

FILED
09-19-2022
Clerk of Courts
Fond du Lac County WI
2022CF000712

STATE OF WISCONSIN CIRCUIT COURT FOND DU LAC COUNTY

<p>STATE OF WISCONSIN Plaintiff,</p> <p>vs.</p> <p>CARLA M ENDEWARD c/o Taycheedah Correctional Institution PO Box 3100 Fond du Lac, WI 54936-3100 DOB: 10/25/1967 Sex/Race: F/W Alias: Also Known As Carla M. Czysz Also Known As Carla M. Chish Also Known As Carla M. Erdmann Defendant.</p>	<p>DA Case No.: 2020FL002683 Assigned DA/ADA: Tessa Button Agency Case No.: 20-412 20-0560 20-0585 20-412 Court Case No.: ATN:</p>	<p>CRIMINAL COMPLAINT</p>
---	--	----------------------------------

For Official Use

The undersigned law enforcement officer, of the Ripon Police Department, being first duly sworn, states that:

Count 1: FIRST DEGREE RECKLESS HOMICIDE - PTAC, AS A PARTY TO A CRIME, REPEATER

The above-named defendant on or about Thursday, March 5, 2020, in the City of Ripon, Fond du Lac County, Wisconsin, as a party to a crime, did cause the death of VICTIM 1, by the delivery or manufacture of a Schedule I or II controlled substance, in violation of sec. 961.41 Wis. Stats., which VICTIM 1 used, dying as a result of that use, contrary to sec. 940.02(2)(a), 939.50(3)(c), 939.05, 939.62(1)(c) Wis. Stats., a Class C Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

And further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of a felony in the previous 5 years, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 6 years if the prior conviction was for a felony.

Count 2: MAINTAINING A DRUG TRAFFICKING PLACE, REPEATER, SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Thursday, March 5, 2020, in the City of Ripon, Fond du Lac County, Wisconsin, did knowingly keep or maintain a dwelling which is resorted to by persons using controlled substances in violation of chapter 961 Wis. Stats., contrary to sec. 961.42(1), 939.50(3)(i), 939.62(1)(b), 961.48(1)(b) 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.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of a felony in the previous 5 years, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 4 years if the prior conviction was for a felony.

And further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of a prior 961 offense, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

And the Court may suspend the defendant's operating privileges for not less than six (6) months nor more than five (5) years. If the defendant's driving privileges are already suspended, any suspension imposed must be served consecutively.

Count 3: POSSESSION OF NARCOTIC DRUGS, SECOND AND SUBSEQUENT OFFENSE, REPEATER

The above-named defendant on or about Thursday, March 5, 2020, in the City of Ripon, Fond du Lac County, Wisconsin, did knowingly possess fentanyl patches, a controlled substance included in Schedule I or Schedule II which is a narcotic drug, without a valid prescription, contrary to sec. 961.41(3g)(am), 939.50(3)(i), 961.48(1)(b), 939.62(1)(b) 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.

And further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of a prior 961 offense, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of a felony in the previous 5 years, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 4 years if the prior conviction was for a felony.

And the Court may suspend the defendant's operating privileges for not less than six (6) months nor more than five (5) years. If the defendant's driving privileges are already suspended, any suspension imposed must be served consecutively.

Count 4: POSSESSION OF DRUG PARAPHERNALIA, REPEATER

The above-named defendant on or about Thursday, March 5, 2020, in the City of Ripon, Fond du Lac County, Wisconsin, did knowingly possess drug paraphernalia with the primary intent to use a controlled substance, contrary to sec. 961.573(1), 939.62(1)(a) Wis. Stats., a Misdemeanor, and upon conviction may be fined not more than Five Hundred Dollars (\$500), or imprisoned for not more than thirty (30) days, or both.

And further, invoking the provisions of sec. 939.62(1)(a) Wis. Stats., because the defendant is a repeater, having been convicted of a felony in the previous 5 years, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased to not more than 2 years.

And the Court may suspend the defendant's operating privileges for not less than six (6) months nor more than five (5) years. If the defendant's driving privileges are already suspended, any suspension imposed must be served consecutively.

Count 5: FIRST DEGREE RECKLESSLY ENDANGERING SAFETY, REPEATER

The above-named defendant on or around, in the City of Ripon, Fond du Lac County, Wisconsin, did recklessly endanger the safety of VICTIM 1, under circumstances which show utter disregard for human life, contrary to sec. 941.30(1), 939.50(3)(f), 939.62(1)(c) 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 further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of a felony in the previous 5 years, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 6 years if the prior conviction was for a felony.

