

FILED
02-28-2022
Door County
Clerk of Courts
2022CF000025
Honorable D. Todd Ehlers
Branch 1

STATE OF WISCONSIN	CIRCUIT COURT	DOOR COUNTY
STATE OF WISCONSIN Plaintiff,	DA Case No.: 2022DO000115 Assigned DA/ADA: Colleen C Nordin Agency Case No.: 22-001356 Court Case No.: ATN: 15002205505018	
vs.		
ANTHONY GONZALEZ 112 S 3rd Ave Sturgeon Bay, WI 54235 DOB: 04/13/1964 Sex/Race: M/W Eye Color: Brown Hair Color: Black Height: 6 ft 2 in Weight: 194 lbs Alias: Also Known As Anthony Cavello Alias DOB: 04/13/1964 Alias DOB: 01/15/1964 Defendant.	CRIMINAL COMPLAINT	

For Official Use

The undersigned, a sworn law enforcement officer for the Sturgeon Bay Police Department, being first duly sworn, states that:

Count 1: SECOND DEGREE RECKLESS HOMICIDE, REPEATER

The above-named defendant on or about Tuesday, February 22, 2022, in the City of Sturgeon Bay, Door County, Wisconsin, did recklessly cause the death of another human being, contrary to sec. 940.06(1), 939.50(3)(d), 939.62(1)(c) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) 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 Manufacture/Deliver THC, contrary to sec. 961.41(1)(h)1, Wis. Stats., a Class I Felony and Possession with Intent to Deliver THC, contrary to sec. 961.41(1m)(h)2, a Class H Felony, in Door County case number 16-CF-107, on June 28, 2018, 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: SECOND DEGREE RECKLESS HOMICIDE, REPEATER

The above-named defendant on or about Tuesday, February 22, 2022, in the City of Sturgeon Bay, Door County, Wisconsin, did recklessly cause the death of another human being, contrary to sec. 940.06(1), 939.50(3)(d), 939.62(1)(c) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) 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 Manufacture/Deliver THC, contrary to sec. 961.41(1)(h)1,

Wis. Stats., a Class I Felony and Possession with Intent to Deliver THC, contrary to sec. 961.41(1m)(h)2, a Class H Felony, in Door County case number 16-CF-107, on June 28, 2018, 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 3: SECOND DEGREE RECKLESSLY ENDANGERING SAFETY, REPEATER

The above-named defendant on or about Tuesday, February 22, 2022, in the City of Sturgeon Bay, Door County, Wisconsin, did recklessly endanger the safety of MLB, contrary to sec. 941.30(2), 939.50(3)(g), 939.62(1)(b) Wis. Stats., a Class G Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, 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 Manufacture/Deliver THC, contrary to sec. 961.41(1)(h)1, Wis. Stats., a Class I Felony and Possession with Intent to Deliver THC, contrary to sec. 961.41(1m)(h)2, a Class H Felony, in Door County case number 16-CF-107, on June 28, 2018, 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.

Count 4: SECOND DEGREE RECKLESSLY ENDANGERING SAFETY, REPEATER

The above-named defendant on or about Tuesday, February 22, 2022, in the City of Sturgeon Bay, Door County, Wisconsin, did recklessly endanger the safety of CGC, contrary to sec. 941.30(2), 939.50(3)(g), 939.62(1)(b) Wis. Stats., a Class G Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, 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 Manufacture/Deliver THC, contrary to sec. 961.41(1)(h)1, Wis. Stats., a Class I Felony and Possession with Intent to Deliver THC, contrary to sec. 961.41(1m)(h)2, a Class H Felony, in Door County case number 16-CF-107, on June 28, 2018, 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.

Count 5: SECOND DEGREE RECKLESSLY ENDANGERING SAFETY, REPEATER

The above-named defendant on or about Tuesday, February 22, 2022, in the City of Sturgeon Bay, Door County, Wisconsin, did recklessly endanger the safety of BDH, contrary to sec. 941.30(2), 939.50(3)(g), 939.62(1)(b) Wis. Stats., a Class G Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, 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 Manufacture/Deliver THC, contrary to sec. 961.41(1)(h)1, Wis. Stats., a Class I Felony and Possession with Intent to Deliver THC, contrary to sec.

961.41(1m)(h)2, a Class H Felony, in Door County case number 16-CF-107, on June 28, 2018, 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.

Count 6: SECOND DEGREE RECKLESSLY ENDANGERING SAFETY, REPEATER

The above-named defendant on or about Tuesday, February 22, 2022, in the City of Sturgeon Bay, Door County, Wisconsin, did recklessly endanger the safety of GCM, Sr., contrary to sec. 941.30(2), 939.50(3)(g), 939.62(1)(b) Wis. Stats., a Class G Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, 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 Manufacture/Deliver THC, contrary to sec. 961.41(1)(h)1, Wis. Stats., a Class I Felony and Possession with Intent to Deliver THC, contrary to sec. 961.41(1m)(h)2, a Class H Felony, in Door County case number 16-CF-107, on June 28, 2018, 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.

