

State of Wisconsin

Circuit Court

Monroe County

STATE OF WISCONSIN

-VS-

Tammy S. Cole
8S918 Dugan Road
Big Rock, IL 60511
DOB: 01/31/1964
F / W
Height: 5 ft 5 in
Weight: 120 lbs
Hair: Brown
Eyes: Hazel

Plaintiff, DA Case No.: 2010MO001206
Assigned DA/ADA: Daniel D. Cary
Agency Case No.: 10-0850
Court Case No.:
ATN:

WARRANT

COPY

Defendant


THE STATE OF WISCONSIN TO ANY LAW ENFORCEMENT OFFICER:

A complaint, having been filed with the Court accusing the defendant of committing the crimes of:

<u>THE CRIME(S) OF:</u>	<u>DATE OF VIOLATION:</u>	<u>CONTRARY TO WIS. STATUTE(S):</u>
First Degree Intentional Homicide; Use of a Dangerous Weapon	04/27/2010	940.01(1)(a); 939.63(1)(b)

And having found that probable cause exists that such violation was committed by the defendant and pursuant to Wis. Stats. §§ 968.04, 345.37 and 345.21; you are, therefore, commanded to arrest the defendant and bring her before me, or if I am not available, before some other judge of this county.

Date: June 9, 2010



Honorable Michael J. Mc Alpine
Circuit Court Judge Branch II
Monroe County, Wisconsin

(X) As this is a crime with a penalty of 6 months or more and it is believed the defendant will not respond to a summons, the defendant must appear and is to be brought before the Court forthwith. No bond.

EXTRADITION: YES
ENTER: Nationwide

State of Wisconsin

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STATE OF WISCONSIN

Plaintiff,

-vs-

Tammy S. Cole
8S918 Dugan Road
Big Rock, IL 60511
DOB: 01/31/1964
Sex/Race: F/W
Eye Color: Hazel
Hair Color: Brown
Height: 5 ft 5 in
Weight: 120 lbs
Alias:

Agency: Tomah Police Department
DA Case No.: 2010MO001206
Assigned DA/ADA: Daniel D. Cary
Agency Case No.: 10-0850
Court Case No.:
ATN:

Criminal Complaint

Defendant,

Investigator Robert Walensky of the City of Tomah Police Department being first duly sworn, states that:

Count 1: FIRST DEGREE INTENTIONAL HOMICIDE, USE OF A DANGEROUS WEAPON

The above-named defendant on or about Tuesday, April 27, 2010, in the City of Tomah, Monroe County, Wisconsin, did cause the death of Vance L. Evans, with intent to kill that person, contrary to sec. 940.01(1)(a), 939.63(1)(b) Wis. Stats., a Class A Felony, and upon conviction shall be sentenced to imprisonment for life.

And further, invoking the provisions of sec. 939.63(1)(b) Wis. Stats., because the defendant committed this offense while possessing, using, or threatening to use a dangerous weapon, the maximum term of imprisonment for the felony may be increased by not more than 5 years.

PROBABLE CAUSE:

Complainant states that he has reviewed incident reports prepared by Investigator Robert Walensky of the City of Tomah Police Department, Officer Scott Holum of the Tomah Police Department and Special Agent John Christophersen of the Wisconsin Department of Justice, law enforcement officers believed to be truthful and reliable, which indicate that on April 27, 2010 at 1:24 a.m., the Monroe County Communications Center received a 911 call requesting officers to respond to 316 Woodard Avenue in the City of Tomah, Monroe County WI. Sergeant Scott Holum and Officer Aaron Hintz responded to 316 Woodard Avenue and subsequently found the deceased body of Vance L. Evans within the residence.

Investigator Robert Walensky arrived at 316 Woodard Avenue and viewed the scene. Investigator Robert Walensky had contact with Mary Mclain, the girlfriend of Vance L.

