

**FILED**  
**12-07-2021**  
**Clerk of Circuit Court**  
**Brown County, WI**  
**2021CF002063**  
**Honorable Timothy A**  
**Hinkfuss**  
**Branch 7**

**STATE OF WISCONSIN      CIRCUIT COURT      BROWN COUNTY**

STATE OF WISCONSIN  
 Plaintiff,

vs.

DESMOND DAVION JORDAN

2216 Carstensen Lane

Green Bay, WI 54304

DOB: 08/13/1999

Sex/Race: M/I

Eye Color: Green

Hair Color: Brown

Height: 5 ft 9 in

Weight: 180 lbs

Alias: Also Known As DEZO

Defendant.

DA Case No.: 2021BR008277

Assigned DA/ADA: Amy R.G.

Pautzke

Agency Case No.: 21-268602

Court Case No.: 2021CF \_\_\_\_

**CRIMINAL COMPLAINT**

*For Official Use*

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

**Count 1: POSSESSION WITH INTENT TO DELIVER NARCOTICS - PTAC, AS A PARTY TO A CRIME, SECOND AND SUBSEQUENT OFFENSE**

The above-named defendant on or about Friday, December 3, 2021, at 1240 UNIVERSITY AV, GREEN BAY WI, 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: fentanyl, contrary to sec. 961.41(1m)(a), 939.05, 961.48(1)(b) 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 Possession of THC as Party to a Crime and Possess Drug Paraphernalia in Brown County Case 19CF209 on or about June 3, 2019, 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: FELONY BAIL JUMPING**

The above-named defendant on or about Friday, December 3, 2021, at 1240 University Ave, in the City of Green Bay, Brown County, Wisconsin, having been charged with a felony in Brown County Case 19CF897 and having been released from custody under Chapter 969 Wis. Stats., did intentionally fail to comply with the terms of his bond, contrary to sec. 946.49(1)(b) Wis.

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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.

**Count 3: POSSESSION OF TETRAHYDROCANNABINOLS (THC) - PTAC, AS A PARTY TO A CRIME, SECOND AND SUBSEQUENT OFFENSE**

The above-named defendant on or about Friday, December 3, 2021, at 1240 UNIVERSITY AV, GREEN BAY WI, in the City of Green Bay, Brown County, Wisconsin, as a party to a crime, did knowingly possess a controlled substance, Tetrahydrocannabinols (THC), contrary to sec. 961.41(3g)(e), 939.05, 961.48(1)(b) Wis. Stats., a Misdemeanor, and upon conviction may be fined not more than One Thousand Dollars (\$1,000), or imprisoned for not more than 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 as Party to a Crime and Possess Drug Paraphernalia in Brown County Case 19CF209 on or about June 3, 2019, 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 4: OBSTRUCTING AN OFFICER**

The above-named defendant on or about Friday, December 3, 2021, at 1240 UNIVERSITY AV, GREEN BAY WI, in the City of Green Bay, Brown County, Wisconsin, did knowingly obstruct an officer, while such officer was doing an act in an official capacity and with lawful authority,, contrary to sec. 946.41(1) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

**Count 5: CRIMINAL TRESPASS**

The above-named defendant on or about Friday, December 3, 2021, at 1240 UNIVERSITY AV, GREEN BAY WI, in the City of Green Bay, Brown County, Wisconsin, did intentionally remain in the dwelling of Integrated Community Services, without the consent of the owner of the property that includes the dwelling as no person was lawfully upon the premises, under circumstances tending to create a breach of the peace, contrary to sec. 943.14(2) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

**Count 6: POSSESSION OF DRUG PARAPHERNALIA**

The above-named defendant on or about Friday, December 3, 2021, at 1240 UNIVERSITY AV, GREEN BAY WI, 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

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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(s) on information and belief based upon:

**PROBABLE CAUSE:**

The complainant, being duly sworn on oath, swears that she has had the opportunity to review the police reports from the Green Bay Police Department, and other documents supporting this complaint referenced herein, which are the types of reports and documents kept in the ordinary course of business, which complainant believes to be truthful and reliable because they have proven to be truthful and reliable on numerous occasions in the past.

The complainant further asserts that based upon her review of the referenced reports and/or supporting documents, the incidents alleged occurred in the City of Green Bay, Brown County, Wisconsin.

