

STATE OF WISCONSIN

CIRCUIT COURT
CRIMINAL DIVISION

MILWAUKEE COUNTY

CRIMINAL COMPLAINT

STATE OF WISCONSIN

Plaintiff,

DA Case No.:

2016ML000468

vs.

Complaining Witness:

Det. Tracy Boone

Court Case No.:

16CF94

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

**COURT COPY
DO NOT REMOVE**

Defendant

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

Count 1: ESCAPE FROM CUSTODY (CUSTODY FOR CRIME)

The above-named defendant on or about Wednesday, December 09, 2015, at 8885 South 68th Street, in the City of Franklin, Milwaukee County, Wisconsin, being a person in custody, lawfully sentenced for a crime, did intentionally escape from custody, contrary to sec. 946.42(3)(a), 939.50(3)(h) Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

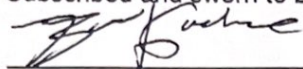
PROBABLE CAUSE:

I am a Milwaukee County Sheriff's Deputy, and base this complaint upon my examination of the official judgment of conviction in Milwaukee County Circuit Court Case No.: 15CF725, which reflects that on Wednesday, July 15, 2015, the defendant was convicted of Child Abuse-Intentionally Cause Harm, contrary to Wisconsin Statutes Section 948.03(2)(b). The defendant was sentenced to a term of imprisonment of three years initial confinement and two years extended supervision. The sentence was stayed and the defendant was placed on probation for a period of three years. As a condition of that probation, the defendant was required to serve nine months in the House of Correction with Huber for work. A certified copy of the conviction and the judgment roll in 15CF725 has been ordered and will be attached to this complaint once received; it is incorporated by reference.

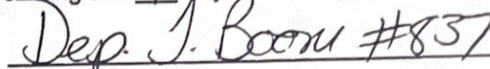
This complaint is further based upon my examination of official House of Correction records prepared and retained in the ordinary course of the House of Correction business, which reflect that on Wednesday, December 9 at 1:42pm, the above named defendant was released from 8885 S. 68th Street (House of Correction) and was to report to work at Pace Industries located at 1600 7th Ave., Grafton, WI. The defendant was scheduled to report back to HOC at midnight. At midnight, Correctional Officer Jones helped conduct a count and the defendant was not accounted for. The defendant did not report back to HOC and as of January 8, 2016, the

defendant had yet to apprehended. Several attempts were made to contact the defendant on December 9th and those attempts were not successful.

Subscribed and sworn to before me and approved for filing this 9 day of January, 2016.



Kimberly Schoepp 109664
Assistant District Attorney
1056780



Complaining Witness

16 JAN 11 AM 3:44
CLERK

FILED
11-03-2017
John Barrett
Clerk of Circuit Court
2017CF005093
Honorable Michael J.
Hanrahan -4
Branch 4

STATE OF WISCONSIN CIRCUIT COURT MILWAUKEE COUNTY

STATE OF WISCONSIN
Plaintiff,

DA Case No.: 2017ML015273
Court Case No.:

vs.

CRIMINAL COMPLAINT

SPADE, LAZARICK L
10219 WEST FOND DU LAC AVENUE
MILWAUKEE, WI 53224
DOB: 07/14/1978

Defendant(s).

For Official Use

THE BELOW NAMED COMPLAINANT BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: ATTEMPT FIRST DEGREE INTENTIONAL HOMICIDE, USE OF A DANGEROUS WEAPON, DOMESTIC ABUSE REPEATER, HABITUAL CRIMINALITY REPEATER, DOMESTIC ABUSE ASSESSMENTS

The above-named defendant on or about Monday, June 26, 2017, at [REDACTED] in the City of Milwaukee, Milwaukee County, Wisconsin, attempted to cause the death of TVS, another human being, with intent to kill that person, contrary to sec. 940.01(1)(a), 939.50(3)(a), 939.32, 939.63(1)(b), 939.621(1)(b) and (2), 939.62(1)(c), 973.055(1), 973.123(2) and (3)(a) Wis. Stats.

Upon conviction for this offense, a Class B Felony, the defendant may be sentenced to a term of imprisonment not to exceed sixty (60) years.

And further, invoking the provisions of sec. 939.63(1)(b) Wis. Stats., because the defendant committed this offense while using a dangerous weapon, the maximum term of imprisonment for the felony may be increased by not more than 5 years.

And further, invoking the provisions of sec. 939.621(1)(b) and (2) Wis. Stats., because the defendant is a domestic abuse repeater, having been convicted on 2 separate occasions of a felony or a misdemeanor for which a court imposed a domestic abuse surcharge under sec. 973.055(1) Wis. Stats. or waived a domestic abuse surcharge pursuant to sec. 973.055(4) Wis. Stats., during the ten year period immediately preceding the commission of this offense, which convictions remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two (2) years, and the penalty increase changes the status of a misdemeanor to a felony.

