

FILED
10-02-2018
Clerk of Circuit Court
Kenosha County
2018CM001233
Honorable Mary Kay
Wagner
Branch 6

STATE OF WISCONSIN CIRCUIT COURT KENOSHA COUNTY

STATE OF Wisconsin
 Plaintiff,

CRIMINAL COMPLAINT

vs.

DA Case #: 2018KN004592

JAMES D. ADAMS
5008 Emstan Hills Road
Racine, WI 53406
DOB: 11/07/1980
Sex/Race: M/W
Eye Color: Hazel
Hair Color: Brown
Height: 6 ft 3 in
Weight: 220 lbs
Alias:

Agency Case #: KPD 2018-00047746

Defendant.

For Official Use

The undersigned, being first duly sworn, states that:

Count 1: DISORDERLY CONDUCT

The above-named defendant on or about Thursday, August 16, 2018, in the City of Kenosha, Kenosha 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; specifically towards Nicholas A. Keeran, contrary to sec. 947.01(1), 939.51(3)(b) 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.

Count 2: DISORDERLY CONDUCT

The above-named defendant on or about Thursday, August 16, 2018, in the City of Kenosha, Kenosha 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; specifically towards Cory R. Cage, Matthew W. Chada, Nathaniel D. Lutze, Ryan M. Anderson and William H. Swanson contrary to sec. 947.01(1), 939.51(3)(b) 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.

PROBABLE CAUSE:

Officer Jerel Jones-Denson of the Kenosha Police Department indicates that on August 16, 2018, he was dispatched to the Public Safety Building to speak to complaining witness Nicholas Keeran. Keeran indicated he works for the Kenosha Fire Department and stated that on this date at about 9:15 a.m., he was at Poerio Park, located at 1401 16th Avenue in the City and County of Kenosha, State of Wisconsin, along with a group of firefighters, practicing for a softball game. Keeran

indicated he observed the defendant, James D. Adams, who he knows as a fellow firefighter; walk up to another member of the Fire Department, who was identified as Cory Cage. Keeran indicated that the defendant got in Cory's face and started poking him and yelling at him. Keeran indicated that he heard the defendant state to Cory that he was going to break his neck if he kept talking about him. Keeran indicated he then stepped between the defendant and Cory and told the defendant he needed to calm down and to hear the whole story.

Keeran stated the defendant got upset with him and began to talk about issues that the two of them had had over a year previously. Keeran indicated the defendant grabbed him by the neck with both hands and started squeezing. Keeran further indicated that he was picked up off the ground by the defendant and driven back into a gate until some other people intervened. Keeran stated the defendant punched him in the left ear with a closed fist. Keeran stated he gave no one permission to either choke him or hit him, causing him any pain.

Officer Jones-Denson spoke to the defendant by phone and the defendant stated that on the date and time in question, he went to the park to confront Cory because he had heard Cory was saying bad things about him. The defendant stated he and Cory began to argue and that Keeran then stepped in and put his hands on the defendant's chest. The defendant stated that he told Keeran he didn't like him and that he thought that Keeran was going to hit him so he went at Keeran first, pushing Keeran up against fence. The defendant stated that other people then broke up the fight at that time.

Officer Jones-Denson spoke to Cory Cage, who advised he was the park as stated by both other parties when the defendant walked up to him and got in his face. Cory stated the defendant stated he was going to break Cory's neck and that Nicholas Keeran stepped between them telling the defendant to calm down. Cory stated the defendant then got upset and started choking Keeran, as well pushing Keeran up against the fence and knocking him to the ground. Cory stated that the defendant then punched Keeran in the face before the fight was broken up.

William Swanson was spoken to by Officer Benjamin Antaramian of the Kenosha Police Department. Swanson indicated he is a firefighter who was at the softball practice described above. Swanson indicated that also there were Ryan Anderson, Cory Cage, Matt Chada, Nate Lutze, Nick Keeran and the defendant. Swanson indicated he was practicing on the baseball diamond with other people when he heard yelling coming from the dugout attached to the field. Swanson indicated that he saw the defendant, Cory and Keeran inside the dugout area. Swanson indicated the defendant was screaming at Cory. Swanson indicated that Keeran attempted to calm the defendant down; at which point, the defendant then began to turn his attention from Cory to Keeran and started to scream at Keeran. Swanson indicated after about a minute of the defendant screaming at Keeran, that without provocation, the defendant grabbed Keeran with both hands around the neck, lifting him completely off the ground. Swanson then indicated that the defendant then struck Keeran one time, causing Keeran to fall to the ground. Swanson indicated Keeran went into a fetal position and the defendant began to strike Keeran multiple times while he was down. Swanson indicated he went in the dugout to try to pull the defendant off of Keeran and that he wrapped the defendant in a bear hug and started to pull him away. Swanson indicated Ryan Anderson also came in to help pull the defendant off and that it took both himself and Anderson to pull the defendant away and prevent a further assault on Keeran.

Officer Antaramian also spoke to Ryan Anderson, who mentioned the same seven subjects at the softball practice. Anderson indicated that he saw Keeran attempt to intervene in an argument that

the defendant was having with Cory. Anderson stated that the defendant then became upset and wrapped his hands around Keeran's neck, pushing him against the fence and eventually punching Keeran while Keeran was on the ground. Anderson indicated it took himself and Swanson pulling the defendant away to stop the defendant's attack on Keeran.

