State of Wisconsin **Circuit Court** **Sawyer County**

STATE OF WISCONSIN,

Plaintiff,

-vs-

Anthony J. Hollen
12805 W Neezh Street
Hayward, WI 54843
DOB: 11/07/1986

FILED
DEC 17 2010
Anne Marie Danielson
Sawyer County
Clerk of Circuit Court
Hayward, WI 54843

DA Case No.: 2010SW001468
Assigned DA/ADA: Bruce R. Poquette
Agency Case No.: 10091006
Court Case No.: 2010CF 176

CRIMINAL COMPLAINT AND SUMMONS

Michael B. Peterson, being first duly sworn, states that:

Count 1: POSSESSION OF CHILD PORNOGRAPHY
The above-named defendant on Tuesday, September 21, 2010, in the Town of Hayward, Sawyer County, Wisconsin, did, having attained the age of 18, knowingly possess motion picture(s) of a child engaging in sexually explicit conduct, and knew that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) 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.

Count 2: POSSESSION OF CHILD PORNOGRAPHY
The above-named defendant on Tuesday, September 21, 2010, in the Town of Hayward, Sawyer County, Wisconsin, did, having attained the age of 18, knowingly possess motion picture(s) of a child engaging in sexually explicit conduct, and knew that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) 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.

Count 3: POSSESSION OF CHILD PORNOGRAPHY
The above-named defendant on Tuesday, September 21, 2010, in the Town of Hayward, Sawyer County, Wisconsin, did, having attained the age of 18, knowingly possess motion picture(s) of a child engaging in sexually explicit conduct, and knew that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) 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.

Subscribed and sworn to before me on

December 16 **, 2010**

Bruce R. Poquette

Bruce R. Poquette, Assistant District Attorney

Michael B. Peterson **Complainant**

Approved for filing:

Bruce R. Poquette

Bruce R. Poquette, Assistant District Attorney
State Bar #1034460

12/16/2010

Count 4: POSSESSION OF CHILD PORNOGRAPHY
The above-named defendant on Tuesday, September 21, 2010, in the Town of Hayward, Sawyer County, Wisconsin, did, having attained the age of 18, knowingly possess motion picture(s) of a child engaging in sexually explicit conduct, and knew that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) 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.

Count 5: POSSESSION OF CHILD PORNOGRAPHY
The above-named defendant on Tuesday, September 21, 2010, in the Town of Hayward, Sawyer County, Wisconsin, did, having attained the age of 18, knowingly possess motion picture(s) of a child engaging in sexually explicit conduct, and reasonably should have known that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) 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.

Count 6: POSSESSION OF CHILD PORNOGRAPHY
The above-named defendant on Tuesday, September 21, 2010, in the Town of Hayward, Sawyer County, Wisconsin, did, having attained the age of 18, knowingly possess motion picture(s) of a child engaging in sexually explicit conduct, and knew that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) 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.

Count 7: POSSESSION OF CHILD PORNOGRAPHY
The above-named defendant on Tuesday, September 21, 2010, in the Town of Hayward, Sawyer County, Wisconsin, did, having attained the age of 18, knowingly possess photograph(s) of a child engaging in sexually explicit conduct, and knew that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) 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.

Count 8: POSSESSION OF CHILD PORNOGRAPHY
The above-named defendant on Tuesday, September 21, 2010, in the Town of Hayward, Sawyer County, Wisconsin, did, having attained the age of 18, knowingly possess photograph(s) of a child engaging in sexually explicit conduct, and knew that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) 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.

Count 9: POSSESSION OF CHILD PORNOGRAPHY
The above-named defendant on Tuesday, September 21, 2010, in the Town of Hayward, Sawyer County, Wisconsin, did, having attained the age of 18, knowingly possess photograph(s) of a child engaging in sexually explicit conduct, and knew that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) 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.

