

STATE OF WISCONSIN - VS - Ruben Ortiz Jr

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 COMMIT DELIVER COCAINE (> 40G), REPEATER, SECOND OR SUBSEQUENT OFFENSE

The above-named defendant on or between September 2017 through June 17, 2019, Brown County, Wisconsin, conspired to deliver a controlled substance, to-wit: cocaine, in an amount of more than 40 grams, contrary to sec. 961.41(1)(cm)4, 961.41(1x), 939.62(1)(c), 961.48(1)(a) Wis. Stats., a Class C Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

And further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of Battery by Prisoners in Winnebago County Case 2016CF395 on November 14, 2016, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased 6 years if the prior conviction was for a felony.

And further, invoking the provisions of sec. 961.48(1)(a) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Manufacture/Deliver THC (>10,000g) in Brown County Case 2014CF850 on December 1, 2014, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 6 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: CONSPIRACY TO COMMIT DELIVER HEROIN (> 50G), REPEATER, SECOND OR SUBSEQUENT OFFENSE

The above-named defendant Between June 2017 and June 17, 2019, Brown County, Wisconsin, conspired to deliver a controlled substance, to-wit: Heroin, in an amount of more than 50 grams, contrary to sec. 961.41(1)(d)4, 961.41(1x), 939.62(1)(c), 961.48(1)(a) Wis. Stats., a Class C Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

And further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of Battery by Prisoners in Winnebago County Case 2016CF395 on November 14, 2016, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased 6 years if the prior conviction was for a felony.

And further, invoking the provisions of sec. 961.48(1)(a) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Manufacture/Deliver THC (>10,000g) in Brown County Case 2014CF850 on December 1, 2014, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 6 years.

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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 4: DELIVER HEROIN (>3 - 10 G) - PTAC, AS A PARTY TO A CRIME, SECOND AND SUBSEQUENT OFFENSE, REPEATER, ON OR NEAR A PARK, ASSET FORFEITURE

The above-named defendant on or about Thursday, March 28, 2019, in the City of Green Bay, Brown County, Wisconsin, as a party to a crime, did deliver a controlled substance, to-wit: Heroin, in an amount of more than 3 grams but not more than 10 grams, contrary to sec. 961.41(1)(d)2, 939.05, 961.48(1)(b), 939.62(1)(c), 961.49(1m)(b)1, 961.55&961.555(2m) Wis. Stats., a Class E Felony, and upon conviction may be fined not more than Fifty Thousand Dollars (\$50,000), or imprisoned not more than fifteen (15) 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 Manufacture/Deliver THC (>10,000g) in Brown County Case 2014CF850 on December 1, 2014, 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 further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of Battery by Prisoners in Winnebago County Case 2016CF395 on November 14, 2016, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased 6 years if the prior conviction was for a felony.

And further, invoking the provisions of sec. 961.49(1m)(b)1 Wis. Stats., because the above offense occurred within 1000 feet of a park, East River Van Beaver Park, the maximum term of imprisonment prescribed by law for that crime may be increased by 5 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.

And furthermore, because property was seized under 961.55 and 961.555(2m), Wisconsin Statutes, upon conviction the court shall order the defendant to forfeit the property.

Count 5: MAINTAINING A DRUG TRAFFICKING PLACE, REPEATER, SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Thursday, March 28, 2019, in the City of Green Bay, Brown County, Wisconsin, did knowingly keep or maintain a vehicle, Mercedes-Benz, which is used for delivering and/or keeping controlled substances in violation of chapter 961 Wis. Stats., contrary to sec. 961.42(1), 939.62(1)(b), 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.

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And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of Battery by Prisoners in Winnebago County Case 2016CF395 on November 14, 2016, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased 4 years if the prior conviction was for a felony.

And further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Manufacture/Deliver THC (>10,000g) in Brown County Case 2014CF850 on December 1, 2014, 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 6: DELIVER COCAINE (>1G BUT <=5G), SECOND AND SUBSEQUENT OFFENSE, REPEATER

The above-named defendant on or about Wednesday, June 12, 2019, in the City of Green Bay, Brown County, Wisconsin, did deliver a controlled substance, to-wit: Cocaine, in an amount of more than one gram but not more than 5 grams, contrary to sec. 961.41(1)(cm)1r, 961.48(1)(b), 939.62(1)(c) Wis. Stats., a Class F Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than twelve (12) 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 Manufacture/Deliver THC (>10,000g) in Brown County Case 2014CF850 on December 1, 2014, 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 further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of Battery by Prisoners in Winnebago County Case 2016CF395 on November 14, 2016, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased 6 years if the prior conviction was for a felony.

