

FILED**MAY 24 2023****SEARCH WARRANT****DANE COUNTY CIRCUIT COURT****23 GF 230685**

STATE OF WISCONSIN)
SS)
COUNTY OF DANE)

IN THE CIRCUIT COURT OF THE
COUNTY OF DANE

THE STATE OF WISCONSIN, to the Sheriff, or any other peace officer for said County:

WHEREAS, Detective Hannah Johnson has this day complained in writing to this Court of the County of Dane, upon oath that on May 23, 2023 in the City of Madison, County of Dane, State of Wisconsin, that there is now located in and upon certain premises at the City of Madison Police Department's Property Room, located at 211 S. Carroll St. Madison, WI, County of Dane; specifically the personal property belonging to Markus W. Allen, property tag number 526689. This item is an Ogio brand black and gray backpack with a rose bowl emblem.

Certain things, to wit: Any identifying documents or items including but not limited to identification cards, mail, financial cards, school, residential or athletic documents, or identification tags.

Which things may constitute evidence of a crime, to-wit: Carrying a concealed weapon, committed in violation of Section 941.23 of the Wisconsin and prayed that a Search Warrant be issued to search said premises for the property aforesaid.

NOW THEREFORE, in the State of Wisconsin, you are commanded forthwith to search the said items for the property aforesaid, and return this warrant within 48 hours, before said Court.

WITNESS, the Honorable Everett Mitchell, Judge of

Circuit Branch 4, Dane County, Wisconsin, this 23 day of May, 2023

Judge Everett Mitchell (electronic signature) JUDGE

ENDORSEMENT

Received by me this 23 day of May, 2023.

Hannah Johnson

DETECTIVE Hannah Johnson

FILED**MAY 24 2023****COMPLAINT FOR SEARCH WARRANT****DANE COUNTY CIRCUIT COURT****23 CF 230685****STATE OF WISCONSIN)****)SS.****COUNTY OF DANE)****In the Circuit Court of****County of Dane**

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Certain things, to-wit: Any identifying documents or items including but not limited to identification cards, mail, financial cards, school, residential or athletic documents, or identification tags.

Which things may constitute evidence of a crime, to-wit: Carrying a concealed weapon, committed in violation of Section 941.23 of the Wisconsin and prayed that a Search Warrant be issued to search said premises for the property aforesaid.

The facts tending to establish grounds for issuing a Search Warrant are as follows:

FACTS:

Your complainant is a Detective with the City of Madison Police Department and has been a sworn law enforcement officer since 2017. Your complainant is currently assigned as a Detective out of the City of Madison Police Department Central District.

Your complainant is investigating a weapons violation. Your complainant reviewed the reports of Officer Michael Mawhinney under Madison Police Department case number 22-223959. Officer Mawhinney wrote that on June 11, 2022 he took a report of a firearm stolen from a vehicle parked within the parking ramp located at 412 N Frances St, Madison, WI, County of Dane. The victim, Casey Walker Jr, reported that the firearm which was owned by him was a black Generation 5 Glock 19 with a serial number of BXFZ053. Walker reported that he left the unloaded firearm inside his mother's vehicle which was parked at the above stated location on Wednesday June 8, 2023. Walker reported that he noticed the firearm was missing on Friday, June 10, 2023. Walker reported that he did not give anyone consent to take the firearm. Officer Mawhinney listed the firearm as stolen through NCIC on June 11, 2022.

Your complainant reviewed the reports of Officer Anthony Vogel under Madison Police Department case number 23-172925. Officer Vogel reported that he was working the Mifflin Street Block Party on April 29, 2023. Officer Vogel reported that he was in the area of the 500 block of W. Mifflin St in the city of Madison, County of Dane. Officer Vogel reported that he saw Markus

W. Allen, later identified via Ohio Driver's License, with an open alcoholic beverage in an area specifically posted to prohibit open alcoholic beverages. Officer Vogel reported that he told Allen to dump out the beverage. Officer Vogel reported that Allen moved the alcohol container out of his view, so Officer Vogel reached for the beverage to make sure it was being disposed of. Officer Vogel reported that Allen then dumped the beverage onto Officer Vogel's shin and boots. Officer Vogel reported that he then made the decision to place Allen into custody reference an ordinance violation in relation to 38.07(7) Possess or Consume Open Intoxicants on City Property. Officer Vogel noted that Allen was wearing a black backpack with a rose bowl emblem on it. Officer Vogel reported that this backpack was removed from Allen's person by Officers prior to being placed into handcuffs.

