

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF THE DISCIPLINARY  
PROCEEDINGS AGAINST

TIMOTHY R. JEWELL,  
RESPONDENT.

:  
:  
:  
:  
:

FINAL DECISION AND ORDER

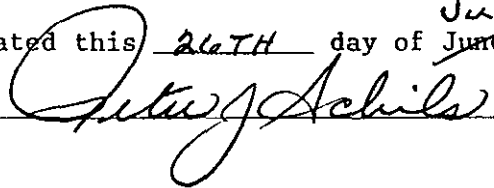
The State of Wisconsin, Real Estate Board, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of Complainant's attorney, makes the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by Complainant's attorney, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Real Estate Board. Let a copy of this Order be served on the Respondent by certified mail.

The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

Dated this 26TH day of <sup>July</sup>~~June~~, 1990.



HS:vks  
ATY-1082

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE BOARD

---

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	PROPOSED DECISION AND ORDER
TIMOTHY R. JEWELL,	:	
RESPONDENT.	:	

---

The parties to this proceedings for the purposes of Wis. Stats.,  
sec. 227.53 are:

Timothy R. Jewell  
% Gerald Boyle  
Attorney at Law  
1124 West Wells Street  
Milwaukee, WI 53233

Real Estate Board  
State of Wisconsin  
1400 East Washington Avenue, Room 281  
P.O. Box 8935  
Madison, WI 53708

Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Avenue, Room 183  
P.O. Box 8935  
Madison, WI 53708

The parties to the above-captioned matter have executed a Stipulation executed by Respondent Timothy R. Jewell, his attorney Gerald Boyle, and by Henry E. Sanders, attorney for Complainant. A copy of the Stipulation is attached hereto and made a part hereof, and is incorporated into Complainant's attorney's Proposed Decision, and the Final Decision of the Board as if fully set forth therein.

Based upon the Stipulation, the pleadings and other documents of record herein, Complainant's attorney recommends that the Real Estate Board accept as its Final Decision the following Findings of Fact, Conclusions of Law and Order which are the terms agreed upon and stipulated to by the parties. Should the Board fail to accept this Proposed Decision as its final decision in the matter, then pursuant to Wis. Adm. Code sec. RL 2.12, the case shall be remanded to the parties for further proceedings. In such event, the Board is requested to notify the parties of the basis for the Board's failure to adopt the proposed decision.

CONCLUSIONS OF LAW

1. The Real Estate Board has jurisdiction in this matter pursuant to Wis. Stats. sec. 452.14.

2. By virtue of the acts and conviction(s) enumerated supra, Respondent is deemed to have violated sec. 452.14(3)(a), Stats., made a material misstatement in the application for a license, and information submitted to the department; violated secs. RL 24.17(1)-(3), Wis. Adm. Code, violations of law, conviction, and violation of statutes and Administrative Codes, respectively.

ORDER

NOW, THEREFORE, IT IS ORDERED that the licenses of Timothy R. Jewell, to practice as a Real Estate Licensee in Wisconsin be, and hereby are, revoked, commencing on a date five (5) days after signing by a designated member of the Real Estate Board. Respondent further agrees not to reapply for relicensure until a minimum of two (2) years following the effective date of the Board Order; must otherwise qualify for relicensure, and demonstrate rehabilitation, satisfactory to the Board, prior to relicensure.

a. Further, pending case # 89 REB 245 is to be dismissed but be considered in any reapplication for relicensure by Respondent in the future.

Dated at Madison, Wisconsin this 18<sup>TH</sup> day of JULY, 1990.

Respectfully submitted,

Henry E. Sanders  
Henry E. Sanders  
Complainant's Attorney

HES:vks  
ATY-1083

7. Further, in response to an inquiry from Sandi Lesperance of the Bureau of Direct Licensing, to Respondent of whether or not probation had been completed, Respondent answered in Exhibit "A1" supra, that "Probation was going to end in January, 1988; however, it was postponed because his probation officer feels that he may have sold some jewels twenty-one (21) months ago, and ... his attorney realizes that he is innocent and would prove it if the matter ever went to trial".

a. The facts were, as related by Respondent's probation officer, James Gomeiner, that criminal felony charges of theft had been filed against Respondent on about August 22, 1986, and a court date was scheduled for May 2, 1988.

