

**FILED**  
**02-05-2024**  
**Clerk of Circuit Court**  
**Brown County, WI**  
**2024CF000251**  
**Honorable Beau G**  
**Liegeois**  
**Branch 8**

**STATE OF WISCONSIN      CIRCUIT COURT      BROWN COUNTY**

STATE OF WISCONSIN Plaintiff,	DA Case No.: 2024BR000758 Assigned ADA: Natalie M Mulvey Agency Case No.: 24-001400
vs.	Court Case No.: 2024CF
DANIEL JAMES SUMMERS JR 3780 North County Line Road Oneida, WI 54155 DOB: 11/07/1984 Sex/Race: M/I Eye Color: Hazel Hair Color: Brown Height: 5 ft 11 in Weight: 165 lbs Alias DOB: 11/17/1984 Defendant.	ATN:  <b>CRIMINAL COMPLAINT</b>

*For Official Use*

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

**Count 1: SUBSTANTIAL BATTERY, REPEATER, DOMESTIC ABUSE ASSESSMENTS**

The above-named defendant on or about Friday, February 2, 2024, in the Village of Hobart, Brown County, Wisconsin, did cause substantial bodily harm to MMV, by an act done with intent to cause bodily harm to that person, contrary to sec. 940.19(2), 939.62(1)(b), 973.055(1) 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 Substantial Battery in Brown County Case 19CF1767 on August 10, 2020, 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. 973.055(1) Wis. Stats., because this charge is an act of domestic abuse, and further, invoking sec. 973.055(1), Wis. Stats., the court shall impose the domestic abuse assessment of \$100 for this offense because this charge is an enumerated crime under sec. 973.055(1)(a)1, Wis. Stats., and the conduct constituting the violation involved an act by the defendant against his or her spouse, against an adult with whom the defendant resides or formerly resided, or against an adult with whom the defendant has created a child.

**Count 2: DISORDERLY CONDUCT, DOMESTIC ABUSE ASSESSMENTS, REPEATER**

The above-named defendant on or about Friday, February 2, 2024, in the Village of Hobart, Brown County, Wisconsin, while in a public or private place, did engage in abusive, boisterous, indecent, profane, unreasonably loud, violent or otherwise disorderly conduct, under

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circumstances in which such conduct tended to cause or provoke a disturbance, contrary to sec. 947.01(1), 973.055(1), 939.62(1)(a) Wis. Stats., a Class B Misdemeanor, and upon conviction may be fined not more than One Thousand Dollars (\$1,000), or imprisoned not more than ninety (90) days, or both.

And further, invoking the provisions of sec. 973.055(1) Wis. Stats., because this charge is an act of domestic abuse, and further, invoking sec. 973.055(1), Wis. Stats., the court shall impose the domestic abuse assessment of \$100 for this offense because this charge is an enumerated crime under sec. 973.055(1)(a)1, Wis. Stats., and the conduct constituting the violation involved an act by the defendant against his or her spouse, against an adult with whom the defendant resides or formerly resided, or against an adult with whom the defendant has created a child.

And further, invoking the provisions of sec. 939.62(1)(a) Wis. Stats., because the defendant is a repeater, having been convicted of Substantial Battery in Brown County Case 19CF1767 on August 10, 2020, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased to not more than 2 years.

### **Count 3: OBSTRUCTING AN OFFICER, REPEATER**

The above-named defendant on or about Friday, February 2, 2024, in the Village of Hobart, 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), 939.62(1)(a) 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.

And further, invoking the provisions of sec. 939.62(1)(a) Wis. Stats., because the defendant is a repeater, having been convicted of Substantial Battery in Brown County Case 19CF1767 on August 10, 2020, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased to not more than 2 years.

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 Oneida 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 Village of Hobart, Brown County, Wisconsin.