Your complainant reviewed the report authored by Sergeant Livia Novitzke. Sergeant Novitzke reported that once Allen was placed under arrest by Officer Vogel, she searched the backpack that he was wearing. Sergeant Novitzke reported that she located a magazine containing one 9mm round, inside of a small pocket. Sergeant Novitzke reported that she then located a number of alcohol containers inside of the large pocket. Sergeant Novitzke reported that inside of the large pocket was another interior pocket which contained an unloaded black 9mm Glock handgun with a serial number of BXFZ053. This was confirmed to be the firearm reported as stolen under case number 22-223959.

Your complainant reviewed reports authored by Detective Scott Sachtjen. Detective Sachtjen reported that he retrieved the firearm, magazine, bullet, and backpack from Officer Vogel and Sergeant Novitzke and brought them back to the Central Police District for property tagging. The backpack that was taken off of Allen's person was property tagged for safe keeping under property tag number 526689 and placed into CPD locker 40.

Detective Sachtjen reported that on May 2, 2023 he ran Allen through the Wisconsin Department of Justice Crime Information Bureau and learned that Allen did not have a Wisconsin Conceal Carry Weapon (CCW) permit issued in his name. Detective Sachtjen reported that he also ran Allen through the state of Ohio using the National Crime Information Center (NCIC), which is Allen's home state, and learned that Allen did not have an Ohio CCW permit either.

Your complainant knows that people often store identifying documents or other items with personal identifying information within backpacks or bags that they elect to carry. This then assists in identifying the owner or current primary user of the backpack or bag. Determining the owner or primary user of the backpack would benefit this investigation.

Your complainant believes that the information obtained from and by Officer Mawhinney, Officer Vogel, Sergeant Novitzke and Detective Sachtjen to be truthful and reliable, inasmuch as they obtained and provided the information in the normal course of their duties as an employee of the Madison Police Department.

Your complainant believes the records provided by NCIC to be truthful and reliable as it is relied upon for the normal course of business.

Your complainant believes the records provided by Wisconsin Department of Justice Crime Information Bureau to be truthful and reliable as it is relied upon for the normal course of business.

Your complainant believes the records held by the City of Madison Police Department to be truthful and reliable inasmuch as they are held in the normal course of its existence as a law enforcement agency.

WHEREFORE, complainant prays that a Search Warrant be issued to search said premises for the property aforesaid.

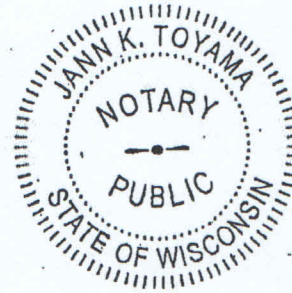
Hannah Johnson
Detective Hannah Johnson, 5299

Jann K. Toyama

Subscribed and sworn to me, this 23rd day of May, 2023.

Judge Everett Mitchell (electronic signature)

Judge of Circuit Court Branch 4



FILED**MAY 24 2023****DANE COUNTY CIRCUIT COURT**
*2306210685***SEARCH WARRANT RETURN**

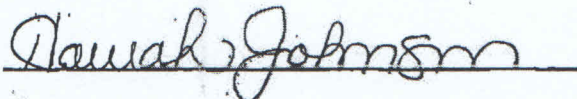
CIRCUIT COURT)**) SS****COUNTY OF DANE)**

Dated this 24th day of May 2023, in the City of Madison, Dane County, Wisconsin.

I hereby certify that by virtue of the within Warrant, Officers of the City of Madison Police Department have seized:

- **A traffic citation issued to Alexander Ashby Smith on 05/14/2020**

These items are now in the possession of the Madison Police Department and subject to the disposition of the Court.



Detective Hannah Johnson