

STATE OF WISCONSIN

CIRCUIT COURT

KENOSHA COUNTY

STATE OF WISCONSIN,

Plaintiff,

vs.

ALLEN M. DUNSKI JR.
421 W. CHESTNUT
SILVER LAKE, WI 53170
W/M DOB: 1/9/77

and

DEXTER M. MOORE
23323 119TH STREET
TREVOR, WI 53179
W/M DOB: 2/20/77

Defendant.

CRIMINAL COMPLAINT

FILE NO. 97CF1121

KSD 97-129981

Hon. Wilbur W. Warren III

FILED

NOV 20 1997

GAIL GENTZ
CLERK OF CIRCUIT COURT

Kenosha County Filed

Deputy Douglas F. Hughes, being first duly sworn, on oath says that on information and belief the defendants did on or about November 8, 1997, in Kenosha County, Wisconsin, and as parties to the crime intentionally take and operate a motor vehicle without the consent of the owner, contrary to and in violation of Wisconsin Statutes 943.23(2) and 939.05, OPERATING A MOTOR VEHICLE WITHOUT OWNER'S CONSENT, a class "D" felony punishable by a fine not to exceed \$10,000 and imprisonment not to exceed five years, or both.

Complainant indicates that there is a report prepared by Kenosha County Deputy Robert Hallisy indicating that on November 8, 1997, Brian Spencer and his father David Spencer reported that Brian's motor vehicle, a 1973 Ford El Ranchero pick-up truck had been moved from the Trevor Fire Department to the El Dorado parking lot and this was done without their permission. Brian Spencer indicated to Deputy Hallisy that he parked his Ford El Ranchero truck at the Trevor Fire Department at approximately 9:30 p.m. on that date leaving the ignition keys under the floor mat which was a common practice at the Fire Department. Mr. Spencer indicated he returned to his motor vehicle at approximately 10:15 a.m. and noticed that there was no motor vehicle and it was gone from the Fire Department parking lot. Mr. Spencer indicated he had gone to the Wilmot High School after parking his motor vehicle. Mr. Spencer further indicated that there were only two other people at the Trevor Fire Department when he left his truck and he said those were Allen Dunki and Dexter Moore. Mr. Spencer indicated he located his motor vehicle at the El Dorado parking lot and he stated he gave no one permission to drive the vehicle.

Deputy Hallisy indicates in his report that he located Dexter Moore at his residence and Dexter Moore was extremely intoxicated and initially stated he knew nothing about the taking of the Spencer motor vehicle. Moore advised the Deputy that he and Allen Dunki had been drinking "Mad Dog" wine that "they had found in a ditch near the Trevor Fire Department." After discussions with the police, Dexter Moore indicated that he and defendant Dunki had taken the Spencer motor vehicle, they had moved the truck to "teach Spencer a lesson" because they

didn't like him. Dexter Moore indicated that Allen Dunski had driven the truck from the Fire Department to the tavern parking lot with Dexter Moore as the passenger.

Deputy Hallisy indicates that on November 10, 1997, he met with defendant Allen Dunski at his residence in reference to the taking of the Spencer motor vehicle without consent. Deputy Hallisy indicates defendant Dunski initially advised the officer he was not involved in moving the Spencer motor vehicle and he stated that he knew Spencer had "and El Camino or something like that" and described the victim as being angry about his truck being moved. Deputy Hallisy indicates he advised defendant Dunski that Dexter Moore had already implicated him in the taking of the motor vehicle. Allen Dunski continued to deny involvement and then stated, after also denying drinking with Dexter Moore, that in fact he had been with Dexter Moore but that Moore had driven the Spencer motor vehicle without permission with Allen Dunski was a passenger. Allen Dunski stated that moving cars from the Trevor Fire Department parking lot is a common practice "as a practical joke." All reports indicate this occurrence took place on or about November 8, 1997, Kenosha County, Wisconsin.

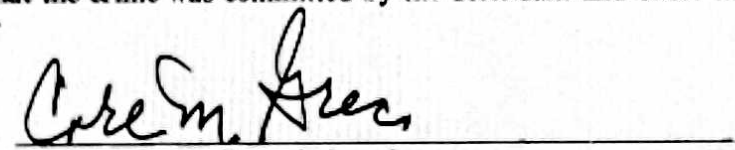
The basis for complainant's knowledge of such offense is reports prepared by Deputy Hallisy which are believed to be truthful as they are prepared in his normal course of business activity as a Deputy with the Kenosha County Sheriff's Department. Statements against the penal interest of defendants Dexter Moore and Allen Dunski. The statement of Brian Spencer is presumed to be reliable as he is a citizen, victim and witness.