Count 6: OBTAINING A CONTROLLED SUBSTANCE BY FRAUD, SECOND AND SUBSEQUENT OFFENSE

The above-named defendant on or about Friday, March 6, 2020, in the City of Ripon, Fond du Lac County, Wisconsin, did obtain possession of a controlled substance, Suboxone, by fraud, contrary to sec. 961.43(1)(a), 939.50(3)(h), 961.48(1)(b) 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 further, invoking the provisions of sec. 961.48(1)(b) Wis. Stats., because the defendant is a subsequent offender, having been convicted of a felony in the previous 5 years, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 4 years.

And the Court may suspend the defendant's operating privileges for not less than six (6) months nor more than five (5) years. If the defendant's driving privileges are already suspended, any suspension imposed must be served consecutively.

Count 7: FIRST DEGREE RECKLESSLY ENDANGERING SAFETY, REPEATER

The above-named defendant on or around, in the City of Ripon, Fond du Lac County, Wisconsin, did recklessly endanger the safety of VICTIM 2, under circumstances which show utter disregard for human life, contrary to sec. 941.30(1), 939.50(3)(f), 939.62(1)(c) 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 further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of a felony in the previous 5 years, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 6 years if the prior conviction was for a felony.

Count 8: FIRST DEGREE RECKLESSLY ENDANGERING SAFETY, REPEATER

The above-named defendant on or around, in the City of Ripon, Fond du Lac County, Wisconsin, did recklessly endanger the safety of VICTIM 2, under circumstances which show utter disregard for human life, contrary to sec. 941.30(1), 939.50(3)(f), 939.62(1)(c) 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 further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of a felony in the previous 5 years, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 6 years if the prior conviction was for a felony.

PROBABLE CAUSE:

Complainant bases this complaint on the reports of law enforcement from the Ripon Police Department. Complainant and Ripon Law enforcement are credible as sworn law enforcement officials.

As to Count 5:

A portion of Officer Michels report indicates:

1. On May 7, 2020, we served a search warrant at 733 Watson Street, Ripon, WI which is the residence where Kyla Ott resided.
2. I explained to Kyla that I wanted to ask her some questions, but before doing so I was going to read her her rights. I pulled out a card that had the Miranda warning and waiver on it and read it to Kyla verbatim. I asked Kyla, knowing these rights, do you wish to talk to us now and Kyla said, "yes".

3. Kyla said that she Narcaned VICTIM 1 a week before he died (March 5, 2020). I asked Kyla to tell me about that. Kyla said that Carla (the above named defendant) was supposed to come over to her house and she was coming over and said she'd be over in 15 minutes. Kyla said that an hour and 20 minutes passed and Kyla thought, something isn't right. Kyla said that she called both of their phones and neither of them were answering. Kyla said she got there and she was knocking a lot. She said that nobody was answering, so she tried the door and it was unlocked, which Kyla said is unusual. Kyla said that Carla was on the ground with her hands above her head, like she was crawling and just collapsed back. Kyla said that Carla had keys in her hand and had her purse, "so she was obviously getting ready to leave". Kyla said that Victim 1 was on the couch and she said that she has a picture on her phone of him completely gone. Kyla said that VICTIM 1 was "completely gone". I asked if he was breathing and she said no. Kyla stated that she was talking to Jerry and telling him that she didn't know what to do, and asked him if he had Narcan. Kyla said that Carla wouldn't allow her to call the police. Kyla said that she wanted to call for help, but Carla wouldn't let her, "because there was shit in the house". Kyla said that once she got there, that Carla became responsive, and she got up, and was still out of hit. Kyla stated that Carla was trying to revive VICTIM 1 by doing CPR, "but she doesn't know how to do it". Kyla went on to say that Carla was slapping him and throwing water on him, and doing everything she could and it wasn't working. Kyla said that she talked to Jerry and he said that he had Narcan. Kyla ran back to her house, got the Narcan, and went back. She said that they administered the Narcan intra-nasally and VICTIM 1 was back to himself in 5 minutes. Kyla said that Carla came back around, and that she did more than she should have, she said that she had passed out for about an hour.

