

CRIMINAL COMPLAINT

STATE OF WISCONSIN

DA Case No.:2013ML001579

Plaintiff,

vs.

Complaining Witness:

Det. Timothy Graham

Allen, Ron Joseph
8147 W Thurston Ave, #1
Milwaukee, WI 53218
DOB: 06/19/1975

Court Case No.:

Seaberry, Devin Lattrez
4437 N. 64th Street
Milwaukee, WI 53223
DOB: 08/26/1989

Court Case No.:

Defendants,

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: FIRST DEGREE INTENTIONAL HOMICIDE - PTAC, AS A PARTY TO A CRIME (As to defendants Ron Joseph Allen and Devin Lattrez Seaberry)

The above-named defendants on or about Tuesday, January 01, 2013, at 5379 N 52nd St, in the City of Milwaukee, Milwaukee County, Wisconsin, as a party to a crime, did cause the death of Ebony C Young, another human being, with intent to kill that person, contrary to sec. 940.01(1)(a), 939.50(3)(a), 939.05 Wis. Stats.

Upon conviction for this offense, a Class A Felony, the defendants shall be sentenced to imprisonment for life.

Complainant is a City of Milwaukee Police Detective and bases this complaint upon the complainant's involvement in the below described investigation, as well as complainant's review of City of Milwaukee Police Reports, which complainant has reviewed in the past and found to be credible and reliable. That investigation and those reports indicate the following:

Initial Report of Ebony Young being Missing

On January 2, 2013, Annette Cross-Perry, the mother of Ebony Young walked into Milwaukee Police District #4 and spoke with Police Officer Susan Stirmel. Ms. Cross-Perry stated that she had received a phone call from Ms. Young's workplace, who indicated that Ebony Young had not come into work. Ms. Cross-Perry further stated that Ebony had failed to call her in the morning, which she normally does, and, later that day, had failed to show up for dinner with Ms. Cross-Perry's parents who had come up from Illinois. Ms. Cross-Perry had called all of the hospitals and had been unable to find Ms. Young.

Officer Stirmel then checked Sheriff, Milwaukee Police, and Milwaukee County Mental Health databases and was found that Ms. Young was not in custody with any of those organizations.

Ms. Cross-Perry further stated that Ms. Young's workplace had told her that a fellow employee had dropped her off at home. Ms. Cross-Perry also stated that Ebony's phone had been turned off since 11:00 p.m. the night before.

Initial Investigation and Statement of Defendant Billy Griffin

Following Ms. Cross-Perry's report to Officer Stirmel, City of Milwaukee Police Officer Travis Jung went to the address of 5379 N. 52nd Street, City and County of Milwaukee, State of Wisconsin to investigate the missing report about Ebony Young.

Upon arrival, Officer Travis Jung spoke with the above-mentioned defendant Billy Griffin, who lived at the residence and was the roommate of Ebony Young. Defendant Griffin indicated that he believed Ms. Young to be a male, and that Ms. Young went by the name "E" or "Evon" because "Ebony" was a girl's name. At the time, defendant Griffin believed that Ms. Young was a male.¹

Additionally, defendant Griffin indicated that the day before, Ms. Young was dropped off at their house by her work manager and was only at the house for a short time before she was picked up by an unknown person in an unknown car. Mr. Griffin indicated that he did not know where Ms. Young went or with whom.

Officer Jung then obtained consent to search the residence and searched the entire residence, except the attic, and did not locate Ms. Young or observe anything unusual or suspicious.

Statement of Prathon Reed

Complaint is further based upon the statement of Prathon Reed, who stated that on January 1, 2013, he observed a Chevrolet Impala parked on Custer Street, in the area of 52nd and Custer, which complainant knows is the area of Ms. Young and defendant Billy Griffin's residence. Mr. Reed indicated that he observed the vehicle running after he heard loud voices outside.

