

**FILED**  
**03-21-2019**  
**Clerk of Court**  
**Marinette County**  
**2019CF000049**  
**Honorable James A.**  
**Morrison**  
**Branch 2**

**STATE OF WISCONSIN                      CIRCUIT COURT                      MARINETTE COUNTY**

STATE OF WISCONSIN

Plaintiff,

DA Case No.: 2019MR000196  
Assigned DA/ADA: DeShea D. Morrow  
Agency Case No.: MRSO 76-2218

vs.

**CRIMINAL COMPLAINT  
ISSUED BY DISTRICT ATTORNEY**

RAYMAND L.  
VANNIEUWENHOVEN  
17043 Remus Woods Lane  
Lakewood, WI 54138  
DOB: 02/10/1937  
Sex/Race: M/W  
Alias: Also Known As Raymond L  
Vannieuwenhoven  
Defendant.

*For Official Use*

The undersigned, Marinette County Sheriff's Office, being first duly sworn, states that:

**Count 1: FIRST-DEGREE MURDER**

The above-named defendant on or about Friday, July 09, 1976, in the Town of Silver Cliff, Marinette County, Wisconsin, did cause the death of another human being with intent to kill that person, to wit: killing David Schuldes, contrary to sec. 940.01(1) Wis. Stats., a Felony, and upon conviction shall be sentenced to life imprisonment.

**Count 2: FIRST-DEGREE MURDER**

The above-named defendant on or about Friday, July 09, 1976, in the Town of Silver Cliff, Marinette County, Wisconsin, did cause the death of another human being with intent to kill that person, to wit: killing Ellen Matheys, contrary to sec. 940.01(1) Wis. Stats., a Felony, and upon conviction shall be sentenced to life imprisonment.

**Count 3: FIRST DEGREE SEXUAL ASSAULT**

The above-named defendant on or about Friday, July 09, 1976, in the Town of Silver Cliff, Marinette County, Wisconsin, did have sexual intercourse with Ellen Matheys, without that person's consent by use or threat of a dangerous weapon, contrary to sec. 940.225(1)(b), 940.225(1) Wis. Stats., a Felony, and upon conviction shall be fined not more than \$15,000 or imprisoned not more than 15 years or both.

**PROBABLE CAUSE:** Detective Todd Baldwin of the Marinette County Sheriff's Office states that his information is based upon reports of the Marinette County Sheriff's Office, reports from the Wisconsin State Crime Laboratory, and my training, experience, personal investigation, and statements made to me by fellow law enforcement officers. I have relied upon such reports and statements in the past and have found them to be both true and reliable. I have been a law enforcement officer for approximately 24 years. I have worked in criminal investigations for over 17 years.

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On July 9, 1976, at approximately 2:00pm, a double homicide occurred at McClintock Park, which is located in the Town of Silver Cliff, Marinette County, Wisconsin. The victims were identified as David J. Schuldes (W/M 03-02-51), and his fiancée Ellen A. Matheys (W/F 05-13-52). Both victims were shot with a .30 caliber firearm.

It was reported that David and Ellen left their separate residences sometime early on July 9, 1976, for a weekend camping trip to Marinette County. They were witnessed driving through Goodman Park by campers, and it was noted that Goodman Park was full of campers. They then drove south to McClintock Park and set up their camping items. At this time, there were no campers in McClintock Park. Sometime after they set their tent up, it appeared that they were planning to go on a nature walk. It appeared that Ellen used the outdoor bathroom facilities while David waited outside for her. Around that time, David was shot through the neck with a .30 caliber firearm. It appeared that David died immediately from the gunshot wound. The suspect then either ordered Ellen from the bathroom and to a wooded area about 100 yards away or chased her to that location. In the wooded area Ellen was sexually assaulted. When the suspect finished with the assault, it appeared as though he allowed her to put her shorts back on. She was putting her shirt back on when the suspect shot her twice in the chest with the .30 caliber rifle.

At around 2:30pm, Stanley Apanasiewicz, who was a county parks worker, drove into McClintock Park to check on the supply of firewood. He was checking on the wood pile when he noticed David lying near the bathrooms. He went to check on David and noticed the blood around his head. At that time, another vehicle was driven into the park, and Stanley asked the male driver to stay with the body while Apanasiewicz went to get the police. The individual who was left with the body was identified as Lance Timper who was an off-duty police officer with the Marinette Police Department. Timper was at McClintock Park with his girlfriend for an afternoon ride. A short while after that, Marinette County Sheriff's Office deputies arrived at the scene and began their investigation.

