

FILED
04-17-2024
Clerk of Circuit Court
Brown County, WI
2024CF000722
Honorable Timothy A
Hinkfuss
Branch 7

STATE OF WISCONSIN CIRCUIT COURT BROWN COUNTY

STATE OF WISCONSIN
Plaintiff,

vs.

WILMER YOBANY MARTINEZ-
SANCHEZ
846 Bellevue Street
Green Bay, WI 54302
DOB: 03/18/1994
Sex/Race: M/H
Eye Color: Brown
Hair Color: Black
Height: 5 ft 08 in
Weight: 165 lbs

Defendant.

DA Case No.: 2024BR002360
Assigned ADA: J. Foss Davis
Agency Case No.: 24-217697
Court Case No.: 2024CF ____
ATN:

CRIMINAL COMPLAINT

For Official Use

Complainant, J. Foss Davis, an Assistant District Attorney, being first duly sworn on oath, deposes and says that:

Count 1: REPEATED ACTS OF SEXUAL ASSAULT OF A CHILD

The above-named defendant, on, about or between March 12, 2023 and March 11, 2024, in the City of Green Bay, Brown County, Wisconsin, did commit repeated sexual assaults involving the same child, EV-G, a 8-9 year old child, where at least three of the assaults were violations of sec. 948.02(1) Wis. Stats., contrary to sec. 948.025(1)(d) Wis. Stats., a Class B Felony, and upon conviction may be sentenced to a term of imprisonment not to exceed sixty (60) years.

Complainant is an Assistant District Attorney with the Brown County District Attorney's Office and knows of the above offense(s) on information and belief based upon:

PROBABLE CAUSE:

The complainant, being duly sworn on oath, swears that he has had the opportunity to review the police reports from the Green Bay Police Department, and other documents supporting this complaint referenced herein, which are the types of reports and documents kept in the ordinary course of business, which complainant believes to be truthful and reliable because they have proven to be truthful and reliable on numerous occasions in the past.

The complainant further asserts that based upon his review of the referenced reports and/or supporting documents, the incidents alleged occurred in Brown County, Wisconsin.

Complainant has reviewed the reports of Detective Brey, which state, in part:

STATE OF WISCONSIN - VS - Wilmer Yobany Martinez-Sanchez

"On April 12, 2024, at approximately 10:30am, I, Detective Brey of the Green Bay Police Department observed the forensic interview EV-G (a 9 year old female) which was conducted at the Willowtree Child Advocacy Center by Forensic Interviewer Kristie Sickel. Kristie brings E-VG into the room and explains the room to E-VG. Kristie tells E-VG that a CPS worker and I would be watching them today from a different room. Kristie then shows E-VG how the smartboard works, and E-VG writes her name on the smartboard. Kristie then gets to know E-VG. Kristie then tells E-VG about their talk today and that if she (Kristie) gets something wrong that she (E-VG) should correct her. Kristie also tells E-VG that if she (Kristie) asks her (E-VG) a question and she (E-VG) does not know the answer to the question then she (E-VG) should say "I don't know" and to not guess the answer. Kristie also determines that E-VG knows the difference between a truth and a lie and E-VG promised to tell the truth.

Kristie asked E-VG why she was there to talk with her today. E-VG said she came to talk about what her stepdad did and that he touched her private parts. When my mom goes to work and I stay home and that he touched her private parts at her house. E-VG said we moved but it happened in both houses [Detective Brey confirmed that both houses in which EV-G lived the defendant were in Green Bay, Brown County, WI]. E-VG said the house she lives in now is light blue and her old house is white. E-VG said she would go lay down in her bedroom and he would come inside of her room, and he would touch her. E-VG said her mom would be gone and no one was in the room and then her stepdad would come in the room, and he would take her clothes off and he would touch her. E-VG said she would be laying down on her bed. E-VG said he would also pull down her underwear and he would use his hands to pull her pants and underwear down. E-VG said he was on her bed with her, and he would touch her (E-VG pointed to her vagina area). E-VG said he was breathing really bad.

E-VG said he would tell her not to make noise and he would hold her mouth with his hands. E-VG said his hands were hard and his clothes were down, and he used his hands to take his clothes off. E-VG said she does not know what the body part is called that he touched but she uses it to go pee pee. E-VG said his body was on top of hers and she was not sure what he was doing. E-VG said she could see his face and his head. E-VG said he touched her pee pee and it hurt and she was not sure what he used. E-VG said she could hear her bed cracking and when he left there was something slimy in her bed and it was a liquid. E-VG said sometimes she would put another sheet over the liquid and the next day she would clean it.

