

**STATE OF WISCONSIN                      CIRCUIT COURT                      WINNEBAGO COUNTY**

STATE OF WISCONSIN

Plaintiff,

vs.

CHARLES M MARTIN  
809 HARNEY AV  
Oshkosh, WI 54901  
DOB: 01/18/2001  
Sex/Race: M/B  
Alias:

Defendant.

DA Case No.: 2018WN002176  
Assigned DA/ADA: Scott A. Ceman  
Agency Case No.: OP18-010452  
Court Case No.: 2018CF000258

**CRIMINAL COMPLAINT  
AMENDED**

*For Official Use*

**CRIMINAL CHARGE**

**Count 1: FIRST DEGREE INTENTIONAL HOMICIDE**

The above-named defendant on or about Friday, April 06, 2018, in the City of Oshkosh, Winnebago County, Wisconsin, did cause the death of NOAH A. WILLIAMS , with intent to kill that person, contrary to sec. 940.01(1)(a), 939.50(3)(a) Wis. Stats., a Class A Felony, and upon conviction shall be sentenced to imprisonment for life.

**Count 2: ATTEMPT FIRST DEGREE INTENTIONAL HOMICIDE**

The above-named defendant on or about Friday, April 06, 2018, in the City of Oshkosh, Winnebago County, Wisconsin, attempted to cause the death of TREI M APPLEBY , with intent to kill that person, contrary to sec. 940.01(1)(a), 939.50(3)(a), 939.32 Wis. Stats., a Class B Felony, and upon conviction may be sentenced to a term of imprisonment not to exceed sixty (60) years.

**Count 3: BURGLARY-DWELLING, BOAT OR MOTOR HOME**

The above-named defendant on or about Friday, April 06, 2018, in the City of Oshkosh, Winnebago County, Wisconsin, did intentionally enter a dwelling without the consent of the person in lawful possession of the place and with intent to steal in such place and where another person is lawfully present in the dwelling at the time of the violation, contrary to sec. 943.10(2)(e), 939.50(3)(e) Wis. Stats., a Class E Felony, and upon conviction may be fined not more than Fifty Thousand Dollars (\$50,000), or imprisoned not more than fifteen (15) years, or both.

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

The undersigned, being first duly sworn on oath and in that capacity has knowledge of the following:

Your affiant is informed from the reports of the Oshkosh Police Department kept in the normal and ordinary course of business in which your affiant believes to be truthful and reliable and have

proven so on numerous occasions in the past that on or about April 6th, 2018, at approximately 1:31 a.m., Officer Benjamin Fenhouse was dispatched to a disturbance to 581 Mt. Vernon St., city of Oshkosh, Winnebago County, WI. The reporting party stated that she could hear very loud screaming, yelling and crying coming from the upper unit apartment . As officer Fenhouse approached the scene, he was directed to a report of a male pounding on the door across the street at 578 Mt. Vernon claiming that he had been stabbed.

Officer Fenhouse arrived at 581 Mt. Vernon Street and observed Trei M. Appleby sitting on the porch of the residence across the street and completely saturated with blood. Trei said that "Charles" had done this to him. Officer Fenhouse gathered towels and began applying pressure to the wounds that Trei had sustained. Trei stated that Charles had stolen something from one of his roommates and Trei had been telling people not to trust Charles. Trei then informed officer Fenhouse that his roommate at 581 Mt. Vernon Street had been stabbed and that he was gurgling. Officer Fenhouse then requested a second ambulance and directed officers to check for another victim at 581 Mt. Vernon Street.

Officer Fenhouse rode in the ambulance with Trei to Theda Clark Medical Center. While at Theda Clark Medical Center, doctors informed Officer Fenhouse that Trei suffered a total of 12 stab wounds, including one to the right side of his neck in his carotid artery. Doctors also reported that Trei had a collapsed lung, a lacerated spleen and numerous stab wounds to the head and upper torso.

Before Trei was taken into the operating room, he told Officer Fenhouse that he found Charles stabbing Noah so he stabbed Charles in the back. After that, Charles turned and started stabbing Trei. Trei said that Charles had stolen from one of their roommates recently so Trei had been telling people not trust Charles.

