

FILED
08-14-2023
Clerk of Circuit Court
Kenosha County
2023CF001249
Honorable Angelina
Gabriele
Branch 6

STATE OF WISCONSIN CIRCUIT COURT KENOSHA COUNTY

STATE OF Wisconsin

Plaintiff,

CRIMINAL COMPLAINT

vs.

DA Case #: 2023KN004116

AJAY GREGORY PIERANGELI

Agency Case #: KPD 2023-00040425

[REDACTED]
Pleasant Prairie, WI 53158

DOB: 08/21/2002

Sex/Race: M/W

Eye Color: Brown

Hair Color: Brown

Height: 5 ft 9 in

Weight: 148 lbs

Alias:

Defendant.

For Official Use

The undersigned, being first duly sworn, states that:

Count 1: HOMICIDE BY INTOXICATED USE OF A VEHICLE

The above-named defendant on or about Friday, July 28, 2023, in the City of Kenosha, Kenosha County, Wisconsin, did cause the death of Jenna Lyn Barrette, by the operation of a vehicle while under the influence of an intoxicant, contrary to sec. 940.09(1)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute 343.31(3)(c), upon conviction, the department shall revoke the defendant's operating privilege for five (5) years.

And furthermore, invoking the provisions of Wisconsin Statute 940.09(1c)(a), upon conviction, the court shall impose a bifurcated sentence under s. 973.01 and the term of confinement in prison portion of the bifurcated sentence shall be at least 5 years except that a court may impose a term of confinement that is less than 5 years if the court finds a compelling reason and places its reason on the record.

Count 2: HOMICIDE BY INTOXICATED USE OF A VEHICLE

The above-named defendant on or about Friday, July 28, 2023, in the City of Kenosha, Kenosha County, Wisconsin, did cause the death of Dylan T. Zamora, by the operation of a vehicle while under the influence of an intoxicant, contrary to sec. 940.09(1)(a), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute 343.31(3)(c), upon conviction, the department shall revoke the defendant's operating privilege for five (5) years.

And furthermore, invoking the provisions of Wisconsin Statute 940.09(1c)(a), upon conviction, the court shall impose a bifurcated sentence under s. 973.01 and the term of confinement in prison portion of the bifurcated sentence shall be at least 5 years except that a court may impose a term of confinement that is less than 5 years if the court finds a compelling reason and places its reason on the record.

Count 3: INJURY BY INTOXICATED USE OF A VEHICLE

The above-named defendant on or about Friday, July 28, 2023, in the City of Kenosha, Kenosha County, Wisconsin, did cause great bodily harm to Alex Eyasu Wajerski, by the operation of a vehicle while under the influence of an intoxicant, contrary to sec. 940.25(1)(a), 939.50(3)(f) Wis. Stats., a Class F Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than twelve (12) years and six (6) months, or both.

And the Department shall revoke the defendant's operating privilege for two (2) years.

Count 4: OPERATING WHILE INTOXICATED CAUSING INJURY - 2ND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Friday, July 28, 2023, in the City of Kenosha, Kenosha County, Wisconsin, as a person having one or more prior convictions, suspensions, or revocations, as counted under s. 343.307 (1) since January 1, 1989, did cause injury to Quincy J. Hanson by the operation of a vehicle while under the influence of an intoxicant, contrary to s. 346.65(3p) and, contrary to sec. 346.63(2)(a)1, 939.50(3)(h) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute 343.31(3)(e), upon conviction, the department shall revoke the defendant's operating privilege for not less than one (1) year nor more than two (2) years. In addition, the defendant will be required to undertake an alcohol and drug abuse assessment, and follow through with treatment recommendations as a condition of reinstatement.

PROBABLE CAUSE:

Officer Maykut of the Kenosha Police Department reported that on July 28, 2023 at approximately 3:25 a.m., she and other officers responded to Play It Again Sports, located at 4017 75th Street in the City and County of Kenosha, State of Wisconsin for an accident with injuries. Dispatch advised they received an iPhone recording stating they were in a severe car crash. Dispatch received another call and could hear males talking in the background and another male cursing. While enroute, dispatch advised it was a truck versus a building, and three subjects were unconscious.

Upon arrival, Officer Maykut noted multiple officers were on scene attempting to render aid. Officer Maykut observed a red Dodge Dakota bearing Wisconsin registration NA6461 partially inside the storefront of Play It Again Sports. The truck sustained severe damage. Officer Maykut observed

four occupants inside the truck that were unconscious, while the fifth passenger from the front seat, Quincy Hanson, was alert, conscious and breathing. The passenger side of the Dodge appeared to be pushed up against the southern wall of the building, preventing the doors on the passenger's side to open. Due to the vehicle's heavy damage, officers were unable to open the car doors on the driver's side.

Kenosha Fire Department arrived on scene shortly after and began to extract each individual from the truck. KFD removed rear seat passengers Dylan Zamora and Jenna Barrette, who were deceased on scene. Rear seat passenger Alex Wajerski was removed from the vehicle and brought to an ambulance. Driver Ajay Pierangeli, the defendant, was removed from the Dodge and transferred to an ambulance. Mr. Hanson was the last occupant extracted from the truck and moved to an ambulance.

