STATE OF WISCONSIN CIRCUIT COURT OUTAGAMIE COUNTY

STATE OF WISCONSIN
P.O. Box 7857
Madison, Wisconsin 53707-7857,

Plaintiff,

v.

Case No. 11CF292

MICHAEL R. FROEHLICH
2724 South Carpenter Street
Appleton, Wisconsin 54915,

Defendant.

CIRCUIT COURT
OUTAGAMIE COUNTY
FILED
APR 21 2011
AT O'CLOCK

SUMMONS

THE STATE OF WISCONSIN TO SAID DEFENDANT:

The Complaint, a copy of which is attached, having been made before me accusing the defendant of one count of Attempted Battery to a Law Enforcement Officer as a Repeater, contrary to Wis. Stat. § 939.62(2); one count of Resisting an Officer as a Repeater, contrary to Wis. Stat. § 939.62(2); and one count of Bail Jumping as a Repeater, contrary to Wis. Stat. § 939.62(2),

You, Michael R. Froehlich, are, therefore, summoned to appear in the Circuit Court of Outagamie County at the courthouse in the city of Appleton to answer said Complaint, on the 28th day of April, 2011, at 1:30 p.m. in the afternoon. In case of your failure to appear, a warrant for your arrest may be issued.

Dated this 14th day of April, 2011.

ERIK C. PETERSON,
State Bar No. 1020935
Assistant Attorney General

Wisconsin Department of Justice
Post Office Box 7857
Madison, Wisconsin 53707-7857
(608) 264-6360

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STATE OF WISCONSIN CIRCUIT COURT OUTAGAMIE COUNTY

STATE OF WISCONSIN
P.O. Box 7857
Madison, Wisconsin 53707-7857,

Plaintiff,

v. Case No. 11CF292

MICHAEL R. FROEHLICH
2724 South Carpenter Street
Appleton, Wisconsin 54915,

Defendant.

APR 21

CRIMINAL COMPLAINT

Your complainant, Outagamie County Sheriff's Department Sergeant Jim Duchow, being duly sworn on oath, and based upon information and belief, states as follows:

COUNT ONE: Attempted Battery to a Law Enforcement Officer as a Repeater (Pursuant to Wis. Stat. § 939.62(2))

On or about March 16, 2011, in the town of Dale, Outagamie County, Wisconsin, the above-named defendant, Michael R. Froehlich, did attempt to batter a law enforcement officer, to-wit: the defendant attempted to intentionally cause bodily harm to a law enforcement officer (Deputy Stordock) as defined in § 102.475(8)(c), acting in an official capacity and the person knew or had reason to know that the victim was a law enforcement officer, by an act done without the consent of the law enforcement officer,

IF YOU REQUIRE THE ASSISTANCE OF AUXILIARY AIDS OR SERVICES BECAUSE OF A DISABILITY, CALL (920) 832-5131 AND ASK FOR THE OUTAGAMIE COUNTY CIRCUIT COURT ADA COORDINATOR.

contrary to Wis. Stat. § 940.20(2), a Class H felony, punishable by a fine not to exceed $10,000 or imprisonment not to exceed 7 years, or both, pursuant to Wis. Stat. §§ 940.20(2), 939.62(1)(b), and 939.32.

COUNT TWO: Resisting an Officer as a Repeater (Pursuant to Wis. Stat. § 939.62(2))

On or about March 16, 2011, in the town of Dale, Outagamie County, Wisconsin, the above-named defendant, Michael R. Froehlich, did knowingly resist an officer while said officer was doing an act in an official capacity and with lawful authority, to-wit: the defendant fought and fled from Deputy Janda after being informed that he was being taken into custody, contrary to Wis. Stat. § 946.41, a Class A misdemeanor, punishable by a fine not to exceed $10,000 or imprisonment not to exceed two years, or both, imprisonment increased to an amount not to exceed two years pursuant to Wis. Stat. § 939.62(1)(a).

COUNT THREE: Bail Jumping as a Repeater (Pursuant to Wis. Stat. § 939.62(2))

On or about March 16, 2011, in the town of Dale, Outagamie County, Wisconsin, the above-named defendant, Michael R. Froehlich, did, having been released from custody in Outagamie County Case No. 2010-CM-1327 under Wis. Stat. ch. 969, intentionally fail to comply with the terms of his bond, to-wit: the defendant did not maintain absolute sobriety, contrary to Wis. Stat. § 946.49, a Class A misdemeanor, punishable by a fine not to exceed $10,000 or imprisonment not to exceed 9 months, or

both, imprisonment increased to an amount not to exceed two years pursuant to Wis. Stat. § 939.62(1)(a).

