

**FILED**  
**08-10-2021**  
**Clerk of Circuit Court**  
**Winnebago County, WI**  
**2021CF000446**  
**Honorable John A.**  
**Jorgensen**  
**Branch 5**

**STATE OF WISCONSIN                      CIRCUIT COURT                      WINNEBAGO COUNTY**

STATE OF WISCONSIN

Plaintiff,

DA Case No.: 2021WN004028  
Assigned DA/ADA: Eric D. Sparr  
Agency Case No.: OP21-025221  
Court Case No.:

vs.

**CRIMINAL COMPLAINT**

MELISSA A SMITH  
737 FREDERICK ST  
OSHKOSH, WI 54901  
DOB: 11/01/1982  
Sex/Race: F/W  
Eye Color: Brown  
Hair Color: Brown  
Height: 5 ft 4 in  
Weight: 180 lbs  
Alias: Also Known As MELISSA ANN  
SMITH  
Maiden Name MELISSA A CASALDI  
Defendant.

*For Official Use*

**CRIMINAL CHARGE**

**Count 1: CONSPIRACY TO COMMIT FIRST DEGREE INTENTIONAL HOMICIDE**

The above-named defendant on or about Tuesday, August 3, 2021, in the City of Oshkosh, Winnebago County, Wisconsin, conspired to cause the death of V1, with intent to kill that person, contrary to sec. 940.01(1)(a), 939.50(3)(a), 939.31 Wis. Stats., a Class B Felony, and upon conviction may be sentenced to a term of imprisonment not to exceed sixty (60) years.

**Count 2: FELONY BAIL JUMPING**

The above-named defendant on or about Tuesday, August 3, 2021, in the City of Oshkosh, Winnebago County, Wisconsin, having been charged with a felony and having been released from custody under Chapter 969 Wis. Stats., did intentionally fail to comply with the terms of her bond, contrary to sec. 946.49(1)(b), 939.50(3)(h) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) 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 during July 2021, investigators from the City of Oshkosh Police Department Vice and Narcotics Unit, and investigators of the Lake Winnebago Area MEG Unit began investigating a case involving **MELISSA A. SMITH, D.O.B. 11/1/82**, attempting to pay

someone to kill another individual, referenced in this complaint as "V1." After hearing from an informant that Smith was trying to find someone to kill V1, investigators utilized an informant to attempt to put Smith in contact with an undercover investigator. The informant later reported that Smith was unwilling to talk to someone she did not know. Smith later told the informant that there was a specific individual, referenced in this complaint as "CI," that she wanted to be the one to do the hit.

CI initially had a number of conversations with Smith that were not recorded, and CI later relayed these conversations to investigators. CI stated that Smith told CI she wanted V1 dead because V1 had told police she was selling drugs, had urinated on her bed, and had stolen her handgun. CI reported that Smith was attempting to acquire a handgun and had offered CI \$500 to kill V1.

On 8/2/21, CI contacted Inv. R. Johnson and indicated that Smith wanted the hit to happen the following day. Early in the day on 8/3/21, CI, wearing a body wire, went to Smith's residence, 737 Frederick Street, Oshkosh, Winnebago County, Wisconsin. Det. J. Turner observed CI approach the residence at approximately 2:15 PM. Investigators were able to hear the conversation that played out, which involved CI, Smith, another female, and at times, a male believed to be Smith's boyfriend, Jason T. Owens, D.O.B. 3/24/85.

On the recording, CI discussed with Smith possible payment of \$500, or Smith relieving a \$520 debt owed by CI from a vehicle transaction. The plan was for CI to execute the murder, and CI told Smith that CI would need duct tape and plastic or tarp, for purposes of moving the body. CI and Smith had prior discussions about obtaining a gun for the murder, but during the recorded conversation, CI suggested that would not be necessary, and that V1 was smaller, so CI could break V1's neck. Smith mentioned her plan to move out of the area, and indicated she was going to take money from V1's residence. CI had previously relayed to investigators that Smith believed V1 had drug money stashed at V1's residence, which was located in Oshkosh, Winnebago County, Wisconsin. Smith talked about having to sell her property before leaving, including her vehicle.