8. The department issued Respondent his salesperson's license by letter dated March 1, 1988, Exhibit "A4", and Respondent was requested to advise the department of the resolution of his pending court action.

9. Thereafter, on about September 13, 1989, in case #88 CR 00404, in the Waukesha County Circuit Court, Branch 8, the Honorable Judge James R. Kieffer presiding, Respondent plead "No Contest", and was found guilty of Count 1, party to a robbery in violation of secs. 939.05 and 943.32(1), Stats., of a two (2) counts criminal information, Exhibit "B".

a. Count 2 - theft, contrary to sec. 943.20(1)(a), Stats., was dismissed and read in.

b. Respondent was sentenced forthwith to Wisconsin State Prison, Dodge Correctional Institution, for a period of six (6) years.

10. Attached hereto as Exhibit "B" is a copy of the criminal complaint and Exhibits "B2-B2(a)(b)", the criminal information, amended information and second amended information, respectively, pursuant to which Respondent based his plea of no contact, and was convicted.

11. By virtue of the acts and conviction(s) enumerated in paragraphs 4-7, 9-10, supra, Respondent is deemed to have violated sec. 452.14(3)(a), Stats., made a material misstatement in the application for a license, and information submitted to the department; violated secs. RL 24.17(1)-(3), Wis. Adm. Code, violations of law, conviction, and violation of statutes and Administrative Codes, respectively.

12. Based upon the above and in settlement of this matter, Respondent hereby consents, accepts and agrees to revocation of his Real Estate License(s), commencing on a date five (5) days after signing by a designated member of the Real Estate Board. Respondent further agrees not to reapply for relicensure until a minimum of two(2) years following the effective date of the Board Order; must otherwise qualify for relicensure, and demonstrate rehabilitation, satisfactory to the Board, prior to relicensure.

a. Further, pending case # 89 REB 245 is to be dismissed but be considered in any reapplication for relicensure by Respondent in the future.

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P.O. Box 8935, Madison, WI 53708  
(608) 266-5511

62 FEB 13 1943

**CENSE**

1. *Journal of the American Medical Association*, 1997; 277: 1039-1043.

0940028099.

2014

EXAM      40 30

719194401024208

- 2 Enter the month and year you wrote and passed examination MONTH JAN YEAR 1988

- |                         |  |  |  |  |  |  |  |  |                      |  |         |  |  |  |  |                        |
|-------------------------|--|--|--|--|--|--|--|--|----------------------|--|---------|--|--|--|--|------------------------|
| JEWELL                  |  |  |  |  |  |  |  |  |                      |  | TIMOTHY |  |  |  |  | R                      |
| <small>SUR LAST</small> |  |  |  |  |  |  |  |  | <small>FIRST</small> |  |         |  |  |  |  | <small>INITIAL</small> |

- A POST OFFICE  
BOX IS NOT  
SUFFICIENT FOR  
LICENSING**

[illegible]

- |       |     |      |
|-------|-----|------|
| 02    | 09  | 61   |
| MONTH | DAY | YEAR |

- |      |   |   |        |   |   |   |   |   |   |
|------|---|---|--------|---|---|---|---|---|---|
| 4    | 1 | 4 | 4      | 2 | 5 | 4 | 6 | 3 | 7 |
| AREA |   |   | NUMBER |   |   |   |   |   |   |

8. HOW DO YOU DESCRIBE YOURSELF (Optional)

- ☒ White, not of Hispanic Origin  
☐ Black, not of Hispanic Origin  
☐ Hispanic  
☐ American Indian or Alaskan  
☐ Asian or Pacific Islander  
☐ Other
- ☒ Male  
☐ Female

FULLTIME STUDENT DOWNSHIRE COLLEGE

CVLIT 11

# State of Wisconsin Department of Regulation & Licensing

3. If you wish to register a trade name under which you intend to do business as an individual broker, enter that name

None

4. If you will be an officer of a licensed corporation, or partner of a licensed partnership, enter

a) Name of corporation or partnership--

b) Your title--

c) Corporation/partnership license #--

If the corporation or partnership is a new company which has not been licensed yet, a form 815 and \$50 fee must also be filed to obtain a license in the corporate or partnership name

5. Trust account. You are not required to maintain a trust account before you receive monies in the capacity of a broker. However, real estate trust funds MUST BE DEPOSITED in a Wisconsin bank, savings and loan association, or credit union within 24 hours of receipt (or the next business day of a depository institution if it is closed on the day of receipt) and the trust account form must be executed at the depository institution and submitted to the Bureau within 10 days after opening the account.

