

STATE OF WISCONSIN CIRCUIT COURT DODGE COUNTY

STATE OF WISCONSIN
Plaintiff,

DA Case No.: 2019DD000561
Assigned DA/ADA: Kurt F.
Klomborg
Agency Case No.: B19-02936

Vs.

Ulisses W Medina Espinosa
1104 S. University Avenue, #12
Beaver Dam, WI 53916
DOB: 12/03/1987
Sex/Race: M/H
Eye Color: Brown
Hair Color: Black
Height: 5 ft 6 in
Weight: 175 lbs
Alias:

CRIMINAL COMPLAINT

Defendant,

The undersigned, being first duly sworn, states that:

Count 1: FIRST DEGREE INTENTIONAL HOMICIDE, DOMESTIC ABUSE ASSESSMENTS

The above-named defendant on or about Saturday, March 23, 2019, in the City of Beaver Dam, Dodge County, Wisconsin, did cause the death of SFH, with intent to kill that person, contrary to sec. 940.01(1)(a), 939.50(3)(a), 973.055(1) Wis. Stats., a Class A Felony, and upon conviction shall be sentenced to imprisonment for life.

And further, invoking the provisions of sec. 973.055(1) Wis. Stats., because this charge is an act of domestic abuse, and further, invoking sec. 973.055(1), Wis. Stats., the court shall impose the domestic abuse assessment of \$100 for this offense because this charge is an enumerated crime under sec. 973.055(1)(a)1, Wis. Stats., and the conduct constituting the violation involved an act by the defendant against his or her spouse, against an adult with whom the defendant resides or formerly resided, or against an adult with whom the defendant has created a child.

PROBABLE CAUSE:

The undersigned has reviewed the reports of the law enforcement officers referenced below and believes them to be true and correct as these reports were created by law enforcement officers while they were acting in their official capacity.

Your complainant has reviewed the unredacted reports in this matter. Your complainant notes that there was a young child who was identified at the scene of the crime and is five years old. This child will be referred to as female child throughout this complaint.

On March 23, 2019, I, Officer Scott of City of Beaver Dam Police Department, Dodge County WI was on duty wearing a full police uniform and operating a fully marked patrol vehicle.

At approximately 2:42PM officers were dispatched to 322 1/2 East Third Street. Dispatch advised that the caller was a female Hispanic who was crying and said that someone shot someone. I went en route to this location with other officers. I had my duty issued pistol in the low ready position as I entered the front door, which is located on the south side of the house.

Upon my entry, I saw a Hispanic female crying and waving her hands in the air. This female was later identified as Maria Espinosa Rubio. I first asked her in English, "where is the gun?" She did not respond, so I asked that same question in Spanish. She then looked at me and replied in Spanish, "He killed her! He killed her! He killed her!" I responded in Spanish, "who did?" She pointed to a Hispanic male kneeling down on the living room next to a little girl. This male was later identified as Ulisses Medina Espinosa, m/h 12/03/1987. This girl appeared to be about five or six years in age, and she was later identified as "female child". I confirmed with Maria that Ulisses killed someone, and she screamed yes several times and was crying profusely.

I noticed that Lieutenant Bahr was walking towards Ulisses while he was kneeling on the ground. I informed Lieutenant Bahr to handcuff him right away. I ran towards the Hispanic male and Lieutenant Bahr and assisted in handcuffing the Hispanic male. I asked him if he had any weapons and he said he had a knife in his left pocket. This was removed and given to another officer. Ulisses was very calm and quiet. He cooperated with officers, but did not say anything. Lieutenant Bahr and I raised Ulisses to his feet and escorted him to a patrol vehicle. As I was escorting him to the patrol vehicle, I asked him what his name was (in English). He responded, "I want to speak with my lawyer." I did not say anything else to him after that. I escorted him to the rear passenger side of Lieutenant Bahr's patrol vehicle. Lieutenant Bahr searched him and placed him inside. He stayed with Ulisses while I returned to the residence.

I returned to the house and spoke with Maria. She was crying and told me that Ulisses' ex-wife was in the back room. She is identified as SFH. Maria said that Ulisses is her son, he shot SFH and she couldn't understand why. Maria was very worked up and crying badly. She told me that Ramon is her husband and Ulisses is their son. I stood by her side while she was comforted by her husband and did not ask any further questions about the incident. I began assisting other officers while remaining near Maria and Ramon. Maria gave me a black cell phone and told me that it belonged to Ulisses. I placed this phone in the front passenger seat of Lieutenant Bahr's patrol vehicle, which had other property that belonged to Ulisses. Maria was on the phone with someone, and asked me to speak with them. She was trying to tell me something, but was unable to speak because she was crying so hard.

