

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH _____

WAUPACA COUNTY

STATE OF WISCONSIN,

Plaintiff,

v.

Case No. 09-CF-_____

CHRISTOPHER M. DOERING,
510 South Division Street
Waupaca, WI 54981
D/O/B: 09/04/1976

Defendant.

CRIMINAL COMPLAINT

Your complainant, Jeffrey G. Fennig, being duly sworn on oath, and based upon information and belief, states as follows:

COUNT 1: ARSON OF A BUILDING

On or about September 1 and September 2, 2005, in the town of Little Wolf, Waupaca County, Wisconsin, the above-named defendant, Christopher M. Doering, did intentionally damage a building of another, to-wit: a building in which Monica A. Doering had a legal and equitable interest which Christopher M. Doering had no right to defeat or impair, without her consent, and by use of fire, contrary to Wis. Stat. § 943.02(1)(a) and (2).

Upon conviction of this offense, a Class C felony, the maximum possible penalty which may be imposed is a fine not to exceed \$100,000 or forty (40) years imprisonment, or both.

FACTUAL BASIS

Complainant states that he is a Special Agent employed by the Wisconsin Department of Justice, Division of Criminal Investigation (“DOJ” - “DCI”) and that he is assigned to the Arson Bureau. Your complainant has been employed as a law enforcement officer for the past 24 years and has been working in the Wisconsin DCI Arson Bureau for approximately 11 years. In that capacity, your complainant also serves as a Deputy State Fire Marshal. As part of his responsibilities, complainant investigates allegations of criminal misconduct involving the intentional burning of buildings. Since being assigned to the Arson Bureau, your complainant has attended and taught at numerous seminars and conferences on the issue of establishing the cause and origin of fires in buildings. Your complainant bases this complaint upon his own investigation and observations as well as the reports and statements of other fire cause and origin experts, and the reports and statements of other law enforcement officers and citizens, whom he believes to be truthful and reliable.

Complainant states the he has personally reviewed records maintained in the normal course of business by the Waupaca County Register of Deeds office. Said records revealed that on September 1 and 2, 2005, the residential property located at N5695 Hwy 22/110, in the town of Little Wolf, Waupaca County, Wisconsin, was owned jointly by Christopher M. and Monica A. Doering. Said records further reflected that the residential property owned by Christopher M. and Monica A. Doering was subject to a recorded mortgage held by EMC Mortgage Corporation. Your complainant believes the information provided by the Register of Deeds office is reliable because such records are kept in the normal course of business.

Your complainant has personally interviewed Monica A. Doering, a citizen witness whom your complainant believes to be truthful and reliable. Ms. Doering informed your

complainant that at no time did she consent to defendant Christopher M. Doering to damage through use of fire the residence she owned jointly with Christopher M. Doering located at N5695 Hwy 22/110, in the town of Little Wolf, Waupaca County, Wisconsin.

Your complainant has spoken with and read the written report of Captain Don Conat of the Waupaca County Sheriff's Department, a fellow law enforcement officer whom your complainant believes to be reliable. Conat indicated that he interviewed defendant Doering on September 2, 2005, and that Doering made statements against his penal interests. Doering stated that he was familiar with fires as he was previously a firefighter. Doering stated that he was alone in his home sometime after 11:30 p.m. on September 1, 2005, when the lights began to flicker and then ultimately go out. Doering stated that he went to the basement and reset a fuse. Doering stated that when he came back upstairs he discovered smoke emanating from his bedroom closet. On opening the closet, Doering reported that the fire was burning in an area from one foot off the floor to all the way to the closet's ceiling light. Doering stated that he tried to put out the fire with a blanket and water, but upon being unsuccessful, he then ran to a neighbor's home to call the fire department. Doering told Captain Conat that he owed \$70,000 on the home "to the bank" and as much as \$20,000 to the former owners, Tim and Ruth Voltz, stemming from loans he received from those parties to purchase the residence.

Your complainant has further read the written report of Manawa Police Officer Paul Hanneman, a fellow law enforcement officer whom your complainant believes to be truthful and reliable. Hanneman related that he was on duty the evening and early morning hours of September 1 and 2, 2005. Hanneman indicated that at 1:04 a.m. on the morning of September 2, he heard a page communication about a house fire located at N5695 Hwy 22/110, in the town of Little Wolf, Waupaca County, Wisconsin. Hanneman stated that when

he arrived at the scene of the fire at approximately 1:12 a.m., the house was fully engulfed with dark orange flames.

