

STATE OF WISCONSIN

-vs-

Plaintiff,

Terry G Kleiman
922 Division Street
Green Bay, WI 54303
DOB: 01/18/1978
Sex/Race: M/W

DA Case No.: 2009BR001767
Assigned DA/ADA: Dana J Johnson
Agency Case No.: GBPD08117589

Court Case No.: 09CF 428

CRIMINAL COMPLAINT
AUTHENTICATED COPY
FILED

Defendant,

APR - 2 2009

Complainant, an Assistant District Attorney, being first duly sworn on oath, deposes and says that:

LISA M. WALTON
CLERK OF COURTS
BROWN COUNTY, WI

Count 1: BURGLARY OF A BUILDING OR DWELLING - AS A PARTY TO A CRIME

The above-named defendant on or about Sunday, November 23, 2008, in the City of Green Bay, Brown County, Wisconsin, as a party to a crime, did intentionally enter a dwelling, residence of Alex Rouse, without the consent of the person in lawful possession of the place, and with intent to commit a felony, contrary to sec. 943.10(1m)(a), 939.05 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.

Count 2: MISTREATMENT OF ANIMALS - AS A PARTY TO A CRIME

The above-named defendant on or about Sunday, November 23, 2008, in the City of Green Bay, Brown County, Wisconsin, as a party to a crime, did intentionally treat an animal, in a cruel manner, resulting in the animal's death, contrary to sec. 951.02, 939.05 Wis. Stats., a Class I Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than three (3) years and six (6) months, or both.

Complainant is an Assistant District Attorney with the Brown County District Attorney's Office and knows of the above offense on information and belief based upon:

PROBABLE CAUSE:

1. Complainant's review of the details of Officer Asplund of the Green Bay Police Department who indicates that on November 23, 2008, at approximately 3:15 AM, he was dispatched to 824 Elmore Street, Upper, City of Green Bay, Brown County, Wisconsin, to assist the fire department on a report of a dog that was found dead

in an oven. There was a female, Alex K. Rouse, kneeling on the ground crying uncontrollably. Alex Rouse was the owner of the dog that was in the oven. The fire department arrived prior to Officer Asplund and indicated the dog was found in the oven deceased. Officer Asplund indicated that there was another female present, Angel Hogate. Ms. Hogate stated that she and Ms. Rouse entered the apartment just before 3:15 a.m. Ms. Hogate stated they were walking up the stairs and noticed the upper door was open and the apartment was smokey. First, Ms. Rouse thought the furnace was causing problems. Later, Ms. Hogate stated she opened up the oven and found Ms. Rouse's dog inside of it.

2. Officer Asplund indicated he went inside the residence and opened the oven and noticed a small dog lying on the bottom of the oven. Officer Asplund stated the dog was obviously dead and his hair was somewhat burnt. Officer Asplund stated that it appeared there was forced entry of both the bottom door and the top door to the apartment. Officer Asplund stated there was some pry marks on the bottom door lock area. Officer Asplund stated the upper door had more visible damage. Officer Asplund stated there were scratches on the area around the lock. Ms. Rouse noticed a scratch on the door that she thought was new.
3. Officer Asplund stated that he met with Ms. Rouse. Ms. Rouse was still upset but able to talk about the incident. Ms. Rouse stated that she and Terry G Kleiman (d.o.b. 1/18/78) had a relationship. In the past, Ms. Rouse stated that she and Terry Kleiman had a ceremony. They are not officially married, however, their families consider them to be married. Ms. Rouse stated that approximately a month ago she and Terry Kleiman broke off their relationship. Ms. Rouse stated that when she was together with Terry Kleiman, the defendant, he would make comments to her stating, "If you ever hurt me, I'll hurt you ten fold." Ms. Rouse stated that he has also made general comments about threatening her safety. Ms. Rouse stated that because of the increased issues between her and Terry Kleiman she stayed away from work this week. Ms. Rouse stated that both she and Terry Kleiman work at the Oval Office. Ms. Rouse stated that Terry Kleiman had been telling her that this is his town and asking her to leave. Ms. Rouse stated that she came back and worked on Saturday, November 22, 2008. Mr. Rouse stated that the defendant was scheduled to work on November 22, 2008 as well. Ms. Rouse stated when she was at work the defendant was staring at her in a way that made her feel uncomfortable. Ms. Rouse stated at 11:00 PM the defendant left work. Ms. Rouse stated around midnight she noticed that the defendant returned for a few minutes and left again for the rest of the evening. Ms. Rouse thought this as unusual that the defendant left before his shift was completed. Ms. Rouse stated after work she and Angel Hogate went to the Blackstone Restaurant to eat and then back to 824 Elmore Street. Ms. Rouse stated she found the upper door to her residence open and turned off the furnace. Ms. Rouse stated she initially saw piled pillows and bedding in the middle of her bed and thought it was out of place. Ms. Rouse stated both upper and lower door had been locked when she left. Mr. Rouse stated that the defendant does not have a key to her apartment and never lived with her. Ms. Rouse stated that the defendant does not have permission to

enter her residence. Ms. Rouse stated that her dog was a "Teddy Bear" breed. Ms. Rouse stated her dog was 4 to 5 months old. Ms. Rouse stated that she was afraid for her life.