It should be noted that this house is a duplex. Maria and Ramon live at 322 1/2 East Third Street. Maria's mother lives at 322 East Third Street; the other side of the duplex.

Maria said that she and her husband own both sides. As detectives and other supervisors arrived on scene, I was instructed to remove Maria, Ramon and female child to the other side of the duplex, 322. I stood by with the family throughout the investigation.

I then transported Maria and female child to the Beaver Dam Police Department for interviews. Female child was interviewed by Dodge County Detective Vicki Brugger. I took Maria into a recorded interview from near the front lobby. During this interview, I informed her that she is here to answer questions about the incident, and that she is not under arrest. She told me that she understood.

Maria told me that she and Ramon live at 322 1/2 East Third Street. She said that she and Ramon own this building, and Maria's mother lives on the other side (322). She said that her son is Ulisses and he used to be married to SFH. She said they separated several years ago, and got divorced approximately two years ago. She told me that SFH and Ulisses are going through custody arrangements through court. She said that the judge has granted full custody of female child to SFH, and that Ulisses has lost his parental rights over female child.

Maria said that even though Ulisses and SFH have divorced, SFH still visits Maria and Ramon so they can see female child. She said that she spoke with SFH last week via text messaging about setting up a visit with her, Ramon and female child for today, March 23rd, 2019.

Maria told me that SFH and female child arrived at her house between 2:15PM and 2:30PM. She said that she was preparing food in the kitchen, and SFH and female child went in there with her. She said that Ramon was upstairs sleeping. She said that suddenly Ulisses arrived at the house. She said he entered the front door (on the south side of the house) with several toys for female child. She told me that it was very normal that he arrived with gifts for her. She said he did it often. Maria told me that Ulisses did not tell her that he was coming over, and that it was a surprise visit from him. She said she came out of the kitchen and watched female child run up to Ulisses in a very excited manner. She watched Ulisses take female child to the living room and show her several toys he bought for her. She said that SFH stayed in the kitchen. She said she returned to the kitchen to work on the food and was standing near the stove. She said that SFH was standing near the sink area. She said that she suddenly heard several gunshots that came from behind her. She was unable to remember how many she heard, she just kept repeating that she heard many, many gunshots. She said she turned around and saw Ulisses in the kitchen near the sink area. She said she saw him toss the gun in the sink. She ran towards him, looked on the ground and saw SFH laying on her stomach with blood all over her back. She said she did not see SFH move at all. Maria told me that she grabbed Ulisses by the arms and screamed at him, "What are you doing? What are you doing?" She said that he did not say anything, had no expression on his face and slowly walked back to female child in the living room. She said that female child was now crying. She said that she ran upstairs to get her husband and told him what happened. They both ran downstairs and she called 911. She said that Ulisses stayed kneeling on the floor next to female child and did not say

anything to anyone. Maria said officers entered the house a few minutes after she called 911 and she spoke with me.

Maria told me that Ulisses has never been violent in his life. She said that this is completely out of his character. She kept telling me, "This is not my son. This is not my son." She said that he and SFH have never had any domestic incidents/physical fighting incidents. She told me that he was having a very hard time with the divorce and court cases about female child. She told me that she has no knowledge of him having any sort of guns/weapons, and has never used them in his past. She also told me that SFH had a restraining order against him due to the divorce, but again assured me that he was not an aggressive or angry man. Maria continued to tell me that she was completely shocked from the incident and could not believe that it was real.

Detective Brugger completed her interview with female child. I finished mine with Maria and drove them both to a relative's house located at 318 Brook Street in Beaver Dam. Several hours later, SFH's parents, John and Ann arrived at the police department. Chief Kreuziger and I went to 318 Brook Street and they followed us.

From the report of Officer Shilts

On Saturday, March 23, 2019, I, Officer Shilts, was on duty for the City of Beaver Dam Police Department, Dodge County, Wisconsin. I was dressed in full police uniform and operating a fully marked patrol car.

At approximately 2:42 PM, dispatch advised a female called 911 who was crying and hysterical. Dispatch was unable to provide any specific information but later learned the location was possibly 322 E. Third St. in Beaver Dam. While en route, several updates were relayed to officers indicating there was some type of accident. Dispatch advised a female was possibly shot but had no further information.