Officer Christopher Romanowicz responded to the upper apartment at 581 Mt. Vernon Street to check on the welfare of the possible second victim. Officer Romanowicz entered a bedroom on the second floor and observed another victim laying on a bed. Officer Romanowicz noted that there was blood everywhere in the room and the victim was completely covered in blood as well. The second victim was identified as Noah A. Williams, DOB 1/12/2000.

Noah was laying on the bed and had multiple stab wounds to his neck, along his torso and to his right arm and hand. Officer Romanowicz was able to detect a faint pulse before paramedics arrived and performed life saving measures. However, those measures were not effective and Noah Williams was pronounced deceased at the scene.

Officer Cody Koch obtained a statement from the initial reporting party, Valarie J. Kempen. Valarie stated she lives in the lower apartment at 581 Mt. Vernon Street and at approximately 1:25 AM she began to hear yelling in the unit above. Valerie described the yelling as between two males. One sounded mad while the other sounded scared. During the yelling, there was banging and screaming and it sounded like something fell to the floor. Valerie said that she heard a male then scream 'Ow' and 'Help'. Valerie said that the banging then stopped, but the yelling and arguing continued and that lasted for roughly a minute before the banging started again. Valerie said that she then heard more yelling and screaming for help. Valerie said that someone then ran down the front stairs and continued screaming outside.

Officer Ian Seaholm reports that through investigation, officers were able to identify 'Charles' as **CHARLES M. MARTIN, DOB 1/18/2001**. Officer Seaholm responded to Charles Martin's residence on Harney Avenue in the city of Oshkosh where Charles Martin was located inside a bedroom. Charles' hands were saturated with dried blood. Charles stated that he was not injured, however, officer Seaholm observed an open laceration in the middle of his back. At that time, Charles Martin was taken into custody and transported to Aurora Medical Center.

Detective April Hinke obtained a statement from Charles Martin while at Aurora Medical Center. Charles initially told Det. Hinke that he had gone to Noah and Trei's apartment to buy weed. Charles admitted that Noah accused him of stealing from them in the past so he was anxious to go back over to Noah's house to buy weed. Charles said that he got into an argument with Noah over the price. Charles claimed that Noah then pretended to go get the weed, but instead returned with a shotgun from his closet. Charles said that he freaked out and that's when he stabbed Noah Williams. Charles claimed that he then tried to leave the house when he was stabbed in the back. Charles said and that's why he

stabbed Noah more times. Charles said he did not know if the shotgun was loaded and he could not provide a description of the shotgun.

Charles then changed his story and said that when he started to leave the house, Trei came out with a big knife. Charles stated that Trei stabbed him with the knife after Charles had badly stabbed Noah. Charles said that Noah was bleeding a lot and was on the bed. Charles described that Trei was holding Noah and Noah was asking for him to call an ambulance. Charles then stated that Trei ran next door to tell the neighbors to call an ambulance and that's when he left the area and headed home.

Charles again changed his story after Det. Hinke confronted him with the injuries inflicted on Trei. Charles responded by saying that he stabbed Trei because Trei had picked up the shotgun and told him that he was going to shoot him with it. Charles said that Trei hit him with the shotgun and then he fell to the ground where Trei started choking him. Charles said it was then that he stabbed Trei too. Charles said Trei then ran across the street to the neighbor's house and he followed him. Charles said that it was his intent to speak to the neighbors as well, but once he heard that they were calling for help, he decided to go home. Charles said that instead of leaving immediately, however, he ran back inside Noah's apartment to collect his clothes because some of them had been pulled off while he was struggling with Noah and Trei.

Charles later admitted to Det. Hinke that no one pulled a shotgun on him. Charles acknowledged that he made up the story about a shotgun to create a self-defense excuse. Charles now alleged that he stabbed Noah after Noah grabbed him and they started to wrestle. Charles said that he went to Noah's apartment with the intent to rob him. At one point, Charles admitted to sneaking into the house and when he tried to grab the bag of marijuana and run from the house, Noah grabbed him and grabbed a knife. Charles Martin stated that they started wrestling and he took the knife from Noah and stabbed him. Charles said that after he stabbed Noah, he just sat there for a second and then Trei came in and stabbed him in the back. Charles said that he then stabbed Trei. Charles admitted that he used his cellular phone to communicate with E.C.M., DOB 7/14/2002 about planning the robbery against Noah. Charles admitted that he had been planning on committing this robbery for over a week.

