

of imprisonment for this offense may be increased by not more than 4 years, if the prior conviction was a felony.

Count 3: POSSESSION OF A FIREARM BY A FELON, HABITUAL CRIMINALITY REPEATER

The above-named defendant on or about Thursday, August 25, 2022, at 3772 North 83rd Street, in the City of Milwaukee, Milwaukee County, Wisconsin, did possess a firearm, having been convicted of a felony in this state, contrary to sec. 941.29(1m)(a), 939.50(3)(g), 939.62(1)(b) Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendant may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least one felony during the five year period immediately preceding the commission of this offense, which remains of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than 4 years, if the prior conviction was a felony.

Count 4: BAIL JUMPING (FELONY), HABITUAL CRIMINALITY REPEATER

The above-named defendant on or about Thursday, August 25, 2022, at 3772 North 83rd Street, in the City of Milwaukee, Milwaukee County, Wisconsin, having been charged with a felony and released from custody under Chapter 969 of the Wisconsin Statutes, did intentionally fail to comply with the terms of his bond, contrary to sec. 946.49(1)(b), 939.50(3)(h), 939.62(1)(c) Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of at least one felony during the five year period immediately preceding the commission of this offense, which remains of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than 6 years, if the prior conviction was a felony.

Count 5: FALSE IMPRISONMENT, HABITUAL CRIMINALITY REPEATER, USE OF A DANGEROUS WEAPON

The above-named defendant on or about Thursday, August 25, 2022, at 9327 N. Swan Blvd., Milwaukee WI, in the City of Milwaukee, Milwaukee County, Wisconsin, did intentionally confine KMG, without that person's consent, and with knowledge that he had no lawful authority to do so, contrary to sec. 940.30, 939.50(3)(h), 939.62(1)(b), 939.63(1)(c) Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least one felony during the five year period immediately preceding the commission of this offense, which remains of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than 4 years, if the prior conviction was a felony.

And further, invoking the provisions of sec. 939.63(1)(c) Wis. Stats., because the defendant committed this offense while using a dangerous weapon, the maximum term of imprisonment for the underlying crime may be increased by not more than four (4) years.

Count 6: ARMED ROBBERY, HABITUAL CRIMINALITY REPEATER

The above-named defendant on or about Thursday, August 25, 2022, at 9327 N. Swan Blvd., Milwaukee WI, in the City of Milwaukee, Milwaukee County, Wisconsin, with intent to steal, did take property from the person or presence of the owner, KMG, by use or threatening use of a dangerous weapon, contrary to sec. 943.32(2), 939.50(3)(c), 939.62(1)(c) Wis. Stats.

Upon conviction for this offense, a Class C Felony, the defendant may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

And further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of at least one felony during the five year period immediately preceding the commission of this offense, which remains of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than 6 years, if the prior conviction was a felony.

Probable Cause:

Complainant is a City of Milwaukee Police Officer and bases this complaint upon his knowledge of this investigation, as well as his review of police reports. Those reports and that investigation revealed the following:

First Responding Officers and Scene Investigation

On Thursday, August 25, 2022 at approximately 4:28am, members of the Milwaukee Police Department and the Milwaukee Fire Department responded to the location of 3772 N 83rd Street in the City and the County of Milwaukee, State of Wisconsin regarding a complaint of a "house fire."

While attempting to extinguish the house fire, the Milwaukee Fire Department located one victim, later determined to be Nikia Rogers, inside the residence on the second floor. Upon further investigation it was determined that the victim sustained a gunshot wound to the head. The victim was deceased.

Complaint is further based upon the statement of City of Milwaukee Police Detective Curtis Pelczynski, who was dispatched to the scene to conduct a scene investigation. Detective Pelczynski spoke with the Milwaukee Fire Department fire investigators, who stated that there were four possible points of origin regarding the fire. The points of origin are: the detached garage, the basement, on the first floor and the actual body of the victim. A container of lighter fluid was found near the victim's body, and the victim's body appeared to have lighter fluid on it. Additionally, the victim's body had several burns, which is consistent with the victim's body being set on fire in an attempt to conceal her murder.

Detective Pelczynski further determined that the victim lived at this residence with her boyfriend, the above Defendant Ernest Terrell Blakney. It should be noted that there were multiple vehicles at the location which registered to the Defendant. However, a black infinity QX60 SUV that lists to the victim was missing from the location.

Autopsy

Complaint is further based upon the statement of Dr. Wieslawa Tlomak, an Assistant Medical Examiner at the Milwaukee County Medical Examiner's Office, who is trained and experienced in the field of forensic pathology and is duly licensed to practice medicine in the State of Wisconsin. Dr. Tlomak performed an autopsy on the victim, Nikia Rogers. Dr. Tlomak determined that the victim had suffered a total of four gunshot wounds caused by two different bullet wounds to her body. The first bullet entered the front right of the victim's head, near the temple and exited the left back side of her head, near her left ear. The second bullet entered the lower back area of the victim and exited from the left side of her chest. Dr. Tlomak determined that the cause of the victim's death was multiple gunshot wounds and the manner of death was homicide.

Witness JWB

Complaint is further based upon the statement of JWB, a citizen witness who has known the victim for approximately 7 to 8 years, and just became reacquainted with her personally in the last 2 to 3 weeks. JWB stated that the victim had told him that she wanted to leave her boyfriend, the above mentioned defendant, because he was crazy, bi-polar, and was moving her things out of the house.

