

STATE OF WISCONSIN

CIRCUIT COURT

IRON COUNTY

STATE OF WISCONSIN,

Plaintiff,

v.

RICHARD FRANCIS ALEXANDER ALLEN,
c/o Iron County Jail,
300 Taconite Street,
Hurley, WI 54534,
DOB: 07/20/1990,

Case No. 18CF_____

JOSEPH D. LUSSIER,
c/o Vilas County Jail,
330 Court Street,
Eagle River, WI 54521,
DOB: 04/17/1991,

Case No. 18CF_____

JAMES B. LUSSIER,
802 2nd Avenue,
Woodruff, WI 54568,
DOB: 08/16/1998,

Case No. 18CF_____

CURTIS A. WOLFE,
c/o Oneida County Jail,
2000 East Winnebago Street,
Rhineland, WI 54501,
DOB: 08/26/1991,

Case No. 18CF_____

EVAN T. OUNGST,
c/o Iron County Jail,
300 Taconite Street,
Hurley, WI 54534,
DOB: 02/11/1990,

Case No. 18CF_____

Defendants.

CRIMINAL COMPLAINT

I, Lieutenant Paul Samardich, being first duly sworn on oath states upon information and belief:

COUNT 1: CONSPIRACY TO COMMIT FIRST DEGREE INTENTIONAL HOMICIDE AS A PARTY TO A CRIME WHILE ARMED WITH A DANGEROUS WEAPON

The defendants, Richard Allen, Joseph Lussier, James Lussier, Curtis Wolfe, and Evan Oungst, did as a party to the crime, on or about December 22, 2017, in the town of Mercer, County of Iron, state of Wisconsin, intentionally cause the death of another, Wayne M. Valliere, Jr., DOB: 11/18/1992, in violation of Wis. Stat. § 940.01, 939.63(1)(B) and 939.05(2)(c), a Class A Felony punishable by life imprisonment and invoking the while armed enhancer the maximum penalty may be increased by not more than five years.

COUNT 2: HIDING A CORPSE AS A REPEATER, PARTY TO THE CRIME

The defendants, Richard Allen, Joseph Lussier, James Lussier, Curtis Wolfe, and Evan Oungst, did as a party to the crime on or about December 22, 2017, in the town of Mercer, County of Iron, state of Wisconsin, hide a corpse with the intent to conceal a crime as a repeater, in violation of Wis. Stat. §§ 940.11(2), 939.62 and 939.05, a Class G Felony, punishable by a fine not to exceed \$10,000, or imprisonment not to exceed ten years, or by both such fine or imprisonment, except that the confinement time may be increased by up to six years as a result of the fact that the defendants, are alleged to be a repeater.

STATEMENT OF PROBABLE CAUSE

1. On December 25, 2017, citizen witness Jeanette Sharlow contacted the Lac du Flambeau tribal police to report her son, Wayne M. Valliere, Jr., (hereafter Wayne) was missing. Ms. Sharlow reported that her son had not been seen since the early morning hours of December 22, 2017. She also reported that while it was not unusual for him to disappear for a time

period, it was unusual that he would miss the Christmas holiday. Ms. Sharlow advised that Wayne had been living with his girlfriend Iris Carufel.

2. Citizen witness Iris Carufel was interviewed by Vilas County Detective Shyla Belzer. Ms. Carufel told Detective Belzer that she last saw Wayne at about 1:00 a.m. to 1:30 a.m. on December 22, 2017. At that time, Wayne told her he was going with defendant, Joseph Lussier, (hereafter Joseph), not to worry, and he would be back. Ms. Carufel states she never heard from Wayne again after that contact. Ms. Carufel states she awoke at approximately 5:30 a.m. on December 22, 2017, and Wayne was not at home. Ms. Carufel states she had communication with Joseph via Facebook's messenger feature on December 22, 2017. At approximately 2:31 p.m., Joseph messaged her asking if she had seen Wayne. Ms. Carufel responded no and Joseph messaged back, among other things, "Ya'll in my prayers."

3. During the course of the investigation, surveillance video was recovered from the Kwik Trip located in Arbor Vitae, Wisconsin, which is located in Vilas County. A review of that surveillance video showed Wayne, defendant Evan Oungst, (hereafter Evan), Lavonne Linklater, and Joseph at approximately 3:20 a.m. on December 22, 2017. They were all in a red minivan.

