

**STATE OF WISCONSIN      CIRCUIT COURT      WASHINGTON COUNTY**

STATE OF WISCONSIN  
Plaintiff,

DA Case No.: 2024WA000389  
Assigned DA/ADA: Daniel J Gabler  
Agency Case No.: 24-005489

vs.

Court Case No.:

Donald Philip Heisler  
██████████  
Campbellsport, WI 53010  
DOB: 05/19/1973  
Sex/Race: M/W

Court Case No.:

Jason J Heisler  
██████████  
Franklin, WI 53132  
DOB: 04/26/1975  
Sex/Race: M/W

Defendants,

**CRIMINAL COMPLAINT**

**FELONY VIOLENT CRIME ARREST**

**DNA:**  TAKEN    REFUSED    ON FILE

*For Official Use*

The undersigned, being first duly sworn, states that:

**Count 1: ARMED ROBBERY - PTAC, AS A PARTY TO A CRIME** (As to defendant Donald Philip Heisler)

The above-named defendant on Saturday, February 10, 2024, in the City of West Bend, Washington County, Wisconsin, as a party to a crime, with intent to steal, did take property from the person or presence of the owner, VICTIM - DRH, by use or threatening use of a dangerous weapon, contrary to sec. 943.32(2), 939.50(3)(c), 939.05 Wis. Stats., a Class C Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

**Count 2: ARMED ROBBERY - PTAC, AS A PARTY TO A CRIME** (As to defendant Donald Philip Heisler)

The above-named defendant on Saturday, February 10, 2024, in the City of West Bend, Washington County, Wisconsin, as a party to a crime, with intent to steal, did take property from the person or presence of the owner, VICTIM - JJD, by use or threatening use of a dangerous weapon, contrary to sec. 943.32(2), 939.50(3)(c), 939.05 Wis. Stats., a Class C Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

**Count 3: ARMED ROBBERY - PTAC, AS A PARTY TO A CRIME** (As to defendant Donald Philip Heisler)

The above-named defendant on Saturday, February 10, 2024, in the City of West Bend, Washington County, Wisconsin, as a party to a crime, with intent to steal, did take property from the person or presence of the owner, VICTIM - WNG, by use or threatening use of a dangerous weapon, contrary to sec. 943.32(2), 939.50(3)(c), 939.05 Wis. Stats., a Class C Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

**Count 4: POSSESSION OF A FIREARM BY A FELON - PTAC, AS A PARTY TO A CRIME**

(As to defendant Donald Philip Heisler)

The above-named defendant on Saturday, February 10, 2024, in the City of West Bend, Washington County, Wisconsin, as a party to a crime, did possess a firearm, having been convicted of a felony in this state, contrary to sec. 941.29(1m)(a), 939.50(3)(g), 939.05 Wis. Stats., a Class G Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

**Count 5: ARMED ROBBERY - PTAC, AS A PARTY TO A CRIME** (As to defendant Jason J Heisler)

The above-named defendant on Saturday, February 10, 2024, in the City of West Bend, Washington County, Wisconsin, as a party to a crime, with intent to steal, did take property from the person or presence of the owner, Victim - JJD, by use or threatening use of a dangerous weapon, contrary to sec. 943.32(2), 939.50(3)(c), 939.05 Wis. Stats., a Class C Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

**Count 6: ARMED ROBBERY - PTAC, AS A PARTY TO A CRIME** (As to defendant Jason J Heisler)

The above-named defendant on Saturday, February 10, 2024, in the City of West Bend, Washington County, Wisconsin, as a party to a crime, with intent to steal, did take property from the person or presence of the owner, Victim DRH, by use or threatening use of a dangerous weapon, contrary to sec. 943.32(2), 939.50(3)(c), 939.05 Wis. Stats., a Class C Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

**Count 7: ARMED ROBBERY - PTAC, AS A PARTY TO A CRIME** (As to defendant Jason J Heisler)

The above-named defendant on Saturday, February 10, 2024, in the City of West Bend, Washington County, Wisconsin, as a party to a crime, with intent to steal, did take property from the person or presence of the owner, Victim WNG, by use or threatening use of a dangerous weapon, contrary to sec. 943.32(2), 939.50(3)(c), 939.05 Wis. Stats., a Class C Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

**Count 8: POSSESSION OF A FIREARM BY A FELON - PTAC, AS A PARTY TO A CRIME**

(As to defendant Jason J Heisler)