JWB stated that he had last talked to the victim on August 24, 2022, at approximately 8:00 p.m., via text, where she indicated that she was returning home to get her last things and move out of the residence. Several hours later, he texted to see if she was ok. The victim responded that she was physically "ok" but not "ok" mentally and wanted sometime to herself. JWB told her that food was waiting for her, but did not receive a response.

JWB stated that at 4:30 a.m., on August 25, 2022 he received a text message from the victim's phone number that said, "you should have left her alone." JWB responded back "excuse me," at which point JWB received a text response that said, "She dead [JWB's first name]." JWB then responded to the victim's phone number with a text that asked, "This Terrell?", which he knows to be the Defendant's middle name and the name that he goes by. JWB then received a text message back that said, "Yes."

Witness CDJ

Complaint is further based upon the statement of CDJ, who states that he knows the above named Defendant, whom he identified in a photo. On August 25, 2022, at approximately 5:00 a.m., he received a phone call from the Defendant's phone number. He could not hear any voices on the other end, and the call ended. Shortly afterwards, CDJ received a second phone call from the Defendant's number and this time the Defendant talked. The Defendant stated that he was in the woods and that he was sorry. The Defendant did not explain why he was in the woods or why he was sorry. The Defendant then ended the phone call.

CDJ stated that approximately thirty minutes later, he heard the Defendant's voice outside CDJ's residence. CDJ stated it was raining heavily outside and that the Defendant was soaking wet. He also noticed that the Defendant's hand was bleeding. The Defendant asked to change clothes. The Defendant then threw his clothes away in the outside garbage. Complainant is aware that Milwaukee Police later responded and seized those clothes.

CDJ stated that the Defendant's actions caused him to ask the Defendant why he was at CDJ's residence. For a significant time, the Defendant would only state that he was sorry and that "she made me do it." After approximately 45 minutes, the Defendant said, "I shot her." When CDJ asked who, the Defendant responded that he had shot the victim because she was moving out. The Defendant also stated that he found out that the victim had been cheating on him with another man. The Defendant stated that he does not deserve to live, and it was then that CDJ observed the Defendant to have a black semi-automatic

weapon. The Defendant refused to put the weapon down, and then stated that he had burned his house down, burned his car and his garage, and then traveled to N. 76th Street to burn his three tractor trailers.¹

CDJ attempted to calm the Defendant down and get him to turn himself in to the police. The Defendant refused but did remain at the residence for several hours. CDJ stated that the Defendant was stating that he was going to kill himself and that CDJ was trying to get him to turn himself in. At approximately 12:30 p.m., CDJ went up to use the bathroom and when he returned, the Defendant was no longer in the residence.

Recovery of Victim's Vehicle

Based upon the information provided to Milwaukee Police Detectives by CDJ, Milwaukee Police Officers Eric Neithman and Brian Brousseau went to the area of the woods near 9200 W. Allyn, City and County of Milwaukee, State of Wisconsin to look for the Defendant. There, the officers observed vehicle tracks heading from the road into a field near 9610 W. Allyn. The officers followed the tires tracks and located the victim's a black infinity QX60 SUV 100 yards into the field.

Robbery and False Imprisonment of KMG

Complaint is further based upon the statement of KMG, who states that on August 25th, he went to a construction site that was located at 9327 N. Swan Rd, City and County of Milwaukee, State of Wisconsin, to fix a bulldozer. Upon arrival, KMG got out of his work truck and worked on the bulldozer for approximately 15 minutes. After fixing it, KMG went back to his truck to load up.

While at his truck, he heard metal collapsing. KMG went to the back of his truck and saw the above mentioned Defendant, whom he identified through a photo array, pointing a firearm at him. The Defendant told KMG that he was desperate and demanded the keys to the truck. KMG showed the Defendant where the keys were. The Defendant grabbed the keys and began to walk to the open driver's side door. KMG asked if he could get his phone, but the Defendant refused and kept KMG's phone.

The Defendant then, still pointing a gun at KMG, told KMG to get inside a trailer that was on the site. KMG refused and the Defendant again demanded it. KMG got inside the trailer and the Defendant closed the overhead door and then locked it from the outside.

After KMG heard the Defendant drive off in KMG's truck without his permission, KMG used items in the trailer to force open the side door enough so that he could outside and run and get help to call 911. KMG stated that there were other items, such as his firearm, that were inside his truck and were also taken without his permission.

Defendant's Prior Record

Complaint is further based upon CCAP records which indicate that the Defendant was charged with the felony offense of 2nd Degree Sexual Assault in violation of Wisconsin Statute Section 948.02(2) in Milwaukee County Case 21 CF 4375. On November 2, 2021, the Defendant posted \$5,000 cash bail with a condition of bail that he commit no new crimes. On August 15, 2022, the Defendant plead guilty to the count as charged and a judgment of conviction was entered into the record. The conditions of bail remained and his sentencing date was set for October 20, 2022 and the conditions of bail were still in effect as of the time of these offenses. Thus, the Defendant is out on bail and has been convicted of a felony within the last five years as a result of this conviction.

¹ The Milwaukee Police Department did confirm that three trailers were set on fire at the location on 76th Street.

Additionally, in Milwaukee County Case 09 CF 1840, the Defendant was convicted of the felony offense of Possession With Intent Cocaine on May 4, 2010 and that conviction remains of record and unreversed.

****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.

Criminal Complaint prepared by Grant I. Huebner.

Subscribed and sworn to before me on 08/28/22

Electronically Signed By:

Grant I. Huebner

Assistant District Attorney

State Bar #: 1036890

Electronically Signed By:

Detective Michael Fedel

Complainant