Officer Craig Johannes reports that after Martin was released from the hospital, he agreed to take officers to the area where he believed that he had thrown the knife used during the stabbing. Martin led officer Johannes to the parking lot between the 500 block of N. Main Street and the 500 block of Division Street. Martin directed officer Johannes to a small section of landscaping and told him to look in the wood chips. There, Officer Johannes located a black handled knife laying in the wood chips.

Detective Chee Vang assisted officers in examining the evidence recovered from a search warrant executed on Charles Martin's residence. Det. Vang conducted a search of Charles Martin's cellular phone and located a conversation Charles Martin had with E.C.M., DOB 7/14/2002, over the Facebook Messenger App during the hours leading up to 1:30 am on April 6th, 2018. During the conversation, Charles Martin told E.C.M. that he planned on "hitting a lick" that night. Your affiant knows the term "hitting a lick" to mean robbing a drug dealer. Charles Martin identified the "lick" as "Noah." At 1:03 am the morning of April 6, 2018, Charles Martin asked E.C.M. to message him (Noah) to see if he was awake. At 2:38 am, Charles Martin messaged E.C.M., "im probably going on the run." Detective Vang then made contact with E.C.M., who was emotional, crying and stated that he was very upset about what had happened. E.C.M. said that approximately 2 weeks ago, Charles Martin, who E.C.M. identified as a good friend, went with him to Noah Williams' house on Mt Vernon Street to hang out. While there, Noah told him that Charles robbed his roommate for his weed and told him to go home. E.C.M. said that Noah told Charlie that he needed to stay because they needed to talk. E.C.M. said that he walked home and eventually went to bed.

E.C.M. said the next day that Charles was mad over being accused of stealing from them. Charles said that Noah told him they were going to have their friend beat him up because of this robbery. Charles at this point said he didn't rob them but will rob them now because of the threat they made to him. E.C.M. said that on Thursday, April 5th, 2018, he hung out with Charles Martin and smoked weed. E.C.M. said that Charles talked about robbing Noah of his weed and Charles was upset and angry while he was talking about robbing Noah. Charles stated, "I'm going to catch a body and stab them!" E.C.M. explained that "catching a body" meant killing someone. E.C.M. said Charles Martin

asked him if he had a knife he could borrow. E.C.M. said that while he did have a knife in his closet, he told Charles that he did not have one.

E.C.M. stated that Charles then called a friend from Green Bay who was currently in Oshkosh. E.C.M. overheard Charles telling his friend about robbing Noah and that he was going to do it that night. E.C.M. said that he tried talking Charles out of and reminded him of his curfew. E.C.M. confirmed that Charles later contacted him through Facebook Messenger and ask me how late he was going to be up because he was going to come over to his house after he robbed Noah. E.C.M. said that Charles asked him to reach out to Noah to see if he had any weed on him. E.C.M. admitted that he sent Noah a snapchat message to see if I could buy a quad of weed from him. E.C.M. said that Noah responded that he could and confirmed that he restocked on weed. E.C.M. said that he then told Charles that Noah had just restocked on weed. E.C.M. said that Charles told him to ask Noah what time he was going to bed, so he did. E.C.M. said Noah responded 1 am. E.C.M. said that he didn't want Charles to do it, so he lied to Charles that Noah was ignoring his messages.

E.C.M. said that at 12:31 am on 4/6/2018, Charles messaged him stating he was on his way to rob Noah. At 1:03 am Charles messaged him again telling him to message Noah to see if he was awake. E.C.M. said that he just ignored Charles and went to bed. E.C.M. said that when he woke up at around 7:45 am, he saw that Charles messaged him at 2:30am stating he was "going on the run." E.C.M. said that he then saw a news article reporting an Oshkosh stabbing with one dead and one severely wounded in the 500 block of Mt. Vernon Street. E.C.M. said he immediately felt like shit because he felt like he set Noah up. E.C.M. said that he then put 2 and 2 together and went to his closet and notice that his black handled knife was missing. E.C.M. was shown a photograph of the black handled knife that was recovered by officer Craig Johannes from the parking lot laying in the wood chips. E.C.M. identified the knife as the one missing from his closet.