1. Complainant's review of the report of Officer J. Deras of the Oneida Police Department, a summary of which indicates the following:

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On Friday February 2, 2024, at approximately 7:17pm, Officer J. Deras #829 and Sgt. D. Wheelock #813 responded to a disturbance at \*\*\* Riverdale Dr, Village of Hobart, County of Brown. Dispatch advised a male later identified as Daniel J Summers Jr (DOB 11/7/1984) was under the influence and being physical with people on scene. Officers later learned Daniel was in a physical altercation with MMV. Dispatch advised the suspect was Daniel (AKA DJ). Dispatch advised Daniel was the only person who should not be on scene.

Upon arrival Sgt. Wheelock and Officer Deras made contact with JAD and MMV who were outside of the home. As Officer Deras walked up, he observed MMV holding her head with her hands. As Officer Deras got closer, he was able to see bruising above her right eye and her face appear to be swelling up. A short time later Officer Deras placed MMV into the back of his fully marked Oneida squad car. Sgt. Wheelock stayed on scene while Officer Deras stayed with MMV.

Once MMV was secure in Officer Deras' squad car, he relocated to the Oneida One Stop located at W180 Hwy 54, Town of Oneida, Outagamie County, for MMV to be checked by EMS. Once at the Oneida One Stop Officer Deras spoke with MMV about what took place. The following information was obtained from MMV. MMV stated Daniel was threatening her in a psychological way and advised it has been taking place for years. MMV explained Daniel began threatening her kids. MMV stated Daniel told her that if she stays away from her kids that he would as well. MMV stated Daniel began to tell her everyone is against her. As MMV was speaking with Officer Deras, she continued to touch her right eye where bruising was beginning to show. MMV stated Daniel began to pull her hair. Officer Deras asked MMV where she was struck. MMV stated while moving her hand across her face, "Everywhere". Officer Deras asked MMV if she was struck with an open hand or closed hand. MMV stated it was a "fist". Officer Deras asked if she was struck with Daniel's right or left hand. MMV stated she was struck by both his right and left hand. Officer Deras asked MMV how many times she was struck. MMV stated at least "30". Officer Deras asked MMV if he would be able to take a photo of her injuries. MMV stated Officer Deras could take a photo of her injuries. I confirmed with MMV where she was staying. MMV stated she lives at the \*\*\* Riverdale Dr address. Officer Deras asked MMV where Daniel was living. MMV stated Daniel lives with his parents on County Rd U and stated she did not know the address. Officer Deras asked MMV how Daniel arrived at the address. MMV stated she does not know how Daniel arrived at the address. MMV stated Daniel just arrived at the address. Officer Deras asked MMV if she consented to being struck by Daniel. MMV stated she did not consent to being struck by Daniel. Officer Deras asked MMV on a scale from 1 to 10 how much pain was caused by Daniel striking her. MMV stated a 9 out of 10. Officer Deras asked MMV what happened after she was struck by Daniel. MMV stated Daniel did not stop hitting her and advised JAD attempted to remove Daniel off her. MMV stated JAD was unable to remove Daniel off of her so JAD proceeded to call Law Enforcement. MMV stated she was able to hide away from Daniel before making her way out of the home. MMV stated as she was outside Officers arrived on scene. EMS arrived on scene and MMV was taken out of Officer Deras' squad car and placed into the ambulance to be checked out by EMS. While MMV was being checked by EMS, she stated she was choked. MMV later clarified at the hospital that she was strangled. MMV confirmed she had been strangled and had lost consciousness. Officer Deras asked MMV if she recalled what hand she was strangled with. MMV stated she could not remember. MMV was transported by EMS to St Mary's Hospital.

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Officer Deras traveled to St Mary's Hospital where Officer Deras met MMV who was in an emergency room speaking with nursing staff and being evaluated. While at the hospital Officer Deras completed the DVO paperwork with MMV, took five photos of MMV's injuries. MMV stated she believes Daniel would "kill" her if he is not arrested. MMV stated she was fearful for her safety. MMV was advised Daniel was taken into custody.