1. Your Complainant's review of the reports of Officer Taylor Clark of the Green Bay Police Department, who indicates:

On 12/03/2021 at approximately 1058 hours, I was working full uniform patrol in marked squad car 65 as 1C3K with my K-9 Partner Roco. I, along with Officer Englebert were dispatched to 1240 University Avenue, Apt. #11 in the City of Green Bay, Brown County, for a report of a Keep the Peace. Notes in the call indicated that the complainant had posted a notice of entry yesterday to confirm who was staying in the unit.

Upon arrival, I spoke with Director of Operations from Integrated Community Services who controls the building, later identified as M.K.W., an adult woman. M.K.W. requested a standby at both listed addresses as she told me she had posted a 12 Hour Entry Notice on door of Apt. #11 yesterday. She said that she had received information that the tenant, D.L.C., an adult male, may have been out of the country for a while and is no longer staying at the residence. She said that the reason for the entry was to determine if anybody was in there, as no one else is supposed to be and it would be considered trespassing. M.K.W. told me and showed me proof later again that on December 2, 2021 at 1:00 p.m. she had posted a 12 hour notice. In reading that notice later it stated that the establishment would be entering the unit on 12/03/2021 during normal business hours. It also indicated that they needed to verify that D.L.C. and his children were still residing in the unit or if they had left and abandoned it. Also with M.K.W. was J.R.V., an adult woman, who works at Integrated Community Services also. She told me earlier in the week, on Monday or Tuesday she had started receiving complaint from other tenants about a lot of people showing up and short term traffic at the apartment, which raised their suspicion that the tenant likely was not there anymore.

We entered into the building off the west wing of the complex that runs east and west. Apt. #11 was the second door to the west off the east common entry/exit and had north side facing

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windows. We went up to the door and the notice was gone and M.K.W. pointed that she had posted it on the door and that it was clearly gone showing that someone had accepted it. She unlocked the door and Officer Englebert announced that it was the Green Bay Police Department. "Is anyone inside?" It was determined at that point that we would walk in first as we did not see anybody inside and given the circumstances around what M.K.W. and J.R.V. had received complaints about, for their safety, we entered first.

As we started to walk in with our body worn cameras activated, I yelled, "Police, we are here to do a residency check." As soon as we opened the door, no one was observed in the kitchen and living room area and it was dark. Again, no one was heard and no type of verbal response was given before we broke the threshold of the apartment door. We made it approximately four feet into the residence and Officer Englebert was in front of me. The kitchen was immediately to the left, there was a closed door to the left and opened up into a living room straight to the north and a hallway which appeared to continue to the east inside of the apartment. Officer Englebert drew his firearm all of a sudden and started giving verbal commands to someone down the hallway that I could not see. I could hear movement and banging in the northeast corner of the apartment and it sounded as if someone was trying to go out of a window of the room as no one was coming to the verbal commands. I briefly looked around the corner of the hallway and didn't see anybody coming.

At that point, I ran out of the apartment and out the east entry/exit door at which point I noticed a male, lighter skin, wearing darker colored pants and a black and white jacket and black hair running eastbound from the residence. I yelled multiple times, "Please get on the ground, get on the ground." I continued to chase him in pursuit eastbound out to Irwin Avenue southbound on the western sidewalk of Irwin Avenue from University Avenue. The male then cut behind a house in the northwest corner of Elm Street and Irwin Avenue and started jumping fences, running back to the west. At this point, Officer Englebert was in the alley and once I realized he was in the alley I cut back to Elm Street to make sure that the male didn't pop out there. As I was running west and looking through the yards and fences, I could see that the male appeared to be hunkered down in the northwest corner of a wooden 6' fence behind 1283 Elm Street, in the City of Green Bay, Brown County. At that point, I walked up to the south side of the fence and crouched down as he didn't see me yet and notified Officer Englebert that the male was in that corner. As Officer Englebert started to make verbal commands, the male started to run and jogged back in my direction. Just as he got towards the fence, I popped up and drew my taser and told him to get on the ground, at which point he started to. Officer Englebert came from the north side of the fence, through the fence and came and secured the male.