4. Citizen witness Lavonne Linklater was later interviewed by Lac du Flambeau Detective TJ Bill. Ms. Linklater admitted being in the minivan with the defendants and the victim on December 22, 2017, and that at later time Cheyenne Meshigaud got into the van. She and Ms. Meshigaud were later dropped off on Artishon Road. Citizen witness Sue Wolfe was later interviewed and remembered seeing Cheyenne Meshigaud and Lavonne Linklater walking on Artishon Road while she was being transported to an appointment. Citizen witness David Juedes, the driver of the transport, confirmed the time of the transport would have been shortly after 8:00 a.m. on December 22, 2017. He also recalled the two females, and they had contact with Ms. Wolfe.

5. Citizen witness Moira Poupart stated on the Thursday or Friday before Christmas, and based on other information, it would have had to have been the late night of December 21 or early morning hours of December 22, 2017, she was getting a ride from Joseph in a red minivan owned by Larissa Davilla, the van described above. In the minivan were a number of persons including defendant Curtis Wolfe, (hereafter Wolfe), Joseph, and defendant James Lussier, (hereafter James) and Wayne. Ms. Poupart states that Wolfe and Joseph were yelling at Wayne over money and a meth pipe that Wayne had supposedly stolen. Wolfe was asking Wayne where his "shit" was. Wayne appeared nervous.

6. Citizen witness George Armstrong, III, was interviewed on January 3, 2018. Mr. Armstrong states that James admitted driving with at least Joseph, and defendant Richard Allen, (hereafter Allen), and the victim in the vehicle. He states that James stated they stopped and Allen struck Wayne and they then wrestled. Mr. Armstrong then states that James told him Allen shot Wayne and then while Wayne was still moving around and breathing Joseph "put a six pack in his back." James then admitted to Mr. Armstrong that he helped carry the body into the woods.

7. Defendant Wolfe was also interviewed a number of times. In a statement against interest on January 3, 2018, Wolfe advised that he was picked up in the early morning hours of December 22, 2017. In the red minivan were defendants James, defendant Evan Oungst, (hereafter Oungst), defendant Allen, and Joseph and Wayne. Also in the vehicle were three females, Sylvia Trevizo, Cheyenne Meshigaud, and Lavonne Linklater, who were later dropped off. He stated that this was in the morning when it was starting to get light out.

8. Citizen witness Emmanuel Reyes was interviewed on December 30, 2017. Mr. Reyes was an inmate at the time in the Vilas County Jail and was housed with Joseph who was also an inmate. Mr. Reyes stated that Joseph had previously advised Mr. Reyes that he wanted

Mr. Reyes to be one of the top individuals in the NS gang. Detective Bill, who was involved in the December 30, 2017, interview of Mr. Reyes understands NS to be the Native Soldier gang.

9. Mr. Reyes then advised that Joseph told him that he had slumped Wayne. Detective Bill understands slump to be a slang term for kill. Mr. Reyes advised that Joseph told him that he was at a party with Wayne and Allen. At the party Wayne told Allen that he was supposed to set up Allen and several other people. The understanding was that Wayne was to be a confidential informant. There was discussion that Allen was going to slump Wayne right there and Allen displayed a handgun. Joseph took the gun from Allen and said not to do it there. Joseph then says Allen, Joseph and the victim eventually left the party and went for a ride. Also along on the ride were Oungst, James, and Wolfe. During the ride, they were giving Wayne methamphetamine, and Joseph stated that Wayne knew this was to be his last ride.

10. Mr. Reyes advised that Joseph stated when they stopped, everyone got out of the vehicle, and they all began to beat on Wayne. Eventually Wayne stated he was ready and asked them to stop the beating. At that point, Joseph said they stopped the beating. Allen then pulled out a gun. Joseph then heard a shot and saw that blood was coming out of the face of Wayne. Joseph then advised that Wolfe, James, and Oungst got rid of the body.

11. Citizen witness Clint Eades, Jr., was also interviewed. Mr. Eades advised that Allen had come to his residence some time before Christmas 2017. He believed it may have been December 24, 2017. Mr. Eades describes Allen as a cousin but more like a brother and that Mr. Eades' mother had contributed to raising Allen. Mr. Eades states that Allen told him that he and Joseph took Wayne out and shot him. Allen stated that he was flashing the gun the whole way out and Wayne knew all along he was going to die. Allen stated that he gave Wayne a chance to fight for his life and that Wayne was beaten. Allen then stated he shot Wayne in the cheek and then Joseph took the gun and emptied the clip shooting Wayne a number of times. Allen did not

mention the other individuals who were along. Citizen witness Jordan Hagamon, the girlfriend of Mr. Eades, states that in addition to the above information, Mr. Eades told her that Allen told Mr. Eades that Wayne was a CI (confidential informant).