IF YOU WANT A TRUST ACCOUNT FORM SENT WITH YOUR LICENSE, ENTER YOUR INITIALS

TJ

## SECTION D: ALL APPLICANTS

**Applicant must sign in the presence of a Notary Public.**

I hereby swear and affirm that the answers set forth are true and correct to the best of my knowledge and belief and I understand that if I am issued a license, failure to comply with the license law or rules and regulations of the Wisconsin Department of Regulation and Licensing may be cause for disciplinary action

Signature of Applicant

Timothy R. Jones

Date

FEB 4, 1988

Subscribed and sworn before me this 4 day of Feb, 19 88 Notary Public Milw County, Wis

My Commission Expires 7-14-91 Margaret Kerschner Signature of Notary Public

## SECTION C: BROKER OR SALESPERSON APPLICANT INDICATING EMPLOYMENT UNDER ANOTHER BROKER

1. Print or type name of employing entity exactly as it appears on the employer's license—name of individual broker, name of corporation or name of partnership

WAUKWATOSA REALTY COMPANY

BROKER'S NAME AS ON LICENSE

BROKER'S NAME AS ON LICENSE (cont.)

OFFICE USE ONLY

2. Enter the business address of the employing person's or company's main office

11622 W NORTH AVE

NUMBER, STREET

MILWAUKEE WI 53226

CITY

STATE

ZIP CODE

3. Enter the area code and main office telephone number

414 4761900

AREA

NUMBER

4. Enter the employing entity's license number as it appears either on the individual broker license, or corporation license or partnership license

0007771

5. This statement must be signed by the sponsoring individual broker or a licensed broker who is an officer or partner of a corporation or partnership

Print or type name of broker signing below

HALASKA GERALD B

LAST

FIRST

INITIAL

This is to certify that I will assume responsibility for applicant pursuant to the department rules

[Signature]

Signature of Broker

Date

2-8-88

YOU CANNOT OPERATE AS A REAL ESTATE AGENT UNTIL YOU HAVE ACTUALLY RECEIVED THE LICENSE, WHICH WILL BE ISSUED WITHIN ONE WEEK OF RECEIPT OF THIS PROPERLY COMPLETED FORM BY DEPARTMENT.

STATE OF WISCONSIN : CRIMINAL-TRAFFIC DIVISION : WAUKESHA COUNTY  
CIRCUIT COURT

---

STATE OF WISCONSIN,

Plaintiff,

vs.

CRIMINAL COMPLAINT

TIMOTHY R. JEWELL  
10600 West Upham Avenue  
Hales Corners, Wisconsin  
DOB: 2/09/61

Defendant.

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James Budish, Court Officer, City of Muskego Police Department, being first duly sworn, on oath, upon information and belief, says that: On April 14, 1985 at approximately 5:45 o'clock P.M. at Lannon Drive and Kirkwood Drive in the City of Muskego, Waukesha County, Wisconsin, the defendant did:

intentionally take and drive a vehicle, to-wit: 1982 Honda CB900 motorcycle owned by American Family Life Insurance Corporation, without the consent of the owner, contrary to Section 943.23, Wisconsin Statutes.

And further advising the Court that the above alleged offense is defined as a "Class E" felony; and upon conviction of the above alleged offense, the above named defendant is subject to a monetary fine of not more than \$10,000, or imprisonment of not more than two years, or both.

