

D.V. UNIT

STATE OF WISCONSIN

CIRCUIT COURT
CRIMINAL DIVISION

MILWAUKEE COUNTY

CRIMINAL COMPLAINT

STATE OF WISCONSIN

DA Case No.: 2015ML029335

Plaintiff,

vs.

Complaining Witness:

P.O. BRIAN PETER

Spade, Lazarick L
8885 South 68th Street
Franklin, WI 53132
DOB: 07/14/1978

**COURT COPY
DO NOT REMOVE**
Defendant,

Court Case No.:

16CF0027

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: SUBSTANTIAL BATTERY (SUBSTANTIAL BODILY HARM WITH INTENT TO CAUSE BODILY HARM), HABITUAL CRIMINALITY REPEATER, DOMESTIC ABUSE ASSESSMENTS

The above-named defendant on or about Thursday, December 17, 2015, at [REDACTED] in the City of Milwaukee, Milwaukee County, Wisconsin, did cause substantial bodily harm to T.S. (D.O.B. 07/21/1982), by an act done with intent to cause bodily harm to that person, contrary to sec. 940.19(2), 939.50(3)(i), 939.62(1)(b), 973.055(1) Wis. Stats.

Upon conviction for this offense, a Class I Felony, the defendant 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 at least one felony during the five year period immediately preceding the commission of this offense, which remains of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than 4 years, if the prior conviction was a felony.

And further, invoking the provisions of sec. 973.055(1) Wis. Stats., because this charge is an act of domestic abuse, 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, HABITUAL CRIMINALITY REPEATER, DOMESTIC ABUSE ASSESSMENTS

The above-named defendant on or about Thursday, December 17, 2015, at [REDACTED] Street, in the City of Milwaukee, Milwaukee County, Wisconsin, while in a public place, did engage in violent, abusive, boisterous, or otherwise disorderly conduct, under circumstances in which such conduct tended to cause or provoke a disturbance, contrary to sec. 947.01(1), 939.51(3)(b), 939.62(1)(a), 973.055(1) Wis. Stats.

Upon conviction for this offense, a Class B Misdemeanor, the defendant 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 at least one felony during the five year period immediately preceding the commission of this offense, which remains of record and unreversed, the maximum term of imprisonment for this offense may be increased to not more than 2 years.

And further, invoking the provisions of sec. 973.055(1) Wis. Stats., because this charge is an act of domestic abuse, 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.

PROBABLE CAUSE

Complainant is a law enforcement officer with the Milwaukee Police Department and bases this complaint upon the statements of T.S. (07/21/1982). T.S. said that on the above date, as she was leaving the above location the defendant, her estranged husband, pushed her down after he saw her with a friend, whom the defendant attacked first. The defendant then dragged T.S. and punched and kicked her in the face. As a result, T.S. sustained facial hematomas and a facial fracture, which was done without her consent.

This complaint is also based upon the statements of Princess McAfee and Juanita McAfee who saw the defendant attacking T.S.. When they saw this they went outside to pull the defendant off of T.S..

T.S. recently told the defendant that she is done with him and is moving on with her life. At the time, the defendant was serving a sentence at the House of Corrections for a conviction involving abusing their child. The defendant did not return to the House of Corrections and had been calling her and threatening her.

Complainant also reviewed records maintained with Milwaukee County Case Number 2015CF725, which reveal that the defendant was previously convicted of Child Abuse-Intentionally Cause Harm, a class H felony, on May 22, 2015. On July 15, 2015, the defendant was sentenced to 3 years of probation. Costs associated with that conviction included the domestic abuse assessment.

****End of Complaint****

Subscribed and sworn to before me and approved for filing this 4th day of January, 2016.

Sarra M. Kiaie
Sarrra M. Kiaie
Assistant District Attorney
1089336

A. PINTER
Complaining Witness

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