

FILED
02-27-2019
Clerk of Court
Vilas County
2019CM000068
Honorable Neal A Nielsen
III
Branch 1

STATE OF WISCONSIN	CIRCUIT COURT	VILAS COUNTY
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STATE OF WISCONSIN

Plaintiff,

vs.

CARRIE JO NEUMANN
 dba Frontier Tavern
 2545 Columbus Road
 Eagle River, WI 54521

DOB: 01/10/1964

Sex/Race: F/U

Defendant.

DA Case No.: 2019VI000080
 Assigned DA/ADA: Martha J. Milanowski
 Agency Case No.: 18-12-982
 Court Case No.:
 ATN:

CRIMINAL COMPLAINT*For Official Use*

Complainant, on information and belief, being first duly sworn, upon oath, states that the above named Defendant, in the County of Vilas, State of Wisconsin:

Count 1: POSSESS REFILLED/DILUTED INTOXICATING LIQUOR BOTTLES

The above-named defendant on or about Wednesday, November 14, 2018, in the Town of Washington, Vilas County, Wisconsin, did possess diluted intoxicating liquor or refilled original containers on any premises covered by a "Class A" or "Class C" license or "Class B" license or permit, contrary to sec. 125.68(8)(a)3, 125.68(8)(a) Wis. Stats., a Misdemeanor, and upon conviction shall be fined not less than \$150 nor more than \$500 or imprisoned not less than 60 days nor more than 6 months or both.

Count 2: SERVICE/LIQUOR W/O LICENSEE PRESENT

The above-named defendant on or about Wednesday, November 14, 2018, in the Town of Washington, Vilas County, Wisconsin, did allow a business operated under a Class B license to be open for business without a licensed operator present, contrary to sec. 125.68(2), 125.11(1) Wis. Stats., a Misdemeanor, and upon conviction shall be fined not more than One Thousand Dollars (\$1,000) or imprisoned for not more than Ninety (90) days or both. Any license or permit issued to the person under this chapter may be revoked by the court.

Count 3: LIQUOR LICENSE - OPERATOR

The above-named defendant on or about Wednesday, November 14, 2018, in the Town of Washington, Vilas County, Wisconsin, did open without having a licensee or permittee who had an operator's license and who would be responsible for the acts of all persons serving any fermented malt beverages to customers, contrary to sec. 125.32(2), 125.11(1) Wis. Stats., a Misdemeanor, and upon conviction shall be fined not more than One Thousand Dollars (\$1,000) or imprisoned for not more than Ninety (90) days or both. Any license or permit issued to the person under this chapter may be revoked by the court.

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And prays that said Defendant be dealt with according to law; and that the basis for the complainant's charge of such offenses is:

PROBABLE CAUSE:

Complainant relies on the official officer's report of Agent Rick Uhlig which is included and incorporated by reference. Agent Uhlig is a Special Agent employed by the State of Wisconsin Department of Revenue, Alcohol & Tobacco Enforcement Criminal Investigation Section. I believe the report was generated in the scope of his employment and in the ordinary course of business of law enforcement. I believe the report is truthful and reliable as a record kept in the ordinary course of business. I have used reports of this kind and found them to be truthful and reliable in the past.

Copies of all other pertinent documents are included in this complaint and incorporated herein as if fully set forth.

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CASE REPORT**WISCONSIN DEPARTMENT OF REVENUE
ALCOHOL AND TOBACCO ENFORCEMENT UNIT**

CASE #: 18-12-982	
DATE: 12-18-18	
CASE TITLE: Carrie Jo Neumann D/B/A Frontier Tavern 2545 Columbus Road Eagle River, WI	
CHARACTER OF CASE: Possess refilled liquor bottles, Class B premises open without required supervision/bartender, Possess unauthorized alcohol on premises	REPORT BY: Special Agent Rick Uhlig
CASE STATUS: Violations found, summons and complaint to be requested	INVESTIGATIVE PERIOD: 11/14/2018-12/18/2018

SYNOPSIS

On November 14, 2018, Carrie Jo Neumann/Frontier Tavern, did, contrary to sec. 125.68(8)(a)3 Wis. Stats., possess a refilled original intoxicating liquor container on a "Class B" premises.