And prays that the defendant be dealt with according to law; that the basis for the complainant's charge of such offense is: based upon information and belief derived from complainant's review of the reports of Sergeant J. Daley and Investigator J. Larson both of the City of Muskego Police Department and with whom your complainant has worked with in the past and knows to be truthful and reliable. The reports of Officer Daley indicate that on April 14, 1985 at approximately 5:45 o'clock P.M., he had occasion to make a traffic stop of a maroon 1982 Honda CB900 driven in the area of Lannon Drive and Kirkwood Drive in the City of Muskego. Sergeant Daley indicates that upon approaching the motorcycle, he had occasion to speak with the above-named defendant, who was the operator of the motorcycle. Sergeant Daley further indicates that upon a check of the identification numbers of the motorcycle, the motorcycle was found to be listed as stolen on July 12, 1982 in the City of Milwaukee. Investigator Johnson indicates in his reports that he had occasion to speak with the above-named defendant, who, after questioning him, admitted that he did operate the motor vehicle without the consent of the owner and that he had purchased the motor vehicle from another party and at the time it was purchased, he knew that the motor vehicle had been stolen. Kenneth R. Berg, an Assistant District Attorney for Waukesha County, Wisconsin, states that he had occasion to speak with Roscoe Liston, an Agent with the American Family Life Insurance Corporation of Brookfield, Wisconsin, who is the current legal owner of the above-mentioned motorcycle and was the legal owner on April 14, 1985 and Mr. Liston stated that no one, including himself, gave the above-named defendant access to the motorcycle.

Exhibit "A2"



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

~~/s/ James [unclear]~~  
Complainant

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_, 1985.

APPROVED FOR FILING:

~~/s/ [unclear]~~  
Assistant District Attorney

~~/s/ [unclear]~~  
Assistant District Attorney

KRB:jgo

JUDGMENT OF CONVICTION  
SENTENCE WITHHELD, PROBATION ORDERED

66  
STATE OF WISCONSIN  
Wisconsin Statutes  
Section 973.09

STATE OF WISCONSIN,  
V.

Plaintiff

STATE OF WISCONSIN, Circuit Court  
FILED  
Branch 124FFIC  
DIVISION

Timothy R. Jewell

Defendant

County Waukesha

JAN 13 1986

2/9/61

Defendant Date of Birth

Court Case No.

85 CF 0273

The defendant entered his/her plea of ☐ guilty

☐ not guilty

☒ no contest

The ☒ Court ☐ Jury found the defendant guilty of:

Felony or

Date(s)

Crime(s)

Wis. Statute(s)

Misdemeanor

Class

Crime

Violated

(F or M)

(A-E)

Committed

Operate Motor Vehicle without Owners  
Consent

943.23(2) M A 4/14/85

committed in this County; and

On January 6, 1986, the Court inquired of the defendant why sentence should not be pronounced, and no sufficient grounds to the contrary being shown or appearing to the Court, and the Court having accorded the district attorney, defense counsel, and the defendant an opportunity to address the Court regarding sentence; and upon all the evidence, records, and proceedings, the Court pronounced findings and judgment as follows:

IT IS ADJUDGED that the defendant on January 6, 1986 was convicted as found guilty:

IT IS DETERMINED that society will not be harmed and the defendant will benefit by being placed on probation pursuant to Sec. 973.09, Wis. Stats.;

IT IS ADJUDGED that sentence is withheld and the defendant is placed on probation for the period of two (2) years, in the custody and control of the Wisconsin Department of Health and Social Services, subject to its rules and orders pursuant to Sec. 973.10, Wis. Stats.;

IT IS DETERMINED AND ORDERED that the record requires court-imposed conditions as follows:

☐ None ☒ As ordered below:

That the defendant has the ability to pay within that period the amounts ordered herein. Should his/her financial condition change s/he shall forthwith petition this Court for reconsideration of such conditions.

Fines: ☒ None ☐ \$ \_\_\_\_\_; Court Costs: ☐ None ☒ \$ 20.00;

Attorney Fees: ☐ None ☒ \$ TO BE DETERMINED; Restitution: ☐ None ☒ \$ TO BE DETERMINED;

Other: ☒ None ☐ \$ \_\_\_\_\_;

Mandatory ☐ Felony \_\_\_\_\_ (# counts) @ \$30.00 Amount \$ \_\_\_\_\_;

Victim/Witness Surcharge ☒ Misdemeanor Ct (# counts) @ \$20.00 Amount \$ 20.00;

(Sec. 973.045 Wis. Stats.) Paid ☐ Yes Amount \$ \_\_\_\_\_; ☐ No

That the defendant shall be incarcerated in the County Jail for the following periods:

☒ None ☐ The period of \_\_\_\_\_; and

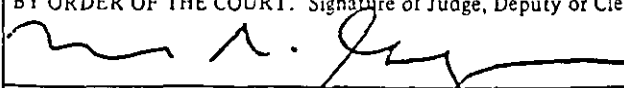
IT IS ORDERED that defendant is to follow all rules and regulations of probation and directions of probation agent. IT IS FURTHER ORDERED that defendant is to have no further violations of the law.