As to Counts 1-4:

Portions of Officer Michel's reports indicate:

4. On 03/05/2020 Officer Michels was contacted by Sergeant Durkee of the Ripon Police Department regarding a request from the Fond du Lac County medical examiner's office to meet their investigator at Ripon Medical Center (RMC) regarding a possible suspicious death.
5. On 03/05/2020 Officer Michels responded to RMC, where Officer Michels spoke with Stacey Groeschl and Allison Hohenstern, both registered nurses. Stacey and Allison had rendered aide to the deceased, VICTIM 1, and also spoke to his wife, Carla Marie Czysz (DOB: 10/25/1967) who brought VICTIM 1 to the Emergency Room. Stacey said that when VICTIM 1 arrived to the ER at approximately 2:50am that he was pulseless and not breathing and they attempted to revive him for some time, but they were never able to regain a pulse or breathing.
6. Stacey indicated that Carla told her that VICTIM 1 has been more depressed lately and made statements recently that life isn't worth living and that he wanted to die. Carla told her that on March 4, 2020, VICTIM 1 had an appointment at the Suboxone clinic and he was supposed to get a prescription, but the doctor

said he would send it to the pharmacy. VICTIM 1 called the pharmacy several times to see if they had gotten the prescription and they hadn't and he was getting agitated. Carla said a friend, Brett Williams, stopped by the house and she left with him. When she returned home VICTIM 1 was mad at her for leaving with Brett, and they got into a verbal argument. They then had dinner and VICTIM 1 left. Carla fell asleep on the couch and did not hear VICTIM 1 come home. Sometime later Carla got up to use the bathroom and VICTIM 1 was slumped over in bed, she went to try and arouse him. He was lethargic and didn't say anything. Carla saw some redness or blood by his nose. She called his name and there was no response. She determined that VICTIM 1 was not breathing and pulled him to the floor and started CPR. Carla thought she heard heartbeats so she gave him some breaths. Carla called the downstairs neighbor, Mike, and he blew it off as if it was just VICTIM 1. Carla then pulled VICTIM 1 down the steps, but the dog got in the way, and VICTIM 1 fell down the rest of the steps, about 5 steps. Carla knocked on the neighbor's door and Mike came to the bottom of the steps and helped Carla get VICTIM 1 into the car. She then brought him to RMC.

7. Officer Michels is familiar with Carla M. Czysz from past professional/police contacts and know that Carla is currently on active probation for Wisconsin State Statute 961.41(1)(d)1: Manufacture/Deliver Heroin.
8. Officer Michels had an opportunity to speak with Carla on March 5, 2020 at RMC. Carla told Officer Michels similar information to what she told RN Stacey. She said that Brett Williams was a friend of her son Aaron's, and he just had gotten off of probation, so he was in Ripon and had happened to stop by Carla's place. Carla said that after she and VICTIM 1 had dinner that VICTIM 1 left the residence and she has no idea where he could have gone. Carla said that the only person she knows VICTIM 1 to hang out with is a Kriss Standke. Carla said that she fell asleep on the couch and she is a very heavy sleeper and she did not hear VICTIM 1 come home. She indicated that VICTIM 1 had called her a few times and that she missed some of the calls, but then spoke with him another time. In speaking with Carla she mentioned that through finding VICTIM 1 that she didn't call 911 because she couldn't find her phone anywhere. I asked Carla if she currently had her phone, and she pulled it out of her pocket. I asked if she could show me the missed calls and she showed me her phone she had missed calls from VICTIM 1 at 8:54pm, 8:58pm, 8:59pm, 9:00pm, and 9:01pm. It then showed that she answered his second call at 9:01pm. She said that he probably told her that he was going to be home soon on that phone call. She then missed calls from VICTIM 1 at 9:34pm, 9:35pm, 9:36pm, and answered his call at 10:19pm. I asked what he said then and she said that he probably told her that he was going to be home soon.
9. Officer Michels is also familiar with the deceased, VICTIM 1 through professional/police contacts. Officer Michels is aware that VICTIM 1 was a drug user and asked Carla if VICTIM 1 was using again. Carla said that not to her knowledge, she stated that she came back to Ripon in October and VICTIM 1 had been clean to what she knew. She said that he smoked pot, but in regards to the hard drugs, he was clean. She said that VICTIM 1 was going to the methadone clinic, but then switched to the Suboxone clinic. Carla stated that she would take VICTIM 1 to Milwaukee to the Suboxone clinic. Officer Michels asked

why they went all the way to Milwaukee, and she said that they can get people in there right away and it is cheaper. Carla said that when they went on Wednesday to the Suboxone clinic that the doctor had a broken hand so couldn't write a prescription so he was going to send an escript to Walgreens.