On April 8th, 2018, Det. Hinke was able to obtain a statement from Trei Appleby at Theda Clark Medical Center. Trei said that he was sleeping in his bedroom when he was awakened by his roommate, Noah, yelling for somebody to get out of his room. Trei said he got out of bed and went to Noah's doorway. Trei said he observed Charles almost completely on top of Noah, who laying was on

his back on the bed. Trei said that Noah sort of pushed Charles off him and that's when Trei saw a lot of blood on Noah and on Charles. Trei said that Noah was gurgling and said, "it's too late, go get the police." Trei said that Charles told him that he couldn't let him do that, meaning call the police. Trei then called out to Noah that he was going to get the police.

Trei said that he was standing back in the doorway of Noah's room when Charles approached him and said that because he had seen what happened, he couldn't let him leave there alive. Trei said he pretended initially that he was going to leave as Charles came toward him, but then Trei grabbed a knife that was on Noah's dresser and stabbed Charles in the upper back. Trei said that Charles started wildly swinging a knife and stabbed him in the abdomen. Trei then tackled Charles into a dresser that had Noah's computer tower on it. Trei recalled being stabbed by Charles 2-3 times on the top of his head with a knife. Trei said that Charles then stabbed him in the neck. Trei said that this caused him to immediately produce large amounts of blood and he thought he was going to die. Trei said that Charles was calling him a 'dumbass' and asked why he had to do that. Charles then told him that he would have let him live if he would have just gone back to bed.

Trei said that he was bleeding badly so he went downstairs and across the street to the neighbors' house where he began pounding on their door. Trei said that Charles had followed him across the street and was attempting to tell the neighbor that he lived across the street and that Trei had broken in. Trei said that Charles left after the neighbor called the police.

On Monday, 04/09/2018, Det. Dean Artus attended the autopsy of Noah Williams at the Milwaukee County Medical Examiner's Office. Dr. P. Douglas Kelley performed the autopsy. Noah's body was still wrapped in the bed sheet that he was laying on when removed from the bed by paramedics to perform life saving measures. Underneath Noah's body was an orange colored winter hat that had been altered by having two eye holes cut in to it.

The results of the autopsy indicate that Noah Williams died from multiple stab wounds to the chest and neck area. Williams was found to have numerous abrasions to his neck area as well as three stab wounds including two deep penetrating wounds, one wound was to the external notch area that lacerated the left subclavian vein and struck the T1 vertebrae, the second deep penetrating wound to

the neck was on the right side that went in and upward on the body and lacerated the right internal jugular vein. There were eight stab wounds to the torso and shoulder area of Williams' body, two of which were identified as lethal wounds. Those wounds were to the left chest area, one lacerated the right ventricle of his heart and the other penetrated his left ventricle of his heart. Williams also sustained several wounds that would be classified as defense wounds, specifically a stab to the left palm that entered inward and downward, a stab wound to his left elbow that went upward, and abrasions to his left arm and hand. To his right hand he had a stab wound to the top of his hand and a stab wound to his right elbow area, all considered to be defense wounds. The two stab wounds to the left chest that penetrated his heart and the two wounds to his neck were the fatal wounds that he sustained throughout this incident.

Your affiant believes the statements of Trei Appleby, ECM, DOB 07/14/2002, and Valarie Kempen to be truthful and reliable in that they are based upon their own personal knowledge, observations, and beliefs.

It is believed the statements of Charles Martin are made contrary to his penal interest.

All of the above incidents occurred in Winnebago County, Wisconsin.

**WHEREFORE**, as said affiant verily believes and prays that the said **CHARLES M MARTIN** might be arrested and dealt with according to law.

Subscribed and sworn to before me on 04/10/18  
Electronically Signed By:  
Amanda L Folger  
Assistant District Attorney  
State Bar #: 1073186

Electronically Signed By:  
Steven Verwiel  
Complainant