Continued Investigation into the Missing Report Regarding Ebony Young

On January 8, 2013, City of Milwaukee Police Officer Benjamin Smith, assigned to the Sensitive Crime Unit, conducted another interview of Ms. Cross-Perry. During this interview, Ms. Cross-Perry turned over to Police a Samsung cell phone that she had found on the curb in front of 5379 N. 52nd Street, when she went over to the residence to look for Ebony. She indicated that she did not recognize the phone, nor did any of her family members. She further indicated that she looked through the phone and noticed that the last call made by the cell phone was on the day that Ebony went missing.

Officer Smith then conveyed the Samsung cell phone back to the Sensitive Crimes Division, where he powered it up and scrolled through the menu section. Upon doing this, he learned that the cell phone had an assigned phone number of **414-837-9942**. The phone was then turned over to Intelligence Fusion Center of the Milwaukee Police Department.

The Milwaukee Intelligence Fusion Center performed an analysis on the phone and based upon that and later statements, determined that the phone belonged to defendant Victor Stewart at one time, and later to defendant Ashanti Mcalister. The Fusion Center further found that Victor

¹ For clarity purposes, all references to Ms. Young in this complaint will refer to her as a female and use the pronouns "she" and "her," even though defendant Griffin and other witnesses would refer to Ms. Ebony as a male.

Stewart was listed as a suspect in a stolen vehicle complaint filed by Nekiya Jackson, defendant Stewart's wife, regarding her 2007 Silver Chevy Impala, with license plate 900TAP. This vehicle was later located and retained by the Milwaukee Police Department.

Processing of the 2007 Silver Chevy Impala (Plate 900TAP)

Complaint is further based upon the statement of Forensic Investigator Douglas Brahm, who process the 2007 Silver Chevy Impala (Plate 900TAP). During this processing, ID Tech Brahm recovered 5 Latent Prints. Of note are Print #2 recovered from the exterior of the left rear door frame and Lift #5 from a 9 oz Great Value water bottle inside the vehicle.

These prints were examined by Latent Print Examiner Richard Jacobs, who determined identified Print #2 as that of defendant Ashanti Mcalister and Print #5 as that of defendant Victor Stewart. These conclusions are to a reasonable degree of certainty as practiced in his field.

Additionally, ID Tech Brahm used BLUESTAR FORENSIC to detect any hidden bloodstains that might not be visible but could be located on the carpet of the trunk, the backseat, and the two floor mats. The BLUESTAR FORENSIC did luminescence indicating the presence of possible blood on the bottom of one of the floor mats.

Identification of the 2007 Silver Chevy Impala

Complaint is further based upon the statement of City of Milwaukee Police Detective James Hutchinson, who states that he showed Prathon Reed a photograph of the 2007 Silver Chevy Impala (Plate 900TAP). Mr. Reed positively identified the vehicle as being the same car he saw the evening of January 1, 2013.

Statement of Nekiya Jackson

Complaint is further based upon the statement of Nekiya Jackson, the wife of defendant Victor Stewart to City of Milwaukee Detective Shelonda Tarver. Ms. Jackson admitted that she had lied to police during her initial interviews regarding the stolen automobile report she reported regarding her 2007 Silver Chevy Impala (License Plate 900 TAP), described above. Ms. Jackson stated that she had reported the car stolen because defendant Stewart had the vehicle and did not return until 6:00 a.m., on the morning of January 2, 2013. She indicated that she had filed the report because she had missed work because Victor Stewart was out with her car.

Furthermore, Ms. Jackson stated that when defendant Stewart arrived home, he appeared to wearing different clothes than what he had been wearing when he had left the day before. She further stated that she noticed the strong smell of bleach in the vehicle and found a bottle of bleach in the trunk of the vehicle. Also in the trunk were the child seat and the car mats. Ms. Jackson stated that the car mats appeared wet, but not stained with bleach. She further stated that she placed the bottle of bleach under her kitchen sink. This bottle of bleach was later recovered by City of Milwaukee Detective Jeremiah Jacks.

Processing of the Bottle of Bleach Recovered from Defendant Stewart's house

The bottle of bleach recovered by Detective Jacks was processed by Forensic Investigator Chet St. Clair, who recovered 1 Latent Print from the front area of the label on the bottle, near the top edge of the label.