FACTUAL BASIS

Your complainant was informed by reading the reports of Deputy Troy Janda of the Outagamie County Sheriff's Department of the following:

On March 16, 2011, at approximately 7:40 p.m., Deputy Janda was informed that Michael R. Froehlich was inside Jimmer's bar at W9706 STH 96 in the township of Dale, Outagamie County, Wisconsin.

Deputy Janda proceeded to Jimmer's bar and entered through a back door. Deputy Janda recognized a subject known to him as Michael R. Froehlich sitting at a barstool. Janda approached Froehlich and called his name while wearing a full sheriff's department uniform. At this time Deputy Stordock entered Jimmer's through the front door, according to Janda.

Janda asked Froehlich if he was supposed to be in a bar given his probation and bond conditions. Froehlich stated that he was not, but he was there visiting a female friend on the stool next to him. Janda asked Froehlich how much he had to drink. Froehlich responded that he was just drinking Coca-Cola. Deputy Stordock then retrieved and administered a PBT to Froehlich. The PBT showed a breath alcohol content of .20 g/210L. The deputies informed Froehlich he would be taken into custody. Stordock then informed Froehlich that the deputies would like him to be cooperative and, if he was, this would be an easy procedure. Stordock further said if Froehlich was not cooperative, he would not like the results.

Froehlich said something to the effect of "don't you say that to me." Janda then stated that Froehlich's body appeared to tighten up and his fist began to clench. At this

time, Froehlich was seated at a bar stool facing out from the bar. Stordock was in front of Froehlich. Janda was off to Froehlich's right. Froehlich then leapt from the bar stool and made for a round-house type punch at Deputy Stordock. Stordock did not consent. Stordock stepped back to avoid Froehlich's punch and pushed Froehlich to his right. Janda then drew his baton and delivered a jab to the midsection of Froehlich to impede further attack. After the jab, Janda delivered a strike to Froehlich's midsection. Froehlich was still on his feet with clenched fists and appeared to be taking a step toward Stordock and Janda, but then went to his left out the front door of the bar. Janda followed Froehlich outside the bar yelling at him multiple times to stop as Froehlich walked west down the sidewalk area. As Froehlich was starting to walk away, he turned toward Janda. Janda then delivered a baton strike to Froehlich's left upper arm and to his left thigh. At this time Froehlich and Janda started to move into the street (STH 96). Froehlich then started to run away from Janda while crossing the street. Stordock then deployed his Taser into Froehlich's back. Froehlick fell to the ground and was handcuffed.

Your complainant was informed by reading the reports of Deputy Rolain of the following:

Deputy Rolain responded to Jimmer's to assist other officers. After arriving he went into the tavern and met with Steven Dennis, the bartender working at Jimmer's bar at the time. Mr. Dennis said that he did not know Mr. Froehlich. Dennis stated that Froehlich had been at the bar for approximately one hour when officers arrived. Dennis stated that he had served Froehlich Coke and Kessler's.

Your complainant has reviewed a copy of the bond in Outagamie County Case No. 2010-CM-1327, issued on December 14, 2010. That bond requires that Michael

Froehlich maintain absolute sobriety for the pendency of the case. Upon information and belief, Case No. 2010-CM-1327 was still pending on March 16, 2011. A copy of the bond in 2010-CM-1327 is attached and incorporated by reference.

Your complainant further states that, certified copies of various Judgments of Conviction for Michael Froehlich are attached to this complaint and incorporated by reference.

Your complainant believes the information provided by Steven Dennis is reliable because he is a citizen informant. Your complainant believes the information provided by Janda and Rolain is reliable because they are fellow law enforcement officers.

S/SGT Jim Duchow

Sergeant Jim Duchow
Outagamie County Sheriff's Department

Subscribed and sworn to before me,
this 1 day of April, 2011

ERIK C. PETERSON
My commission is permanent

APPROVED FOR FILING:

Erik C. Peterson (State Bar No. 1020935)
Assistant Attorney General
Special Prosecutor for Outagamie County
Wisconsin Department of Justice
17 West Main Street, Post Office Box 7857
Madison, Wisconsin 53707-7857
(608) 264-6360

STATE OF WISCONSIN, CIRCUIT COURT, OUTAGAMIE COUNTY

For Official Use

☒ State of Wisconsin
☐ _____

vs.

Michael R Froehlich
Defendant

Date of Birth

☐ Amended

Bail/Bond

Case No. 10 CM 1327

Citation No. _____

A. Monetary Conditions of Release

1. ☐ CASH BAIL: Cash bail of $ _____ shall be deposited. Date deposited _____.
2. ☒ SIGNATURE BOND: ☒ Defendant and/or ☐ Surety guarantees compliance with the terms of this bond by pledging $ 1,000.
3. ☐ PROPERTY BOND: ☐ Defendant and/or ☐ Surety guarantees compliance with the terms of this bond by pledging $ _____ in personal or real property (**description attached**).