10. Officer Michels asked Carla if she had been back to the house since she had brought VICTIM 1 to the Emergency Room, and Carla said that she had not been back, but the downstairs neighbor had gone up to the apartment to get her dog.
11. On 03/05/2020 Officer Michels obtained consent to search the residence of 306 ½ State Street where Carla and VICTIM 1 resided and Carla gave consent. Upon searching the residence some drug paraphernalia to include two crack pipes, marijuana pipes with residue, a digital scale, marijuana grinder, and THC gel containers along with several prescriptions for VICTIM 1, his mother (unopened box of fentanyl transdermal 75mcg/hr patches prescribed on 12/2/09), his deceased sister, and his niece were located in the residence. A pair of blue jeans that contained a wallet and a Wisconsin photo driver's license for VICTIM 1 at the foot of the bed. Officer Michels could not locate VICTIM 1's cell phone and asked Carla where the phone was. Carla indicated that she had no idea where VICTIM 1's phone was. When later asked what provider VICTIM 1's phone was through, Carla indicated that she didn't know as it was a government phone.
12. On 03/05/2020 Officer Michels contacted Carla she told Officer Michels that she had not found VICTIM 1's phone at all. Officer Michels confirmed with Carla that VICTIM 1's phone number was (920) 203-8659. Officer Michels asked Carla if she knew what company his phone was through and she told Officer Michels it was government phone, so she didn't know. Officer Michels attempted to call VICTIM 1's phone and it went right to voicemail.
13. On 03/05/2020 Officer Michels performed a provider search for VICTIM 1's phone number, (920) 203-8659, and found out it that Sprint was the provider. Officer Michels then faxed a preservation request to Sprint for the above phone number and received a case number from Sprint of 2020-047098.
14. On 03/05/2020 Sgt. Durkee spoke with Michael E. Weiske, whom is the downstairs neighbor to Carla and VICTIM 1. Michael told Sgt. Durkee that he was sleeping on the morning of 03/05/2020 when he heard someone banging on the steps and that his neighbor from upstairs Carla Czysz came knocking on his door. He said that she was banging on the door and that Carla said she needed help with VICTIM 1. Michael said that he got up and answered the door and that Carla and VICTIM 1 were the base of the stairs near front door entry way. He said that he thought VICTIM 1 was breathing at that time and he asked Carla if VICTIM 1 was breathing. Carla said yes and said that she needed help getting him in the vehicle to take him to the hospital. Michael said that Carla was crying and was very upset and he said something to the effect of why don't you call 911 and Carla said it would be faster by her taking him to the hospital. Michael said that VICTIM 1's vehicle was parked in front of the residence of 306 State Street

and that he helped Carla kind of drag VICTIM 1 out into the vehicle and place him in the passenger seat of that vehicle. He said that they were able to get him into the passenger seat of the vehicle kind of head first and then were able to maneuver his legs inside of the vehicle to get VICTIM 1 all the way into the vehicle. Michael said that he received phone calls later from Carla while she was at the hospital.

15. On 03/05/2020 Captain Damsteegt received a call from Kriss Kelly Standke, whom he called to say that he knows VICTIM 1 and Kriss said in the past, about a year or so ago when VICTIM 1 was in rehab, VICTIM 1 had told him that he never injects himself with drugs, and that he has Carla do it. Captain Damsteegt asked Kriss if VICTIM 1 would say where Carla would inject the drugs and he said he didn't, but he assumed it was in the arm. Kriss said that he has personal knowledge that Carla was always VICTIM 1's heroin supplier. Kriss said that he heard from Mike Weiske that "Johnny Williams" son was recently seen at VICTIM 1's apartment a few times over the past few weeks. It should be noted that Captain Damsteegt has professional knowledge that John Williams' son is Brett Williams. Kriss informed Capt. Damsteegt he has heard that "Brett is a known heroin supplier in Ripon"
16. On 03/10/2020 Officer Michels had an opportunity to speak with Kyla Rose Ott (DOB: 11/07/1991), whom she knows from past professional/police contacts. Kyla is VICTIM 1's niece. Officer Michels also has prior knowledge that Kyla is a drug user and recently had an interaction where Kyla had overdosed and Officer Michels was present and administered Narcan to reverse that overdose. Kyla said that VICTIM 1 borrowed her vehicle on Monday, March 2, 2020. She said he told her he needed to go to the Suboxone clinic in Milwaukee and he had a donut tire on his vehicle. Kyla stated that the name of the clinic is Spectrum Healthcare. Kyla stated that VICTIM 1 took her vehicle for a few hours and then returned it. Officer Michels asked Kyla what VICTIM 1 was using before he got clean and she said it was heroin and he was an IV user. Kyla did say that when VICTIM 1 was using that he would go to Milwaukee to get his drugs. Kyla said she didn't know where in Milwaukee, just Milwaukee.
17. On 03/10/2020 Officer Michels performed a provider search for the phone number of (414) 216-8366, which was the number associated with Carla in our records system, and found out that Verizon was the provider. Officer Michels then faxed a preservation request to Verizon for the above phone number and received a case number from Verizon Security Assistance Team of 200066863.
18. On a later date, Officer Michels had an opportunity to speak with Tanya Abraham, a phlebotomist at RMC. She had reported to the ER from the lab when the code was called. Tanya indicated that everything was taken care of, and Carla was by herself, so she sat with Carla. Tanya said that Carla spoke about the doctor's office and taking VICTIM 1 there and also talked about drugs. Officer Michels asked Tanya if she could elaborate on that point and she said that Carla had said something about that she thought VICTIM 1 was off drugs. Tanya said that Carla was getting several messages on her phone while she was with her in the ER.