Count 7: SECOND DEGREE RECKLESSLY ENDANGERING SAFETY, REPEATER

The above-named defendant on or about Tuesday, February 22, 2022, in the City of Sturgeon Bay, Door County, Wisconsin, did recklessly endanger the safety of GCM, Jr., contrary to sec. 941.30(2), 939.50(3)(g), 939.62(1)(b) Wis. Stats., a Class G Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, 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 Manufacture/Deliver THC, contrary to sec. 961.41(1)(h)1, Wis. Stats., a Class I Felony and Possession with Intent to Deliver THC, contrary to sec. 961.41(1m)(h)2, a Class H Felony, in Door County case number 16-CF-107, on June 28, 2018, 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.

Count 8: NEGLIGENT HANDLING OF BURNING MATERIAL, REPEATER

The above-named defendant on or about Tuesday, February 22, 2022, in the City of Sturgeon Bay, Door County, Wisconsin, did handle burning materials in a highly negligent manner, contrary to sec. 941.10(1), 939.51(3)(a), 939.62(1)(a) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, 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 Manufacture/Deliver THC, contrary to sec. 961.41(1)(h)1, Wis. Stats., a Class I Felony and Possession with Intent to Deliver THC, contrary to sec. 961.41(1m)(h)2, a Class H Felony, in Door County case number 16-CF-107, on June 28, 2018,

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.

PROBABLE CAUSE:

Sergeant Kyle Engebose, of the Sturgeon Bay Police Department, reports that on February 22, 2022, at approximately 0337 hours, he responded to a report of a structure fire at Butch's Bar, located at 112 South 3rd Avenue, in the City of Sturgeon Bay, Door County, Wisconsin. Sergeant Engebose was familiar with the building and aware that the upper level had multiple apartments, but was unsure of how many tenants were residing there at the time.

Sergeant Engebose and Officer Jagielski arrived on scene at 0339 hours and observed smoke billowing from the building and flames coming from the side of the building closest to 3rd Avenue. Officer Engebose could not hear any smoke alarms sounding.

Sergeant Engebose approached the rear of the building, as he knew it to be the primary entry/exit area for the tenants who lived on the upper level. Sergeant Engebose observed two males exiting the building, who advised that there were additional people inside that could not get out.

Sergeant Engebose then heard screams coming from the area of the south side of the building. At the southwest corner, Sergeant Engebose observed a male hanging out of a window on the upper level. Personnel from the Sturgeon Bay Fire Department rescued the male using an extension ladder. That male was later transported to a Milwaukee area hospital for medical treatment due to suffering significant burns and smoke inhalation.

Sergeant Engebose worked his way toward the west side of the building observed the building owner, Clarence Cumber, standing in the front door of the building. Sergeant Engebose told Cumber he needed to exit the building immediately.

As additional fire units arrived on scene, Sergeant Engebose began to gather information regarding how many people were potentially still inside the building with assistance from the building owner and the tenants who made it out of the building. Sergeant Engebose was able to account for five tenants and Cumber, the owner of the building. Two individuals, V.J. and G.H., were not accounted for and it was unknown whether they were still inside the building.

Door County Dispatch and Officer Jagielski made multiple attempts to contact V.J. and G.H. by phone, but were not successful. Officers observed that both victim's vehicles were in the bar's parking lot and were unoccupied.

While on scene, a male, later identified as Anthony Gonzalez, exited the building and made contact with responding officers. Gonzalez stated, "I spilled lighter fluid on my bed." Gonzalez later stated, "I was in room #3 at Butch's. I was filling a butane lighter and it sprayed all over. All of a sudden it all ignited. It was a enough fluid to start a quarter of the bed on fire. I ran and grabbed a fire extinguisher, thought I blasted it out, but something else was burning, and it was too hot for me to stay in the room. I started pounding on all the doors to get people out. The lighter was like a Zippo."

On February 22, 2022, Special Agent (S/A) Matt Anderson, of the Wisconsin Department of Justice, Division of Criminal Investigation, and Sergeant Investigator Luke Deibele, of the Sturgeon Bay Police Department, interviewed Gonzalez. Gonzalez stated that he has been residing at 112 South 3rd Avenue, #3 for approximately two years.

Gonzalez stated that just after midnight on February 22, 2022, he went to McDonald's to pick up his girlfriend, Rachel Pichette, after her shift. Gonzalez stated that he dropped Rachel off at her residence and then returned to his apartment, arriving at approximately 12:45 a.m. When he arrived at the apartment, Gonzalez spoke with another tenant, Brian, for a few minutes.