I was made aware that Officer Englebert said someone else had left the apartment and that the apartment was not clear yet. At that point, several other officers were arriving in the area. As I made my way back towards the building, I came in contact with M.K.W. who told me that a male, possibly Hispanic, wearing a t-shirt, shorts and just socks ran westbound down the alley after having brief contact with Officer Englebert. She said that male had come out of Apt. #11 after both officers started chasing the male later identified as **Desmond D. Jordan (08/13/1999)** on foot. I immediately went back into the apartment and when Sgt. M. Luberda arrived, we started clearing the apartment and verified no one else was inside. Once inside, out in plain view, I noticed green plant-like and stem material on the kitchen table along with a white knotted corner baggie with what appeared to be green inside and appeared to be soft. There were multiple phones lying on the ground in the living room area and also one live round

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of ammunition on the couch. It was believed at that point that the second person that could have fled might have been armed.

At about the same time, SRO Wright advised that the male in question that had fled from us arrived at Minoka Hill School and was trying to get in, and appeared to have a bulge in his waistband, as though he may be armed. Officers started concentrating their efforts on that male, as I remained on scene. I determined at that point that I would be applying for a search warrant for the residence for narcotics due to the plain view items. Officer Englebert came in and took my position inside of the apartment a short time later.

I went out to my squad car and started the search warrant process and after that, officers had taken Franklin R. Casado (09/19/1993) into custody outside of 210 S. Clay Street in the City of Green Bay, Brown County. It was verified that he was in fact the one that had ran outside of the building and I was also made aware that Officer M. Walvort had located suspected drug paraphernalia in one of his shorts pockets.

Just prior to starting the warrant process, M.K.W. told me that anybody that was located inside the building can be arrested for criminal trespass, as no one else belongs there. She also requested to be notified when the search warrant process was completed.

At approximately 12:59 p.m., Court Commissioner Vorpahl signed the search warrant to including narcotics and multiple other items, also including firearms and ammunition.

I advised Officer Englebert and Officer D. Greene that were inside of the apartment that they could begin searching as the warrant was signed. I went back and made a house copy for the police department and then drove straight to the scene. Once inside, I started collecting items of evidence.

The first thing I collected were the green plant stems and plant material that were on the kitchen table, Exhibit #1, along with one knotted corner baggie, Exhibit #2 that previously contained 0.63 grams of a green plant material, Exhibit #3. In searching the living room area, I located the one live .380 caliber GFL round on the couch along the eastern wall in the living room. To the west of that in a silver lockbox that was unlocked and on the first shelf inside that lockbox I located one knotted corner baggie, Exhibit #5, which previously contained 1.49 grams of an off white powder material that later tested positive for Mannitol Direct, Exhibit #6. On the floor next to the TV stand, along that same west wall, I located one gold box, Exhibit #7 which previously containing Exhibit #8 and #12. Ten pieces of tinfoil, Exhibit #8, which previously contained Exhibit #12. I also located three different cell phones, one being a silver iPhone 11XR with a soft black case, Exhibit #9, one black iPhone with silver sparkle case, Exhibit #10 and one black Alcatel phone, Exhibit #11. Also located in that living room was a Wisconsin photo ID for Franklin Casado that was located on an end table in the northeast corner not far from the live round of ammunition and the narcotics inside of there.

In doing a search of the residence, it appeared that some of the tenants items were still there and Franklin's items and likely some of Desmond's items were just around in the living room and partially in the northeast corner bedroom which Desmond had jumped out of. It appeared that some of the items were just small items, such as backpacks, and other miscellaneous clothing items in bags. After finishing the search of the residence, no other items of evidence were located inside the residence. I called M.K.W. back and had her come back and at 1358



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hours, the apartment was turned back over to her. It was explained to her that she needed to attempt to secure the glass window in which Desmond broke out as he jumped out of the northeast corner window.

**Evidence:**

I went down to the Brown County Drug Task Force as after opening one of Exhibit #8, I believe that the off white powder material inside each of those 10 packages was likely Heroin or Fentanyl. Once I got down there, I tested and weighed the following items.

Exhibit #1: Weighed a total of .21 grams which tested positive for the presence of THC, through the KN Reagent test.

Exhibit #3: Was tested with the Duquenois-Levine Reagent test and tested positive for the presence of THC.

Exhibit #6: Was tested with TruNarc under scan #1507 and it came back as Mannitol Direct, which is a prescription only medication. The TruNarc at this point was operated by Narcotic Investigator Meisner. He also tested some of the substance from Exhibit #12 and it tested positive for Fentanyl, under scan #1511. Both of those screenshots of those scans and results were scanned into evidence.com. I weighed one item from Exhibit #8 before separating them and with packaging it weighed approximately .23 grams. Each of the 10 packages appeared to be the same size and consistency as one another. All 10 were dumped into Exhibit #12 for a total combined weight of 1.51 grams of Fentanyl. All items were sealed in evidence bags and later placed into evidence locker #127 at the Green Bay Police Department.