Surety name(s): _____

If the defendant does not comply with the terms of this bail/bond, the bail/bond will be forfeited and the defendant and/or surety may be ordered to pay the amount of the bond.

Any restitution, recompense, fines, forfeitures or costs imposed against the defendant shall be paid out of the bail/bond without further notice.

DEFENDANT MUST MAINTAIN ABSOLUTE SOBRIETY FOR PENDENCY OF CASE

B. Additional Conditions of Release

- Defendant shall appear on all court dates.
- Defendant shall give written notice to the Clerk of this Court within 48 hours of any change of address or telephone number.
- Defendant shall not commit any crime.
- Defendant shall neither directly nor indirectly threaten, harass, intimidate or otherwise interfere with victims or witnesses in this action.
- Other: NO CONTACT PROVISION FOR PENDENCY OF THIS CASE w/ Festival Foods - Northland Ave

☐ **See attached**

Federal law provides penalties for, and you may be prohibited from possessing, transporting, shipping, receiving or purchasing a firearm, including, but not limited to, a rifle, shotgun, pistol, revolver, or ammunition, pursuant to 18 U.S.C. §922(g)(8)-(9).

The sheriff shall detain the defendant in custody until the defendant has signed the bond, complied with the monetary conditions of release, or is otherwise discharged.

I have received a copy of this bail/bond and I agree to its terms. I understand that the next court date is:

Circuit Court Location		Date	Time
Br 1 - to schedy			
Defendant's Signature	**Date**	**Defendant's Address**	**Telephone Number**
Surety's Signature	**Date**	**Surety's Address**	**Telephone Number**

☐ I have furnished the defendant with a copy of this document.

S. Bostty
Signature

Deputy Clerk
Title

12-14-10
Date

§§66.0111, 345.32, 940.49, ch. 969, 969.02(6), 969.03(4) and 969.13, Wisconsin Statutes

This form shall not be modified. It may be supplemented with additional material.

STATE OF WISCONSIN | CIRCUIT COURT BRANCH 2 | MENOMINEE COUNTY

For Official Use Only
FILED
MENOMINEE COUNTY
AUG - 6 2010
PAMELA FRECHETTE
CLERK OF COURTS

State of Wisconsin vs. Michael R. Froehlich

Judgment of Conviction

Sentence Withheld, Probation Ordered

Date of Birth: 01-21-1975

Case No.: 2009CM000014

The defendant was found guilty of the following crime(s):

Ct.	Description	Violation	Plea	Severity	Date(s) Committed	Trial To	Date(s) Convicted
1	Disorderly Conduct	947.01	No Contest	Misd. B	11-01-2008		08-05-2010
3	Unlawful Phone Use-Threaten w/ Obscenity	947.012(1)(b)	No Contest	Misd. B	11-01-2008		08-05-2010

IT IS ADJUDGED that the defendant is guilty as convicted and sentenced as follows:

Ct.	Sent. Date	Sentence	Length	Agency	Comments
1	08-05-2010	Probation, sent withheld	1 YR	Department of Corrections	
3	08-05-2010	Probation, sent withheld	1 YR	Department of Corrections	

Sentence Concurrent With/Consecutive Information:

Ct.	Sentence	Type	Concurrent with/Consecutive To Comments
3	Probation, sent withheld	Concurrent	count 1

Conditions of Sentence or Probation

Obligations: (Total amounts only)

Fine	Court Costs	Attorney Fees	☐ Joint and Several Restitution	Other	Mandatory Victim/Wit. Surcharge	5% Rest. Surcharge	DNA Anal. Surcharge
272.00	40.00			16.00	120.00		

Conditions

Ct.	Condition	Agency/Program	Comments
1	Fine		
1	Alcohol treatment		and follow through
1	Prohibitions		no alcohol consumption or possession
1	Other		anger management and follow through-letter of apology to officers
3	Fine		
3	Alcohol treatment		and follow through
3	Prohibitions		no alcohol consumption or possession
3	Other		anger management and follow through-letter of apology to officers

Pursuant to §973.01(3g) and (3m) Wisconsin Statutes, the court determines the following:

The Defendant is ☐ is not ☐ eligible for the Challenge Incarceration Program.

The Defendant is ☐ is not ☐ eligible for the Earned Release Program.

IT IS ADJUDGED that **0** days sentence credit are due pursuant to § 973.155, Wisconsin Statutes

IT IS ORDERED that the Sheriff shall deliver the defendant into the custody of the Department.