2. Complainant's review of the report of Sgt. D. Wheelock of the Oneida Police Department, a summary of which indicates the following:

On 02-02-24 at 19:18 hours Sergeant D. Wheelock #813 and Officer J. Deras #829 were dispatched for a disturbance at \*\*\* Riverdale Drive, Village of Hobart, Brown County. Dispatch advised a male, later identified as Daniel J. Summers Jr. DOB 11-07-84, was under the influence of what was later determined to be alcohol and was being physical with parties on scene. Upon arrival, MMV and JAD where outside of the residence by the front door. Officer Deras identified them as law enforcement. As they got near the front of the residence, Sgt. Wheelock asked what was going on. JAD said, "There's a guy here, he's beating...he beat her up." as he pointed to MMV. MMV was sitting on the porch and was holding her right hand to her face. JAD told Sgt. Wheelock that Daniel was upstairs. JAD advised that there were two people inside the house, Daniel and RCD.

MMV said, "She didn't do anything, he...he just....he just kept punching me." Sgt. Wheelock stepped towards MMV and examined her face while utilizing his flash light and Sgt. Wheelock observed a bruise on her right eyelid. Sgt. Wheelock asked MMV if she was hurt anywhere else and said her face is swollen. Sgt. Wheelock asked if he had any weapons. JAD said, "No." MMV said, " He's a weapon himself, it's Daniel Summers." MMV said, "You guys might want back up." Sgt. Wheelock was familiar with Daniel having a prior history of resisting and carrying weapons and Sgt. Wheelock requested a K9 unit. JAD resided at the residence and he gave officers consent to enter the residence.

Shortly after, RCD exited the residence through the front door. Sgt. Wheelock asked RCD where Daniel was in the residence and she said he was upstairs. No weapons were located on her person and she informed Sgt. Wheelock there were knives where Daniel was located in the residence. RCD was directed to go by JAD and MMV. Sgt. Wheelock asked if there was a phone in the residence so he could attempt to contact Daniel. Sgt. Wheelock was informed there was no phone and only a tablet. Sgt. Wheelock asked JAD, RCD, and MMV if Daniel had history involving mental health. Sgt. Wheelock and other officers approached the front of the residence. Sgt. Wheelock opened the front door and said, "DANIEL, IT'S THE ONEIDA POLICE DEPARTMENT. COME OUT WITH YOUR HANDS UP" several times. Sgt. Wheelock observed a chair at the bottom of the steps. Sgt. Wheelock continued to give commands for Daniel to surrender with no response. As Sgt. Wheelock continued to give commands, he observed objects being thrown onto the stairs as Daniel was attempting to barricade himself upstairs. After repeatedly giving commands with no response, officers moved back.

With Daniel barricading himself in the residence along with his history of weapons along while also having access to weapons upstairs, the Bearcat (armored vehicle) from the Brown County Sheriff's Office was requested. Additional officers and an additional K9 unit from the Green Bay Police Department responded to assist. Officers got into the back of the bearcat and announcements were made by the PA system for Daniel to surrender and come outside.

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Daniel eventually came to an upstairs window and announced he would come outside. Shortly after, Daniel went to another upstairs window which was above the main entrance and announced he would come out but didn't want the K9 present or he would break the K9's jaw. Shortly after that, Daniel come downstairs and out the front door and was being compliant as Sgt. Wheelock maintained lethal cover on the front door. Officers approached Daniel and he was taken into custody without further issue. Daniel was searched and secured in Sgt. Wheelock's squad. Daniel was wearing several sets of gloves which Sgt. Wheelock removed and placed in the trunk of his squad. Daniel had a seat in Sgt. Wheelock's squad and he could smell the odor of an intoxicating beverage coming from Daniel. Sgt. Wheelock informed Daniel why officers were there. Without being prompted, Daniel said, "No touching of anybody. No physical altercation. That is incorrect." Sgt. Wheelock informed Daniel he wanted to talk to him about MMV's "black eye". Daniel said, "She has a black eye? That has nothing to do with me." Sgt. Wheelock read Daniel his Constitutional Rights. Daniel understood his rights and agreed to answer questions. Sgt. Wheelock informed Daniel it appeared MMV was assaulted. Daniel asked if MMV claimed to have a black eye. Sgt. Wheelock informed Daniel she did have a black eye. Sgt. Wheelock informed Daniel, MMV said he was the person who assaulted her.

