

**STATE OF WISCONSIN      CIRCUIT COURT      MILWAUKEE COUNTY**

**STATE OF WISCONSIN**

**Plaintiff,**

**DA Case No.: 2021ML023895**

**Court Case No.: 2021CF004176**

vs.

Homan, Antonio A  
1123 Richmond Street #2  
Chicago, IL 60612  
DOB: 02/05/1999

**Defendant(s).**

**AMENDED  
CRIMINAL COMPLAINT**

*For Official Use*

THE BELOW NAMED COMPLAINANT BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

**COUNT ONE: FIRST DEGREE RECKLESS HOMICIDE**

The above-named defendant on or about Friday, October 1, 2021, at 2949 North 67th Street #5, in the City of Milwaukee, Milwaukee County, Wisconsin, did recklessly cause the death of ZP 8/2/2020 DOB, another human being, under circumstances which showed utter disregard for human life, contrary to sec. 940.02(1), 939.50(3)(b) Wis. Stats.

Upon conviction for this offense, a Class B Felony, the defendant may be sentenced to a term of imprisonment not to exceed sixty (60) years.

**PROBABLE CAUSE:**

This complaint is supported by the written reports of City of Milwaukee law enforcement officers whose written reports were prepared through the normal course of police business and which your complaining witness has relied upon in the past and found to be truthful and accurate. Based on a review of the police reports pertaining to the investigation of this matter, your complaining witness believes that:

Just after 10:25 PM on September 30, 2021, first responders with the Milwaukee Fire Department were dispatched to 2949 N. 67th Street, in the City of Milwaukee, County of Milwaukee, in response to an unresponsive child, later identified as ZP 8/02/2020 DOB. Upon arriving on scene, first responders performed CPR on ZP and loaded ZP into a medical unit for transport to Children's Hospital of Wisconsin.

At 10:46 PM ZP was admitted into the Emergency Department of Children's Hospital of Wisconsin. ZP was unresponsive, had no pulse, and was not breathing on his own. There was bruising to ZP's face, chest, and legs. Dr. Adewale Adedotun MD diagnosed ZP as suffering from bilateral subdural bleeding on the brain. ZP displayed significant body tremors consistent with a lack of brain activity. Additional testing revealed that ZP had no significant measurable brain activity.

At 10:50 PM, City of Milwaukee Police Officers Benjamin Bender and Michael Budziszewski responded to 2949 N. 67th Street to investigate the circumstances surrounding ZP's collapse. Upon arriving on scene, Officer Bender made contact with Melissa Maybell, the mother of one-year-old ZP 8/02/2020 DOB. Melissa Maybell was uncooperative with the initial responding officers and told multiple differing

stories to police. Antonio Homan, the boyfriend of Melissa Maybell, was also on scene. Officers Bender and Budziszewski remained on scene with Melissa Maybell and Antonio Homan until detectives arrived on scene.

City of Milwaukee Police Detective Ka Yeng Kue arrived on scene and conducted a detailed interview of Antonio Homan, who provided the following statements to police. Antonio Homan has been dating Melissa Maybell for the past five to six months. During that time, Antonio Homan has been to Melissa Maybell's residence, 2949 N. 67th Street, only two to three times.

During the evening of Wednesday, September 29, 2021, Melissa Maybell drove to Chicago to pick Antonio Homan up and bring him back to Milwaukee. Upon arriving in Milwaukee, Antonio Homan went to sleep. Antonio Homan did not see ZP prior to going to sleep.

The next day, Antonio Homan woke up and set up his video game system. Antonio Homan and Melissa Maybell remained home all day with ZP. ZP appeared lethargic and slept most of the day. At approximately 4:00 PM, Melissa Maybell gave ZP a bath and then put ZP down for a nap. ZP slept from 4:00 PM to 6:00 PM.

At 10:00 PM Melissa Maybell left the residence to pick up Antonio Homan's mother, Renetta Tolbert. Antonio Homan needed to return to Chicago and his mother, Renetta Tolbert, agreed to watch ZP while Melissa Maybell drove Antonio Homan back to Chicago. While Melissa Maybell was gone, Antonio Homan heard ZP gasp for air. Antonio Homan ran into the bedroom and picked up ZP. ZP was turning red and ZP's eyes rolled back. Antonio Homan placed ZP on the floor and began CPR. Rather than calling 911, Antonio Homan called Melissa Maybell and relayed that something was wrong with ZP. Melissa Maybell called 911. Within minutes, Melissa Maybell arrived back home. Moments later, first responders arrived on scene and began performing life-saving measures on ZP.

Based on the severity of the injuries to ZP and the lack of any explanation that would account for the severity of ZP's injuries, Melissa Maybell and Antonio Homan were arrested.

Dr. Sandeep Narang MD, a board certified child abuse pediatrician with Children's Hospital of Wisconsin, conducted a clinical consultation for ZP 8/02/2020 DOB. ZP had bilateral subdural hemorrhaging, right side greater than the left, with 3ML thickness on the left side and 9ML thickness on the right side. ZP also had bilateral retinal hemorrhages, too numerous to count, in both eyes. The imaging studies for ZP were consistent with ZP sustaining significant brain injury. ZP's entire clinical presentation was consistent with suffering abusive head trauma, formerly shaken baby syndrome. Based on the severity of ZP's brain injury, ZP is not expected to survive.

At 12:11 AM, on October 4, 2021, after multiple brain death examinations revealed no measureable brain activity, ZP was removed from life support and pronounced deceased.

City of Milwaukee Police Detective Joshua Nemeth conducted an in custody interview of Antonio Homan, who made the following admissions against his interests. Antonio Homan admitted watching ZP during the evening of September 30, 2021, while Melissa Maybell went to pick up Antonio Homan's mother, Renetta Tolbert. During that time, ZP was laying down in the bedroom while Antonio Homan was in the living room. ZP let out a loud cry and Antonio Homan admittedly became frustrated. Antonio Homan picked ZP up and shook ZP. ZP's head snapped back and ZP let out a gasp. ZP stopped breathing. Antonio Homan listened to ZP's chest and could hear that ZP's heart was still beating.

Antonio Homan carried ZP into the living room and began performing CPR. While performing CPR, Antonio Homan called Melissa Maybell and informed her that ZP was having breathing issues. Antonio Homan asked Melissa Maybell to rush home. Antonio Homan admitted that he never informed Melissa Maybell that he shook ZP.

On October 6, 2021, Dr. Jessica Lelinski MD, a forensic pathologist and assistant medical examiner with the Milwaukee County Medical Examiner's Office, performed an autopsy on the body of ZP 8/2/2020 DOB. ZP had soft tissue hemorrhaging to the front scalp area and the back of the head, and bruising to the buttocks and pelvis. Internally, ZP suffered bilateral subdural hemorrhaging, brain trauma, and optic nerve sheath hemorrhaging to both eyes. Dr. Lelinski provided a preliminary cause of death as blunt force trauma to the head and a preliminary manner of death as homicide.

\*\*\*\*End of Complaint\*\*\*\*

**Electronic Filing Notice:**

This case was electronically filed with the Milwaukee County Clerk of Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases. Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov/> and may withdraw as an electronic party at any time. There is a \$ 20.00 fee to register as an electronic party. If you are not represented by an attorney and would like to register an electronic party, you will need to contact the Clerk of Circuit Court office at 414-278-4120. Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Subscribed and sworn to before me on 10/07/21

Electronically Signed By:

Matthew J. Torbenson

Deputy District Attorney

State Bar #: 1049925

Electronically Signed By:

Detective Shaun LESNIEWSKI

Complainant