

STATE OF WISCONSIN

CIRCUIT COURT

KENOSHA COUNTY

STATE OF WISCONSIN,

Plaintiff,

vs.

ALLEN M. DUNSKI JR.  
421 WEST CHESTNUT STREET  
SILVER LAKE WI 53170

W/M DOB: 01/09/77

Defendant.

CRIMINAL SUMMONS

FILE NO. 99 CF 351

KSD 98-66367

HON. DAVID M. BASTIANELLI

FILED

APR 20 1999

GAIL GENTZ  
Clerk of Circuit Court

SUMMONS

THE STATE OF WISCONSIN TO SAID DEFENDANT:

The original of the above complaint having been issued, accusing the defendant of committing the crime of **THREE COUNTS - ARSON OF PROPERTY OTHER THAN A BUILDING**, contrary to Section 939.05 and 943.03, Wis. Stats.

You are, therefore, summoned to appear before the Circuit Court of Kenosha County at the Public Safety Building, 1000 55 Street, Room 210, in the City of Kenosha, to answer said complaint on MAY 18, 1999 at 1:00 P.M., and in case of your failure to appear, a warrant for your arrest may be issued.

Dated: April 20, 1999.



(Assistant) District Attorney

CERTIFICATE OF SERVICE

I certify that I served a copy of this summons on the above-named defendant by:  giving a copy to the defendant  leaving a copy at the residence of the defendant with \_\_\_\_\_, a family member at least 14 years of age.  NO SERVICE (EXPLAIN IN REMARKS)

Date Served: \_\_\_\_\_

Signature of Serving Officer

Remarks: \_\_\_\_\_  
\_\_\_\_\_

SCANNED

STATE OF WISCONSIN,

Plaintiff,

vs.

FILED  
APR 20 1999  
GAIL GENIZ  
Clerk of Circuit Court

CRIMINAL COMPLAINT

FILE NO. 99CF351

KSD 98-66367  
Hon. David M. Bastianelli

ALLEN DUNSKI, Dexter Moore, Renee Thuemmler, Jaime Walters, Dale Simek, and Natalie Bundza  
421 WEST CHESTNUT STREET  
SILVER LAKE WI 53170

W/M DOB: 01/09/77  
defendant,

Deputy Douglas Hughes, being first duly sworn, on oath says that on the dates set for below in said County, the defendant:

COUNT ONE: on October 15, 1997 at 23913 Wilmot Road in the Town of Salem, did as a person concerned in the commission of a crime, intentionally damage property of another by means of fire without the owner's consent and the value of the property was \$100.00 or more, to wit: the defendant intentionally burned a 1987 Ford station wagon owned by Jay Rydberg. This conduct by the defendant is contrary to Sec. 943.03 and 939.05 Wis. Stats., PARTY TO THE CRIME ARSON OF PROPERTY OTHER THAN A BUILDING, a Class "E" felony punishable by a fine not to exceed \$10,000.00 and/or imprisonment not to exceed two years.

COUNT TWO: on October 30, 1997 at 2817 116<sup>th</sup> Street in the Town of Salem, did as a person concerned in the commission of a crime, intentionally damage property of another by means of fire without the owner's consent and the value of the property was \$100.00 or more, to wit: the defendant intentionally burned a 1987 Lincoln Continental owned by Diane Schroeder. This conduct by the defendant is contrary to Sec. 943.03 and 939.05 Wis. Stats., PARTY TO THE CRIME ARSON OF PROPERTY OTHER THAN A BUILDING, a Class "E" felony punishable by a fine not to exceed \$10,000.00 and/or imprisonment not to exceed two years.

COUNT THREE: on March 13, 1998, in the northeast corner of 232<sup>nd</sup> Avenue and 125<sup>th</sup> Street, Town of Salem, did as a person concerned in the commission of a crime, intentionally damage property of another by means of fire without the owner's consent and the value of the property was \$100.00 or more, to wit: the defendant intentionally burned a camper trailer owned by Dawn Myzia. This conduct by the defendant is contrary to Sec. 943.03 and 939.05 Wis. Stats., PARTY TO THE CRIME ARSON OF PROPERTY OTHER THAN A BUILDING, a Class "E" felony punishable by a fine not to exceed \$10,000.00 and/or imprisonment not to exceed two years.

**PROBABLE CAUSE COUNT 1**

On October 15, 1997, defendants Dunski, Moore, Waters and Thummler were at the Trevor Fire Department talking about burning a station wagon that they had observed at 23913 Wilmot Road in the Town of Salem, County of Kenosha. Defendant Moore stated, "it's been a while since we've had a car fire." The defendants then obtained, from the fire department, a flare to ignite the automobile and a spark plug to break the window. Defendant Thummler drove Moore, Dunski and Waters to an area near the location of the station wagon. Defendants Moore, Dunski, and Waters instructed defendant Thummler to "go around the block." Defendant Waters acted as a lookout while defendants Dunski and Moore broke the window and put a lit flare into the

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automobile. As defendants Moore, Dunski, and Waters were running back to the area where defendant Thummler had dropped them off, defendant Thummler was pulling up in his automobile. Defendant Thummler picked up defendants Dunski, Moore, and Waters and drove away. While in the car, defendant Moore stated, "we just started it." At 2:32 a.m., defendants Dunski and Moore responded to the fire call regarding the station wagon as Trevor firefighters to extinguish the fire.

