

Shawano County Case Number 2020CF000317 State of Wisconsin vs. GABRIEL J GUTENBERGER

Case summary

Filing date 07-07-2020	Case type Criminal	Case status Open - Electronic filing
Defendant date of birth 09-26-1981	Address W6055 COUNTY ROAD T, SHAWANO, WI 54166	Branch ID 2
		DA case number 2020SH000908

Charges

Responsible official Kussel, William F., Jr.	Prosecuting agency District Attorney	Prosecuting agency attorney Nelson, Laura	Printable version
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Defendant owes the court: \$0.00

Count no.	Statute	Description	Severity	Disposition
1	948.03(5)(a)2	Physical Abuse of a Child, Repeated Acts Intentionally Causing Great Bodily Harm (2x)	Felony B	
2	948.215(1)	Chronic Neglect of a Child - Consequence is Great Bodily Harm	Felony D	
3	948.03(5)(a)2	Physical Abuse of a Child, Repeated Acts Intentionally Causing Great Bodily Harm (2x)	Felony B	
4	948.215(1)	Chronic Neglect of a Child - Consequence is Great Bodily Harm	Felony D	
5	948.04(1)	Causing Mental Harm to Child	Felony F	
6	948.04(1)	Causing Mental Harm to Child	Felony F	
7	940.30	False Imprisonment	Felony H	
8	940.30	False Imprisonment	Felony H	
9	940.30	False Imprisonment	Felony H	
10	940.30	False Imprisonment	Felony H	
11	940.30	False Imprisonment	Felony H	
12	940.30	False Imprisonment	Felony H	
13	940.30	False Imprisonment	Felony H	
Modifier:	939.63(1)(b)	Use of a Dangerous Weapon		

The Defendant was charged with the following offense:

Count	Statute cite	Description	Severity	Offense date	Plea
1	948.03(5)(a)2	Physical Abuse of a Child, Repeated Acts Intentionally Causing Great Bodily Harm (2x)	Felony B	09-01-2017	
2	948.215(1)	Chronic Neglect of a Child - Consequence is Great Bodily Harm	Felony D	09-01-2017	
3	948.03(5)(a)2	Physical Abuse of a Child, Repeated Acts Intentionally Causing Great Bodily Harm (2x)	Felony B	01-01-2017	
4	948.215(1)	Chronic Neglect of a Child - Consequence is Great Bodily Harm	Felony D	01-01-2017	
5	948.04(1)	Causing Mental Harm to Child	Felony F	09-01-2017	
6	948.04(1)	Causing Mental Harm to Child	Felony F	01-01-2017	
7	940.30	False Imprisonment	Felony H	05-20-2020	
8	940.30	False Imprisonment	Felony H	06-09-2020	
9	940.30	False Imprisonment	Felony H	05-20-2020	
10	940.30	False Imprisonment	Felony H	06-09-2020	
11	940.30	False Imprisonment	Felony H	06-08-2020	
12	940.30	False Imprisonment	Felony H	06-08-2020	
13	940.30	False Imprisonment	Felony H	06-12-2020	

Charge modifier(s)

Statute 939.63(1)(b)	Description Use of a Dangerous Weapon
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Charge history

This history reflects charges that were issued by the District Attorney earlier in the case. Current charges can be seen above. Changes to charges can be made for many reasons, often based on the District Attorney's ongoing assessment of the case. The case file may contain more information. Unless a Judgment of Conviction is entered, the defendant is presumed innocent of all charges.

Count	Statute	Description	Replaced by
1	948.03(5)(a)2	Physical Abuse of a Child, Repeated Acts Intentionally Causing Great Bodily Harm (2x)	Information Filed
2	948.215(1)	Chronic Neglect of a Child (Consequence is Great Bodily Harm)	Information Filed
3	948.03(5)(a)2	Physical Abuse of a Child, Repeated Acts Intentionally Causing Great Bodily Harm (2x)	Information Filed
4	948.215(1)	Chronic Neglect of a Child (Consequence is Great Bodily Harm)	Information Filed

Defendant

Defendant name	Date of birth	Sex	Race
GUTENBERGER, GABRIEL J	09-26-1981	Male	Caucasian
Address (last updated 07-07-2020)	JUSTIS ID	Fingerprint ID	
W6055 COUNTY ROAD T, SHAWANO, WI 54166			

Attorneys

Attorney name	Entered
Cveykus, Daniel Terry	08-03-2020

Court activities

Date	Time	Location	Description	Type	Court official
07-12-2021	03:30 pm	Branch 2 Courtroom	Arraignment	Court	Kussel, William F., Jr.