I filled out one 48 Hour Lockup for Franklin and Desmond after updating their booking sheets and also notified the Brown County Jail of their updated charges from the apartment.

The search warrant and search warrant return were scanned into the attachments of this case.

Due to my prior training and experience as a Narcotic Investigator with the Brown County Drug Task Force, item #8, which contained Exhibit #12 was consistent with that of possession with intent given the strong potency of Fentanyl, along with the 10 individual packages, multiple phones and money being on Desmond, along with some loose money that was not collected inside of the apartment also. Exhibits #1 and #3 were consistent with that of more personal level use as there were blunt wrappers that were out on the table. I recognized all items of narcotic evidence based on my prior training and experience as a Narcotics Investigator.

I then uploaded several photographs I had taken from inside of the apartment of the plain view items, the round of live ammunition Exhibit #4, a copy of the notice that was posted on the door at 1:00 p.m. on 12/02/2021 and the return scans from TruNarc positive test of the above listed items.

**Disposition:**

Desmond and Franklin were both jailed on multiple drug charges, along with criminal trespass, bail jumping, and other items. The residence had previously been turned over to M.K.W. and she was given a case number.

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2. Your Complainant's review of the reports of Officer Englebert of the Green Bay Police Department, who indicates:

On Friday, December 3, 2021, at approximately 1025 hours, I, Officer Englebert, of the Green Bay Police Department, was on patrol as 1C1, when I was dispatched to 1240 University Avenue, Integrated Community Service, in reference to the complainant believing that tenants were no longer living in Apt. 11; however, she believed that multiple parties were possibly inside and they needed to be escorted off the property.

Upon arrival, Officer Clark was already on scene with the complainant. At this time, she escorted us into the apartment complex and we walked to door 11.

As we stood outside the door, I notified the complainant that after opening the door officers would make entry first due to safety concerns of possible unknown people inside of the apartment. At that time, I entered the apartment first and Officer Clark was behind me. I announced that we were the Green Bay Police Department as I entered through the door. As I made my way into the apartment, I believed I heard a sound of possible rustling coming from the back of the apartment down the hall. As I moved further in, and continued to announce ourselves as the police, I saw a quick flash of a person run across the hall and into the back room. At that time, I could only see what I believed was black and white clothing being worn by the person. At that time, I drew my weapon, and started making commands as I continued towards the room that I saw the unknown person run into. At that time, Officer Clark believed that they possibly went out the back window and went down the hall. I continued to push forward towards the room and as I began to clear the room, in an attempt to locate the male party, Officer Clark was heard on the radio stating that the male had jumped out the window and now was running eastbound down University Avenue.

I exited the room and ran down the apartment complex, exiting the complex and running east through the yard of the apartment complex towards the parking lot of Los Burros Tacos (SP). At that time, I ran through the parking lot and turned southbound down Irwin Avenue towards the alleyway and made my way back west down the alley. At that point, I continued running down the alley, as Officer Clark was giving directions and stated that the male party may be running back north towards the original call address. As I continued down the alley, the female complainant M.K.W. was standing outside of the call address and was pointing at an unknown male black standing in the alley. I would describe the male black as having short black hair with facial hair, as well as a black t-shirt with unknown writing on it and dark blue, navy shorts, as well as black socks. At that time, I held lethal cover on the male party and gave him a command to "Stop." The male party stopped and started walking towards me. At that time, I asked Officer Clark over the radio what the male party was wearing and he said he was wearing black and white clothing. This did not match the male party I had eyes on in front of the alleyway. I was unable to make out what the complainant was yelling to me and I could hear Officer Clark yelling from behind the house to the south of me. This address was 1283 Elm Street.

