

**FILED**  
**05-27-2022**  
**Clerk of Circuit Court**  
**Racine County**  
**2022CF000722**  
**Honorable Wynne P.**  
**Laufenberg**  
**Branch 1**

**STATE OF WISCONSIN                      CIRCUIT COURT                      RACINE COUNTY**

STATE OF WISCONSIN  
   Plaintiff,

vs.

MARTIN G GARCIA LEAL  
313 E Market St #18  
Burlington, WI 53105

DOB: 10/28/1991  
Sex/Race: M/H  
Eye Color: Brown  
Hair Color: Black  
Height: 6 ft 00 in  
Weight: 175 lbs  
Alias: Also Known As Martin Gonzalo  
Garcialeal  
Also Known As Martin Gonzalo  
Garcia Leal

Defendant.

DA Case No.: 2022RA003970  
Assigned DA/ADA:  
Agency Case No.: 22-004812  
Court Case No.: 2022CF  
ATN: 52003001214262

**CRIMINAL COMPLAINT**

*For Official Use*

Status:                      Prisoner on Friday, May 27, 2022 at 1:30 PM  
Citation:  
Officer:                      Corey M Talbert # 134, of the Burlington Police Department  
   Spanish Interpreter needed

**The defendant did:**

**Count 1: 1ST DEGREE CHILD SEXUAL ASSAULT - SEXUAL INTERCOURSE WITH A CHILD UNDER AGE 13**

The above-named defendant on or about Wednesday, May 25, 2022, in the City of Burlington, Racine County, Wisconsin, did have sexual intercourse with a person who has not attained the age of thirteen, LYC, DOB 05/29/2009, contrary to sec. 948.02(1)(e), 939.50(3)(b) Wis. Stats., a Class B Felony, and upon conviction may be sentenced to a term of imprisonment not to exceed sixty (60) years.

**Count 2: EXPOSING GENITALS**

The above-named defendant on or about Wednesday, May 25, 2022, in the City of Burlington, Racine County, Wisconsin, for purposes of sexual arousal or gratification, did expose his genitals to a child, contrary to sec. 948.10(1) and (1)(a), 939.50(3)(i) Wis. Stats., a Class I Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than three (3) years and six (6) months, or both.

The official records and files of the Racine County District Attorney's Office, the Wisconsin Department of Justice and/or Department of Transportation reflect that the defendant has the following record of convictions:

- 04/21/2021 2 cts Disorderly Conduct Racine 20CM1091
- 10/29/2019 - 12/05/2019 OWL Racine 19TR19826

STATE OF WISCONSIN - VS - Martin G Garcia Leal

The complainant, being first duly sworn on oath, on information and belief, alleges and states that in the County of Racine, State of Wisconsin, the defendant did commit the above described offense(s) and prays that said defendant be dealt with according to the laws of the State of Wisconsin.

The complainant states that he is an adult citizen and has reviewed the official law enforcement reports prepared under the above mentioned complaint numbers by the above stated officer, whose reports your complainant relies upon as truthful and accurate inasmuch as they were prepared during the course of an official law enforcement investigation. The complainant relies upon the statements of the mentioned witnesses inasmuch as they are citizens and their statements are based on personal knowledge or eyewitness observations; the complainant relies upon the statements of the defendant, if any, inasmuch as they are contrary to the defendant's penal interests and are, therefore, to be believed.

**The complainant thereby informs the court that the basis for the above charge(s) is as follows:**

Off. Talbert with the City of Burlington Police Department reports that on May 25, 2022, he was dispatched to a residence on the 300 block of Market Street, City of Burlington, County of Racine, State of Wisconsin, for a report of a twelve-year-old girl being assaulted.

Upon arrival at the residence, officers made contact with complaining witness, identified as SC. Also located in the residence was a male party identified as MARTIN GARCIA LEAL. MARTIN was asked to exit the residence with another responding officer and Off. Talbert was able to speak with SC in the residence.

SC stated that she had attempted to Facetime her daughter, identified as LC (DOB 05/29/09), from work and she believes the phone was answered by her eleven-month-old daughter, AG, because when the phone was answered SC was only able to hear the television at the residence and AG crying. After a few minutes, SC stated she was able to her LC say, "mom, mom." SC asked LC where she was, and LC stated, "here, wait." It was at this time that SC stated she saw LC pulling up her shorts.

SC asked LC if everything was okay, and LC made a statement about her phone battery dying. SC stated it appeared that LC was making excuses to get out of the same room as MARTIN. LC then took her phone into her bedroom and informed SC that MARTIN had touched her. SC immediately left work and returned home.

Off. Talbert then made contact with LC, who was waiting in her bedroom, and asked her to give him the basics of what happened that night. LC stated that MARTIN had come to sit next to her on the couch and began to touch her leg. LC stated she sat up and told MARTIN to go. LC then tried to leave, and MARTIN grabbed her by her waist and held her down. LC stated she eventually got away and ran to her room.

LC stated when she got to her room MARTIN followed and opened the door, grabbed her and brought her into the hallway and began touching her. LC stated she told MARTIN to stop and told him no, but MARTIN pulled off her shorts as well as his own shorts. When asked where she was touched, LC stated she was touched on her chest and private area, and she stated it was skin to skin contact. LC also stated that MARTIN showed her his private part.

STATE OF WISCONSIN - VS - Martin G Garcia Leal

Off. Talbert then ceased his questioning and a decision was made to transport LC to the hospital for a sexual assault exam. The SANE exam was completed at the Aurora Medical Center in Burlington and evidence collected was turned over to officers.

An attempt was made to have LC interviewed at the Child Advocacy Center, but due to the time of day it was eventually rescheduled for May 26, 2022.

On May 26, 2022, LC was given a forensic interview at the Child Advocacy Center. Sgt. Jones with the City of Burlington Police Department has reported that during that forensic interview, LC provided further details regarding the assault, and stated that MARTIN had also forced her to engage in penis to vagina sexual intercourse.

Subscribed and sworn to before me on 05/27/22

Electronically Signed By:

Raymond R Rutz III

Assistant District Attorney

State Bar #: 1099668

Electronically Signed By:

Kelly Larsen

Complainant