Court record

Date	Event	Court official	Court reporter	Amount
05-18-2021	Transcript Additional text: Preliminary Hearing 04-23-21			
05-12-2021	Information			
05-07-2021	Demand for Discovery and Inspection - Defendant			
04-29-2021	Letters/correspondence Additional text: Letter to Court Reporter Lisa Weber	Kussel, William F., Jr.		
04-23-2021	Notice of hearing Additional text: Arraignment on July 12, 2021 at 03:30 pm.			
04-23-2021	Preliminary hearing Additional text: 02:36 PM Defendant GABRIEL J GUTENBERGER in court with attorney Daniel Terry Cveykus. Laura Nelson appeared for the State of Wisconsin. Court swears in C. Vigue. State questions witness. Cross by Defense atty's. Court swears in A. Welch. State questions witness. Witness identifies D. Marthaler. Atty. Cveykus objects relevance. Overruled. Cross by Defense atty's. Redirect by State. Court swears in Dr. Iniguez. State questions witness. Cross by Defense Attys. Court swears in R. Wright. State questions witness. Cross by Defense atty's. Redirect by State. Defendant identifies G. Gutenberg and L. Gutenberg. Atty. Prusinski objects scope of redirect. Court overrules. State and Defense make closing arguments. Court finds probable cause and binds over. Arraignment scheduled for July 12, 2021 at 03:30 pm.	Kussel, William F., Jr.	Weber, Lisa	
04-12-2021	Amended signature bond signed Additional text: No contact with SB or MB directly or indirectly. No contact with MIG directly or indirectly. Only supervised contact with ARG by SCHS or assistant employed by Shawano County. No travel outside the state without prior court approval. No discussions about the case with co-defendants, Lisa Gutenberg and Dade Marthaler. Follow the rules of CHIPS court order regarding the children.			\$20,000.00
04-12-2021	Signature bond conditions modified for GUTENBERGER, GABRIEL J Additional text: No contact with SB or MB directly or indirectly. No contact with MIG directly or indirectly. Only supervised contact with ARG by SCHS or assistant employed by Shawano County. No travel outside the state without prior court approval. No discussions about the case with co-defendants, Lisa Gutenberg and Dade Marthaler. Follow the rules of CHIPS court order regarding the children.			\$20,000.00
04-12-2021	Motion hearing Additional text: 04:07 PM Defendant GABRIEL J GUTENBERGER in court with attorney Daniel Terry Cveykus. Laura Nelson appeared for the State of Wisconsin. Victim Rights compliance. Victim's are present either in person or via zoom. It is the State's motion. State makes arguments, doesn't want the defendant's having any contact with the victims. Defense attorney makes arguments. Judge questions attorneys to clarify things. Social worker LL, Shawano County Dept HS sworn in and testifies. Defenses witness so defense attorneys for both Gabriel and Lisa question her first. ADA Nelson then questions social worker. Objection-- relevance. Judge questions then allows. Re-direct back and forth with questions. Foster parent makes a statement regarding children. Judge rules to grant the motion as it relates to MIG. Judge amends the bond, same conditions but some alterations.	Kussel, William F., Jr.	Kubowicz, Sherri	
03-30-2021	Notice of hearing Additional text: Motion hearing on April 12, 2021 at 04:00 pm.			
03-29-2021	Exhibit Additional text: Exhibit A for bond Modification			
03-29-2021	Motion for modification of bond Additional text: Motion for modification of bond			
02-05-2021	Subpoena Additional text: Preliminary Hearing 04-23-21			
02-04-2021	Notice of hearing Additional text: Preliminary hearing on April 23, 2021 at 02:30 pm.			
02-04-2021	Letters/correspondence			

Date	Event	Court official	Court reporter	Amount
	Additional text: Letter stipulating to adjournment			
02-03-2021	Exhibit Additional text: Exhibit 1 Preliminary Hearing			
11-18-2020	Search warrant executed	Kussel, William F., Jr.		
10-20-2020	Notice of hearing Additional text: Preliminary hearing on February 4, 2021 at 02:00 pm.			
09-17-2020	Notice of hearing Additional text: Preliminary hearing on October 20, 2020 at 03:30 pm.			
09-02-2020	Notice of assignment of judge			
09-02-2020	Order assigning judge/judicial assignment order	Kussel, William F., Jr.		
08-31-2020	Application for specific judicial assignment			
08-26-2020	Application for specific judicial assignment			
08-14-2020	Notice of assignment of judge			
08-14-2020	Notice of hearing Additional text: Preliminary hearing on October 20, 2020 at 01:30 pm.			
08-14-2020	Judicial transfer	Sloma, Katherine		
08-03-2020	Notice of retainer			
08-03-2020	eFiled Document Fee Paid Additional text: Adjustment Number: 20A 015182, Payable Number: 167636, Receipt Number: 20R 007919, Amount: \$20.00			\$20.00
07-14-2020	Other papers Additional text: Gov Pay 7-14-2020 -copies (2 requests)			
07-10-2020	Notice of hearing Additional text: Preliminary hearing on October 20, 2020 at 01:30 pm.			
07-08-2020	Signature bond signed Additional text: no contact with SB or MB directly or indirectly, no travel outside the State without prior court approval, no discussion with co-defendants, L. G. and D.M. about this case, only contact with children as allowed by the CHIPS order, comply with CHIPS order			\$20,000.00
07-07-2020	Electronic Filing Notice			
07-07-2020	Case initiated by electronic filing			
07-07-2020	Complaint filed			
07-06-2020	Video conferencing	Habeck, James R.	Badtke, Roxann	
07-06-2020	Signature bond set for GUTENBERGER, GABRIEL J Additional text: No contact with SB, MB directly or indirectly. No travel outside the state without prior court approval. No discussion with co-defendants, Lisa Gutenberger and Dade Marthaler about this case. Only contact with children as allowed by the CHIPS order, comply with CHIPS order.	Habeck, James R.	Badtke, Roxann	\$20,000.00
07-06-2020	Initial appearance Additional text: 01:01 PM Defendant GABRIEL J GUTENBERGER appeared by zoom means. Prosecuting Atty Laura Nelson appeared for State of Wisconsin. Atty Brian Cane with the defendant via zoom from the jail. He believes he will be representing him.	Habeck, James R.	Badtke, Roxann	
06-26-2020	Search warrant executed	Kussel, William F., Jr.		

Total receivables

Court assessments	Adjustments	Paid to the court	Probation/other agency amount	Balance due to court	Due date
\$4.50	\$0.00	\$4.50	\$0.00	\$0.00	