Matthew Chada and Nathaniel Lutze indicated they saw the defendant punch Nicholas Keeran multiple times with his closed fist in the dugout at the softball practice.

Your complainant is an attorney with the Kenosha County District Attorney's Office, who bases his/her knowledge of this complaint on:

- The official law enforcement agency reports of the Kenosha Police Department prepared by Officer Jerel Jones-Denson and Officer Benjamin Antaramian, which reports were prepared in the normal course of law enforcement duties;
- Statements by citizen informant(s) Nicholas A. Keeran, Cory R. Cage, Matthew W. Chada, Nathaniel D. Lutze, Ryan M. Anderson and Williams H. Swanson; who are eyewitnesses to the facts they relate;
- Statements by the defendant, which were made contrary to his penal interests;
- The official records of: The Circuit Court for Kenosha County; The Department of Transportation; The FBI Triple I Teletype; The Wisconsin Circuit Court Automated Program, which records are maintained in the normal course of business duties.

MDG:ed

Subscribed and sworn to before me on 10/02/18 Electronically Signed By:

Electronically Signed By:

Jessica L. Krejcarek

Assistant District Attorney

State Bar #: 1083091

Michael Graveley

Complainant

STATE OF WISCONSIN CIRCUIT COURT KENOSHA COUNTY

BRANCH 6

STATE OF WISCONSIN,

Plaintiff,

-vs-

Case No. 18CM1233

JAMES D. ADAMS,

Defendant.

October 22, 2018

Before the HONORABLE MARY KAY WAGNER

Circuit Court Judge Presiding

TYPE OF PROCEEDING: Plea and Sentencing Hearing

APPEARANCES:

MR. MICHAEL GRAVELEY, Attorney at Law, appeared
on behalf of the Plaintiff.

MR. LOREN KEATING, Attorney at Law, appeared
on behalf of the Defendant.

Defendant appeared in person.

Amy Schneider, CSR, RPR, Official Court Reporter.

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TRANSCRIPT OF PROCEEDINGS

THE COURT: I'll call State of Wisconsin vs. James Adams.

MR. GRAVELEY: Your Honor, State appears by Mike Graveley of the district attorney's office.

MR. KEATING: Morning, Your Honor, may it please the Court, James D. Adams appears in person and by Counsel Loren Keating.

PLEA HEARING

THE COURT: Are you James Adams?

THE DEFENDANT: Yes, ma'am.

THE COURT: How do you plead to -- Let me pull this up. Just one second.

How do you plead to Count 1, disorderly conduct, occurring on August 16, 2018, in the City and County of Kenosha?

THE DEFENDANT: No contest, Your Honor.

THE COURT: No. I don't take no contests. You want to have a trial, you can have a trial. If you want to have The State to prove you were disorderly on August 16, you may do so. If you're not guilty, you shouldn't plead. So --

THE DEFENDANT: I'll change it to

1 guilty then.

2 THE COURT: Are you guilty --

3 (Discussion between Defense Counsel
4 and Defendant.)

5 THE DEFENDANT: -- of disorderly
6 conduct?

7 THE DEFENDANT: Yes, ma'am.

8 THE COURT: Okay. Well, that's what
9 I asked you. How do you plead to disorderly
10 conduct, occurring on August 16, 2018?

11 THE DEFENDANT: Guilty, Your
12 Honor.

13 THE COURT: And how do you plead to
14 the second count of disorderly conduct occurring
15 on that same date?

16 THE DEFENDANT: Guilty, Your
17 Honor.

18 THE COURT: You understand I'm not
19 trying to make you plead guilty to a charge that
20 you're not guilty of. Do you understand that? So
21 if you're not guilty, don't plead guilty.

22 THE DEFENDANT: Yes, Your Honor, I
23 understand.

24 THE COURT: You are guilty?

25 THE DEFENDANT: Yes, Your Honor.

1 disturbance in a public place. And that would be
2 for the behavior of poking and yelling at Cory
3 Cage, would be Count 1, is that right,
4 Mr. Graveley?

5 MR. GRAVELEY: No. Count 1 is
6 directly -- the count directed towards -- towards
7 Nicholas Keeran. So it's the violence done to
8 Mr. Keeran.

9 THE COURT: Grabbed him by the neck
10 with both hands and started squeezing his neck.

11 MR. GRAVELEY: There were some
12 punches thrown as well.

13 THE COURT: Okay. So do you
14 understand those facts?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: And Couldn't 2,
17 Mr. Graveley.

18 MR. GRAVELEY: Count 2 is directed
19 towards all the other firefighters who were
20 present at the scene, multiple of whom came over
21 and removed Mr. Adams from Mr. Keeran who was
22 essentially in a fetal position.

23 THE COURT: And do you understand
24 that one?

25 THE DEFENDANT: Yes, ma'am.

03-07-2019

Rebecca Matoska-Mentink
Kenosha County Clerk of Court
Call 262-653-2664 for help
Kenosha County Circuit Court
912 56th Street, Room 204
Kenosha WI 53140
Receipt: 19R 008536
Payor: Doe, John
Debtor/Party: Adams, James D.

Case no: 2018CM001233 8.75

<u>Sched</u>	<u>Owed(\$)</u>	<u>Paid(\$)</u>	<u>Bal.(\$)</u>
CF	8.75	8.75	0.00

Cash(\$): 10.00

Total(\$): 10.00

Applied(\$): 8.75

Change(\$): 1.25

If payment is made by check, this
receipt is not valid until check has
cleared the bank.