E-VG said when this happened, her bedroom door was closed but it was not locked and he would just come in. E-VG said in the light blue house the touching only happened in her room and in the white house, the touching happened in her room and in her mom's room. E-VG said she did not know if her stepdad used anything else to touch her body part that pees. E-VG said she never had to touch his body parts and that her stepdad told her not to tell anyone that he touched her, and this made her feel shame. E-VG said she would put a sheet over the white slimy stuff and the next day she would put the sheets into the laundry. E-VG said she does not know the color of the sheets.

E-VG said at the white house, he would wait for her sister to go to sleep and then he would touch her. E-VG said she tried to kick him off and he would not leave, and he would tell her that if she did not move he would buy her whatever she wanted. E-VG said there were beds in the white house. E-VG then drew a picture of where her younger sister would sleep. E-VG said her younger sister would sleep on another bed and then she was afraid that zombies would come so she would sometimes sleep in her bed, and he would still touch her (E-VG) the same

STATE OF WISCONSIN - VS - Wilmer Yobany Martinez-Sanchez

and if her sister was in the bed he would just move her to the side. E-VG said she would then feel something weird on her body and he would put all his weight on her body, and he would touch her private part that poops. E-VG said he put his hand on her body part that poops and it was strange. E-VG said he used his hands to touch her body part that poops and it was strange and weird. E-VG said she would also feel something that was hard and a little bit soft and his hands would be in her private parts. E-VG said he would also use his hands to touch her breast and he would lick her around her breasts.

E-VG said he would lick around her breast at the light blue house also. E-VG said licking did not happen to any other body parts. E-VG said the white liquid stuff happened at the white house and it smelled bad, and she said the liquid came from something that was touching her and it happened in her room and her mom's room, while in the white house. E-VG said the liquid stuff only happened at the white house and not the light blue house. E-VG talked more about how he laid her down while in the white house and he would take her clothes off and he touched her the same way always. E-VG said he used his hands to touch her on her body part that pees, poop, and her breast. E-VG said she would try to push him off, but he would use his hands to hold her down and he would use his legs also. E-VG said it only happened in the white house and the light blue house. E-VG said he would cover her mouth so she could not scream or say anything. E-VG said that sometimes he would tell her would buy her stuff if she did not say anything and he never bought her anything. E-VG said when the touching would happen her mom was gone to work. E-VG said that no one else has ever touched her body other than her stepdad. E-VG said that no one told her what to say today.

On April 15, 2024 at approximately 5:45 p.m., myself and Detective Walvort interviewed **Wilmer Yobany Martinez-Sanchez, DOB: 03/18/1994**. We interviewed Wilmer in the Outagamie County Jail where he is currently serving a 15-day sentence for Theft and then on April 18th of this year, he is scheduled to be deported back to Nicaragua.

We made contact with Wilmer. I had my body camera activated. I utilized Language Line Spanish Translator Brandon, #429181. I had a Miranda Rights Spanish version and a Miranda Rights English version that I read to Wilmer and the interpreter translated the Miranda Rights to Wilmer as he read along on the Spanish form. When I asked him if he understood these rights, Wilmer said, "Just a little" and then had a question about the lawyer. I explained to him that he had the right to a lawyer, he did not have to answer any questions, but we wanted to talk to him. He said he was willing to answer questions and/or make a statement.

I asked Wilmer if he knows who E-VG is, and he said yes, that she is the daughter of his wife, Eidy. Wilmer said that he and Eidy have been together for about three years and that they did live at 1834 Farlin Avenue, which is a white house, and that they had moved to an address on Bellevue Street where he resided for three days before he was arrested on April 4, 2024. I explained to Wilmer that we had a forensic interview completed on E-VG and that she had disclosed that he had been sexually assaulting her. Wilmer denied that he ever inappropriately touched or sexually assaulted E-VG or anybody else in the residence. I explained to him that E-VG described how there was a slimy white liquid on her sheets after he would be on top of her. He stated that he didn't know what she was talking about but that sometimes the kids would wet the bed.

I also noted that it was likely that no sexual assaults occurred at the Bellevue address because they had lived there for such a short time before Wilmer was taken into custody. Wilmer said

STATE OF WISCONSIN - VS - Wilmer Yobany Martinez-Sanchez

he had only lived there three days, which is consistent with the family moving in sometime around April 1, 2024, and his jail record shows he was taken into custody on April 4, 2024. Due to the fact that none of the assaults occurred on Bellevue Street, we were not able to gather any physical evidence for DNA testing.”

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

Subscribed and sworn to before me on
04/17/24

Electronically Signed By:

Kevin L Steuck

Assistant District Attorney

State Bar #: 1129380

Electronically Signed By:

J. Foss Davis

Complainant