Gonzalez stated that after talking with Brian, he returned to his apartment. Once in his apartment, he heated up a breakfast sandwich in the microwave, played a game on his phone for approximately thirty minutes, and then started watching TV. Gonzalez stated that he was laying on his mattress while watching TV. Gonzalez described his mattress of being "all cut up" to the point where the springs were exposed. Gonzalez explained that he had pieces of an egg crate foam mattress topper on/in the existing mattress.

Gonzalez stated that he fell asleep while watching TV, woke up, and wanted to smoke a cigarette. Gonzalez said he grabbed the closest lighter, which he described to be a torch-type lighter. Gonzalez stated that the lighter was out of fuel, which he called "propane" (referring to compressed butane). Gonzalez stated that while still laying on his bed, he grabbed the can of fuel to fill up the lighter off of the table next to his bed. Gonzalez stated that he could not see very well, so he did not line up the butane bottle with the lighter properly, and it started spraying fluid all over the place. Gonzalez stated the fuel got all over his hands and the corner of his mattress. Gonzalez estimated that the fuel was spilling and spraying for approximately 15-30 seconds.

Gonzalez said he was then able to line up the fuel with the lighter properly, and he filled the lighter for approximately 20 seconds. Gonzalez stated that he put the fuel back on his table and grabbed a cigarette from a pack that was on the table. Gonzalez stated he struck the lighter once and it did not ignite, so he struck it a second time, at which point his hands caught fire and the corner of the mattress also caught on fire. Gonzalez stated that initially, the top of the mattress was on fire, and as he got up from the bed, the inside of the mattress caught fire.

Gonzalez stated that he got up and used a pillow to try to put out the fire, but he was unable to put it out. Gonzalez stated that he then attempted to retrieve the fire extinguisher that was on the wall of his apartment, but he had difficulty removing the extinguisher from the wall. Gonzalez was able to get the extinguisher off of the wall. He thought he pulled out the pin and used the extinguisher on the fire on the bed. Gonzalez stated that he thought he had put out the fire, but the next thing he knew there was smoke coming from the ceiling.

Gonzalez explained that he then ran out of his apartment and yelled for someone to call 911. He then pounded on Brian's door. Gonzalez told Brian that his bed was on fire. Brian then ran from his room into Gonzalez' apartment with the fire extinguisher, but it was too hot in the apartment and Brian exited. Gonzalez stated that he made another attempt to enter his apartment with the fire extinguisher, but it was too hot and he had to exit.

Gonzalez stated that he then ran downstairs and told Cumber that there was a fire upstairs. Clarence told Gonzalez to call 911. Gonzalez advised Clarence he thought another tenant already had called 911. Gonzalez said that he then exited the building.

When asked if tenants were allowed to smoke upstairs in the building, Gonzalez indicated that it was allowed. Gonzalez stated, "Yeah we all smoked. Everybody smoked upstairs. There's been fires there before. We all know that that place is a fire trap, but we just try to be more careful. You know I was just not coherent. I wasn't using my head. I should have got up and did it that way, but I didn't. I just was lazy and I did it right on the corner of my bed like an idiot."

Gonzalez denied being under the influence of alcohol or controlled substances.

At approximately 1127 hours, Captain Hougaard, of the Sturgeon Bay Police Department, was notified that Sturgeon Bay Fire Department Firefighters had observed a human body inside the building. Captain Hougaard proceeded to the building and was taken to the south side of the building, where a first floor window looked into the building. The debris from the second floor had collapsed down onto the first floor of the building.

Looking through the window, Captain Hougaard observed an object consistent with a human body, specifically the neck area and head area of a person. The position of the body appeared to be supine, with the head facing east. Based on the location of the remains, authorities believed the remains to belong to a male tenant, who will be identified as V.J., who occupied a room above the location of the remains.

On Wednesday, February 23, 2022, late morning or early afternoon, authorities recovered V.J. from the debris. V.J. was later positively identified by the Brown County Medical Examiner.

On Thursday, February 24, 2022, authorities located and recovered a second deceased male, who will be referred to as G.H., from the debris. G.H. was later positively identified by the Brown County Medical Examiner.

Upon review of the records of the Wisconsin Circuit Court Access Program (CCAP) website, which records are presumed truthful and reliable as they are kept in the normal and ordinary course of departmental business, said records indicate that the defendant, Anthony Gonzalez, DOB: 4/13/64, was convicted of Manufacture/Deliver THC Manufacture/Deliver THC (<=200g), contrary to Wis. Stat. sec. 961.41(1)(h)1, a Class I Felony, and Possession with Intent to Deliver THC (>200-1000g), contrary to Wis. Stat. sec. 961.41(1m)(h)2, a Class H Felony, in Door County case number 16-CF-107, on June 28, 2018. Said convictions remain of record and unreversed, making the defendant a repeater pursuant to Wis. Stat. sec. 939.62.

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

Subscribed and sworn to before me on 02/28/22

Electronically Signed By:

Colleen C Nordin

District Attorney

State Bar #: 1056310

Electronically Signed By:

Dan Brinkman

Complainant