CI asked Smith at different times on the recording whether she was "sure about this" and whether she was sure she wanted this done. Smith answered one of those inquiries by noting that she wanted the money and had to "get fucking passports." Smith mentioned she would be taking her daughter out of the country. CI asked whether Smith knew where the safe was at V1's residence, and

Smith said she did not believe the money was in a safe. Smith questioned what they would do with the body, and indicated they would have to “plastic” Smith’s vehicle, noting that it had a leather interior. Smith clarified the plan that she would purchase plastic, and CI noted that CI did not want to be seen buying tape or plastic. Smith indicated at that time that she already had duct tape.

Smith talked about her destination, believed to be the Dominican Republic, noting that she had her “coke” over there, and had access to property over there. CI, Smith, and the other female discussed how to get into V1’s residence. Smith stated that she knew where to look for the money. CI indicated that CI did not realize Smith was going inside, suggesting that CI had just planned to “run in, do that, drag him out.” CI then said, “You can help me carry that shit,” and “Dead weight is a bitch.” The other female mentioned that the cameras at V1’s residence did not function. Shortly after that, the same female voice stated “I’m not looking at no dead person.” Smith then indicated, “Once you got him done, I’ll go in.” CI referred to Smith as “Bronx,” which investigators were aware was Smith’s nickname, multiple times during the conversation.

In a conversation later the same day, CI and Smith discussed whether CI would also receive some of the money from the stash at V1’s residence. CI and Smith had numerous additional phone contacts over the course of the day.

Sometime after 7:30 PM, investigators observed Smith’s vehicle and CI’s vehicle park at Family Dollar, 2017 Jackson Street, Oshkosh, Winnebago County, Wisconsin. Smith went into the store for about five to ten minutes, and then exited with two plastic bags. Investigators observed Smith approach CI’s vehicle and hand CI one of the bags. Smith then went to her vehicle, and both vehicles left the parking lot. CI indicated to investigators by phone that the bag contained duct tape and plastic drop clothes. Officers then stopped Smith’s vehicle in a high risk traffic stop, as CI had seen what was either a Glock or a facsimile Glock at Smith’s residence. Smith was the driver of the vehicle, and Owens was a passenger, along with two other individuals.

Inv. Johnson and Inv. Knurowski interviewed Smith, who stated that she had just stopped at Family Dollar for a Pepsi and candy. At the time of the interview, Smith had not been informed that CI had been acting as a police informant. Inv. Johnson retrieved a Family Dollar bag from CI that contained five plastic drop clothes and a roll of duct tape. The receipt showed the purchase was from

8/3/21 at 7:47 PM. Smith told Inv. Knurowski that she had not done anything wrong, and that CI had approached her “out of the blue” on 8/3/21 with a big plan. Inv. Knurowski asked Smith to explain what the plan was. Smith said that CI had reported meeting a guy in V1’s building that was selling heroin. Smith said that CI had found a way in, to get to V1, that had no cameras. Smith said CI did not talk about killing anyone specifically. Smith said CI had planned to use “Debbie’s” friend’s car, but Smith did not say what the car would be used for. When talking about Family Dollar, Smith said that she had gotten CI some stuff CI said CI needed, including tape and some plastic from the paint section. Each time Smith would mention that CI had a plan, she would avoid the details by saying, “Whatever, whatever,” or “Dadada.”

Smith stated she had only seen V1 once since the warrant was executed at her house. Investigators were aware the warrant execution was 5/7/21. Smith said she believed V1 had urinated on her bed and had stolen her gun. Smith stated that she asked V1 why V1 had done it, and V1 denied it. Smith denied offering CI money to kill anyone.

Investigators searched Smith’s residence. They determined that the possible gun that had been seen by CI was a Glock airsoft gun. Investigators located a \$500 check written out to a friend of CI, drawn on Smith’s account, dated 7/24/21.

Inv. Johnson viewed text messages, provided by CI, showing a conversation between CI and Smith. During one exchange, Smith wrote that she wanted to go after a person that had shot her car in Neenah a few weeks prior. Smith texted that she was going to do it, but wanted CI to be present.

CCAP records, which are kept in the ordinary course of business and have proven to be reliable in the past, indicate that Smith had an open felony case with active bond conditions as of 8/3/21. The case was Winnebago County 21 CF 270, which would have a condition that Smith commit no crimes.

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

**WHEREFORE**, as said affiant verily believes and prays that the said **MELISSA A SMITH** might be arrested and dealt with according to law.

Subscribed and sworn to before me on 08/10/21

Electronically Signed By:

Eric D. Sparr

Deputy District Attorney

State Bar #: 1052703

Electronically Signed By:

Jim Goggins

Complainant