

JUAN B. COLÁS  
CIRCUIT COURT, BR 10

STATE OF WISCONSIN

CIRCUIT COURT

DANE COUNTY

2012 SEP 4 AM 10:52

STATE OF WISCONSIN,  
WISCONSIN DEPARTMENT OF JUSTICE,  
P.O. BOX 7857,  
MADISON, WI 53707-7857,

CIRCUIT COURT  
DANE COUNTY, WI

Plaintiff,

v.

Case No. 12-CV-12CV3560

Declaratory Judgment: 30701

GREGORY S. LIEBE,  
6422 SOUTH 35TH STREET, APT. 7,  
FRANKLIN, WI 53132,

and

\$4,280 IN U.S. CURRENCY,

Defendants.

THIS IS AN AUTHENTICATED COPY OF THE  
ORIGINAL DOCUMENT FILED WITH THE DANE  
COUNTY CLERK OF CIRCUIT COURT.

**SUMMONS**

CARLO ESQUEDA  
CLERK OF CIRCUIT COURT

THE STATE OF WISCONSIN

TO: GREGORY S. LIEBE,  
6422 South 35th Street, Apt. 7,  
Franklin, WI 53132,

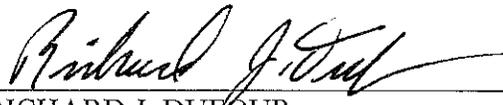
You are hereby notified that the plaintiff named above has filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within forty-five days of receiving this Summons, you must respond with a written answer, as that term is used in ch. 802 of the Wisconsin Statutes, to the Complaint. The Court may reject or disregard an answer that does not follow the requirements of the statutes. The

answer must be sent or delivered to the Court, whose address is Dane County Courthouse, 215 South Hamilton Street, Madison, WI 53703 and to Assistant Attorney General Richard J. Dufour, whose address is Wisconsin Department of Justice, P.O. Box 7857, Madison, WI 53707-7857. You may have an attorney help or represent you.

If you do not provide a proper answer within forty-five days, the Court may grant judgment against you for the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future and may also be enforced by garnishment or seizure of property.

Dated this 4th day of September, 2012.

  
RICHARD J. DUFOUR  
Assistant Attorney General  
State Bar #1014811

Attorneys for Plaintiff

Wisconsin Department of Justice  
Post Office Box 7857  
Madison, Wisconsin 53707-7857  
(608) 264-9488  
(608) 267-2778 (Fax)  
dufourrj@doj.state.wi.us

STATE OF WISCONSIN,

Plaintiff,

v.

GREGORY S. LIEBE,  
6422 SOUTH 35TH STREET, APT. 7,  
FRANKLIN, WI 53132,

and

\$4,280 IN U.S. CURRENCY,

Defendants.

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CIRCUIT COURT  
DANE COUNTY, WI

Case No. 12-CV- **12CV3560**

Declaratory Judgment: 30701

**COMPLAINT**

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COUNTY CLERK OF CIRCUIT COURT.

1. The plaintiff, State of Wisconsin, is a body politic and sovereign member of the United States of America.
2. That the defendant, Gregory S. Liebe, is an adult male whose last known address is 6422 South 35th Street, Apt. 7, in the City of Franklin, County of Milwaukee, State of Wisconsin.
3. That \$3,700 of the defendant, \$4,280 in U.S. Currency, represents money seized from the defendant, Gregory S. Liebe, during a consent search on March 22, 2006.
4. That the remaining \$580 represents money paid by the defendant, Gregory S. Liebe, to an undercover agent as winnings for gambling bets.
5. That the officers had contact with the defendant, Gregory S. Liebe, and obtained consent to search his property, which consent search led to the seizure of \$3,700 in U.S.

Currency, based on an investigation into allegations of gambling, specifically, to taking of bets on sporting events.

6. That the consent search which led to the seizure of \$3,700 in U.S. Currency, took place at 6422 South 35th Street, Apt. 7, in the City of Franklin, County of Milwaukee, State of Wisconsin.

7. That the defendant, Gregory S. Liebe, is the individual who gave officers consent to search the residence described in paragraph 6 above. That said defendant was also present at the time of the search.

8. That the defendant, Gregory S. Liebe, was interviewed by law enforcement officers at the scene of the consent search.

9. That among other admissions, the defendant, Gregory S. Liebe, admitted that he was engaged in bookmaking activities, including the taking of bets on various sporting events.

10. That the defendant, Gregory S. Liebe, was asked where the money from his sport betting was located and he stated that he kept it all in his residence. He then stated that it was specifically in the kitchen cupboard above the refrigerator and when asked to retrieve that money did turn over to the officer \$3,700 in currency.

11. That the defendant, \$4,280 in U.S. Currency, is contraband as that term is used in Wis. Stat. § 968.13(1)(a) in that it is the fruit of the commission of a crime, to wit: commercial gambling.

12. That pursuant to *Jones v. State*, 226 Wis. 2d 565, 594 N.W.2d 738 (1999), items which are contraband need not be returned to the owner and if they are found to be contraband are subject to forfeiture.

13. That the State of Wisconsin has an interest in the determination of whether or not the defendant, \$4,280 in U.S. Currency, is contraband in that if the Court determines it is

contraband, it is forfeited to the State School fund, pursuant to *Jones v. State*, 226 Wis. 2d 565, and Wis. Const. art. X, § 2.

14. That a declaration of whether or not the defendant, \$4,280 in U.S. Currency, is contraband or not will resolve all issues as it relates to the disposition of said currency.

15. That said defendant, \$4,280, is being held by the plaintiff, State of Wisconsin, through its agency the Department of Justice, Division of Criminal Investigation, in the County of Dane, State of Wisconsin.

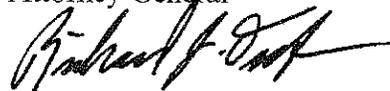
**WHEREFORE**, the plaintiff, State of Wisconsin, hereby asks the Court for relief as follows:

1. For an order declaring that the defendant, \$4,280 in U.S. Currency, is contraband and therefore shall be forfeited to the School Fund;
2. For whatever costs and fees the Court deems equitable and just, if any, pursuant to Wis. Stat. § 806.04(10); and
3. For such other and further relief as the Court may deem fair and proper.

Dated this 4th day of September, 2012.

Respectfully submitted,

J.B. VAN HOLLEN  
Attorney General



RICHARD J. DUFOUR  
Assistant Attorney General  
State Bar #1014811

Attorneys for Plaintiff

Wisconsin Department of Justice  
Post Office Box 7857  
Madison, Wisconsin 53707-7857  
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dufourrj@doj.state.wi.us