When officers and investigators arrived at the scene, they were able to clearly see that David was dead, and it was an apparent homicide. After looking through the camp site, they were also able to see that there was probably a woman who was missing as well. They did an immediate search of the area but were unable to find the woman before dark. Early the next morning, they expanded their search and ultimately located Ellen in the wooded area. They were able to see she was dead from a gunshot wound as well. Marinette County Sheriff's Office officials contacted the Wisconsin Department of Justice for assistance in the investigation. Special Agents Gary Hamblin and Louis Tomaselli were assigned to head up the investigation. Both agents did many interviews throughout the investigation but were ultimately unable to establish any major suspects.

Autopsies of David Schuldes and Ellen Matheys were done by Dr. Robert W Huntington, III, of the University of Wisconsin Hospital in Madison, Wisconsin. In Dr. Huntington's report, he states that David Schuldes was killed by a gunshot to the neck. Ellen Matheys was killed by gunshot to her chest; she was also shot in the abdomen. Dr. Huntington also stated that Matheys had been sexually assaulted and that there was semen present in her vaginal area.

The reports of the Marinette County Sheriff's Office indicate that Matheys' shorts also contained semen and were initially submitted to the Wisconsin State Crime Laboratory for

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analysis. Thereafter, they were returned to the Marinette County Sheriff's Office, and have been maintained in evidence since that time.

In the 1990s, Detective Craig Bates of the Marinette County Sheriff's Office was assigned to work on this case, and he spent several years investigating it. In the mid 1990s DNA profiling began to emerge, and Bates was able to send items to private labs to generate a DNA profile of a suspect. Detective Bates also sent items to the Wisconsin State Crime Lab for analysis. Among the items of evidence sent to develop a DNA profile were shorts from Matheys. The Wisconsin State Crime Laboratory was able to develop a DNA profile from semen recovered from these shorts, and the profile is from a single male source. This DNA profile was put into CODIS, the Combined DNA Index System, to be compared against other possible profiles. The suspect profile has been in the state and national CODIS system from then to the present time. The profile has never been matched to a suspect or to any other crimes. When possible suspects were identified, their DNA sample was obtained and submitted to the crime lab for comparison. There were no matches to the DNA profile obtained from the semen found in Matheys' shorts.

Detective Todd Baldwin of the Marinette County Sheriff's Office reports:

In 2001, Detective Baldwin was assigned to take over the McClintock Park homicide investigation from then Lt. Jerry Sauve. I have read through the case file and submitted multiple DNA samples of possible suspects in this case. Again all samples did not match the profile developed from Matheys' shorts.

On March 28, 2018, investigators with the Marinette County Sheriff's Office contacted Parabon Nanolabs based in Virginia and spoke with Thom Shaw. Shaw sent us information on how we should go about providing their company with the DNA profile of our suspect in the case. On April 3, 2018, I sent a sample of our DNA to the Wisconsin State Crime Laboratory for a sample description. Laboratory Analyst Rebecca Bohr, who has been assigned to this case, was able to provide Parabon with the description. On April 9, 2018, the results of Rebecca's work and transmittal were sent back to Parabon for their analysis. Parabon via e-mail confirmed that they received the evidence on April 10, 2018. On June 12, 2018, Parabon officials said that their analysis of the DNA profile from the shorts showed that the suspect's DNA had ancestry mainly from the northern European area. The suspect has fair to very fair skin color, blue eyes, reddish brown hair color, and some or few freckles. Investigators were also provided an image of what the suspect may have looked like at age 25 as well as an age-enhanced image of the suspect at age 65 to compensate for the number of years that have gone by since the crime.

On October 9, 2018, investigators were contacted again by Parabon and told that there was a genealogist that works for them who took a look at our case and thought she could possibly come up with a suspect. On December 21, 2018, investigators were contacted by Parabon and told that the work was complete, and investigators were provided a report with all of the work that the genealogist performed. The genealogist was able to narrow down a suspect pool to a specific family with ties to the Green Bay, Wisconsin, area. She identified the family of Gladys M. Brunette and Edward K. Vannieuwenhoven as possible suspects in the homicide. Gladys and Edward had 6 children, and the genealogist thought the suspect could be one of their four sons or four of their grandsons.