Daniel said he would never assault a female like that. Sgt. Wheelock asked Daniel what happened. Daniel said, "I have no idea, but I know everybody was claiming to call the cops on me." Daniel said, "I know that her and herself and her physicality and her way of caring along with her medications that she takes extra besides her own appointed that she is suppose to take, she falls on her own and hits a lot of herself." Daniel said he's tried to help catch her and didn't believe he would cause any harm to her, to hit her and give her a black eye. Sgt. Wheelock asked Daniel what his relationship was with MMV. Daniel said she is supposed to be his girlfriend. Daniel said he would never hurt anyone that was in a relationship with him. Sgt. Wheelock asked Daniel how long they've been dating. Daniel said at least two months. Sgt. Wheelock asked Daniel if they lived together and he said, "No." Sgt. Wheelock informed Daniel, MMV said they lived together off and on at his parents' house on N. County Line Road. Daniel replied, "Years ago." Daniel said it was like seven, eight years ago. Sgt. Wheelock asked how long they lived together for. Daniel said MMV never really lived with him. Daniel said she would come over and spend the night. Sgt. Wheelock asked if MMV received mail at the residence. Daniel said, "No." Sgt. Wheelock asked if she paid any bills and Daniel said, "No." Sgt. Wheelock asked Daniel if MMV had clothes or a toothbrush there and Daniel said, "No." Sgt. Wheelock asked Daniel again what happened tonight.

Daniel said he had no idea. Daniel said he knew they were worried about him getting inebriated. Daniel said they picked him up and wanted to get him inebriated. Daniel said he refused to and he was mad they were trying to get him involved. Daniel said he told them he was on probation and he just got out of jail two days prior. Daniel said he didn't want to participate in whatever it was they were going to do. Daniel said he told them to leave him alone and they continued to pester, argue and attack him with verbal "things." Daniel said he progressed to say things back and warned them. Daniel said that is as far as it went and they all ran downstairs and said they were calling the cops. Daniel said he didn't believe them and laughed. Daniel said he understood that he barricaded himself in because his paranoia kicked in. Daniel said he has a lot of mental disorders. Daniel said that is the best he can explain it. Daniel said, "If she has a black eye, I have no idea who the hell hit her or how she had obtained it and I did not touch her." Daniel said Sgt. Wheelock could look at his fingerprints. Daniel said the gloves were only put on after police came. Daniel said, "So, I mean, there should be no blood or evidence or me even doing such a heinous..." Sgt. Wheelock asked



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Daniel if he put his hands on anyone. Daniel said, "I would not." Daniel mentioned something about "them" trying to grab him and break his "open space" but it was difficult to understand of the entirety of what he said. Daniel didn't specify who he was referring to as "them" and "they."

Daniel said he was trying to get a ride to go back to his own house and go to sleep. Sgt. Wheelock asked what time Daniel arrived at the residence. He wasn't sure but said he imagined it was around 6:00 pm. Sgt. Wheelock asked Daniel how much he had to drink. Daniel said an eighth of a 1.75 liter. Sgt. Wheelock asked Daniel what it was and Daniel said it was vodka. Sgt. Wheelock asked Daniel if there was anything else that he should know. Daniel said, "Not that I believe." Daniel said as far as the black eye, it was new news to him. Daniel said he wouldn't hurt her like that and he didn't believe in men hitting women like that. Daniel said anything MMV did could be a repercussion of anybody else or another female maybe altercation with her or whatever she did on her own means. Sgt. Wheelock spoke with RCD in the driveway. Sgt. Wheelock informed RCD that he wanted to ask her what happened. RCD said Daniel's mother dropped him off and RCD said they weren't allowed to have people over. Sgt. Wheelock asked what happened in the house. RCD said "they" were fighting. Sgt. Wheelock asked who "they" was. Sgt. Wheelock asked if it was MMV and Daniel and RCD said, "Yeah." Sgt. Wheelock asked RCD if she could describe how they were fighting and RCD said she wasn't making any statements.