19. On 03/12/2020 Kriss Standke contacted Sgt. Durkee to share some further information regarding VICTIM 1. Kriss said that he has talked with Michael Weiske about VICTIM 1's death. He said that he was concerned because Carla had called Mike a couple of times before she asked Mike to get VICTIM 1 out to his vehicle. Kriss thought that Carla had talked to Mike at least once or twice prior to Carla taking VICTIM 1 to the hospital and said that Carla had called VICTIM 1's phone. Kriss asked why she didn't call 911 and was concerned that there was such a time lapse before taking VICTIM 1 to the hospital.
20. On 03/14/2020 Officer Michels received the autopsy and toxicology reports from the Fond du Lac Medical Examiner's Office pertaining to the autopsy conducted on VICTIM 1. In those reports, Chief Medical Examiner, Dr. Adam Covach, MD determined that the cause of death for VICTIM 1 is: cocaine, fentanyl, flualprazolam, and Isotonitazene toxicity and the manner of death was accident.
21. Affiant further states that on 04/23/2020 Carla Czysz's was taken into custody on a probation warrant by Officer Mittelstaedt. A black ZTE phone with a floral "pop socket" on the back was located on Carla and was taken into possession by Officer Mittelstaedt and turned over to Officer Michels. Officer Michels currently has the phone at the City of Ripon police Department located at 100 E Jackson St. Ripon, WI 54971 secured in an evidence locker.
22. On 04/29/2020 Officer Michels and Inv. Vokes interviewed Carla Czysz at the Fond du Lac County Jail, during that interview Carla stated that she had been to Milwaukee "a couple" of times to purchase drugs. Carla told me that she had been to Milwaukee to get drugs with VICTIM 1, Kyla and VICTIM 2. Carla also indicated that the night leading up to VICTIM 1's death that he went down to Milwaukee.
23. Investigator Vokes talked with Carla about the day VICTIM 1 passed and asked if she was under the influence at that time, she said, "no, not at that time I was not". He asked if there was heroin in the house from a trip she took earlier that day, and Carla said no, that is why VICTIM 1 was freaking out because he was dope sick. We asked Carla to describe the heroin that she was getting and she said, "it was pink". Carla said that they would drive VICTIM 1's Chevy Impala down there. We then asked Carla who else she's been down there with and she said Kyla. Carla said that Kyla knows people down there and that is where she got some of the numbers from too and VICTIM 1 had some of the numbers from her too (Kyla). We asked who the male subject was that she went down there with and she said Victim 2. Investigator Vokes clarified that it was VICTIM 2, and Carla said yes. Carla said, "he had me go for a ride with him once". She said that he went down there himself. She said that she did get some cocaine and she did do a little of that.
24. Investigator Vokes asked how much they would buy, like increments, and Carla said when it was her and VICTIM 1 it depended how much money they had. She said that if he had the money he'd get a 1/4 gram. We asked how she consumed it and she said that she snorted heroin and that VICTIM 1 snorted also. Carla said that VICTIM 1 used to shoot it back in the day, but he snorted now. I asked Carla if she went

with Victim 2 or Victim 2 went with her and she stated that she went with Victim 2. She said that Victim 2 called her from work and asked her to take a ride and she said sure.

