that came over to the house two or three weeks ago and gave Ruben a number to call to get Ecstasy, but she doesn't know who this person is.

4. Her review of the report of Narcotic Investigator Slinger of the Brown County Drug Task Force indicates that on July 9, 2013 at approximately 5:29 am, a search warrant was executed at 907 Kellogg Street, lower rear apartment, in the City of Green Bay, Brown County, Wisconsin. During the execution of the search warrant, Luis E. Ortiz, DOB: 12/16/1986 was taken into custody and had been located in the living room of the apartment. N/I Werner then searched Luis and located a clear plastic sealable bag which contained .55 grams of a green leafy plant like substance. The plant like material was similar in appearance and odor to that of marijuana and was later tested utilizing the Duquenois-Levine Reagent test, which received a positive indication for the presence of THC, a controlled substance. During the search warrant, mail was located that was addressed to Luis Ortiz and listed 907 Kellogg Street, lower back, City of Green Bay, Brown County, Wisconsin. In the bedroom between the mattress and the box spring in the northern most bedroom of the apartment, a purple cigarette roller was located along with a clear vacuum sealed bag with what appeared to be marijuana residue inside of it. There was also a AWS digital scale that also appeared to have marijuana residue on it. Also located in the northern most bedroom of the apartment was a Wisconsin photo drivers license and a social security card for Luis Ortiz. N/I Stuckart then located \$800 in cash in a drawer which was on the floor to the left of the bed in the northern most bedroom.

Complainant believes the information received from NI's Stuckart, Shepardson and Slinger to be true and accurate in that they are law enforcement officers who have provided true and accurate information in the past.

5. Records of the Wisconsin Circuit Court Access Program. Said records indicate that Stephanie M. Ortiz, d.o.b. 7/6/89 was the defendant in Brown County case 10CF272. Said

records indicate that on August 24, 2010, the defendant was convicted of Possession of THC.

Complainant believes the records of CCAP to be true and accurate in that they are records kept in the ordinary course of business and it is within the ordinary course of business to keep said records.

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

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

This _____ day of July, 2013.

Complainant

(Assistant) District Attorney