IT IS FURTHER ORDERED that the defendant shall pay surcharges pursuant to Sec. 973.09(1)(b), Wis. Stats.;

IT IS ADJUDGED 0 days sentence credit are due pursuant to Sec. 973.155, Wis. Stats., and shall be credited if probation is revoked.

IT IS ORDERED that the Sheriff deliver the defendant into the custody of the Department as it directs.

(affix seal)

BY ORDER OF THE COURT. Signature of Judge, Deputy or Clerk of Court	
	
Name of Judge	Date Signed
Mark S. Gempeler	January 6, 1986
Name of Defense Attorney	Name of District Attorney
Robert Deters	Donald Hassin-Ass't

JUDGMENT OF CONVICTION  
SENTENCE TO WISCONSIN STATE PRISONS

STATE OF WISCONSIN,  
v.

Plaintiff

STATE OF WISCONSIN, Circuit Court Branch 8

Timothy R. Jewell

Defendant

County Waukesha

2-9-61

Defendant Date of Birth

Court Case No. 88 CF 00404

The defendant entered his/her plea of ☐ guilty ☐ not guilty ☒ no contest;

The ☒ Court ☐ Jury found the defendant guilty of:

Felony or

Date(s)

Wis. Statute(s)

Misdemeanor

Class

Crime

Crime(s)

Violated

(F or M)

(A-E)

Committed

Ct. 1 Party to Robbery

939.05 &  
943.32(1)

F

C

10-11-85

Ct.2-Theft, Contrary to Section 943.20(1)(a), Wisconsin Statutes; DISMISSED  
AND READ-IN.

CRIMINAL/TRAFFIC  
DIVISION

SEP 15 1989

committed in this County; and

On 9-13-89, the Court inquired of the defendant why sentence should not be pronounced, and no sufficient grounds to the contrary being shown or appearing to the Court, the Court having accorded the district attorney, defense counsel, and the defendant an opportunity to address the Court regarding sentence; and upon all the evidence, records and proceedings, the Court pronounced judgment as follows:

IT IS ADJUDGED that the defendant on 9-13-89 was convicted as found guilty, and is sentenced to the Wisconsin State Prisons for an indeterminate term of not more than Six (6) years :

IT IS DETERMINED AND ORDERED that the record requires court-imposed conditions as follows:

☐ None ☒ As ordered below:

That the defendant has the ability to pay within that period the amounts ordered herein. Should his/her financial condition change s/he shall forthwith petition this Court for reconsideration of such conditions.

Defendant assessed Court Costs in the amount of \$20.00.

Mandatory ☒ Felony 1 (# counts) @ \$30.00 Amount \$ 30.00 ;  
Victim/Witness Surcharge ☐ Misdemeanor        (# counts) @ \$20.00 Amount \$        ;  
(Sec. 973.045 Wis. Stats.) Paid ☐ Yes Amount \$        ; ☒ No

IT IS FURTHER ORDERED that the defendant shall pay surcharges pursuant to Sec. 973.09(1)(b), Wis. Stats.:

IT IS ADJUDGED that -0- days sentence credit are due pursuant to Sec. 973.155, Wis. Stats.:

IT IS ORDERED that the Clerk deliver a duplicate original of this Judgment to the Sheriff, and that the Sheriff shall forthwith deliver the defendant and a copy of this Judgment to the Dodge Correctional Institution (Reception Center) located in the City of Waupun

(affix seal)

BY ORDER OF THE COURT Signature of Judge, Deputy or Clerk of Court	
<u>James R. Kieffer</u>	
Name of Judge James R. Kieffer	Date Signed September 13, 1989
Name of Defense Attorney Gerald Boyle	Name of District Attorney Tim Westphal, Asst. DA