6/9/2010

Evans. Mary Mclain had discovered the body of Vance L. Evans in his residence and had made the initial 9-1-1 call to the Monroe County Communications Center. Mary Mclain reported that she had been in telephone contact with Vance Evans on the night of April 26, 2010, and Vance Evans told Mary Mclain that a psycho bitch from Illinois was at his residence and he could not get rid of her. Vance Evans also told Mary Mclain that the psycho bitch from Illinois has a sister that lives next to Vance Evans in Illinois or the same area. Mary Mclain also informed Investigator Robert Walensky that on the night of April 26, 2010, she received a telephone call from an unidentified female calling from Vance L. Evans' cellular telephone. Mary Mclain could not understand the female and the call was terminated. Mary Mclain called the cellular telephone of Vance Evans back and a female answered the telephone. The female told Mary Mclain that she was going to shoot her (Mary Mclain) dead and made a comment about screwing her boyfriend. Mary Mclain said that she then went to Tomah to check on Vance Evans and found him deceased.

The Tomah Police Department requested assistance from the Wisconsin Crime Laboratory Field Response Unit. The Wisconsin State Crime Laboratory Field Response personnel arrived at the Tomah Police Department at about 6:30 a.m. The Wisconsin Crime Laboratory personnel subsequently completed a thorough examination of the victim's residence on April 27, 2010. The evidentiary items that were gathered at the location of the incident were submitted to the Wisconsin Crime Laboratory for processing and analysis.

Investigator Robert Walensky received a telephone call from Attorney David Towns from Belvidere, Illinois, on April 27, 2010. Attorney David Towns informed Investigator Robert Walensky that he represents Tammy Cole and she was involved in an accidental discharge of a firearm in Tomah the previous night.

The body of Vance L. Evans was transported to the Veterans Administration Hospital in Madison, Wisconsin, for a forensic autopsy by Dr. Michael Stier. Investigator Robert Walensky attended the autopsy of Vance L. Evans on April 28, 2010, performed by Dr. Michael Stier. Investigator Robert Walensky was advised by Dr. Michael Stier that Vance L. Evans died as a result of single gunshot wound to the back of the head.

Special Agent John Christophersen of the Wisconsin Department of Justice subsequently reviewed with Wisconsin Crime Laboratory DNA Analyst Samantha Delfosse the results of analyses conducted on various evidentiary specimens recovered during the search of Vance Evans' residence and learned that the Coors Light beer can located in the kitchen sink contained a major female DNA profile and that Tammy Cole is the source of that major female DNA profile.

Special Agent John Christophersen also learned from DNA Analyst Samantha Delfosse that a pair of leather gloves that were located in the kitchen sink were also analyzed, and a major female DNA profile was obtained from the left glove and that Tammy Cole was determined to be the source of that major female DNA profile.

Investigator Robert Walensky is aware of a revolver being located at 316 Woodard Avenue on April 27, 2010, that was recovered by the Wisconsin State Crime Laboratory on April 27, 2010. The revolver is a 38 Special Gabilondo Model Ruby Extra with serial number 635612. Investigator Robert Walensky has reviewed a report from Firearm and Toolmark

Examiner William L. Newhouse from the Wisconsin State Crime Laboratory. The revolver was determined to function properly. A fired cartridge casing that was recovered from the revolver was found to have been fired by that revolver.

The Wisconsin State Crime Laboratory recovered a bullet from the inside header of the interior front door of the Vance Evans residence on April 27, 2010. Firearm and Toolmark Examiner Williams Newhouse indicates in his report that this bullet was determined to have been originally fired from the revolver.

Investigator Robert A. Walensky is aware that a cellular telephone was recovered from the residence at 316 Woodard Avenue by the Wisconsin State Crime Laboratory. The cellular telephone number of this particular cellular telephone is 608-343-2774. Investigator Robert Walensky has made contact with U.S. Cellular and was informed that the subscriber to this cellular telephone number is Vance Evans. Investigator Robert Walensky reviewed a report from Wisconsin State Crime Laboratory Identification Unit Analyst Laura Matson. The report indicates a latent fingerprint was obtained from this cellular telephone. The latent fingerprint was compared to the known fingerprints of Tammy Cole and identification was made to the left index fingerprint of Tammy Cole by Analyst Laura Matson.