This recovered latent print was then examined by Latent Print Examiner Richard Jacobs, who determined identified the print as that of defendant Victor Stewart. This conclusion is a reasonable degree of certainty as practiced in his field.

Facebook Messages of Defendant Ashanti Mcalister

Detective Timothy Graham reviewed facebook messages between Ashanti Mcalister and one of his Facebook "friends." During these messages, Ashanti Mcalister identified his phone number as **414-837-9942**.

Statement of Defendant Billy Griffin

Complaint is further based upon the statement of Defendant Billy Griffin to Detective Timothy Graham, who stated that January 1, 2013, Ebony Young returned home (5379 N 52nd St) and the two of them talked. Defendant Griffin stated that shortly afterwards, the doorbell rang and upon answering the door determined that it was defendant Victor Stewart (defendant Griffin's cousin), Defendant Mcalister and Ron Allen and another black male, all of whom are members of the *Black P-Stones*, criminal street gang. Defendant Griffin stated that defendant Stewart holds a position of authority in the gang. Defendant Griffin stated that Defendant Stewart then began stating that Ebony Young could not be trusted and that Defendant Stewart began pointing a firearm at both Ebony Young and Defendant Griffin, in the presence of Ron Allen.

Defendant Stewart then pulled Defendant Griffin aside and stated that Ebony Young was going to die that night and stated that Defendant Griffin would be back in the gang if he killed her. Defendant Griffin stated that back in the kitchen all the men, except himself, took turns punching Ms. Young in the face while defendant Mcalister pointed a gun at her head. This included Ron Allen.

Eventually, Defendant Griffin stated that the victim was taken down to the basement of the house, where Ron Allen put a plastic bag over Ebony Young's head in an attempt to kill her, at which point Young appeared to be fighting back, while defendant Mcalister continued holding a firearm on her. Defendant Griffin further stated that a thick chain was also put around her neck and that Ron Allen and Mcalister took turns strangling her until she passed out, at which point they began hitting and kicking her using tools. Defendant Griffin stated that he couldn't take it anymore and went upstairs, however he heard everyone (meaning the co-defendants and the other black males) state that they wanted to make sure that she was dead. Defendant Griffin stated that he then heard three gunshots.

Defendant Griffin stated that Ron Allen then left and returned with bleach and duct tape while Stewart, Mcalister, Allen and Seaberry wrapped Ebony up in a sheet. He stated that Stewart and Mcalister were laughing while they did this. When Ron Allen returned with the bleach, the group cleaned up the blood with the bleach and took showers. Once the group was done, defendant Griffin stated Allen, Stewart, and Mcalister took the body of Ebony Young up to defendant Stewart's vehicle, where he heard them making a plan to dump her body in an alley.

After they left, at around 6:00 a.m., defendant Griffin stated that he received a phone call from defendant Stewart who stated, "*the deed is done.*" He further stated that during later conversations with Stewart and Mcalister, they told him to tell people that Ebony had just left and never returned. Defendant Griffin identified defendants Stewart, Allen and Mcalister via photos that were shown to him by the Milwaukee Police Department.

Scene Investigation of the Basement of 5379 N. 52nd Street

Complaint is further based upon the statement of Detective David Chavez, who conducted a scene investigation of the basement of 5379 N. 52nd Street where defendant Griffin had told the victim was strangled, shot and wrapped in a sheet. Detective Chavez worked with forensic investigator's who used BLUESTAR in an attempt to find possible blood. Using the BLUESTAR, Detective Chavez identified two areas of suspected blood splatter on the walls, and five areas on the floor.

Detective Chavez also observed several areas where a red liquid was visible on the walls, floor, and two possible blood stains on a bucket located in the basement. These sample (8 in total) were taken to the Wisconsin Crime Lab, where they were tested for DNA evidence. The two samples from the bucket were tested **and tested positive for blood from a female**. Additionally, the Crime Lab is still working on testing the 6 remaining swabs, but there appears to be something inhibiting the drawing of biological material, consistent with bleach being used. The Crime Lab is still working on the six swabs and also will compare any DNA against known standards for Ebony and her mother.

Detective Chavez also states that a piece of duct tape was recovered in the basement and testing by Forensic Investigators revealed one latent print that was identified as belonging to defendant Victor Stewart.