Count 10: POSSESSION OF CHILD PORNOGRAPHY

The above-named defendant on Tuesday, September 21, 2010, in the Town of Hayward, Sawyer County, Wisconsin, did, having attained the age of 18, knowingly possess photograph(s) of a child engaging in sexually explicit conduct, and knew that the child was under the age of 18, contrary to sec. 948.12(1m)&(3)(a), 939.50(3)(d) 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.

PROBABLE CAUSE:

Complainant states under oath that he is a Sawyer County Deputy Sheriff and that attached hereto and incorporated by reference is a five-page incident report from DCI Agent Michelle Smith of the Wisconsin DOJ Division of Criminal Investigation, dated November 8, 2010, which report was filed in the course of the officer's official duties and filed and maintained in the normal and ordinary course of business with said department. The information to form this complaint is based upon information received from DCI Agent Smith and a review of the reports, which he believes to be reliable, as they are based upon the personal observation of the officer filing the report and statements of witnesses to the event, and complainant has no reason to doubt the truthfulness of the same.

SUBJECTS:

JAMES R. BAKER, DOB: 06/20/1962
PATRICIA A. BELILLE, DOB: 06/03/1946
ANTHONY J. HOLLEN, DOB: 11/07/1986
DAVID HAMMOND, DOB: unknown

ACTIVITY:

On September 21, 2010, at approximately 8:45 AM., law enforcement officers from the WI Department of Justice, Division of Criminal Investigation (DCI), the Sawyer County Sheriff's Department (SWSO), the Lac Courte Oreilles Tribal Police Department (LCOTPD) and the Douglas County Sheriff's Department (DGSO) served a search warrant at a residence located at 12805W Neezh Street, Town of Hayward, Sawyer County, Wisconsin. Home at the time were PATRICIA BELILLE and JAMES BAKER. BELILLE and BAKER were interviewed.

Upon completion of the interviews and nearing the end of the search, law enforcement received information that Anthony "TJ" HOLLEN and PATRICK TAINTER were currently at the residence of BILL and ROBIN TAINTER, located at 11660W County Road CC, Couderay, WI. Officers proceeded to that location in an attempt to locate HOLLEN and PATRICK TAINTER. Officers wanted to question HOLLEN regarding the basis of the search warrant; PATRICK TAINTER was wanted on felony warrants.

Upon law enforcement arrival, HOLLEN and PATRICK TAINTER fled on foot to a wooded area located behind the residence. Both individuals were subsequently apprehended by law enforcement. HOLLEN was handcuffed and a pat down search of his person was conducted. HOLLEN was escorted back to the BILL and ROBIN TAINTER residence. HOLLEN was seated in DCI SA Michelle Smith's car, which was parked in the driveway.

At approximately 11:16 AM, DCI SA Vern Vandeberg and SA Michelle Smith began conducting a recorded interview of HOLLEN. SA Vandeberg identified himself and SA Smith. At approximately 11:19 AM, SA Vandeberg read to HOLLEN his Constitutional Rights from a WI DOJ form. HOLLEN stated that he understood those rights and stated he wanted to talk to the officers. HOLLEN signed the Constitutional Rights and Waiver form. (See Attachments)

HOLLEN was informed that law enforcement had executed a search warrant at his grandmother's house (at 12805W Neezh St, Hayward, WI.) and that the officers were searching for images on the computers. SA Vandeberg stated that two laptop computers had been located in the basement of his grandmother's house, in a top dresser drawer, a Dell and an Acer. HOLLEN stated that in the beginning of June of this year, he moved in with his grandmother, PATRICIA BELILLE. HOLLEN stated that the Dell laptop was his and that he had purchased it using money he received from a car accident settlement; HOLLEN stated the Acer laptop was his mother's and she had given it to him.

HOLLEN stated that he had gotten the Internet installed on his laptops and that he used the Internet for chatting with friends and family on Facebook and for MySpace. HOLLEN stated that he was familiar with Limewire and that he put Limewire on his computer to get

music (rock, rap and country) and movies. HOLLEN stated he logged onto the Internet at various times during the day and night.