25. Investigator Vokes asked Carla about the time gap from the time she found VICTIM 1 unconscious to the time she made contact with the guy downstairs, and he asked if it was about 60 minutes. Carla said that she was trying to do CPR and get a hold of Kyla to bring... to bring Narcan. We asked if Kyla has Narcan on her and Carla said yes she does. Investigator Vokes asked Carla why she didn't call 911, and Carla said, "I was just freaking out and I couldn't find my phone". Then I found my phone and I called Mike. We asked why once she did find her phone why she didn't call 911 and she said that she just wanted to get him to the hospital. Carla went on to say that she had found him twice before. She said that VICTIM 1 was on the floor in the kitchen and he had woke up and he got up. Carla said she had never seen anyone overdose before. I clarified why she called Kyla for the Narcan, and Carla said that she knew VICTIM 1 had been using so that is why she called Kyla for the Narcan. Carla said that she heard VICTIM 1's heartbeat and he had a breath and she was giving CPR. Carla said that when she heard his ribs crack, that is when she thought she should take him to the hospital.
26. Investigator Vokes asked Carla if she was sleeping, how did she know that VICTIM 1 was using? Carla said she was sleeping on the couch and her dog came by her and started whining and scratching at her and that is what woke her up. She said that she got up to use the bathroom, and when she walked to the bathroom she couldn't really see where VICTIM 1 was laying on the bed. When she came out of the bathroom she saw him and turned him over and yelled his name. We again asked if there was any heroin or cocaine in the house at that time. Carla said, "no, that day we were home the whole day", but VICTIM 1 was fidgety.
27. I explained to Carla that she mentioned that she knew VICTIM 1 was using that day, I asked her how she knew that. She said, "not using, he said that he was dope sick". Then he said "fuck it" and left with one check book and then came back and said, "fuck it, I can't even cash a fucking check". She thinks that maybe he grabbed Carla's debit card and then he left. Carla said that he then called her 4 times and one of the calls, he said, "what the fuck, which way is whatever street". Carla said she thought he was in Milwaukee as he doesn't know Milwaukee real well and she said it was about 10:30pm. Carla told him to go south. Investigator Vokes asked her what time she found VICTIM 1 approximately and Carla said it was when the dog came, "the dog honestly did" he came and woke me up. Carla referred to a time when she was using a lot and she would nod out on the toilet and her dog would come and scratch at her and wake her up.
28. Investigator Vokes asked Carla if any of the dope she had purchased in the past or earlier that day was at the house. Carla said she purchased that day. We asked if any of it was in the house. She said that they had ran earlier that day and everything that was in the house VICTIM 1 had done already and said that it was garbage. I tried to clarify with Carla, she said that they went to Milwaukee that morning to the

suboxone clinic and VICTIM 1 made the comment, well, since we're down here, "fuck it, let's stop". We asked why they were going all the way to Milwaukee for the suboxone clinic, she said because their insurance covered it, and a lot of clinics up here are cash only. Carla said that the records would reflect that they were at the suboxone clinic that day, March 4th.

29. Investigator Vokes asked Carla about her dealers and she said that she had 2 dealers. . . .Carla then went on to talk about the "pink shit", she stated it's something different. Carla said she said it from the beginning that it was different. Investigator Vokes asked if she ever nodded off from that, meaning the pink heroin and Carla said yes a couple of times. Investigator Vokes said that we were going to go through her phone and asked if there was going to be anything in there that we will see that we would come back to her and ask her about. Carla said that she did not go down with VICTIM 1 that night and she, "swears on VICTIM 1's dead body that he went down by himself". She said that there will be phone calls as they rifle her phone constantly, fire girl, fire boy, 2 for whatever.
30. Officer Michels is aware that a forensic examination was performed on both Carla M. Czysz's and VICTIM 1's phones and through those examinations information was extracted.
31. Information extracted from both Carla's and VICTIM 1's phone, along with information from search warrants that were served on each phone's respective cell phone provider, provided frequency, chrono, and location reports for the cell phones. This information shows that VICTIM 1's phone travels to the Milwaukee area and back to Ripon on the night of March 4, 2020. It also shows that Carla's phone travels to the Milwaukee area and back to Ripon during the day on March 4, 2020.
32. Information from both Carla's and VICTIM 1's phone also showed that on March 4, 2020 between 7:38pm and 10:19pm Carla and the "target's" phones call each other a total of 11 times. During that same timeframe, Carla and VICTIM 1's phones call each other a total of 23 times. During that timeframe VICTIM 1's and the "target's" phones call each other a total of 11 times. This confirms Carla's statement in the interview from April 29, 2020 that VICTIM 1 called her several times and she was providing him directions on how to get to specific streets in Milwaukee.
33. On March 3, 2022, a phone conference was had between Assistant District Attorney Tessa Button, Lindsey Michels, and Fond du Lac County Medical Examiner Adam Covach at approximately 14:30 hours regarding the autopsy report and toxicology findings for VICTIM 1, whose autopsy was performed on March 6, 2020.
34. It was requested that Dr. Covach write a summary of the conversation and he provided the following:
During that conversation, Dr. Covach stated that the ability to do this is inexact. He stated that it is not possible to do this with cocaine, as cocaine is one of the drugs that continues to get broken down after a person has died. Fentanyl will not continue to be broken down; however postmortem redistribution may continue to alter levels somewhat. The concept of a drug's half-life was then introduced, and fentanyl's