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 7: DELIVER COCAINE (>1G BUT <=5G), REPEATER, SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Wednesday, June 12, 2019, in the City of Green Bay, Brown County, Wisconsin, did deliver a controlled substance, to-wit: Cocaine, in an amount of more than one gram but not more than 5 grams, contrary to sec. 961.41(1)(cm)1r, 939.62(1)(c), 961.48(1)(b) Wis. Stats., a Class F Felony, and upon conviction may be fined not

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more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than twelve (12) years and six (6) months, or both.

And further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of Battery by Prisoners in Winnebago County Case 2016CF395 on November 14, 2016, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased 6 years if the prior conviction was for a felony.

And further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Manufacture/Deliver THC (>10,000g) in Brown County Case 2014CF850 on December 1, 2014, 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 8: MAINTAINING A DRUG TRAFFICKING PLACE, REPEATER, SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Wednesday, June 12, 2019, in the City of Green Bay, Brown County, Wisconsin, did knowingly keep or maintain a vehicle, Lexus, which is used for delivering and/or keeping controlled substances in violation of chapter 961 Wis. Stats., contrary to sec. 961.42(1), 939.62(1)(b), 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. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of Battery by Prisoners in Winnebago County Case 2016CF395 on November 14, 2016, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased 4 years if the prior conviction was for a felony.

And further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Manufacture/Deliver THC (>10,000g) in Brown County Case 2014CF850 on December 1, 2014, 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.

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Count 9: POSSESSION WITH INTENT TO DELIVER HEROIN (>10 - 50G) - PTAC, AS A PARTY TO A CRIME, REPEATER, ON OR NEAR A SCHOOL, SECOND OR SUBSEQUENT OFFENSE

The above-named defendant on or about Monday, June 17, 2019, in the City of Green Bay, Brown County, Wisconsin, as a party to a crime, did possess with intent to deliver a controlled substance, to-wit: Heroin, in an amount of more than 10 grams but not more than 50 grams, contrary to sec. 961.41(1m)(d)3, 939.05, 939.62(1)(c), 961.49(1m)(b)6, 961.48(1)(a) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of Battery by Prisoners in Winnebago County Case 2016CF395 on November 14, 2016, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased 6 years if the prior conviction was for a felony.

And further, invoking the provisions of sec. 961.49(1m)(b)6 Wis. Stats., because the above offense occurred within 1000 feet of a private or public school, Washington Middle School, the maximum term of imprisonment prescribed by law for that crime may be increased by 5 years.

And further, invoking the provisions of sec. 961.48(1)(a) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Manufacture/Deliver THC (>10,000g) in Brown County Case 2014CF850 on December 1, 2014, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 6 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 10: POSSESSION WITH INTENT TO DELIVER COCAINE (> 40G) - PTAC, AS A PARTY TO A CRIME, SECOND OR SUBSEQUENT OFFENSE, REPEATER, ON OR NEAR A SCHOOL

The above-named defendant on or about Monday, June 17, 2019, in the City of Green Bay, Brown County, Wisconsin, as a party to a crime, did possess with intent to deliver a controlled substance, to-wit: Cocaine, in an amount of more than 40 grams, contrary to sec. 961.41(1m)(cm)4, 939.05, 961.48(1)(a), 939.62(1)(c), 961.49(1m)(b)6 Wis. Stats., a Class C Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

And further, invoking the provisions of sec. 961.48(1)(a) Wis. Stats., because the defendant is a subsequent offender, having been convicted of Manufacture/Deliver THC (>10,000g) in Brown County Case 2014CF850 on December 1, 2014, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 6 years.

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And further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of Battery by Prisoners in Winnebago County Case 2016CF395 on November 14, 2016, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased 6 years if the prior conviction was for a felony.

And further, invoking the provisions of sec. 961.49(1m)(b)6 Wis. Stats., because the above offense occurred within 1000 feet of a private or public school, Washington Middle School, the maximum term of imprisonment prescribed by law for that crime may be increased by 5 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.

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