And further, invoking the provisions of sec. 939.62(1)(c) 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 6 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.

And furthermore, invoking the provisions of Wisconsin Statutes 973.123(2) and (3)(a), a court shall impose a bifurcated sentence under s. 973.01 if the court sentences a person for committing a violent felony and the court finds that at the time the person committed the violent felony, he or she was subject to s. 941.29 because he or she was convicted of, adjudicated delinquent for, or found not guilty of by reason of mental disease or defect, committing, soliciting, conspiring, or attempting to commit a prior violent felony and the person used a firearm in the commission of the violent felony for which the court is imposing the sentence. The confinement portion of a bifurcated sentence imposed shall be not less than 5 years if the violent felony is a Class A, Class B, Class C, Class D, Class E, Class F, or Class G felony.

Count 2: POSSESSION OF A FIREARM BY A FELON, HABITUAL CRIMINALITY REPEATER

The above-named defendant on or about Monday, June 26, 2017, at [REDACTED], in the City of Milwaukee, Milwaukee County, Wisconsin, did possess a firearm, having been convicted of a felony in this state, contrary to sec. 941.29(1m)(a), 939.50(3)(g), 939.62(1)(b) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, 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.

Probable Cause:

Complainant is a City of Milwaukee Police Officer and bases this Complaint on the reports of multiple Milwaukee Police Officers. On or about June 26, 2017, at 10:55 p.m., officers were dispatched to [REDACTED] in the City and County of Milwaukee, for a shooting. Detective Robert Wenger spoke with TVS, dob 7/21/1982, at Froedtert Hospital. She told him the following happened on that date at that location.

TVS and the above-named-Defendant are married, but are currently going through a divorce. The Defendant had recently gotten out of jail. Earlier in the day on the 26th, TVS went to the courthouse to get information on filing a restraining order against the Defendant, and she ran into the Defendant at the courthouse. The Defendant told her he was going to get even with her for sending him to jail.

TVS arrived home around 10:55 p.m. and was walking toward her house when the Defendant came toward her and started shooting at her. TVS ran toward the house as the Defendant continued shooting. TVS was not sure how many shots were fired. He was wearing a dark hoodie, dark pants, and tennis shoes. His face was partially covered, but TVS was able to recognize the Defendant by his build, the way he walks, his hands, and his eyes. TVS described the Defendant as wearing a black hooded sweatshirt with dark jeans and gym shoes. Several additional witnesses saw a subject matching that description either with a gun shooting, or fleeing the area shortly after the shooting.

TVS sustained three through and through gunshot wounds. One shot went through her left foot. One shot went through her upper right arm. One shot went through her by the shoulder blade and caused damage to one of her lungs.

Officers observed 9 bullet strikes to TVS' residence. Officers recovered 18 spent .40 caliber casings from outside the residence, and one spent 9 mm casing. Using shotspotter, officers were able to determine that 19 shots were fired near the area at 10:54:59 p.m. on June 26, 2017.

Officers determined that at the time of this incident, the Defendant was on probation and was wearing an ankle monitor that indicates whether the Defendant is home or not. That monitor indicates that the Defendant left his residence at 9:05 p.m. and returned at 11:15 p.m. Officers arrested the Defendant at his residence. During a mirandized interview, the Defendant initially stated that he had not left his house. Later, he stated that he left but would not tell officers where he was.

Domestic Abuse Repeater

Complainant further bases this Complaint on review of CCAP records in Milwaukee County case number 16CF27. In that case, on July 13, 2017, the Defendant was found guilty of Battery and Disorderly Conduct, and a Domestic Abuse Assessment was imposed on each of those counts. Those convictions remain of record and unreversed. TVS was the victim of those offenses.

Habitual Criminality Repeater.

Complainant further bases this Complaint on review of CCAP records in Milwaukee County case number 16CF94. In that case, on March 3, 2016, the Defendant was convicted of Escape, a class H felony. That conviction remains of record and unreversed.

Prior Felonies

The Defendant has been convicted of numerous additional prior felonies, including in Milwaukee County case number 02CF6292. In that case, the Defendant was convicted of Second Degree Recklessly Endangering Safety and Possession of a Firearm by a Felon. Those convictions remain of record and unreversed.

****End of Complaint****

Electronic Filing Notice:

This case was electronically filed with the Milwaukee County Clerk of Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases. Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov/> and may withdraw as an electronic party at any time. There is a \$ 20.00 fee to register as an electronic party. If you are not represented by an attorney and would like to register an electronic party, you will need to contact the Clerk of Circuit Court office at 414-278-4120. Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Criminal Complaint prepared by Owen M. Piotrowski.

Subscribed and sworn to before me on 11/03/17

Electronically Signed By:

Owen M. Piotrowski

Assistant District Attorney

State Bar #: 1097212

Electronically Signed By:

Police Officer Aaron Malvick

Complainant

CRIMINAL COMPLAINT

Lazarick L Spade, DOB: 07/14/1978

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