At that time, Officer Clark said on the radio that the male party that he was chasing was in the back yard of 1283 Elm. I was standing directly to the north of this address in the alleyway. As I approached the back yard, there was a tall wooden fence in front of me. I leaned over the fence and saw a male party wearing black and white clothing sitting in the northwest corner of the back yard crouching behind a fence in an attempt to evade detection. I began giving

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commands to the male party to show me his hands. He stood up and started quickly walking away back towards the southern part of the back yard, which was in a fenced area. I continued to give the male party commands and he continued to walk away from me, disregarding lawful orders. I pushed through the back of the fence and entered the yard of 1283 Elm Street and continued to approach the male party and demand that he get on the ground. The male party at this point, walked up to the top of a back porch area and appeared as though he was going to attempt to get over the fence until he saw Officer Clark standing directly on the other of the fence where he was going to go and the male party laid prone out on the ground. At that point, I took custody of him without issue and searched his person with negative results. The male party was later identified as **Desmond Davion Jordan (08/13/99)**. After searching his person with negative results, I escorted him back to a squad car where he was searched and placed in the back of the squad car.

As officers spoke with the complainant, she relayed information that while officers were running after this male party, who I had originally seen in the alleyway, exited the apartment and had also came out of the same address. She said that when she saw me move through the fence to go after the other male party, that the unknown black male ran down the alley in the opposite direction of where police were. Multiple calls came in describing this male party attempting to get into other addresses and the male was later located and taken into custody. He was identified as Franklin R. Casado (09/19/93).

3. Your Complainant's review of the reports of Officer D. Greene of the Green Bay Police Department, who indicates:

On Friday, December 3rd , 2021, at approximately 11:09 hours, I, Officer D. Greene, assigned to Day Shift patrol arrived on scene at 1240 University Avenue and spoke with Sgt. Luberda (182S) who requested I assist Officer M. Englebert. I acknowledged and met with Officer M. Englebert who was escorting a male, later identified via WI Photo ID and in-house photograph as **Desmond D. Jordan (08-13-1999)**.

Desmond was placed into the rear passenger seat of my squad car. Desmond was indexed via teletype and via my in-squad computer. I conducted a search of Desmond via the Wisconsin Circuit Court Access website. Results indicated that Desmond had one (1) "open " case (Brown County Case Number 2019CF000897). I observed Desmond to be charged with six (6) felonies.

While Desmond was in the rear seat of my squad car, he made utterances about leaving "Crown and Common " after drinking and spending the night at 1240 University Avenue. Desmond said that he made that decision as opposed to driving and/or walking over to the west side of Green Bay, WI.

Desmond acknowledged to being "on bond " and uttered that he made a stupid mistake by running. Desmond said he had been doing well for two (2) years and attributed him to running by being woken up "in a frantic " which set off a trigger in him. Desmond acknowledged he shouldn't have ran.

At approximately 11:39 hours, I read Desmond the Green Bay Police Department "Miranda Rights " form verbatim. Desmond understood his rights by replying "Yes, sir " and did not wish to answer questions or make a statement.



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I transported Desmond to the Brown County Jail and turned him over to the correctional staff on duty.

4. Records of the Wisconsin Circuit Court Access Program (CCAP) for Brown County Case 19CF897, State v. Desmond D. Jordan. Said records indicate that on or about July 1, 2019 the defendant appeared for an Initial Appearance in Commissioner's Courtroom A on charges of Manufacture/Deliver THC ( $\leq 200\text{g}$ ), Solicitation of Manufacture/Deliver Heroin ( $>10\text{-}50\text{g}$ ), Felony Bail Jumping, Conspiracy to Commit Manufacture/Deliver Heroin, Conspiracy to Commit Manufacture/Deliver Designer Drugs ( $\leq 3\text{g}$ ) Second and Subsequent Offense and Possession of THC (2<sup>nd</sup>+ Offense). The Court Commissioner who conducted the hearing imposed a \$100,000.00 cash bond pursuant to Chapter 969, Wisconsin Statutes, with the following conditions: make all future court appearances and commit no new crimes.

On December 3, 2021 the bond for Brown County Case 19CF897 was still in effect.

5. Your complainant has reviewed the records of the Wisconsin Circuit Court Access Program (CCAP) website, which records are believed to be truthful and reliable as they are records kept in the ordinary course of departmental business. Said records indicate that on or about June 3, 2019, the defendant was convicted of Possession of THC as Party to a Crime and Possess Drug Paraphernalia in Brown County Case number 19CF209. Said conviction remains of record and unreversed making the defendant a Subsequent Offender.

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

Subscribed and sworn to before me on Electronically Signed By:

12/07/21

Dana J. Johnson

Electronically Signed By:

Complainant

J. Foss Davis

Assistant District Attorney

State Bar #: 1105914