SA Vandeberg explained to HOLLEN that the law enforcment presence, specifically, was to search for images of underage children. SA Vandeberg asked HOLLEN if he knew what he was talking about and HOLLEN indicated he did. SA Vandeberg asked HOLLEN to explain how those images got on HOLLEN'S computer. HOLLEN stated he once saw on the computer "ABDL", which he stated represented 'adult baby' and he became interested. HOLLEN stated that he had a fetish for diapers. HOLLEN stated he was sexually excited at the sight of children in diapers and he masturbated when looking at pictures of children in diapers. HOLLEN stated it was "like a fire inside that just burned".

SA Vandeberg asked HOLLEN to explain how Limewire worked. HOLLEN stated that he would enter a search term, then based on the term(s) entered, he would get a list of files to choose from. HOLLEN stated he had used the following search terms: 'ABDL' (adult baby),' toddler', 'yo' (years old) and ' young'. SA Vandeberg asked HOLLEN what he expected to receive when entering those search terms and HOLLEN stated he expected to receive files with kids in diapers. HOLLEN did not state that he used the search term 'diapers' and was asked to clarify. HOLLEN stated if he used the search term 'yo' he expected to get files of kids in diapers. HOLLEN stated that it did not matter to him if he obtained images of girls or boys.

HOLLEN continued to explain that with Limewire, when he was given a list to choose from, he made his selections, downloaded and moved those selected files to a folder on his computer; the folder was possibly named 'TJ's documents'. HOLLEN stated he might stay at the computer while the files downloaded, or he might walk away from the computer during the downloads. HOLLEN stated he hid the files for later viewing. SA Vandeberg asked HOLLEN what he did with the child pornography files and HOLLEN stated he moved them to his folder to look at later. HOLLEN was asked why he kept the child pornography files if he was not really interested in them, but HOLLEN did not give a clear answer.

SA Vandeberg displayed and read to HOLLEN the eight file names listed on the table located on pages eight and nine of the affidavit for search warrant. SA Vandeberg asked HOLLEN if the file names looked familiar and HOLLEN answered "yes" or "some of them" to seven of the eight file names.

HOLLEN stated that the computer analyst would find child pornography on his Dell laptop computer. HOLLEN was unsure if the analyst would find child pornography on the Acer laptop given to him by his mother, but stated if there was child pornography located on the Acer, it would be HOLLEN'S. HOLLEN estimated that he had downloaded 50 child pornography files onto his computer(s). HOLLEN stated he first began downloading child pornography, using Limewire, when they got the Internet at his grandmother's and, the last time he downloaded child pornography was a couple of weeks ago.

HOLLEN stated that he had videos on his computer of adults engaging in sex acts with children. HOLLEN thought the youngest naked child he had downloaded that he considered child pornography was about two years old and the oldest was 18 years old.

HOLLEN stated that he did not have a sexual issue with children. HOLLEN stated that he had nieces and nephews who he loved dearly. HOLLEN stated he did not enjoy seeing his toddler niece in diapers because he knew her, she was his immediate family.

When asked to define child pornography, HOLLEN defined it as being a sexual act between an adult and someone under 18 years old. HOLLEN admitted that he had been downloading child pornography and he knew that it was wrong; HOLLEN stated that he knew that pictures of naked children and infants was wrong, that it was not right or appropriate to have.

(The recording was deactivated at approximately 11:53 AM to allow HOLLEN to go to the bathroom, and reactivated again at approximately 11:54 AM).

The interview ended at approximately 12:03 PM.

EVIDENCE:

10-3393/9.1 – One CD-R containing a digital recording of the interview of ANTHONY J HOLLEN on 09/21/2010, recorded by DCI SA Michelle Smith, who assigned DCI Property Number 10-3393/9.1 to the evidence.

EVIDENCE DISPOSITION:

SA Michelle Smith maintains custody of the item of evidence denoted under DCI Property Number 10-3393/9.1 pending further disposition.