Subscribed and sworn to before me and approved for filing on


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: November 20, 1997


(Judge) (Court Commissioner)

dmc\dunski.cmp: ed

Kenosha

STATE OF WISCONSIN

CIRCUIT COURT

KENOSHA COUNTY

State vs Allen M. Dunski Jr.

FILED

JUDGMENT OF CONVICTION AND SENTENCE TO THE COUNTY JAIL/FINE/FORFEITURE After Revocation of Probation

DEC 07 1998

Date of Birth: 01-09-1977

GAIL GENTZ
Clerk of Circuit Court

Case No.: 97CF001121

The defendant was found guilty of the following offense(s):

Ct.	Description	Violation	Plea	Severity	Date(s) Committed	Trial To
1	Operate Vehicle w/o Consent-Passenger [939.05 Party to a Crime]	943.23(4m)	Guilty	Misd. A	11-08-1997 On or about	01-09-1998

The defendant was convicted on 01-09-1998 and is sentenced as follows:

Ct.	Sent. Date	Sentence	Length	Conc. with/Cons. to/Comments	Begin date	Begin time	Agency
1	12-07-1998	Local jail	6 MO	Probation revoked. To commence forthwith. Huber allowed.			

It is adjudged that 74 days sentence credit are due pursuant to § 973.155 Wisconsin Statutes.

Special Conditions:

It is ordered that the Sheriff shall execute this sentence.

Wilbur W. Warren III, Judge
Mary M Hart, District Attorney
David Sloan, Defense Attorney
County Sheriff

BY THE COURT:

Debbie Sendelbach
Circuit Court Judge/Clerk/Deputy Clerk

12-7-98
Date



Warren

December 30, 1997

Honorable Judge Wilbur W. Warren III
Circuit Court for Kenosha County
Branch 5
912 56th Street
Kenosha, WI 53140

RECEIVED
JAN 05 1998
Clerk of Circuit Court

Dear Honorable Judge Warren:

In reference to Case No. 97CF001121, we, as concerned parents, are writing in behalf of Brian Spencer, the victim in this case.

We would like to ask that we may have a moment of your time to give you some information regarding this case.

Brian is a cadet with the Trevor Volunteer Fire Department, along with full members, Mr. Dunski and Mr. Moore.

At this station there have been numerous pranks played on several people. This has been brought up to the Fire Chief and also to the board of directors. Nothing has ever been done to discipline the culprits. It started first by going into personal vehicles while parked at the fire station. They turned on the radios wide open, turned on the wipers, and heaters, so when you enter your vehicle to start it, your blasted by such loud noise that sometimes a speaker will break and the wipers are going back and forth on dry windshield and leaving scratches.

Then it went to messing with fire gear. As one fireman stated, the only thing between him and the fire was the gear. Gloves were taken, boots filled with shaving cream or whipped cream, names on helmets changed.

Now it has gone to going through personal belongings and taking vehicles without any consent.

Brian has worked all summer cutting grass to purchase this 74 Ranchero. He then was in the garage for six months working on the motor with his father. He has put his blood and sweat into this vehicle. After all it's his first car. Most people will always remember their first car.

What is even more of a concern was the fact that Mr. Dunski and Mr. Moore were drinking when they got behind the wheel and took the car. What could have happen! We are so lucky that no one was hurt. Mr. Moore was ticketed for under age drinking. He was so intoxicated that he was throwing up in the bay of the fire station. The Fire Chief had to take Mr. Moore home. Mr. Dunski and Mr. Moore left the car at a tavern with the keys in the ignition, windows wide open, and the doors unlocked so that anyone could have taken this vehicle.

We ask, your honor, that you help in this matter. Make the gentlemen accountable for their actions. The Fire Chief and the Board of Directors don't seem to care. We feel that you are the last resort in this.

We know that the integrity of the Trevor Fire Department is sorely lacking. We hope that you send a message that this has to stop.

Thank you for your time in this matter.

Sincerely,

[Redacted signature]