4. Complainant's review of the details of Detective L. Kingston of the Green Bay Police Department, who indicates that he made contact with Alex Rouse by telephone. Ms. Rouse indicated that Terry Kleiman, the defendant, had been physically and mentally abusive to her since they met. Ms. Rouse stated that the defendant "snaps" and does really dumb things. Ms. Rouse stated that Terry Kleiman can be very violent and considers himself to be a white supremacist. Ms. Rouse stated that the defendant hates cops and she does not expect him to cooperate. Ms. Rouse stated that the defendant does not like animals and she believes he was jealous of her dog. Mr. Rouse stated that the defendant would become angry if she spent too much time with the dog. Ms. Rouse stated on one occasion when the defendant woke up he found her on the couch with the dog. The defendant started yelling and throwing things around the residence. Ms. Rouse stated the defendant is a member of the Heathens Motorcycle Gang. Ms. Rouse stated that the defendant is a drug user. Ms. Rouse stated the defendant uses powder cocaine, crack cocaine, and marijuana. Ms. Rouse stated that the defendant has made threats to her in the past. Ms. Rouse stated the defendant has said to her, "If you ever hurt me, I will hurt you ten fold." Ms. Rouse stated the defendant has told her in the past that if she ever did anything to him he would kill her.
5. Detective Kingston indicated that on November 25, 2008, he interviewed Josh Marshall. Detective Kingston was asking Josh Marshall what happened on Saturday night, November 22, 2008. Mr. Marshall stated that he works at the Oval Office. Mr. Marshall stated that on November 22, 2008, at approximately 11:00 PM, he was told he could leave early because the club was slow. Mr. Marshall stated one of the floor managers, the defendant, Terry Kleiman, was leaving for the night. Mr. Marshall stated they decided to leave together. Mr. Marshall stated that he and Terry Kleiman, the defendant, went to the Heathens Motorcycle Club located off of University Avenue behind Gipper's Sport's Bar. Mr. Marshall stated he drove the defendant in his vehicle to the clubhouse. Mr. Marshall stated they were there for approximately 2 hours. Mr. Marshall stated they came back to the Oval Office because Terry had to drop off a set of keys for his roommate. Mr. Marshall stated they left the Oval Office again and went back to the clubhouse and hung out until approximately 3:00 AM. Mr. Marshall stated that three of the defendant's friend's showed up and Mr. Marshall left and went home. Mr. Marshall initially stated that he and the defendant did not go anywhere other than the Oval Office and the clubhouse. Detective Kingston asked Mr. Marshall if he was telling him everything. Detective Kingston told the defendant it would be in his best interest to tell the truth. Mr. Marshall indicated that he and the defendant did go to the motorcycle club initially. However, after they went back to the Oval Office and dropped off the keys, they went to the defendant's house. Mr. Marshall stated the defendant began to talk about Ms. Rouse and her dog. The defendant stated that

Ms. Rouse had some CD's and he wanted to get them back. Mr. Marshall stated he had left with the defendant and went to Ms. Rouse's residence. Mr. Marshall stated they both walked up to Ms. Rouse's residence. Mr. Marshall stated he followed the defendant up the steps to Ms. Rouse's apartment. Mr. Marshall stated that the defendant put his shoulder to the door and forced it open. Mr. Marshall stated that he knew that the defendant had now broken into the apartment and he himself did not want to enter. Mr. Marshall stated that he waited outside while the defendant went inside. Mr. Marshall stated the defendant was inside for a while and then came out. Mr. Marshall stated they left. Mr. Marshall stated that they went back to the motorcycle clubhouse on University and stayed there until some friends arrived. Mr. Marshall stated that he then went home at approximately 3:00 AM. Mr. Marshall added that when he was with the defendant at his residence, before they went over to Ms. Rouse's residence, he was at the defendant's residence with his girlfriend, Kayla, another girl named Jolee and the defendant. Mr. Marshall stated that when the four of them were at the defendant's residence they were all drinking. Mr. Marshall stated it was he, the defendant, Jolee, and Kayla. Mr. Marshall stated that the defendant was angry with Alex Rouse. Mr. Marshall stated the defendant talked about going to Alex Rouse's apartment and doing something to her dog. Mr. Marshall explained how they went over to Alex Rouse's apartment. Mr. Marshall stated it was he and the defendant. Mr. Marshall explained how the defendant forced the door open at Ms. Rouse's residence. Mr. Marshall explained how the defendant went inside for what seemed like a long time. Eventually, Mr. Marshall explained how he stepped inside the door and called for the defendant. Mr. Marshall stated he walked in the apartment and saw a light on in the bedroom. Mr. Marshall stated that he and Terry Kleiman eventually left Ms. Rouse's residence. Mr. Marshall stated that they went back to the defendant's residence. When they got back, Mr. Marshall stated that the defendant was acting weird. Mr. Marshall stated that the 4 of them left the defendant's residence and went back to the motorcycle clubhouse. Mr. Marshall stated when they went to the clubhouse the defendant told him that he just wanted him to know that he went to Alex Rouse's and did what they said they were going to do. Mr. Marshall stated that Jolee asked the defendant if he meant that he put the dog in the oven. Mr. Marshall stated the defendant said yes. Mr. Marshall stated that the girls were freaking out about the incident. Mr. Marshall stated that he told the defendant that Kayla wanted to leave. Mr. Marshall stated he was telling the defendant that he and Kayla were leaving. The defendant was walking them out. The defendant asked Mr. Marshall and Kayla if they were going to say anything about this. Mr. Marshall stated that the defendant told them he wanted to know whose side they were going to take, his, or the cop's side. Mr. Marshall stated that the defendant told them if anyone asked to just tell them they were at the clubhouse all night. Mr. Marshall stated that he knows he was at Ms. Rouse's residence and went inside. Mr. Marshall stated he did not have anything to do with the dog.

