

STATE OF WISCONSIN

-vs-

Plaintiff,

DA Case No.: 2010BR006414
Assigned DA/ADA: Kate R. Zuidmulder
Agency Case No.: HLPD103788
Court Case No.: 2010CM

Jeremy N. Cornelius
1016 Riverdale
Oneida, WI 54155
DOB: 02/16/1979
Sex/Race: M/I
Eye Color: Brown
Hair Color: Brown
Height: 6 ft 0 in
Weight: 190 lbs

CRIMINAL COMPLAINT

Alias DOB: 02/26/1979

Defendant,

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

Count 1: BATTERY, DOMESTIC ABUSE, REPEATER

The above-named defendant, on or about Saturday, September 4, 2010, in the Village of Hobart, Brown County, Wisconsin, did cause bodily harm to Jason A. Cornelius, 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), 968.075(1)(a), 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. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And further, invoking the provisions of sec. 939.62(1)(a) Wis. Stats., because the defendant is a repeater, having been convicted of three misdemeanors within five years, 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, DOMESTIC ABUSE

The above-named defendant, on or about Saturday, September 4, 2010, in the Village of Hobart, Brown County, Wisconsin, while in a public or private place, did engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct, under circumstances in which such conduct tended to cause or provoke a disturbance, contrary to sec. 947.01, 939.62(1)(a), 968.075(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. 939.62(1)(a) Wis. Stats., because the defendant is a repeater, having been convicted of three misdemeanors within the past five years, 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.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

Count 3: DISORDERLY CONDUCT, REPEATER

The above-named defendant, on or about Saturday, September 4, 2010, in the Village of Hobart, Brown County, Wisconsin, while in a public or private place, did engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct, under circumstances in which such conduct tended to cause or provoke a disturbance, contrary to sec. 947.01, 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. 939.62(1)(a) Wis. Stats., because the defendant is a repeater, having been convicted of three misdemeanors within the past five years, 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 offenses on information and belief based upon:

PROBABLE CAUSE

1. Her review of the report of Officer Dan Van Lanen of the Hobart/Lawrence Police Department, which indicates that on September 4, 2010, at approximately 3:53 a.m., he along with other officers were dispatched to 1016 Riverdale Drive in the Village of Hobart, Brown County, Wisconsin, for the report of a male who had struck his brother with a

baseball bat. The complainant identified the two males as brothers, Jason A. Cornelius, dob: 7/09/88, and Jeremy N. Cornelius, dob: 2/16/79. Upon arrival to the area, Officer Van Lanen made contact with Jeremy N. Cornelius, the defendant, and observed that he appeared to be in a high amount of pain. The defendant also appeared to be highly intoxicated and was bleeding from his face and leg. There was also a noticeable mark on his face near his left eye. The defendant stated the mark was from his brother, Jason, hitting him with a baseball bat and the blood on his leg was from him running away and he tripped on a barbed wire fence causing him to cut his leg. Officers then went to the residence at 1016 Riverdale Drive and made contact with Jessica A. Vickman, who was in the driveway of the residence. Jessica stated she is the sister of both Jason and the defendant and that she was at the residence when the argument had occurred. She stated she was initially sleeping, but she did wake up and witness some of the physical fighting. She stated the defendant was upset because Jason had kicked his friends out while they were having a bonfire because their parents were on vacation and the defendant was not supposed to have people over drinking. She stated after Jason made everyone leave the bonfire party, the defendant became very upset. Jason went inside the house to get away from the defendant and she could hear the defendant yelling at Jason to come outside and fight. She stated Jason then tried locking the defendant out of the house, but the defendant forced his way back into the house. As soon as the defendant got in the house, he punched Jason in the head with a closed fist. Jessica stated Jason swung back and she was unsure if Jason connected, but the defendant then tackled Jason and they were on the ground physically fighting each other. She stated she went upstairs so she wouldn't get hurt as she felt the fight might escalate. Jessica provided a written statement.