Upon arrival, I learned the address was 322-1/2 E. Third St. in Beaver Dam. The individuals involved were identified by officers as Ulisses W. Medina Espinosa, M/H, 12/03/1987, SFH, Maria I. Espinosa Rubio, Ramon Medina Rodriguez, and female child.

As I approached the front of the house, I observed Ramon looking at me through the front window with a cell phone to his ear. He was motioning for me to come inside but I yelled to him numerous times for him to come outside. I was unsure if this incident was a shooting or a suicide. Eventually, Ramon opened the front door and allowed me inside. I observed Maria pacing around the living room area and yelling. Ulisses was kneeling down in the living room hugging or playing with a young child, who was female child. I did not know who these individuals were at this time nor did I know their relations to the incident. I began asking the group of people who was shot but had difficulty making conversation due to a language barrier. When I asked, someone was yelling something to the effect of "my son is in here" while pointing to Ulisses in the living room. As I looked at him, he did not appear to be shot or injured which confused me. As I asked again, Maria and Ramon began saying she is down there while pointing

to the north side of the residence. Ramon mentioned something about the last door and told me either to run or hurry.

As I walked through the kitchen, I observed an empty, black, pistol magazine lying on the floor near the sink. There was a door partially closed which I opened that led from the kitchen to a porch room that was made into a bedroom on the far north side of the residence. Inside this room, I located a female lying on her stomach on the floor with her hands tucked underneath her waist. Her right part of her face was lying on the floor and I observed what appeared to be a large pool of a red substance consistent with blood underneath her mouth/head on the floor. Her face was pale and she did not appear to be breathing. She felt warm but as I checked for a pulse, I did not feel one, nor did I observe any signs of life. As I glanced around the room, I noticed numerous spent shell casings in the area which I found unusual. She was identified as SFH by family and an Illinois driver's license turned over to me by other officers. I was informed it was located in a female's purse/wallet on the couch in this porch room near SFH.

I moved SFH's hands slightly from underneath her waist to try and locate any type of gun but did not see or feel one. As I began yelling to other officers arriving on scene in regards to the missing gun, I was informed Ulisses was detained as he reportedly shot SFH. Other officers advised a gun was located in the kitchen sink and secured.

In comparing information with other Beaver Dam officers on scene and Beaver Dam EMS personnel, it was believed SFH was deceased based on our past professional training and experience. I notified dispatch and officers began making arrangements to secure the scene.

While examining the scene, I located approximately 16 spent shell casings on the kitchen floor, on the floor near the legs of SFH, on the floor behind the couch in the porch room, on the couch, and all over the ground next to SFH. Without moving the casings, I looked at the print on the bottom which appeared to say Luger 9mm but it was difficult to see. There were additional shell casings in a copper dish in the kitchen near the doorway to the porch room. I observed approximately 3 or more bullet fragments on the porch floor, on a shelf of the TV cabinet in the porch room, and on the kitchen floor near the table. There was what appeared to be blood spatter on the walls of the porch room, on a white chair in this room, on the TV cabinet, on the television screen, and on the ceiling. There was what appeared to be bodily matter on the ground near SFH's head and bone fragments wedged in between some shoes inside the lower shelf of the TV cabinet. The blood spatter and bodily materials appeared to be consistent in direction flowing towards the north side of the house.

I briefed Beaver Dam Detectives, and Joe Stommel with the Dodge County Medical Examiner's Office. He pronounced SFH deceased at 6:19 PM and completed his documentation. I briefed members of the Wisconsin State Crime Lab and ultimately turned the scene over to them for documentation and evidence collection while I maintained perimeter at the front door.

From the report of Det. Dan Kuhnz

On Saturday, 3/23/2019, I, Detective Kuhn, was contacted off-duty by Lt. Bahr and was asked to come in and assist with a homicide investigation.

I did go to 322 1/2 E. Third St and made contact with Lt. Gebhardt who briefed me on the incident. I did learn that the victim's parents were currently at 322 E. Third St and needed to be interviewed. I also learned that the victim's boyfriend, ALM, called in and requested a call back as he was in Illinois.

I asked ALM what he knew about her personal life. ALM stated that SFH and Ulisses were married but divorced in 2016 and they do have a child in common. ALM stated that SFH obtained a restraining order against Ulisses in De Kalb County, Illinois in the past but believes it had expired. ALM stated that Ulisses has a history of trying to manipulate SFH and since they have been divorced, he has been stalking her. ALM stated that SFH believed that Ulisses was driving past her house in Illinois, and he would have had no legitimate purpose for being in her neighborhood. ALM stated that SFH was given full custody of their child and believes that because of that and other court issues, Ulisses was becoming more upset and "erratic." ALM stated that SFH mentioned that she wanted to obtain her license to carry a firearm due to her concern of his behavior.