Exhibit "B"

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Kvasnicka, and Detective Douglas Kennedy of the City of Waukesha Police Department, all believed in this instance to be truthful and reliable. The reports of Officer Schlehle and Officer Fletcher indicate that on October 11, 1985 at 9:38 a.m., they were dispatched to Kelvin Schroeder Jewelers, 2120 E. Moreland Boulevard, Waukesha, Wisconsin, regarding an armed robbery that had just occurred at that location. Officer Schlehle indicates that an employee had reported the armed robbery from Contemporary Fitness at Westbrook Shopping Center which was in the same area as the Kelvin Schroeder store. Upon arrival at said location, Officer Schlehle and other squads converged on the store and subsequently made contact with one of the store's employees, ordinary citizen Donna Lynn Kolz, who was extremely upset with her hands handcuffed behind her back. Officer Schlehle then approached the front door of Kelvin Schroeder Jewelers and discovered the door to be locked and then observed a second female inside of the store, identified as ordinary citizen Betty J. Kling. Officer Schlehle observed that Betty J. Kling was also handcuffed behind her back and had silver strapping tape across her mouth.

Donna Lynn Kolz, believed in this instance to be truthful and reliable, subsequently advised that she is employed at the Kelvin Schroeder Jewelry Store as located above and that on October 11, 1985, she arrived at the store as usual at about 9:05 a.m., unlocking the front door, entering the store, and turning off the alarm. Donna Kolz indicated that she observed nothing out of the ordinary and walked to the back of the store and observed that the bathroom door was closed which was unusual in that it usually is left open. Kolz indicated that she then turned off the alarm, walked back to the hallway where all of a sudden a person was standing face to face with her. This person was wearing a see-through Halloween type mask, but she could definitely tell that this person was a male, approximately six feet in height wearing a bluish gray parka type coat who then grabbed her and threw her to the ground so that her back was on the carpeting, he then turned her over so she was face down on the carpeting and put the handcuffs on each hand and put gray duct tape over her mouth. Donna Kolz further indicates she felt and also heard that a gun was pointed at the back of her head as she heard the gun click as if being cocked. Donna Kolz further indicates that in addition to this one male there was a second male in the back of the store doing something, whereupon she then heard the second employee enter the store, Betty Kling, and Betty Kling was then brought back to where Donna was. Donna then had her eyes taped shut so she could not see, but she did hear the conversation of these two male individuals and Betty Kling. Donna Kolz indicates at one point the male subject that had pushed her to the floor set the weapon down on her back and she could feel that it was heavy and long as if a shotgun. Donna Kolz indicates subsequently they removed all the jewelry from the safe and other items from the store and then left the store. She then got up and managed to take the tape off her eyes and mouth, ran out the front door to call the police.

Said reports further indicate speaking with ordinary citizen Betty J. Kling, believed in this instance to be truthful and reliable, who advised that upon her arrival at the jewelry store at approximately 9:10 a.m. on October 11, 1985, she walked through the store, sensed that something was wrong, and subsequently observed a masked man come from the back room carrying a short double-barreled shotgun in his left hand running towards her and grabbing her by the left arm. This person had black hair that rolled out from underneath the baseball cap, had dark eyes and skin, was wearing a blue rayon satin

Daniel Maynard indicates that this conversation with Timothy Jewell occurred during the time Tim Jewell was employed at Solar Resources. Your complainant indicates he has been unable to verify it was during the month of August and September of 1985 that the defendant was working at Solar Resources, Inc., Westbrook Branch. Daniel Maynard further testified that the defendant stated he knew of a way to get into a jewelry store and that he could get tons of jewelry, that he was going to go over the ceiling and cut some of the burglar alarm wires. Daniel Maynard further indicated the defendant informed him that the plan was later altered and that it was "Vito's" idea to cut the hole through the wall rather than the ceiling. Your complainant indicates Vito is identified as Dean Villari. Dan Maynard further indicates he personally spoke with Dean Villari whose statement is believed in this instance to be truthful and reliable since it is given against Dean Villari's penal interest. Dean Villari indicated that in fact he did go along with Timothy Jewell on the robbery and went into the jewelry store through the wall where Tim worked and that they cut a hole in the wall. Dean Villari further indicated that both he and Timothy Jewell waited in the bathroom and that when they came out there were people present and that they held them up.