Your complainant additionally received the clothing worn by defendant Christopher Doering during the evening and early morning hours of September 1 and 2, 2005, from Waupaca County Sherriff's Detective Don Conat who obtained them from the defendant. Your complainant personally transported the clothing to the Wisconsin State Crime Laboratory in Madison, Wisconsin for forensic examination.

Your complainant has further read the written report of Wisconsin State Crime Laboratory Forensic Examiner Ruth Henk, a citizen witness whom your complainant believes to be truthful and reliable. Henk is assigned to the Trace Evidence Unit, and her reports are maintained and generated in the normal course of business. Henk reported that her analysis of defendant Doering's clothing revealed the presence of a volatile mixture consistent with gasoline on both Doering's shoes and blue jeans.

On September 2-3, 2005, your complainant personally performed a fire scene cause and origin investigation at the Christopher and Monica Doering residence located at N5695 Hwy 22/110, in the town of Little Wolf, Waupaca County, Wisconsin. Based on your complainant's examination of the interior of the residence, it was determined that the bulk of the fire damage and the areas that sustained the greatest exposure to heat and fire encompassed the south half of the floor plan. In contrast to the defendant's statements regarding the origin of the fire, this burn pattern analysis supported an origin of fire as being in the kitchen/dining room areas rather than the bedroom closet. Additionally, a trained Ignitable Liquid Detection Canine was used to investigate the burned structure. The canine alerted to the presence of ignitable liquid components in the southeast kitchen and southwest

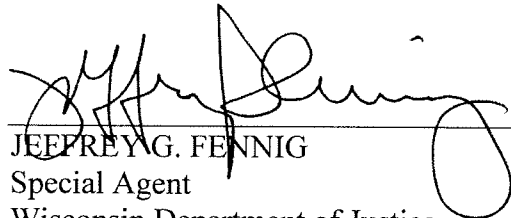
dining room areas as well as in the hallway between the two rooms. The Canine also alerted to the presence of ignitable liquid components on a landing to the stairway that lead to the basement. Your complainant took samples from these areas and submitted them to the State Crime Laboratory. Subsequent analysis did not detect common ignitable liquid residues in these samples. According to Analyst Ruth Henk, said results do not preclude that possibility that ignitable liquids may have been present at an earlier time. Based on your complainant's investigation of the fire scene, your complainant concluded that that the origin of the fire was in the kitchen/dining room walkway area and that the cause of the fire was incendiary through the application and ignition of an ignitable liquid.

Your complainant further alleges that he has spoken with and read the written report of Ryan Kelm, a citizen witness whom your complainant believes to be truthful and reliable. Kelm is a trained Fire Scene Investigator, employed by EFI Global, who was retained by an insurance company to perform a fire cause and origin investigation of the fire scene. Kelm reported that he performed a cause and origin investigation of the fire scene at the Christopher and Monica Doering residence located at N5695 Hwy 22/110, in the town of Little Wolf, Waupaca County, Wisconsin. After examining the fire scene, Kelm concluded that the damage was inconsistent with an accidental fire. Kelm, like your complainant, concluded that the burn patterns to the floor of the kitchen/dining room were consistent with the application of an ignitable liquid. Kelm removed samples of the fire debris found near the kitchen as well as from near the bedroom closet area. Such debris was sent by Kelm to a private laboratory for scientific testing. The scientific testing, done by EFI Chemical Laboratory Manager David J. Brien, BS, MS, revealed that the debris from the closet area contained gasoline residue. Kelm concluded that the cause of the fire was not from electrical malfunction, but

rather was incendiary in nature caused by the application of ignitable liquids and their subsequent ignition. Your complainant believes the information provided by David Brien is reliable because he is a citizen informant.

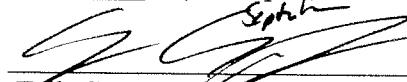
The fire scene at the Christopher and Monica Doering residence was also inspected by Chris Korinek, a licensed electrical engineer, and a citizen witness whom your complainant believes to be truthful and reliable. Korinek reported to your complainant that he examined the residence's electrical systems and circuits and found that the only damage to the electrical system was from the effects of heat and fire. He indicated that his inspection of the home's electrical system revealed that in his opinion the cause and/or origin of the fire was not from an electrical malfunction.

Dated this 16 day of ~~April~~^{September}, 2009.



JEFFREY G. FENNIG
Special Agent
Wisconsin Department of Justice
Division of Criminal Investigation

Subscribed and sworn to before me,
this 16 day of ~~April~~^{Sept}, 2009



Erik C. Peterson
My commission is permanent.

APPROVED FOR FILING:



Erik C. Peterson (State Bar No. 1020935)

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