I asked ALM to explain why SFH was here in Beaver Dam. ALM stated that even though she has full custody of the child, she still felt that she had the moral obligation to allow the child to see Ulisses' parents in Beaver Dam so she would make periodic arranged trips here. ALM stated that he spoke with SFH on the phone at approximately 11:30am and she had just left to come to Beaver Dam. ALM stated that he spoke with her once again at approximately 2pm and she told him that she was approximately 30 minutes from Beaver Dam. ALM stated that he then was called by SFH's father who was frantic and found out that she was deceased.

I did then return to 322 E. Third St and made contact with Ramon NMI Medina. Ramon is the father of Ulisses and resides at 322 1/2 E. Third St with his wife, Maria.

I did inform Ramon that I wished to obtain a statement about what Ulisses and SFH relationship and also about what occurred today.

Ramon stated that he did not speak at length with Ulisses about his court appearances but was generally aware that things were bad during and after their divorce. Ramon stated that after SFH was given custody of their female child, she began bringing her to Beaver Dam for planned visitations. Ramon stated that there was an agreement that he and Maria would be at the residence when Ulisses came to visit due to their strained relationship. Ramon stated that Maria and SFH would make the arrangements for when SFH would come to Beaver Dam.

I asked Ramon about what happened today. Ramon explained that he was upstairs and fell asleep around 11am as he works third shift. Ramon stated that SFH, Maria, and female child were the only ones there. Ramon stated that he was awoken to yelling downstairs but did not hear any gunshots. Ramon stated that when he arrived downstairs, he saw SFH lying face down in a room at the back the house. Ramon described it as an extra bedroom. Ramon stated that Ulisses was in the living room

hugging female child and Maria was yelling in his ear to call 911. Ramon stated that he "saw lots of blood on her back". Ramon stated that Maria called 911. I asked Ramon what he thought happened and he stated he was unsure.

Finally, I asked Ramon if he had any other information regarding this case. Ramon then reached into his pocket and said that just as the police were arriving, Ulisses handed him a sealed envelope containing something and also a 2 page letter which he did not read. Ramon stated that Ulisses told him, "one is for you and the other is for my attorney." Ramon stated that he assumed the 2 page unsealed letter was for him. I asked Ramon for consent to see the letter and keep it and Ramon consented. I read the 2 page typed letter which is titled, "WILL & TESTAMENT". The letter begins by the writer identifying himself as Ulisses W Media Espinosa 12/3/1987 and declaring that this is his last will and testament. Ulisses then goes on to write about his wishes for his assets and then writes about the debt that he has incurred as a result of the divorce. The letter then addresses what Ulisses wishes for the custody arrangements for the child should be and writes as if SFH would no longer be around as he wishes for custody to be shared between the grandparents. Ulisses writes that "SFH is the custodial parent of female child and I am unaware of her wishes." Finally, Ulisses writes that he wishes to be cremated. The letter is then signed and dated "March 23 2019".

On 3/24/2019 at approximately 12pm, I did meet with several family members of SFH at the Beaver Dam Police Department as they wished to provide some information on what they knew about SFH's history with Ulisses. KDH, SFH's sister, explained that Ulisses has a long history of stalking, manipulation and attempts to control SFH. KDH stated that even while they were married, SFH discovered a tracking app on her phone and suspected that Ulisses installed it so he knew where she was.

KDH explained that the court had ordered that communication between SFH and Ulisses would take place through a system that tracks and manages communication due to threatening and harassing behavior by Ulisses toward SFH. KDH informed me that SFH is an attorney and when the judge ordered that there would be no contact between SFH and Ulisses, she absolutely would have obeyed by it. KDH stated that while they were not aware of her day-to-day activities, they were aware that she never would agree to come to Beaver Dam if Ulisses was going to be at Maria and Ramon's residence. KDH explained that she would not do this not only due to the court order but also because she would be concerned about her own personal safety. Note that in court documentation provided to me by KDH that was filed with the Clerk of Court in (location redacted) there is extensive information about the placement and custody arrangements of female child. There were court findings that there was an established history of Ulisses stalking SFH and female child. In this documentation, it does show that SFH was awarded sole custody of female child as well for various reasons.