Said John Doe proceeding further included the testimony of ordinary citizen Peter Villari, believed in this instance to be truthful and reliable, who is the father of the aforementioned Dean P. Villari. Peter Villari testified that he received a ring from his son, Dean Villari, for Christmas of 1985 which was gold and had diamonds in it. Peter Villari indicated that when he received the ring, he asked Dean Villari if the ring was "hot" (stolen), at which time Dean Villari indicated that it was not. Peter Villari indicated that he held onto the ring until several police officers came to his house, one being Detective Kennedy, at which time the ring was turned over to police. Your complainant indicates that the ring he received from Peter Villari, which Peter Villari testified he received from Dean Villari, has been positively identified as one of the items of jewelry stolen from the aforementioned Kelvin Schroeder Jewelers during the robbery occurring on October 1, 1985. Peter Villari further testified that he informed Detective Kennedy that he received the ring from his son, Dean Villari, and that the ring was probably stolen or could have been stolen.

Said John Doe proceeding further included the testimony of ordinary citizen Colleen Pavlik, believed in this instance to be truthful and reliable, who testified that she had dated Peter Villari, Dean Villari's father, and had lived with Peter Villari for a period of time at 2615 S. Logan Avenue, Milwaukee, Wisconsin. Colleen Pavlik indicated that while she lived at that location, Dean Villari also lived at that residence. Colleen Pavlik further testified that in January, 1986, she had an opportunity to observe the contents of a cardboard box she personally observed Dean Villari give Peter Villari. Colleen Pavlik indicated that inside the box she observed several items of jewelry including a string of pearls, a white gold engagement ring, a plastic bag containing smaller plastic bags, each containing white cards and loose stones appearing to be diamonds, rubies, and sapphires. The cards were either marked "half point" or "half carat". Colleen Pavlik indicated that she observed at least a dozen of these in that bag. Colleen Pavlik indicated that in October, 1986, she was cleaning in Dean Villari's bedroom at the aforementioned residence and subsequently found a record album inside which was a book with a blue cover. Colleen Pavlik indicated that inside the book was what appeared to be a floor plan of a store. Colleen Pavlik indicated

that on this floor plan she noticed the words "alarm" and "car" with arrows pointing all around. Colleen Pavlik indicated that the floor plan was hand-drawn and appeared to her to be in Dean Villari's handwriting, which she was familiar with. Colleen Pavlik indicated that the words "alarm" and "car" made the incident stand out in her mind. Colleen Pavlik indicated that in November, 1986, she was again in the bedroom occupied by Dean Villari at the above location for the purpose of moving some of Dean's belongings out of the room as they were moving from the residence, at which time she discovered a scrapbook between the headboard and the bed itself. Upon opening the scrapbook, Colleen Pavlik observed numerous articles depicting various crimes, including one describing the details of the aforementioned Kelvin Schroeder Jewelers masked armed robbery, which was underlined in blue magic marker and contained comments handwritten in pen. Also inside the scrapbook was a letter addressed to an individual called "Vito". Colleen Pavlik indicated that Dean Villari's nickname is "Vito". Colleen Pavlik indicated that this letter was signed by an individual identified as Timothy Jewell and stated in part: "Don't talk to any inmates about anything. They have six years to charge whoever did this. Write if you want. Yours in Christ. Tim Jewell" Colleen Pavlik indicated that along with this letter was a newspaper article describing the details of the aforementioned Kelvin Schroeder robbery.