half-life was stated to be between 3 and 12 hours (Cited from Baselt's Disposition of Toxic Drugs and Chemicals in Man, 11th ed.). The range is large because both genetics and tolerance can effect a person's half-life for a given drug. Given that VICTIM 1 had been using opioids for some time, Dr. Covach stated VICTIM 1's personal half-life was probably closer to the 4- or 5-hour mark, however, this cannot be said with any amount of certainty. The fentanyl: norfentanyl ratio (25:8.1) may be consistent with the timeline as stated by Carla. Dr. Covach stated that in his experience, it is not common to see fentanyl and norfentanyl be close to a 1:1 ratio, and that a norfentanyl level of 8.1 ng/mL would take some time to occur.

35. Dr. Covach also pointed out that two designer drugs, flualprazolam and isotonitazene, were also present in his toxicology results at low levels (2.5 ng/mL and 1.0 ng/mL, respectively). The mechanisms of these drugs were briefly gone over. Dr. Covach speculated that due to how low they were, it is possible that VICTIM 1 took these drugs earlier in the day and were what he was referring to when he said the drugs he took were "garbage."
36. Dr. Covach was then asked how long a drug overdose may take before it kills a person. Dr. Covach used the analogy of consuming alcohol and how using the same amount of alcohol on different nights may effect a person in very different ways. He also stated that the way you take a drug may change how long it takes to kill you as well, and that snorting a drug should have a pretty quick effect as the drug is absorbed through the mucous membranes of the nasal cavity and lungs. He also stated that "slow" opioid deaths do occur on a regular basis, but that when these occur, the person usually loses consciousness first, and then dies over a period of hours. With this in mind, it was likely a combination of taking drugs on two separate occasions that ultimately resulted in his death. As VICTIM 1 had apparently not achieved the desired effect from taking drugs the first time, it is unlikely that that dose alone would have killed him. However, taking either the same or similarly acting drugs on successive occasions would have had an additive effect and resulted in his death.

As to Count 6:

A portion of Inv. Grenier's report indicates:

37. On 06/29/2020 I reached out to Walgreens in the city of Ripon, and spoke with Lisa Schmidt the pharmacist at Walgreens. I informed Lisa that we were following up with a case that had to do with VICTIM 1's death, and prescriptions being filled after he had passed away.
38. Ms. Schmidt told me that VICTIM 1 did have prescriptions that were filled at Walgreens in Ripon, and that the last pick up of the Suboxone was on 03/06/2020 at 11:37 a.m. When I asked her how they verify picking up the medication, and she informed me that they do not have to sign for anything, but they do provide a Wisconsin driver's license to identify who is picking up the medication.

39. The pickup of the prescription on 03/06/2020, were picked up by Carla Czysz. Ms. Schmidt provided me with a printout that Carla's ID was scanned and used to pick up the medication.
40. Also provided to me was a DVD of the cameras of Carla going to the pharmacy on this date, which will be included in this report and the information will be shared with Sgt. Lindsey Michels.

A portion of Officer Michel's report indicates:

41. On July 13, 2020, Officer Michels had an opportunity to review the video footage from Walgreens regarding this incident. Officer Michels reviewed the footage and at 11:35am Officer Michels observed a female walk in the front doors of Walgreens. The female is wearing a mint green jacket and black leggings and based on numerous prior professional contacts it appears to be Carla Czysz. The female then appears at the pharmacy counter at 11:36am and Officer Michels can identify her as Carla Czysz. The paperwork that Investigator Grenier had given me said that the prescription was sold at 11:37am. At 11:37am Carla receives the prescription and walks away from the pharmacy counter and exits the store at 11:38am.