And, contrary to sec. 125.68(2) Wis. Stats., did, as a "Class B" license holder, remain open for business without a licensed operator present.

And further did, contrary to sec. 125.32(6)(a) Wis Stats., as a retail fermented malt beverage license holder, possess on the premises alcohol beverages which were not authorized for sale on the premises.

On November 14, 2018 the Dept. of Revenue Alcohol and Tobacco Enforcement Unit conducted an investigation at the Frontier Tavern premises. Dept. of Revenue Compliance Agents and Vilas Co. Sheriff's Dept. were also present and assisted. It was verified that the business holds valid Class "B" Beer and "Class B" Intoxicating Liquor retail alcohol beverages licenses issued in the name of Carrie Jo Neumann.

During the course of the investigation, Agents found an intoxicating liquor bottle (Vesica Vodka) which had been refilled with water. Two employees at the premises, and owner Carrie Jo Neumann on the telephone, confirmed that this bottle was refilled with water and used to serve drinks to the dancers/employees. S/A Uhlig later tested this bottle which was labeled by the manufacturer as a vodka containing 40% alcohol by volume/80 proof. The results of the tests were consistent with the contents being water, as the tests indicated that the clear liquid from the bottle was 0% alcohol by volume/0 proof.

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Agents found the bartender/bar manger working at the premises was Mark W Curtis and at the time of the on-site investigation Mr. Curtis said he could not find his operators/bartenders license. No other persons on site had an operators license and retail license holder, Carrie Jo Neumann, was not present on the premises. S/A Uhlig later contacted the Town of Washington in Vilas County and confirmed that on November 14, 2018 Mark W Curtis did not hold a valid operators license with the Town.

Finally, during the course of the investigation A.T. Unit Agents found open 1.75 liter size bottles of intoxicating liquor intermingled with the open bar stock. Brands of these bottles included Captain Morgan, Tito's, Svedka, Windsor Canadian, and Jose Cuervo. There was a file of alcohol purchase and other tavern related paperwork at the premises and none of these bottles were listed on any alcohol purchase invoices. S/A Uhlig spoke with Carrie Jo Neumann on the telephone and specifically asked about these bottles and where they had been obtained. Ms. Neumann said she did not know where they were from, but these bottles were "personal use" bottles for employees, explaining she did not want employees drinking the bar stock so she allows them to bring in personal bottles.

S/A Uhlig reviewed case history for the Frontier Tavern in Vilas County under ownership of Carrie Jo Neumann and found two (2) previous alcohol investigations conducted by the A.T. Unit:

Case 15-04-168 generated by an on-site investigation conducted at the premises on March 25, 2015. During this investigation A.T. Agents found a refilled liquor bottle, no licensed operator/bartender on site, unauthorized liquor, and a failure to maintain proper paperwork on site. ***Resolution of this case was a formal written warning letter issued to Carrie Jo Neumann for possessing liquor obtained from unauthorized sources and for having an unlicensed bartender.***

Case 17-03-092 generated by an on-site investigation conducted at the premises on February 23, 2017. During this investigation A.T. Agents found a liquor bottle refilled with water and alcohol purchase invoices not available on site. ***Resolution of this case was a formal written warning letter issued to Carrie Jo Neumann for refilling a liquor bottle with water.***

End of Report.

AGENT(S): Rick Uhlig, S. A. 20

This document contains neither recommendations nor conclusions of the Alcohol and Tobacco Enforcement Section, Wisconsin Department of Revenue. It is the property of this section and is loaned to your agency. Its contents are not to be distributed outside your agency.

AT-222 (N. 10-75)

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

Subscribed and sworn to before me,
and approved for filing:

Subscribed and sworn to before me on
02/26/19

Electronically Signed By:

Martha J. Milanowski

District Attorney

State Bar #: 1031921

Electronically Signed By:

Captain Gerard Ritter II

Complainant