Said John Doe proceeding further included the testimony of ordinary citizen Brenda Biller a/k/a Bronwyn Gay Biller, believed in this instance to be truthful and reliable, who testified that she had purchased several items of jewelry from Dean Villari and Timothy Jewell on several occasions. Ms. Biller testified that in July or August, 1986, she purchased several items of jewelry from Timothy Jewell, specifically a diamond and ruby ring and an emerald and diamond ring. Ms. Biller indicated that she later turned these rings over to Detective Graham. Your complainant indicates that he subsequently transported these rings to Kelvin Schroeder Jewelers where he was able to verify that both rings had been taken in the aforementioned robbery. Ms. Biller further testified that she is familiar with Dean Villari and that she met with him in July or August, 1986, at her home in Milwaukee County. Ms. Biller indicated that she purchased an emerald ring from Dean Villari at that time. Ms. Biller indicated that Dean Villari also showed her at least a dozen other rings from which she purchased the aforementioned emerald ring. Ms. Biller indicated that while Dean Villari was still at her residence, Timothy Jewell arrived with a plastic bag containing a number of other diamond rings. Ms. Biller indicated that she did not purchase anything from Jewell at that time. Ms. Biller testified that Dean Villari subsequently gave her several other rings which she did not pay for on that date. Ms. Biller indicated that Villari then left the residence with the remainder of the rings he had brought with him. Ms. Biller further testified that she paid Dean Villari for the emerald ring she had purchased on that date in July or August, 1986, and that a couple days later, she again met with Timothy Jewell who appeared at her residence with another bag full of rings. Ms. Biller testified that on that date, she paid in cash for the rings she had previously received from Dean Villari as indicated above. Your complainant states that he personally received these additional rings from Ms. Biller and was subsequently able to positively identify these rings as being part of the jewelry stolen in the Kelvin Schroeder robbery on October 1, 1985.

Said John Doe proceeding further included the testimony of ordinary citizen Pat Wall, believed in this instance to be truthful and reliable, who testified

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and he told her that he would take care of her and her three children. Younk indicated that she asked Villari what he meant by that as he did not have a job, at which time Villari told her that he had a lot of money. Younk indicated that she asked Villari where he was getting all of the "stuff", at which time Villari told her that he usually did not tell his girlfriends his business until he knew for sure that he could trust them.

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

William U. Grak

Complainant

Subscribed and sworn to before me  
this 24th day of August, 1988.

Paul Bucha

District Attorney

APPROVED FOR FILING:

Ron P. Murphy

Circuit Court Judge, Branch  
Waukesha County, Wisconsin

PEB/dz

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STATE OF WISCONSIN : CRIMINAL-TRAFFIC DIVISION : WAUKESHA COUNTY  
CIRCUIT COURT-BRANCH VIII

STATE OF WISCONSIN,

Plaintiff,

AMENDED INFORMATION

TIMOTHY R. JEWELL,

Case No. 88-CF-0404

Defendant.

I, TIMOTHY F. WESTPHAL, Assistant District Attorney for Waukesha County, Wisconsin, hereby informs the Court that:

On October 11, 1985, during the early morning hours, at Kelvin Schroeder Jewelers, 2120 E. Moreland Boulevard in the City of Waukesha, Waukesha County, Wisconsin, the defendants, Timothy R. Jewell and Dean P. Villari, did:

as parties to a crime, contrary to Section 939.05, Wisconsin Statutes, with intent to steal, take property from the presence of the owner, and did so forcibly, using force or threatening the imminent use of force against the person of the owner, with intent to compel the owner to acquiesce in the taking or carrying away of the property, contrary to Section 943.32 (1), Wisconsin Statutes.

And further advising the Court that the above-alleged offense is defined as a Class C felony; and upon conviction of the above-alleged offense, the above-named defendant is subject to a monetary fine of not more than \$10,000 or imprisonment of not more than 10 years, or both.

Dated this 11<sup>th</sup> day of August, 1989, at the City of Waukesha, Wisconsin.

Timothy F. Westphal  
Assistant District Attorney for  
Waukesha County, Wisconsin

FILED  
CRIMINAL/TRAFFIC  
DIVISION

AUG 11 1989

WAUKESHA COUNTY, WI  
VIRGINIA HUNKINS, CLERK

Exhibit B2 (a)



## NOTICE OF APPEAL INFORMATION

(Notice of Rights for Rehearing or Judicial Review,  
the times allowed for each and the identification  
of the party to be named as respondent)

The following notice is served on you as part of the final decision:

### 1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Real Estate Board.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

### 2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Real Estate Board.

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Real Estate Board.

The date of mailing of this decision is July 31, 1990.

WLD:dms  
886-490