6. Complainant's review of the details of Detective D. Eklund of the Green Bay Police Department, who indicates that on November 26, 2008, he spoke to Shauna M.

Brooks. Ms. Brooks was asked questions about what took place on Saturday, November 22, 2008. Ms. Brooks stated that she was at Terry Kleiman's residence on that Saturday. Ms. Brooks stated she was with Terry Kleiman, Josh, and Josh's girlfriend, Kayla. At one point, Ms. Brooks stated that the defendant, Terry Kleiman, started to talk about Alex Rouse's dog. The defendant stated that he was allergic to the dog and the dog had put him through hell. The defendant joked about killing the dog and putting it in the oven. The defendant also talked about going to Ms. Rouse's apartment and getting things that were at her residence that were his. At one point, Ms. Brooks stated that the defendant and Josh left. Ms. Brooks stated that later the defendant and Josh came "bolting" back into the residence. They indicated they needed to leave Mr. Kleiman's residence. Ms. Brooks stated all 4 of them left and went to the motorcycle clubhouse. Ms. Brooks stated she was asking the defendant what happened. The defendant told her, "We did what we said we were going to do." Ms. Brooks asked if they meant that they put the dog in the oven. The defendant responded, "Yes." The defendant told Ms. Brooks that Josh put the dog in the oven. Ms. Brooks stated that Josh told her that he could not believe that the defendant did it. Ms. Brooks stated later that evening the defendant called her and told her, "You did not see me at all tonight or hear from me tonight." Ms. Brooks stated the defendant told her the same went for Josh. Since that time, the defendant has called Ms. Brooks and asked her if she heard anything or talked to detectives. Ms. Brooks told him no.

7. Complainant's review of additional details of Detective Kingston of the Green Bay Police Department, who indicates that on November 27, 2008, he spoke to Kayla Pickard. Ms. Pickard was asked questions about what would have happened on November 22, 2008, which was a Saturday. Ms. Pickard described how Josh and Terry Kleiman picked her up. Ms. Pickard stated that they later picked up a female she knew as Jolee. Ms. Pickard stated that they were drinking. Ms. Pickard stated that the defendant, Terry Kleiman started to talk about Alex Rouse and how she had a bunch of CD's that were his. The defendant then started talking about Ms. Rouse's dog. The defendant stated he would just go over there and "cook" her dog. Ms. Pickard stated that she took this as a joke. Ms. Pickard stated that shortly after this Josh and the defendant left. Approximately 20 minutes later, Ms. Pickard stated that Josh and the defendant returned. Ms. Pickard stated the defendant was acting weird. The defendant stated that they needed to leave his house. The defendant stated that they needed to get the fuck out of there. Ms. Pickard stated they all left in Josh's car and went to the motorcycle clubhouse. Ms. Pickard stated that while they were at the clubhouse the defendant made a comment that he cooked the dog. Ms. Pickard asked him if he was serious. The defendant stated he was. Ms. Pickard stated that she and Jolee became very upset and wanted to leave. Later, the defendant again stated that he cooked Alex Rouse's dog.
8. Complainant's review of additional details and information of Detective Kingston who indicates that on January 21, 2009, he spoke to Shauna Brooks. Ms. Brooks was asked about couple things that she originally said to the police about the

incident. Ms. Brooks reiterated that when Josh and Terry came back to Terry Kleiman's residence, Terry Kleiman was freaking out. Terry Kleiman told them they all had to leave. Ms. Brooks indicated that when they went to the clubhouse, after Terry and Josh returned, Terry Kleiman stated that we did what we said we were going to do. The defendant stated that we put the dog in the oven. Ms. Brooks stated that the defendant would always say "we" and not individually who did what. Ms. Brooks indicated that she also goes by the stage name of Jolee.

Complainant believes the details of Officer Asplund, Det. Kingston and Det. Ecklund, all of the Green Bay Police Department because he has relied upon them in the past and found them to be accurate and reliable. Complainant believes the information provided by Alex Rouse, Angel Hogate, Josh Marshall and Shauna Brooks because they are all citizen witnesses.

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

Subscribed and sworn to before me,
and approved for filing on:

This 1st day of April, 2009.



Complainant



(Assistant) District Attorney