12. Defendant Wolfe was interviewed on a number of occasions. During the course of those interviews, Wolfe admitted, in a statement against interests, that he was present in the vehicle on the ride to the location where Wayne was murdered. Wolfe stated he got into the red minivan in the early morning when it was starting to get light out. He stated they were heading towards Mercer, Wisconsin. He stated during the van ride, Allen was talking about beating up Wayne. He stated that James was driving and Oungst was providing directions on where to go. Wolfe believed, based on the directions being given, that Oungst had a destination in mind.

13. Wolfe then describes that the beating involved only Allen. He then states that Allen shot Wayne in the face and Joseph then shot Wayne multiple times. Wolfe ultimately admitted that he assisted in hiding the body of Wayne by removing the body from the road and placing it behind a berm.

14. Defendant Oungst was also interviewed multiple times. Oungst ultimately admitted to being in the front passenger seat and did advise he gave some directions. Oungst on January 1, 2018, did travel with Chief Robert Brandenburg of the Lac du Flambeau tribal police and point out the location of Wayne's body. The body was recovered behind a berm hidden from the road. It was off of Swamp Creek Road, which is an unpaved road through an unpopulated forest area. Swamp Creek Road is accessed by going to an area where there is a T intersection at the end of Moose Lake Road. Moose Lake Road is an unpaved road that can be accessed from US Highway 51 north of Mercer. The location where the body was recovered is in the town of Mercer, Iron County, Wisconsin.

15. At the scene where the body was found, investigators were able to recover a number of items. Among the items recovered were four 9mm shell casings. Also recovered were samples of blood stained snow found in the roadway. Finally, a piece of metal, consistent with the rear sight of a handgun was recovered from the road.

16. Law enforcement was then able to recover from the residence of Linda Sachse, a SCCY, CPX-1 9mm semi-automatic handgun. The gun was found wrapped in a red bandana on some duct work near the furnace. Wolfe had admitted placing the gun at that location after taking it from Joseph. In the gun was a magazine that had four spent shell casings in it. The casings were all CCI casing, the same manufacturer as the casings found at the murder scene. Further, the gun recovered was missing the rear sight.

17. Citizen witness Larissa Davilla stated that Allen was talking about the gun he had and was calling it "baby." Citizen witness Darienne Theobald was also interviewed. This was in relation to a burglary in Oneida County where guns were stolen. She stated that Allen really liked one of the guns that was taken. She identified a picture of the weapon recovered from the duct as being that gun. She also stated that Allen called that gun "baby." Citizen witness Lukas Eyars had reported the SCCY, CPX-1 9mm semi-automatic handgun stolen in that burglary. He also reported the rear gun sight was loose. She said "they" and did not define they, had to have Oungst get them some bullets for the gun as they did not have any. Recovered in the execution of a search warrant on the vehicle of Oungst was part of a box of CCI ammunition although there was no indication of what caliber ammunition it was on the portion of the box recovered.

18. Defendant Oungst, ultimately admitted that during the ride to location where Wayne was murdered, that Joseph and Allen were roughing Wayne up in a "playful manner." Oungst also stated that when the parties exited the van, he heard a scuffle and heard Wayne scream.

That is when he heard multiple gunshots. Oungst also confirmed that Wolfe helped to hide Wayne's body.

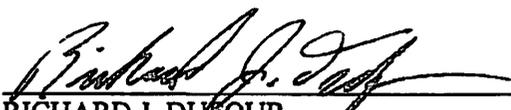
19. A forensic autopsy was performed on the body of Wayne by forensic pathologist Dr. Michael Stier at UW Hospital. Dr. Stier was able to determine that there were multiple gunshot wounds to Wayne. In total, Dr. Stier noted eight gunshot wounds, two to the head and neck areas, two to the upper back, one to the lateral back, one to the mid back, and two to the lower left back/buttock. Dr. Stier, at least preliminarily, found that the cause of death was multiple gunshot wounds and the manner of death is homicide.

20. All of the above occurred in the town of Mercer, Iron County, Wisconsin.

Dated this 27 day of February, 2018.


LIEUTENANT PAUL SAMARDICH

Subscribed and sworn to before me,
and approved for filing,
this 27 day of February, 2018.


RICHARD J. DUFOUR
Assistant Attorney General and
Special Prosecutor for Iron County
State Bar No. 1014811
My commission is permanent.

Wisconsin Department of Justice
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