Statement of Defendant Victor Stewart

Defendant Stewart stated that on January 1, 2013, that he, defendant Mcalister, Ron Allen, and Devin Seaberry went over to the residence where Ebony Young and Defendant Griffin live. Defendant Stewart stated that there was an argument over whether Ebony had assisted in a burglary of Defendant Griffin's residence. Defendant Stewart stated that Defendant Griffin questioned Ebony and she admitted being involved in the burglary. Defendant Stewart stated that Defendant Mcalister then began hitting Ebony in the kitchen, at which point Defendant Stewart told defendant Griffin that he wanted Griffin to kill Ebony. At this point, Defendant Mcalister put a gun to Ebony's head and was about to shoot Ebony right there in the kitchen. Defendant Stewart stated that Defendant Griffin told them not to do it in the kitchen.

Defendant Stewart stated that defendants Mcalister, Allen, Griffin and Seaberry took Ebony down to the basement where they made her get on her knees and Allen put a plastic bag over her head, which Defendant Griffin had provided to Allen and Seaberry to use on Ebony. Ebony was then beaten and strangled with a chain, before defendant Mcalister shot her with a .22 caliber handgun three times. After Ebony was dead, they all then cleaned the basement with bleach and took showers to get the blood off. Defendant Stewart stated that Defendant Griffin provided clothes for everyone to wear. Defendant Stewart stated that everyone then loaded the victim in his vehicle and disposed of Ebony's body in a dumpster. Defendant Stewart then took officers to the area and pointed out the dumpster where Ebony was disposed of.

Recovery of Evidence

Complainant knows that an investigation of the dumpster supports the fact that there was a fire in that dumpster. Investigation further revealed that the contents of that dumpster were taken to a garbage dump, where officers are continuing to look for the body.

On January 22, 2013 Detectives Kevin Klemstein and Patrick Pajot were sent to 6100 N. 84th Street in the City of Milwaukee. They went there because defendant Victor Stewart stated that

this is where the evidence was disposed of after the beating of Ebony Young. Detective Pajot and Klemstein found a cast iron link chain which appeared to consistent with the one used in this offense and possibly has blood residue. This appeared to be the chain Victor Stewart described Ron Allen choking Ebony Young with on January 1, 2013. Detectives Pajot and Klemstein also found burned clothing at that location.

DNA

Complainant states that on January 23, 2013, Aimee Thoms, DNA analyst at the Wisconsin State Crime Laboratory in Milwaukee reported that she received 6 swabs reportedly obtained from the basement at 5379 N. 52nd Street in Milwaukee, and a toothbrush from a bedroom at the home of Ebony Young, which her mother Annette Cross-Perry states was the toothbrush always used by Ebony Young, who resided with Annette Cross-Perry in the home, for testing. Analyst Thoms reported that each of the 6 swabs tested positive for the presence of blood. Thoms reported that human DNA was isolated and extracted from the blood from each of these swabs. Thoms reported that she performed DNA testing on these 6 swabs and developed a STR DNA profile using the polymerase chain reaction (PCR) technique on each of these items. Thoms reported that the same female DNA profile was present on each of the 6 swabs. Thoms also reported that she performed DNA testing on the toothbrush reported to be that of Ebony Young and isolated and extracted DNA and developed a STR DNA profile using the PCR technique. Thoms reported that she developed a female DNA profile on the toothbrush of Ebony Young. Thoms reported that she compared this female DNA profile from the toothbrush with the female DNA profiles developed from the swabs from the basement and determined that they matched. Thoms reported that based upon the results of the DNA testing in this case, she concluded that the STR DNA profile from the toothbrush and the female DNA profiles from the swabs from the basement all have a common source. Thoms stated that it is her opinion that these DNA profiles came from the same person. Your complainant states that this toothbrush was identified as the toothbrush used by the victim by her mother Annette Cross-Perry.

****End of Complaint****

Subscribed and sworn to before me and approved for filing this ____ day of January, 2013.

Mark S. Williams
Assistant District Attorney
1017937

Complaining Witness