For Official Use Only

State of Wisconsin vs. Michael R. Froehlich

Judgment of Conviction

Sentence Withheld, Probation Ordered

Date of Birth: 01-21-1975

Case No.: 2009CM000014

BY THE COURT:

Pam Kunkel

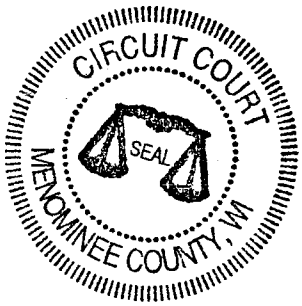
Circuit Court Judge/Clerk/Deputy Clerk

August 6, 2010

Date

Distribution:

Thomas G. Grover, Judge
Catharine D White, District Attorney
Craig W Albee, Defense Attorney



STATE OF WISCONSIN **CIRCUIT COURT BRANCH 2** **OUTAGAMIE COUNTY**

For Official Use Only

SEP 2 1 2010

State of Wisconsin vs. Michael R Froehlich

Judgment of Conviction

After Revocation of Probation and Sentence to the County Jail/Fine/Forfeiture

Date of Birth: 01-21-1975

Case No.: 2009CF000461

The defendant was found guilty of the following offense(s):

Ct.	Description	Violation	Plea	Severity	Date(s) Committed	Trial To	Date(s) Convicted
1	Unlawful Phone Use-Threaten w/ Obscenity	947.012(1)(b)	No Contest	Misd. B	08-19-2006		05-26-2010
4	Disorderly Conduct	947.01	No Contest	Misd. B	12-08-2006 between December 8 and December 12, 2006		05-26-2010
5	Disorderly Conduct	947.01	No Contest	Misd. B	12-12-2006		05-26-2010
9	Disorderly Conduct-Calumet County	947.01	No Contest	Misd. B	12-08-2009		05-26-2010

The defendant is guilty as convicted and sentenced as follows:

Ct.	Sent. Date	Sentence	Length	Begin date	Begin time	Agency	Comments
1	09-16-2010	Costs					Refer all costs for civil judgment and collections.
1	09-16-2010	Local jail	90 DA			County	Counts 1, 4, and 5 are concurrent with each other.
4	09-16-2010	Costs					
4	09-16-2010	Local jail	90 DA			County	Concurrent to Count 1
5	09-16-2010	Costs					
5	09-16-2010	Local jail	90 DA			County	Concurrent to Count 1
9	09-16-2010	Costs					
9	09-16-2010	Local jail	120 DA			County	Concurrent to Count 1, but consecutive to any other sentence.

Obligation Detail:

Ct.	Schedule	Amount	Days to Pay	Due Date	Failure to Pay Action	Victim
1	Misd cost victim/witness	80.00		09-16-2010	Judgment	
4	Misd cost victim/witness	80.00		09-16-2010	Judgment	
5	Misd cost victim/witness	80.00		09-16-2010	Judgment	
9	Misd cost victim/witness	80.00		09-16-2010	Judgment	

Obligation Summary:

Ct.	Fine & Forfeiture	Court Costs	Attorney Fees	☐ Joint and Several Restitution	Other	Mandatory Victim/Wit. Surcharge	5% Rest. Surcharge	DNA Anal. Surcharge	Totals
1		20.00				60.00			80.00
4		20.00				60.00			80.00
5		20.00				60.00			80.00
9		20.00				60.00			80.00

Total Obligations: 320.00

This document (2 pages) is a full and true copy of the original on file in the office of the Outagamie County Clerk of Circuit Court, State of Wisconsin.

2/17/11

Date

Deputy Clerk of Court

SEAL OF CIRCUIT COURT SEAL OUTAGAMIE COUNTY, WIS.

For Official Use Only

State of Wisconsin vs. Michael R Froehlich

Judgment of Conviction
After Revocation of Probation
and Sentence to the
County Jail/Fine/Forfeiture

Date of Birth: 01-21-1975

Case No.: 2009CF000461

The following charges were Dismissed but Read In

Ct.	Description	Violation	Plea	Severity	Date(s) Committed	Date(s) Read In
2	Disorderly Conduct	947.01		Misd. B	08-19-2006	05-26-2010
3	Unlawful Phone Use-Threaten w/ Obscenity	947.012(1)(b)		Misd. B	12-08-2006	05-26-2010
6	Unlawful Phone Use-Threaten w/ Obscenity	947.012(1)(b)		Misd. B	02-07-2009	05-26-2010
7	Disorderly Conduct	947.01		Misd. B	02-07-2009	05-26-2010
10	Bail Jumping-Felony-Calumet County	946.49(1)(b)		Felony H	12-08-2009	05-26-2010

It is adjudged that **89** days sentence credit are due pursuant to § 973.155, Wisconsin Statutes.

☐ **It is ordered** that the Sheriff take the defendant into custody.

Distribution:

Scott C Woldt, Judge
Craig W Albee, Defense Attorney
County Sheriff

BY THE COURT:

for Scott Woldt

Circuit Court Judge/Clerk of Circuit Court/Deputy Clerk

September 16, 2010

Date