ARRESTED SUBJECTS:

ANTHONY J. HOLLEN, M/I, 11/07/1986 – Possession of Child Pornography, 10 cts
PATRICK D. TAINTER, M/I, 01/05/1981 – Felony Parole Warrant
SARAH J. TAINTER, F/I, 10/03/1985 – Probation Violation
WILLIAM H. FOWLER, M/I, 05/07/1983 – Felony Probation & Parole Warrant
COURTNEY L. MILLER, F/W, 05/31/78 – Harboring Known Felon, Obstructing

PROBABLE CAUSE:

On September 17, 2010, DCI SA Michelle Smith obtained a state search warrant from Sawyer County Court Commissioner Ward Wm. Winton for the premises located at 12805W Neezh Street, Town of Hayward, Sawyer County, WI, the home of PATRICIA BELILLE, her son JAMES BAKER and grandson ANTHONY HOLLEN. The Search Warrant authorized officers to search for certain things which may contain evidence of the crime of Possession of Child Pornography.

On September 21, 2010, Agents from DCI and area ICAC affiliates served that search warrant. Home at the time were BELILLE and BAKER. Both were interviewed and both stated that the only person who resided in the house who used a computer was HOLLEN. Both stated that, at HOLLEN'S request, they had gotten Internet services through Charter so HOLLEN could get music and movies. Agents seized, among other items, two laptop computers from a basement bedroom area that BELILLE and BAKER stated was used by HOLLEN.

On September 17, 2010, Deputy Nick Al-Moghrabi of the Sawyer County Sheriff's Office (SWSO) obtained a state search warrant from Sawyer County Court Commissioner Ward Wm. Winton for the premises located at 9316N Drytown Lane, Hayward, Sawyer County, WI, the home of SARAH TAINTER. The search warrant authorized officers to search for PATRICK DEAN TAINTER, M/I, DOB: 01/05/1981. The SWSO search warrant was in connection with the ICAC investigation which had lead officers to the Neezh Street address: Deputy Al-Moghrabi and SA Smith were previously informed by Sgt. Twylia Dalley of the Lac Courte Oreilles Police Department (LCOPD) that PATRICK TAINTER sometimes resided at both the Neezh Street address and the Drytown Lane address; Deputy Al-Moghrabi and SA Smith knew that on 12/08/2003, PATRICK D. TAINTER was convicted of a felony charge of Sexual Assault of a 13-15 year old victim in Crow Wing County, MN; and, Deputy Al-Moghrabi and SA Smith knew that on 08/18/2010, the MN Department of Corrections entered a felony warrant into NCIC for PATRICK TAINTER for a parole violation.

On September 21, 2010, SWSO officers served the search warrant at the Drytown Lane address, at essentially the same time that DCI agents served the search warrant at the Neezh Street address. PATRICK TAINTER was not located. SARAH TAINTER was home at the time and was arrested on a Probation Violation. Officers also located WILLIAM H. FOWLER, who was arrested on a felony probation and parole warrant.

While at the Neezh Street residence, law enforcement received information that ANTHONY HOLLEN and PATRICK TAINTER were both located at the residence of

WILLIAM and ROBIN TAINTER, located at 11680W CTH CC, Couderay, WI. Officers proceeded to that location.

Upon law enforcement arrival, the door was answered by a female who identified herself as COURTNEY MILLER. MILLER stated she was the only person home. MILLER stated she resided at that address with BILL and ROBIN TAINTER. MILLER consented to a search of the residence for PATRICK TAINTER and ANTHONY HOLLEN. Initially, MILLER stated she had not seen PATRICK TAINTER or HOLLEN for days. When confronted that officers knew MILLER was not being honest, MILLER admitted that she had been lying to the officers; MILLER stated that PATRICK TAINTER and ANTHONY HOLLEN had been at the residence, but upon law enforcement arrival, they ran into the wood behind the residence. MILLER stated that she and PATRICK TAINTER both resided at that address with BILL and ROBIN TAINTER. MILLER stated she was PATRICK'S girlfriend and she knew that PATRICK was a fugitive. COURTNEY MILLER was arrested, charged with Obstructing and with Harboring a Known Fugitive. MILLER was transported to the Sawyer County Jail.

