

FILED
11-30-2023
Clerk of Circuit Court
Outagamie County
2023CM000942

STATE OF WISCONSIN CIRCUIT COURT OUTAGAMIE COUNTY

STATE OF WISCONSIN
Plaintiff,

vs.

STEVEN NMI WELLS JR.
1137 Lawndale Drive
Menasha, WI 54952
DOB: 08/21/1996
Sex/Race: M/B
Eye Color: Black
Hair Color: Black
Height: 5 ft 7 in
Weight: lbs
Alias: Also Known As Steven Wells
Defendant.

DA Case No.: 2023OU001058
Assigned DA/ADA: Nicholas P. Grode
Agency Case No.: A23010205
Court Case No.:
ATN:

CRIMINAL COMPLAINT

For Official Use

The undersigned, being first duly sworn, states that:

Count 1: MISDEMEANOR BATTERY

The above-named defendant on or about Friday, March 3, 2023, in the City of Appleton, Outagamie County, Wisconsin, did cause bodily harm to TRPK, by an act done with intent to cause bodily harm to that person, without that person's consent, contrary to sec. 940.19(1), 939.51(3)(a), 973.046(1r), 973.047(1f) 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 furthermore, invoking the provisions of Wisconsin Statute 973.046(1r), if the court imposes a sentence or places a person on probation, the court shall impose a deoxyribonucleic acid analysis surcharge, calculated as follows: (a) For each conviction for a felony, \$250 (b) For each conviction for a misdemeanor, \$200.

And furthermore, invoking the provisions of Wisconsin Statute 973.047(1f), if the court imposes a sentence or places a person on probation, the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis. The court shall inform the person that he may request expungement under s. 165.77 (4).

PROBABLE CAUSE:

AND PRAYS SAID DEFENDANT BE DEALT WITH ACCORDING TO LAW; AND THAT THE BASIS FOR THE COMPLAINANT'S CHARGE OF SUCH OFFENSE IS AS FOLLOWS:

Complainant is a sworn law enforcement officer and bases this Complaint upon the investigation of the officers named below, who are presumed truthful and reliable as sworn law enforcement officials.

At approximately 0105 hours on March 3 2023, Officer K Jakobsen of the Sturgeon Bay Police Department learned of a possible disturbance near the Speakeasy Ultra Lounge, located at 425 W College Avenue, in the city of Appleton, Outagamie County, Wisconsin. At approximately that time Officer Jakobsen observed what appeared to be a physical altercation amongst several adult parties on the sidewalk. Officer Jakobsen immediately activated his patrol vehicle lights and responded to the scene. Officer S Gueli related the situation to dispatch via radio.

As we approached the scene, Officer Jakobsen observed a white male adult crouched on the sidewalk, with an injury sustained to his face. Officer Jakobsen observed blood dripping from his face. Several parties fled the scene, dispersing both east and west on the sidewalk, and back into the Speakeasy Ultra Lounge. Officer Gueli and Officer Jakobsen entered the Speakeasy and voiced police presence. We were confronted by two black male adults. One subject, who was identified as Dontonio Wells, identified himself as an employee/manager. The other subject, identified as Steven Wells, identified himself as an employee/bouncer. Dontonio Wells provided a statement to officer Gueli, ultimately indicating a fight occurred in the bar, and when his brother, Steven Wells, attempted to have a patron escorted out, the patron struck Steven Wells in the face. When asked if we could view any security camera footage, Dontonio related he would provide security camera footage on a USB thumb drive. Dontonio Wells never provided said USB footage.

Steven Wells approached officer Gueli and Officer Jakobsen near the front entrance and showed us what appeared to be a recent abrasion and recent swelling to his right brow. Steven Wells related he was hit in the face while escorting a patron out of the bar. Steven Wells related he did not wish to pursue criminal charges and made several statements he would handle the confrontation on his own. Steven Wells appeared highly agitated and did not want to provide a statement regarding the circumstances and the injury he sustained. Steven Wells left the scene on foot, walking east. Steven Wells was clearly very upset and angry, he appeared choleric and volatile. The patron had since left the scene, and likely fled while officer Gueli and Officer Jakobsen were inside the Speakeasy Ultra Lounge.

While speaking with additional officers on scene, as well as Dontonio Wells, Officer Jakobsen heard Steven Wells yell to officers they needed to respond to Chadwick's, located at 413 College Avenue, in the city of Appleton, Outagamie County, Wisconsin. Steven Wells stated officers had ten seconds to respond or he was going to "kill him". Steven Wells began trotting towards Chadwick's, while counting down from five very loudly. Officer Jakobsen responded to Chadwick's, and observed Steven Wells near the rear of the bar. Steven Wells was being physically restrained by several subject's from making entry into the men's restroom. With the assistance of officers on scene, as well as Dontonio Wells, Steven Wells was removed from Chadwick's and separated from the immediate area.

Officer Gueli and Officer Jakobsen made entry into the men's restroom and observed the white male subject involved in the physical disturbance. The subject, who was later identified as TRPK, had what appeared to be a large abrasion and significant swelling sustained to his left eye socket and brow. An adhesive dressing was placed over the abrasion, and his cheek was swollen.

Officer Jakobsen advised TRPK of the reason for police contact. TRPK denied any involvement. Officer Jakobsen asked TRPK to exit the restroom and walk with him outside

Chadwick's. TRPK became confrontational when asked to leave the bar with police, but eventually complied, but was apparently intoxicated at the time.

Once across the street, TRPK's demeanor reduced and he apologized for acting confrontational. TRPK was released of handcuffs and provided the following statement in summary: He went to the downtown Appleton bars with his girlfriend and his girlfriend's sister. While at the Speakeasy Ultra Lounge, he was at the bar with his girlfriend. A physical fight erupted behind him. He turned around and attempted to break up the fight by attempting to pull one man off another man. He related he was telling the man the fight is over and was trying to physically remove one man from another. While attempting to do so, he was grabbed from behind and wrapped in arms. Whoever wrapped their arms around him began to drag him towards the front door of the bar. He physically resisted and swung his elbows towards the back of his head, towards the subject who had him wrapped. He was drug outside and attacked by several people. He was face down on the sidewalk while being attacked. He was kicked in the face while face down. Shortly after he observed the police. He left the scene and went to Chadwick's to seek medical attention. Subsequent to obtaining a statement, TRPK was released to the care of his girlfriend's sister.

Utilizing Avigilon Services, Officer Jakobsen obtained digital camera footage of the immediate area where the confrontation occurred. Per the digital footage, Officer Jakobsen observed several adult male subjects dragging TRPK out of the front entrance of the Speakeasy Ultra Lounge. Steven Wells was observed assisting in dragging TRPK out. Steven Wells was wearing all red, with a black and white vest, which was very distinguishable. TRPK brought his knees towards his check and laid on the sidewalk facedown, in a modified prone position. TRPK was clearly not posing any threat and was not fighting. Officer Jakobsen observed Steven Wells kick the left side of TRPK's face. As a result, TRPK's head violently jolted to the right. Seconds later, police lights were observed. All parties, aside from TRPK were observed fleeing on foot moments prior to officer's arrival.

Subscribed and sworn to before me on 11/30/23

Electronically Signed By:

Isaac R. Lent

Assistant District Attorney

State Bar #: 1101748

Electronically Signed By:

Michael Velie

Complainant