Sgt. Wheelock made contact with JAD at the front door of the residence. Sgt. Wheelock asked him if he could tell Sgt. Wheelock what happened. JAD said Daniel dropped off by his mom. JAD said he wasn't there when he started beating MMV up. JAD said Daniel hit him on the side on the side of his body as JAD motioned to the left side of his torso with his left hand. Sgt. Wheelock asked if being hit caused him pain. JAD said when he was struck, it kind of did. JAD left the residence, went to his grandmother's house and called the cops. Sgt. Wheelock asked JAD if he observed anything between Daniel and MMV. JAD said, "No." Sgt. Wheelock asked JAD if he heard anything and he replied, "No." Sgt. Wheelock asked JAD how he knew MMV was assaulted and JAD said she told him. Sgt. Wheelock asked JAD what he told her. MMV told JAD, "He beat me up." JAD said, "And I, I noticed her eye was kind of black. Swollen, her face was swollen."

Sgt. Wheelock went by Daniel and he wanted to speak with RCD. Daniel said he could get RCD to "comply" with a statement if she talked to him. Sgt. Wheelock continued speaking to Officer Deras and learned MMV and Daniel resided together on N. County Line Road in the Village of Hobart, Brown County for three months in 2019. Daniel's address is 3780 N. County Line Road which is also his parent's address. After Sgt. Wheelock ended contact with Officer Deras, Sgt. Wheelock went back to the residence and made contact with RCD and informed her, Daniel wanted to speak with her. RCD went to the squad and spoke to Daniel through the window. While RCD was speaking to Daniel, Sgt. Wheelock heard RCD say, "That happened." and "That was you." Sgt. Wheelock heard Daniel reply, "Don't say that was me." Sgt. Wheelock also heard RCD tell Daniel she "seen it" and she had to "drag" him off.

After RCD stopped speaking to Daniel, Sgt. Wheelock spoke to Daniel and informed him of his charges. Daniel wanted to know if he could press charges back because MMV strangled him too and Daniel said he could have RCD confirm that. Daniel said MMV strangled him first and he remembered that part earlier in the day. Sgt. Wheelock asked Daniel why he didn't say that earlier. Daniel said, "Why would I tell you that? I don't want to get anybody in trouble." Sgt. Wheelock informed Daniel it sounded like he was trying to retaliate. Daniel said he didn't strangle MMV at all. Daniel told Sgt. Wheelock that he had to get RCD to come back. Sgt.

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Wheelock told Daniel, RCD didn't want to make a statement. Daniel said he will make RCD make a statement.

While in the back of the squad Daniel said MMV grabbed him by the throat three to four times before he asked her to stop. Daniel also said MMV put him in two choke holds. Daniel said MMV also threatened his life and told him she was going to kill him several times today. Daniel said they would confirm that she said that. Sgt. Wheelock informed Daniel that he tried to speak with them (JAD and RCD). Daniel told Sgt. Wheelock to shoot him. Daniel said he wanted RCD to write a statement. Sgt. Wheelock told Daniel, RCD said she didn't want to make a statement. Daniel asked if Sgt. Wheelock could ask RCD one more time. Daniel said, "And I will tell her she can." Sgt. Wheelock began transporting Daniel to the Brown County Jail. Daniel said MMV sent a younger girl after him to stab him in the throat. Daniel said, "Man, I don't even got to do anything and she could wind up dead just from saying that shit." Daniel said the last time someone wrote a statement against him, five people wound up dead. Daniel said, "Fentanyl, that's what they claimed. Fentanyl." Daniel said, "Man you guys know that I would fucking take you all out." Daniel talked about being barricaded and told Sgt. Wheelock none of us would've got in and Sgt. Wheelock should be happy that he's alive.

3. 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 August 10, 2020, the defendant was convicted of Substantial Battery, a felony offense in Brown County Case 19CF1767. Said conviction remains of record and unreversed making the defendant a repeater.

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

Subscribed and sworn to before me on  
02/05/24

Electronically Signed By:

Claire E Lamal

Assistant District Attorney

State Bar #: 1126815

Electronically Signed By:

Natalie M Mulvey

Complainant