Jay Rydberg, the owner of the station wagon, states that he did not give anyone consent to burn his automobile

Defendant Dunski stated to investigators that he, along with defendants Moore, Thuemmler, and an unknown male were responsible for igniting this automobile.

**PROBABLE CAUSE COUNT 2**

On October 30, 1997, defendants Moore, Dunski, and Bundza were at the Trevor Fire Department talking about taking a road flare and throwing it into a vehicle which they had seen on the side of the road earlier that day, a 1987 Lincoln Continental owned by Diane Schroeder. The defendants obtained a road flare to ignite the automobile and spark plug to break the window from the fire station. Defendant Bundza drove defendants Dunski and Moore to the location of the automobile at 116<sup>th</sup> Street in the Town of Salem, County of Kenosha. Defendants broke the automobile window out with the spark plug porcelain and tossed a lit road flare into the vehicle in an attempt to burn it. The defendants left the location and defendants Dunski and Moore waited for their fire department pagers to sound. When the pagers did not go off, defendants Dunski, Moore, and Bundza returned to the location and observed that the vehicle was not on fire. The defendants left and returned to the vehicle with a liquid accelerant. Defendant Moore poured the accelerant into the car and defendant Dunski lit some paper and threw it into the car to ignite the vehicle. The vehicle did not ignite. Defendant Moore then ran back to the vehicle and caused the vehicle to ignite. At 3:21 a.m., defendants Moore and Dunski responded to the Trevor Fire Department as firefighters to extinguish the automobile fire. Defendant Bundza at the time of this incident, was a volunteer firefighter for the Paris Fire Department.

Diane Schroeder states that she did not give anyone consent to burn her automobile which was valued at \$1500.00.

Defendant Dunski stated to investigators that he and Defendants Moore and Bundza started the Lincoln on fire on October 30<sup>th</sup>, 1997.

**PROBABLE CAUSE COUNT 3**

On March 19, 1998, defendants Moore and Dunski went to a camper trailer owned by Dawn Myzia parked on the northeast corner of 232 Avenue and 125 Street in the Town of Salem, County of Kenosha. Defendants Moore and Dunski went inside the camper and ignited the interior of the camper with a road flare. The defendants then left the location and waited for the fire call so they could respond as firefighters to extinguish the fire.

Dawn Myzia states that she did not give anyone consent to burn her camper which was valued at \$ 500.00.


Defendant Dunski stated to investigators that he and Defendant Moore started the fire in this camper on March 19<sup>th</sup>, 1998.

**AFFIANT'S CLAUSE**

The basis for your complainant's knowledge of the above offenses is your complainant is a deputy with the Kenosha Sheriff's Department and has knowledge of the above offenses having read the written reports of

of Justice, Division of Criminal Investigation - Arson Division, whose report is presumed reliable. Also relied upon by complainant were the statements made by Diana Nugent, Charles [unclear] and Michael Bogdan, whom complainant believes to be reliable as citizen eyewitnesses. Complainant has further relied upon the statements made by defendants Dexter Moore, Allen Dunski, Renee Thummler, Jamie Walters, Dale Simek and Natalie Bundza, all contrary to their penal interests.

Subscribed and sworn to before me and approved for filing on April 26, 1999.



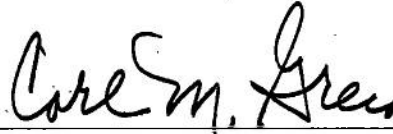
Complainant



(Assistant) District Attorney

I find that probable cause (exists) ~~(does not exist)~~ that the crime was committed by the defendant and order that he be (held to answer thereto) ~~(released forthwith)~~.

Date: April 20, 1999.



(~~Judge~~) (Court Commissioner)

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## NOTICE TO DEFENDANT RE: DEMAND FOR DISCOVERY

Pursuant to Wis. Stat. §971.23(2m), the State of Wisconsin, plaintiff, demands that the defendant or the defendant's attorney, within a reasonable time before trial, disclose to the District Attorney and permit the District Attorney to inspect and copy or photograph all of the following materials and information, if it is within the possession, custody, or control of the defendant:

1. A list of all witnesses, other than the defendant, whom the defendant intends to call at trial, together with their addresses;
2. Any relevant written or recorded statements of a witness named on the witness list referred to above, including any reports or statements of experts made in connection with the case or, if an expert does not prepare a report or statement, a written summary of the expert's findings on the subject matter of his or her testimony, and including the results of any physical or mental examination, scientific test, experiment or comparison that the defendant intends to offer in evidence at trial;
3. The criminal record of a defense witness, other than the defendant, which is known to the defense attorney. If the defense attorney is uncertain if the witness has a criminal record, please provide the witness's full name, sex, race, and date of birth;
4. Any physical evidence that the defendant intends to offer in evidence at trial.



Robert J. Jambois  
District Attorney