Investigator Robert Walensky and Special Agent John Christophersen obtained records from the Comfort Inn in Tomah, Wisconsin. The information confirmed that Tammy Cole obtained a room at the Comfort Inn in Tomah on the night of April 26, 2010. Tammy Cole utilized a Visa card with her name to pay for the room and also provided a vehicle description of a "green Chevy 95". A records check with the Illinois Department of Transportation indicates Tammy Cole has a 1995 Chevrolet truck registered in her name in the State of Illinois. Investigator Robert Walensky has also personally observed the vehicle parked at Tammy Cole's residence in Illinois and the vehicle is a green Chevrolet pickup truck.

Investigator Robert Walensky and Special Agent John Christophersen interviewed Cindy Sturm, the sister of Tammy Cole, on June 8, 2010. Cindy Sturm stated that during the early morning hours of a date in late April, 2010, she received a telephone call from a family friend, Neal Bender, who informed her that Vance Evans was dead. Investigator Robert Walensky and Special Agent John Christophersen had previously met with Neal Bender and he informed the officers that he telephoned Cindy Sturm on April 27, 2010, at 6:31 a.m. and informed her of Vance Evans' death. After Cindy Sturm had telephone contact with Neal Bender she then had telephone contact with her sister, Tammy Cole. Cindy Sturm stated that Tammy Cole was hysterical, not making sense, and Tammy Cole stated she had no idea where she was located. Cindy Sturm was able to determine that Tammy Cole was in or near Illinois. Cindy Sturm was eventually able to meet with Tammy Cole in Sycamore, Illinois, at a restaurant parking lot. Cindy Sturm stated that this was during the morning hours of the same day she received the telephone call from Neal Bender regarding the death of Vance Evans. When Cindy Sturm arrived at the restaurant in Sycamore, Illinois, Tammy Cole was already in the parking lot sitting in her green truck. Cindy Sturm was in the company of her son, Jerome Sturm, and Jerome Sturm's girlfriend, Krista McNeil. Tammy Cole exited her truck and got into the back seat of the vehicle Cindy Sturm was in. Cindy Sturm was also sitting in the back seat. Cindy Sturm

described Tammy Cole as being pale, hysterical, crying, and unable to be understood as she spoke. Cindy Sturm was able to calm Tammy Cole enough to understand Tammy Cole to say that there was an accident and a gun was involved. Cindy Sturm contacted Attorney David Towns by telephone and told Attorney David Towns that her sister Tammy Cole was involved in an accident and that a gun was involved. Cindy Sturm, Jerome Sturm, and Krista McNeil drove with Tammy Cole to Attorney David Towns' office. Cindy Sturm stated that since Tammy Cole's meeting with Attorney David Towns that she has had no discussion with Tammy Cole regarding Vance Evans' death. Cindy Sturm also told officers that she lives immediately next door to Vance Evans' residence in Poplar Grove, Illinois.

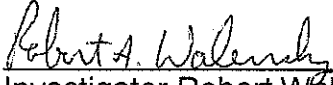
Investigator Robert Walensky has reviewed the reports of the Tomah Wisconsin Police Department. There have been no reports received by the Police Department of an accidental shooting that occurred on April 26, 2010 or April 27, 2010 except as reported by Attorney David Towns.

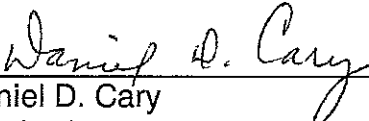
On information and belief the above incident occurred in Monroe County, Wisconsin.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me,
and approved for filing on:

Dated: 6/9/10


Investigator Robert Walensky
Complainant


Daniel D. Cary
District Attorney
State Bar No. 1022271