KDH and C, another one of SFH's sisters expressed to me about concern for their own safety if Ulisses is somehow released from Jail. SFH's father explained that Ulisses has an affluent grandfather who lives in Mexico that may be able to post cash bond for him. It should be noted that in a search of Ulisses wallet subsequent to his arrest, I did locate a Mexican identification belonging to him. In addition to concern for their own safety, KDH expressed concern about him fleeing to avoid prosecution if released.

From the report of Det. Vickie Brugger

INITIAL INFORMATION

On Saturday, March 23, 2019, I, Detective Vickie Brugger of the Dodge County Sheriff's Office, assisted Beaver Dam Police Department with a homicide investigation by conducting a child forensic interview of Female Child. The interview occurred at the Beaver Dam Police Department. The interview was recorded. Dodge County Assistant District Attorney James Sempf observed the recorded interview.

SELECTED EXCERPTS OF INTERVIEW OF Female Child

The interview occurred in a "soft" room of the Beaver Dam Police Department. Inside of the room was a drawing easel having a roll of white paper. Female Child was drawing when I entered the room. The easel was used throughout the interview. The following is a summary of statements made by Female Child. For the purpose of this report, she will be referred to as Female Child. SFH will be referred to as mom. Ulisses Wenceslao Medina Espinosa DOB 12/03/1987 will be referred to as dad or daddy. Maria I Espinosa Rubio will be referred to as Grandma Maria. Ramon Medina Rodriguez will be referred to as Grandpa Ramon

Female Child wrote her name on the paper; She is 5 and one half and three quarters. Female Child lives in location redacted and she came "here" to visit Grandma Maria.

Female Child woke up (that morning) at her mom's friend's house.

Mom drove Female Child to Grandma Maria and Grandpa Ramon's house. Female Child continued her statement,

"Then my daddy came in and that's why we have a huge problem here, my mommy and daddy aren't supposed to see each other, they can only text and call each other but if they actually see each other—no, no, They don't like each other anymore;, they broke up. My mom told me because I asked why did daddy move away, and mom said because they broke up, and they can only call each other. That's why police offers came and they took daddy. He was really special to me. He is in jail now."

"Mom said we were going to see Grandma Maria and it surprised me that daddy was coming. He started shooting my mommy with a gun."

Female Child used the easel to show the location of the rooms in Grandma Maria's house. When one walks in the house, one walks into the living room. Next there is a kitchen having a kitchen table. Female Child was sitting on a kitchen chair next to her mom. There were cucumbers on the table and a big bowl of shrimp. Grandma Maria was next to the oven. Grandpa Ramon was upstairs.

Female Child was at the kitchen table when she heard the door open. Female Child saw it was her dad. Her dad took Female Child to the living room and gave Female Child a bunch of presents. Female Child walked from the kitchen to the living room. Her dad went in the kitchen and shot her mom. Female Child did not see her dad shoot her mom but Female Child heard her dad shoot her mom. Female Child was scared because of the boom boom booms; Female Child didn't know how many booms. Grandma Maria was still in the kitchen (during the booms). Grandpa Ramon was upstairs. There wasn't

anyone else in the kitchen (other than Grandma Maria, mom, and dad). "He kept shooting my mommy. She didn't die but I don't know what happened to her."

Grandma Maria called the police. Grandpa Ramon came down and they both called the police. "I was going to tell daddy not to shoot mommy because if then mommy is hurt she won't be able to drive me home."

(When dad entered the house) dad told Female Child to open her presents. Dad read Female Child a couple of the signs he gave as presents. Then dad went in the kitchen and "shot my mom." I asked Female Child how she knew her dad shot her mom and she replied, "Grandma wouldn't shoot my mom but daddy might." Female Child didn't remember if her dad had anything in his hands when he went in the kitchen. Female Child couldn't see in the kitchen when she was next to her presents in the living room.

Grandma Maria called the police and daddy was still shooting mom. After the boom booms stopped, dad went to the living room.

Dad told Female Child to open her presents. Female Child kissed her dad once last time and then cried. Dad said, "The judge won't hurt us anymore." Female Child believed her dad said that because the judge wasn't letting Female Child see her dad for a long time.

Information provided by Dodge County Medical Examiner PJ Schoebel

According to the preliminary autopsy findings, SFH suffered fifteen gunshot wounds all of indeterminate range. Three gunshots were to the left side of her head. Eight gunshots were to her torso, all entering her back. Four gunshots were to her pelvic and thigh regions.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and Sworn to me on 03/26/19

Electronically Signed By:

Kurt F. Klomberg

District Attorney

State Bar #: 1042159

Electronically Signed By:

Lt. Terrence Gebhardt

Complainant