As to Counts 7 and 8:

42. Officer Michels is aware that on 04/09/2020 Sgt. Borkenhagen and Inv. Tipton of the City of Ripon Police Department were dispatched to 306 ½ State St. for a report of a male that was not conscious and his breathing status was unknown. Upon officer arrival Carla Czysz, who resides at that residence told Sgt. Borkenhagen that the male was VICTIM 2 which officers later confirmed that is who it was. VICTIM 2 was located in the upper apartment/residence of 306 ½ State St. in the kitchen area. Sgt. Borkenhagen began life saving measures on VICTIM 2 and administered one dose of Naloxone to VICTIM 2 with no immediate response. Ripon Guardian Ambulance arrived on scene a short time later and rendered aide to VICTIM 2 and he became conscious and responsive. During that contact VICTIM 2 denied any narcotics use and refused to be transported to RMC for medical evaluation.
43. Officer Michels is also aware that VICTIM 2 is on active parole and for 961.41(1)(cm)1g manufacture/deliver cocaine and 961.41(1)(d)1 manufacture/deliver heroin, both felony charges.
44. Officer Michels is also aware that on 04/17/2020 Officer Hanke and Sgt. Durkee of the City of Ripon Police Department were dispatched to 306 ½ State Street in the City of Ripon, which is Carla Czysz's address, for a male turning blue and possibly overdosing. Upon officer arrival Carla directed them up the stairs to the second level apartment and stated that VICTIM 2 as she identified him was in the bathroom on the floor. Officers observed the male, who they later identified as VICTIM 2 on the floor and he was turning blue. Officer Hanke administered one dose of Naloxone and delivered breaths with a bag valve

mask. After no response with the first dose, Officer Hanke administered a second dose of Naloxone and after that the male began coughing and sat up.

45. While in the bathroom Officer Hanke observed an uncapped 40 mL hypodermic syringe on the floor next to the subject's head. He also observed then cap for the plunger end in the sink in the bathroom where VICTIM 2 was located. During that contact VICTIM 2 denied doing anything illegal at the house and denied knowledge of what happened when he was found in the bathroom.
46. On 04/22/2020 Officer Michels was made aware that Captain Damsteegt had received a phone call from Debra Meissner, a probation and parole agent for Fond du Lac County. She is currently Carla Czysz's agent. Debra indicated that she received a phone call from VICTIM 2's probation and parole agent, Samantha Schneider of Green Lake County Probation and Parole. Samantha told Debra that VICTIM 2 gave her a full statement that Carla was the one that provided the drugs to him.
47. On 04/22/2020 Officer Michels spoke with VICTIM 2 and he did confirm that he smoked crack cocaine and injected heroin at Carla Czysz's residence which Carla provided to him. He also indicated that he communicated with Carla through telephone calls, text messages and through Facebook Messenger.
48. On 04/23/2020 Officer Michels talked with VICTIM 2 and he stated that he had rode along with Carla on at least two occasions to Milwaukee where Carla purchased drugs. Officer Michels talked about when he had used and his second overdose. VICTIM 2 had told Officer Michels that Carla gave him the stuff and Officer Michels asked how it got to the liquid form. VICTIM 2 said he was the one that cooked it down. Officer Michels asked VICTIM 2 when Carla gave him the stuff what it looked like, he said that Carla handed him the stuff and it was pink and in powder form already. VICTIM 2 said that he has never seen anything pink before, he said he has been using for a long period of his life and he has never seen anything like this before.
49. On 04/30/22 Officer Michels and Inv. Vokes of the MEG Unit spoke with VICTIM 2 again. Officer Michels asked him if he'd be willing to write a statement and he said yes. He then started asking Officer Michels for dates and other questions about his statement. Officer Michels explained to VICTIM 2 that Officer Michels wanted it to be his own statement and to write it how he wanted to. VICTIM 2 stated that he wasn't sure on the dates of his overdoses, so he said he was going to write what he remembered. He did write a short statement it said, "On April 14th I was given heroin by Carla at her place. I overdosed and she called 911. On April 19th I was given heroin by Carla and overdosed. She called emergency services; I was revived and transported to the hospital".

Enhancers

A review of Wisconsin Circuit Court Access, which has proven to be truthful and reliable in the past, indicates the following:

- The defendant is a 939 repeater, having been convicted of possession of narcotic drugs, a class I felony, in Milwaukee County 2016CF263 on 7/14/16. This conviction remains of record and unreversed.

- The defendant 961 second and subsequent offender, having been convicted of maintaining a drug trafficking place PTAC, pursuant to WIs. Stat. 961.42(1) in Fond du Lac County 2015CF526 on 6/13/17. This conviction remains of record and unreversed.

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

Subscribed and sworn to before me on 09/19/22

Electronically Signed By:

Gordon Leech

Assistant District Attorney

State Bar #: 1039489

Electronically Signed By:

Captain Troy Damsteegt

Complainant