SWSO deputies apprehended ANTHONY HOLLEN a short time after law enforcement arrival. DCI SAs Vern Vandeberg and Michelle Smith interviewed HOLLEN. SA Vandeberg read to HOLLEN his Constitutional Rights. HOLLEN stated he understood those rights and HOLLEN waived those rights. During the interview, HOLLEN stated that he moved into his grandmother's house, located on Neezh Street, in June of 2010. HOLLEN stated he was the only person in the house to use a computer and to use the Internet. HOLLEN stated that the Dell laptop was his and the Acer laptop was give to him by his mother. HOLLEN stated he used (the software) Limewire to download music, movies, and images and movies of kids in diapers. HOLLEN stated he had a diaper fetish. HOLLEN stated he believed child pornography to be the depiction of a sexual act between an adult and a child. HOLLEN estimated that he had downloaded 50 child pornography files (images and movies). HOLLEN stated that when he downloaded the files, he saved them to a folder that he thought he had named 'TJ's documents'. HOLLEN stated he knew child pornography was wrong. HOLLEN was informed that he would be charged with possession of child pornography and he would go to jail that day. HOLLEN was transported to the Sawyer County Jail by LCOPD Chief Louis Gauge.

Assisted by SWSO Deputies and a tracking dog from the Sawyer County Search and Rescue Team, SWSO Investigators Dan Ross and Gary Gillis apprehended PATRICK TAINTER on Tiger Muskey Road, near Jasek Road, shortly thereafter. PATRICK TAINTER was transported to the Sawyer County Jail by LCOPD Officer Adam Joe.

On September 21, 2010, a DCI Computer Analyst (C/A) conducted a forensic Preview examination of the hard drives of the two laptop computers seized from 12805W Neezh Street, Hayward, WI. On one hard drive, the C/A located 35 image files and four movie video files containing child pornography images for review; on the other hard drive, the C/A located 53 image files and four movie video files of child pornography for review. The C/A exported those files to a Preview disk and turned the disk over to SA Michelle Smith for review.

STATE OF WISCONSIN - VS - Anthony J. Hollen

State of Wisconsin **Circuit Court** **Sawyer County**

STATE OF WISCONSIN,

Plaintiff,

vs.

DA Case No.: 2010SW001468
Assigned DA/ADA: Bruce R. Poquette
Agency Case No.: 10091006
Court Case No.: 2010CF 176

Anthony J. Hollen
12805 W Neezh Street
Hayward, WI 54843
DOB: 11/07/1986
Sex/Race: M/I

Defendant

SUMMONS

FILED
DEC 17 2010
Anne Marie Danielson
Sawyer County
Clerk of Circuit Court
Hayward, WI 54843

THE STATE OF WISCONSIN TO SAID DEFENDANT:

A complaint, a copy of which is attached, having been made accusing the defendant of committing the crime(s) of:

THE CRIME(S) OF:	DATE OF VIOLATION:	CONTRARY TO WIS. STATUTE(S).:
Possession of Child Pornography	09/21/2010	948.12(1m) and (3)(a)
Possession of Child Pornography	09/21/2010	948.12(1m) and (3)(a)
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Possession of Child Pornography	09/21/2010	948.12(1m) and (3)(a)

The original of such Complaint has been filed in the office of the Clerk of Courts for Sawyer County.

You, the defendant, are therefore summoned to appear before the Circuit Court of Sawyer County, at the Sawyer County Courthouse, 10610 Main Street, Hayward, WI 54843 on:

DATE/TIME: January 24, 2011 at 8:30 AM

And in case of your failure to appear, a warrant for your arrest may be issued.

Date: December 16, 2010

Bruce R. Poquette,
Assistant District Attorney
Sawyer County, State of Wisconsin
State Bar #1034460