Once stabilized, Officer Maykut spoke with Mr. Hanson, who stated he and his friends were at a "hangout" in the city. He was unsure of the exact address, but said everyone was drinking and they had stopped about an hour ago. Around 2:30 to 2:45 a.m., they left to drop everyone off at home. Mr. Hanson said the defendant was driving and Mr. Zamora, Ms. Barrette and Mr. Wajerski were seated in the back seat. Mr. Hanson initially stated the defendant was his "brother," but clarified it was a friend he grew up with. Mr. Hanson was not wearing a seat belt and did not believe anyone else was either. Mr. Hanson stated that approximately 20 minutes into the drive, the defendant was driving eastbound on 75th Street and lost control of the truck and crashed. Mr. Hanson called his mom and advised her of the accident before hanging up the phone, but did not call 911. Mr. Hanson advised the defendant was not traveling at a high rate of speed. When asked how the Dodge crashed into a building, Mr. Hanson replied "what building?" Mr. Hanson stated he did not know they crashed into a building.

Officer Maykut noted that Mr. Hanson was visibly upset and complained of rib pain. Officer Maykut spoke with Nurse Ruffin at Aurora Hospital, who advised Mr. Hanson sustained a left rib fracture, a collapsed lung, and a small pulmonary contusion.

Officer Kowalski reported that one of the witnesses on scene was [REDACTED], an employee of the ambulance company Ambulnz. Mr. [REDACTED] stated on July 28, 2023 at approximately 3:35 a.m., he was in ambulance #5162 working for Ambulnz when he approached the intersection of 75th Street and 60th Avenue. At the light, they were met by a red pickup truck that looked a little bit older. Mr. [REDACTED] advised that a male was hanging out the driver side rear passenger seat making gestures at him. Mr. [REDACTED] described the male as being "out of it" as the male blew kisses at Mr. [REDACTED]. Mr. [REDACTED] stated the red truck sped off from the intersection and began partially swerving into their lane located closest to the middle of the road traveling eastbound. Mr. [REDACTED] estimated the vehicle was traveling at 70 miles per hour and the ambulance was traveling at approximately 40 to 45 miles per hour and the pickup was pulling away.

Mr. [REDACTED] noted he recalls the vehicle swerving very hard from the right lane into the left lane, then the front end of the vehicle jumped into the air as the rear end then followed the front going into the air. Mr. [REDACTED] stated he lost sight of the vehicle on Highway 50 due to the trees and poles on the roadway. Mr. [REDACTED] stated that as he got closer to the last place he saw the vehicle, he noticed that it had crashed into the building. Mr. [REDACTED] activated the lights on his ambulance and tried to protect the scene as much as possible. Mr. [REDACTED] stated the front right

passenger was conscious and breathing, while the other occupants were not. Mr. [REDACTED] then attempted to render aid to the occupants until KFD and KPD were able to arrive.

Officer Fitzgerald spoke with the second employee of the ambulance, [REDACTED]. Ms. [REDACTED] stated she was the passenger in the ambulance and also observed the rear passenger of the red pickup truck blow a kiss toward the ambulance before the truck accelerated rapidly when the light turned green. Ms. [REDACTED] estimated the speed of the truck to be 50-60 miles per hour.

Ms. [REDACTED] stated she observed the truck swerve suddenly off of 75th Street and into a building on the south side of 75th Street, directly across from Dunkin Donuts. After observing the truck crash into the building, Ms. [REDACTED] contacted 911 before attempting to make patient contact with the occupants of the truck.

Officer Colon reported that he responded to Froedtert South – Pleasant Prairie Hospital where both Mr. Wajerski and the defendant had been transported. While enroute to the hospital, Officer Colon spoke with the registered owner of the Dodge Dakota involved in the crash, [REDACTED]. Mr. [REDACTED] advised that he permitted his grandson, the defendant, to have possession of his Dodge Dakota.

Officer Colon was also present while a legal blood sample was withdrawn from the defendant. The results of that test are not available at the time of this complaint. While at the hospital, Doctor Rosen from Froedtert South Hospital informed Officer Hubli that the defendant's blood alcohol concentration was .282. Records from Froedtert South Hospital also state the defendant's blood alcohol concentration to be .282.

Officer Colon reported that the defendant was transported to Froedtert Milwaukee Hospital, as he was diagnosed with a ruptured left lung. Officer Colon further noted that doctors diagnosed Mr. Wajerski with a skull fracture and was listed in critical condition.

Furthermore, an examination of the Defendant's driving record reveals that the Defendant has been suspended, revoked or convicted for violating Section 346.63(1), or a local ordinance in conformity therewith, or the law of another jurisdiction that complies with the requirements of Section 343.307(1)(d), or Section 343.305(10), or a suspension or revocation under the law of another jurisdiction arising out of a refusal to submit to chemical testing, for **two** violations preceding this incident, precluding prior suspensions, revocations and convictions which occurred before January 1, 1989, as set forth below:

| <u>ARREST DATE</u> | <u>CONVICTION DATE</u> | <u>COURT/COUNTY</u> |
|--------------------|------------------------|--|
| 08/09/2019 | 12/19/2019 | Pleasant Prairie Municipal Court/Kenosha, WI |

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

- The official law enforcement agency reports of the Kenosha Police Department prepared by Officer Maykut, Officer Kowalski, Officer Fitzgerald, Officer Colon and Officer Hubli, which reports were prepared in the normal course of law enforcement duties;
- Statements by citizen informants [REDACTED]; who are eyewitnesses to the facts they relate;

- 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.

Subscribed and sworn to before me on 08/14/23

Electronically Signed By:

Carlie O'Donnell

Assistant District Attorney

State Bar #: 1119387

Electronically Signed By:

Zachary L Brost

Complainant

Kenosha County Eye