

FILED
09-10-2019
Clerk of Circuit Court
Brown County, WI
2019CM001118
Honorable Kendall M.
Kelley
Branch 4

STATE OF WISCONSIN	CIRCUIT COURT GROUP B BRANCH	BROWN COUNTY
STATE OF WISCONSIN Plaintiff,	DA Case No.: 2019BR005574 Assigned DA/ADA: Kimberly A Hardtke Agency Case No.: 19-216511 Court Case No.: 19 CM _____ ATN: 05001924410015	
vs.		
DAVID DANIEL STEVENS 2388 Sycamore Drive #10 Green Bay, WI 54311 DOB: 05/16/1985 Sex/Race: M/I Eye Color: Brown Hair Color: Brown Height: 5 ft 08 in Weight: 200 lbs Alias:	CRIMINAL COMPLAINT	
Defendant.		<i>For Official Use</i>

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

Count 1: BATTERY, REPEATER

The above-named defendant on or about Saturday, August 24, 2019, in the City of Green Bay, Brown County, Wisconsin, did cause bodily harm to Alexis Rose Wilber, by an act done with intent to cause bodily harm to that person, without that person's consent and with the knowledge that the person so harmed did not consent, contrary to sec. 940.19(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 a felony during the 5 year period immediately preceding the commission of this crime: substantial battery-DVO on or about October 6, 2017 in Brown County case 17CF40, 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 2: DISORDERLY CONDUCT, REPEATER

The above-named defendant on or about Saturday, August 24, 2019, in the City of Green Bay, 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 circumstances in which such conduct tended to cause or provoke a disturbance, contrary to sec. 947.01(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.

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And further, invoking the provisions of sec. 939.62(1)(a) Wis. Stats., because the defendant is a repeater, having been convicted of a felony during the 5 year period immediately preceding the commission of this crime: substantial battery-DVO on or about October 6, 2017 in Brown County case 17CF40, 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 Officer Vaubel of 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 has reviewed the police report of Officer Christopher Vaubel of the Green Bay Police Department, which includes the following:

On Saturday, August 24, 2019, I, Officer C. Vaubel, (4D1), was dispatched to the address of 2292 Main Street in Green Bay, the Wal-Mart East to meet with the victim of a disturbance that occurred at the address of 2388 Sycamore Drive in Green Bay. Dispatch call notes indicated the female victim was currently waiting at Wal-Mart to speak with officers regarding an incident where she was assaulted by a male, David D. Stevens (05/16/1985).

Officers arrived on scene at Wal-Mart and met with the victim, Alexis R. Wilber who was sitting on a bench outside of Wal-Mart on the east side. When I approached Alexis I could see there were some clear bruising around her neck that appeared to be fresh. It also appeared as though someone had possibly choked her or placed their hand tightly around her neck. I also noticed some cuts on her hands. When I shined my flashlight on her I would later find out that those were from the incident. I asked Alexis to tell me what happened. Alexis stated she has known David for about a week and had found him online. Alexis said that she is homeless and David had agreed to let her stay there when she needed a place to crash. Alexis stated in the past week and a half she has stayed there maybe two nights, but had not officially established any residency at this location. Alexis stated earlier this evening she had been out with her friends and she returned to David's so she could sleep for the night. When she returned, David was extremely aggressive with her and yelling at her for being out with her friends and not being at his apartment. Alexis said she was told by David to pack up her things and leave, so she did. However, after getting to Wal-Mart the first time she realized she left her wallet there and returned to the apartment to try to get it. It was at this time when she had knocked on the window, David opened the door and as she tried to move past him to collect her wallet,

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David choked her, threw her up against the wall, yelled at her and then threw her on the floor. Alexis stated she left after this happened and then called police.

I asked Alexis if she was willing to give a written statement regarding the incident as it occurred. Alexis stated she was willing to do that. Alexis sat in the rear of my patrol squad so I could take her written statement. Alexis' written statement covered the fact that she had only known David for a few days, stayed with him only two or three times in that period. Alexis' statement also covers that David was extremely upset with her for being out all night and that she needed to pack her belongings and leave; however after leaving she noticed she forgot her wallet and returned to try and collect it. It was at this time that David would not let her in the apartment; however, he opened the door, began yelling at her, when she tried to push past him, he choked her with one hand on her throat, the other hand on her shoulder and he threw her into the wall, then he threw her onto the floor in the hallway. After this, Alexis was able to get her wallet and returned to Wal-Mart to call police. Alexis read over her statement, which was printed off and given to her.

Photographs of Alexis' injuries were taken by Officer Coron and entered into the GERP case report in a Photo Log.

Officers cleared from Wal-Mart and attempted to make contact with David at his address on Sycamore Drive. Officers knocked multiple times, announced themselves as police, but were not able to get David to come to the door.

2. 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 October 6, 2017, the defendant was convicted of substantial battery-DVO, a felony in Brown County Case 17CF40. Said conviction remains of record and unreversed.

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

Subscribed and sworn to before me on
09/10/19

Electronically Signed By:

Kari Hoffman

Assistant District Attorney

State Bar #: 1092781

Electronically Signed By:

Kimberly A Hardtke

Complainant