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The genealogist identified Gladys and Edward's four sons as Edward S. Vannieuwenhoven, Francis W. Vannieuwenhoven, Raymand L. Vannieuwenhoven, and Cornelius R. Vannieuwenhoven.

On January 2 and 3, 2019, I did surveillance on the home of Cornelius R. Vannieuwenhoven. On Monday, January 7, I met with Detective Kasten in an attempt to obtain Cornelius' garbage. We arrived at the Riverside Dr. address shortly after meeting. We did drive by the residence and did observe a covered garbage container sitting by the curb. We then turned around down the road and drove back to Cornelius' house. I stopped a short distance past the garbage, and Det. Kasten got out and retrieved one bag from the garbage container. Investigators returned to the Marinette County Sheriff's Office and went through the trash we collected. Inside the discarded trash we located 3 potential items to send to the crime lab for testing. A pair of socks, a bandage, and an Advair inhaler were packaged and submitted to the crime lab on January 7, 2019. On January 24, 2019, I was contacted by Rebecca Bohr from the Wisconsin State Crime Lab who stated that the testing was complete. She informed me that she was able to isolate male DNA on the inhaler and that it was not a match to the DNA profile developed from Matheys' shorts. She did also state that although the DNA was not a match, the YSTR DNA was a match to the DNA profile from the shorts, thus making the suspect a family member of Cornelius Vannieuwenhoven in the paternal line.

After eliminating Cornelius as a possible suspect, I went on to the next Vannieuwenhoven brother, Edward S. Vannieuwenhoven (w/m 04-06-28). Edward "Sylvester" is a neighbor to a retired Oconto County, Wisconsin, Sheriff's Detective Thom Shallow. After speaking with Thom, he informed me that when he is up at his cabin, Sylvester usually stops by him for a cup of coffee. I asked that if that were to happen that he retain the cup for me, and he agreed. On February 2, 2019, I was contacted by Thom, and he told me that Sylvester had stopped by his cabin and had coffee. He also stated that he collected the cup and was on his way home. I arranged for him to meet with Sgt. Sean VanErmen to transfer the cup over. On February 4, 2019, I overnight mailed the cup to the crime lab. On February 21, I was again contacted by Rebecca Bohr from the crime lab and informed that Sylvester's DNA was not a match to the suspect profile. Investigators were again informed that Sylvester's YSTR DNA did match our suspect's YSTR profile, making the suspect a male family member of Edward Sylvester Vannieuwenhoven.

I then began surveillance on the third brother, Raymand L. Vannieuwenhoven (w/m 02-10-37) of 17043 Remus Woods Lane in the Town of Lakewood, Oconto County, Wisconsin. I then requested the assistance of Oconto County Chief Deputy Darren Laskowski. I asked that he approach the residence of Raymand and ask if he would do a brief survey about policing in the various townships. When he completed the survey, I asked that Laskowski request that Raymand seal the survey in an envelope. On March 6, 2019, Laskowski and I went up to the Lakewood residence. Laskowski did approach the residence and was invited into Raymand's home. He agreed to do the survey and did ultimately seal the envelope with his saliva. On March 7, 2019, the saliva was sent to the Wisconsin State Crime Laboratory for analysis.

Rebecca Bohr was able to develop a DNA profile from the saliva. Rebecca Bohr compared the DNA profile of Raymand L. Vannieuwenhoven to the single source male DNA profile developed from the semen in Ellen Matheys' shorts, and she determined that Raymand L. Vannieuwenhoven is the source of the semen.

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A search warrant was executed on the home of Raymand L. Vannieuwenhoven on March 14, 2019. Deputies found a 30-30 lever action rifle in a cabinet in his garage. They also located four 30-30 shell casings in a tin can on a shelf above the washer and dryer.

Your complainant believes the report of the Wisconsin State Crime Laboratory to be both true and reliable since they are business records.

Subscribed and sworn to before me on	Electronically Signed By:
03/21/19	Detective Todd Baldwin
Electronically Signed By:	Complainant
DeShea D. Morrow	
District Attorney	
State Bar #: 1043175	