As Officer Van Lanen was speaking to Jessica, Jason came outside and appeared very relaxed and calm. Jason did not appear intoxicated. Jason stated he and the defendant got into a fight and he swung a baseball bat at the defendant to defend himself. Jason stated the defendant punched him in the face and was chasing him around the house. He went into his parents' bedroom and grabbed the first object he saw to defend himself, which was the baseball bat. He stated he did not give the defendant permission to touch him, but did say the defendant was yelling for Jason to come outside so the defendant could physically fight Jason. Jason was very polite and gave a written statement, which indicated that his parents were out of town and his 31 year old brother, the defendant, and their younger sister had about 10 people over. He stated the people were unknown to him and he made them leave and this upset the defendant. He stated the defendant became extremely upset and was yelling at him, so he tried to lock the defendant out of the house. Jason stated he was able to get the back and side doors locked, but did not get to the front door in time to lock it before the defendant was able to get through the front door. He stated as soon as the defendant got through the front door, he punched Jason in the face, chest, shoulders and mouth. Jason stated he did not throw any punches at this time, but the defendant attacked him before he could defend himself. Officer Van Lanen observed that Jason's bottom lip was bleeding and he had a cut lip. Jason stated he was able to get away from the defendant, but the defendant attacked him again. Jason got away and ran into his parents' bedroom and grabbed the first object he could get his hands on. He stated the first object he found was a black aluminum Louisville Slugger baseball bat and he came out of the bedroom swinging the bat towards the defendant. Jason stated he

wasn't sure if he hit the defendant with the baseball bat or hit the walls in the house, but there weren't any marks or damage to the walls in the house.

Officer Van Lanen then made contact with the defendant, who was being treated at St. Mary's Hospital. The defendant appeared very upset and was arguing with hospital staff when Officer Van Lanen walked in his room. The hospital staff had told the defendant to stop yelling so loud and to stop swearing because it was a Catholic hospital, to which the defendant yelled very loudly to the nurse, "Fuck that bullshit! I don't believe in fucking God! I will fucking swear if I want to swear!" The defendant then looked at Officer Van Lanen and yelled, "Fuck her." Officer Van Lanen told the defendant to lower his voice and to stop swearing. The defendant said he wanted Officer Van Lanen's name and badge number as he was going to file a complaint against Officer Van Lanen for disrespecting him. The defendant then yelled at Officer Van Lanen and said, "I'm not going to take your fucking shit!" The defendant was very argumentative with anyone in the hospital and appeared as if he was looking to yell and swear at anyone he saw. The defendant then yelled at Officer Van Lanen, "Are you going to take my fucking pictures or not?" At one point, the defendant told Officer Van Lanen to leave and said, "I don't fucking need you." Officer Van Lanen did take photographs of the defendant's injuries and the hospital staff indicated he needed stitches above his left eye. Officer Van Lanen did observe a mark the size of a golf ball around the defendant's left eye. The defendant also showed him a fresh red mark on his right shoulder and a mark on the back of his shoulder. The defendant stated since he was hit with the baseball bat, he had blurred vision in his left eye and headaches. The defendant said he was a little intoxicated and was drinking around a bonfire at his parents' house. He stated his brother, Jason, was upset that people were over at the house while their parents were on vacation. The defendant stated he and Jason started arguing because Jason made everyone leave the house. While they were arguing, Jason locked him out of the back of the house, but said he got in through the front door of the house. The defendant stated once he got into the house, he and Jason got into a wrestling match and the defendant put Jason in a UFC headlock around Jason's head and neck. The defendant stated he let Jason out of the headlock and they started to argue more. He stated Jason then went in their parents' bedroom while the defendant was standing in the kitchen. The defendant stated Jason then struck him with a black aluminum baseball bat in the face and shoulder. Officer Van Lanen asked the defendant who threw the first punch or who initiated the fight. The defendant stated Jason did, but lowered his voice, looked away and did not say it in a convincing manner when he answered. The defendant stated he did not give Jason permission to hit him with a baseball bat.

2. Her review of the Wisconsin Circuit Court Access Program (CCAP) records, which show that in Brown County Case 08CM62, *State of Wisconsin v. Jeremy N. Cornelius*, the defendant was convicted of Disorderly Conduct-Use of a Dangerous Weapon, Carrying a Concealed Weapon and Possession of THC, all misdemeanors, on or about March 3, 2008. Said convictions remain of record and unreversed.

Complainant believes the report of Officer Dan Van Lanen of the Hobart/Lawrence Police Department because it was given in his capacity as a police officer. She believes the information from Jessica A. Vickman and Jason A. Cornelius because they are both citizen

witnesses. She further believes the records of CCAP because they are official records kept in the ordinary course of business. 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 September, 2010.

Complainant

(Assistant) District Attorney