The above-named defendant on Saturday, February 10, 2024, in the City of West Bend, Washington County, Wisconsin, as a party to a crime, did possess a firearm, having been convicted of a felony in this state, contrary to sec. 941.29(1m)(a), 939.50(3)(g), 939.05 Wis. Stats., a Class G Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

**PROBABLE CAUSE:**

Complainant prays that said defendant be dealt with according to law. The basis for the complainant's charge of such offense is he/she is a law enforcement officer with the *City of West Bend Department* and bases this complaint upon information and belief, and the official

police reports prepared by City of West Bend Police Detective Brock Bateman. Said official reports were prepared in the ordinary course of police business and reflect as follows:

**ARMED ROBBERY**

Detective Brock Bateman reports that he investigated the report of an armed robbery of the Mavis Tires & Brakes located on S. Main St., West Bend, Washington County, Wisconsin which occurred on February 10, 2024 at approximately 4:55 PM. After speaking with the three victims of the armed robbery, all adult male employees of Mavis Tire, together with additional police investigation, the gunman in the armed robbery was determined to be Defendant Donald Heisler herein.

Victims / employees D.R.H. – born 1984; J.J.D.- born 1991 and/or W.N.G. born 1979, report as follows: that a white, male subject with a black handgun wearing dark gloves pointed the gun at D.R.H. and demanded from all three their wallets and/or money. Defendant Donald Heisler in fact took from all 3 victims, at gun point, money and/or wallets, at gun point, all without their consent. WNG reports his black men’s bifold wallet containing \$487.00 in US currency was taken; DRH reports his black men’s trifold wallet with a skull image containing \$50.00 in US currency was taken; and JJD reports his black and tan men’s wallet containing \$590 in US currency was taken.

**ID of Defendant Donald Heisler**

Victim W.N.G. further relayed to West Bend police that the white male subject with the gun wore a black scarf around his face and at one point during the armed robbery, the scarf shifted which revealed the suspect’s face. W.N.G. stated he recognized this male as a customer from approximately two weeks ago when the customer, ie . Donald P. Heisler, was at Mavis Tire getting a tire fixed on a black Lincoln MKZ. WNG stated that Donald Heisler shared with WNG that he (Donald Heisler) was on parole for robbing a bank, had spent 27 years in prison, had been out of prison for about six months, and lived in Campbellsport, Wisconsin. Affiant herein knows that Heisler is currently on Federal supervision for Bank Robbery, having been released from a federal penitentiary in March 2023. Complainant further knows that Victim WNG was shown a 6-pack photo array by West Bend Police Detective John Otte which included a booking photo of Defendant Donald Heisler. It is reported that Victim WNG positively identified Defendant Donald Heisler as the gunman in the armed robbery on February 10, 2024.

As a result of canvassing the area, West Bend police spoke to a resident (“Witness-Home Owner”) of a home in the [REDACTED] venue, West Bend, WI. Affiant knows that Witness-Home Owners’ residence is West (i.e. behind) the Mavis Tires & Brakes business located on S. Main Street. Door ring camera video from Witness-Home Owners’ residence shows on February 10, 2024 at 4:11 P.M., a black four-door sedan traveled south on S. 5<sup>th</sup> Avenue and parked on the street. The black sedan had chrome accents around the driver side front and rear window as well as chrome door handles on the driver side. The front headlights of the vehicle get gradually thinner to a distinct point at the end of the headlight (closest to the front driver side tire). The rear tail-light of the vehicle extends the width of the car closer to the top of the trunk. Additionally, there is some type of bumper sticker visible on the driver side of the rear bumper. The Door Bell Ring footage shows that at 4:18 P.M., a subject exits the driver side of the vehicle, wearing a dark colored head-covering, a dark colored long sleeve top, dark pants, and dark shoes. The subject has a tall, skinny build. The subject is observed on the recording to walk south on S. 5<sup>th</sup> Avenue out of camera range.

The Door Bell Ring camera footage then shows, 5:00 P.M., the same subject who previously exited the vehicle, run westbound (i.e. away from Mavis Tire & Brakes) through the yard just south of Witness' residence, enter the parked sedan car and drive off at 5:01 P.M. The video now shows the subject to be wearing a blue flannel top, black pants, and black shoes.

West Bend police subsequently obtain FLOCK cameras surveillance alert that reveals a black 2016 Lincoln MKZ, bearing Wisconsin Registration AUM-7542, traveled southbound on Hwy V at Auburn Ashford Road, in Fond Du Lac County, State of Wisconsin on February 10, 2024 at 2:33 P.M. The front of the vehicle could be seen and the headlights get gradually thinner to a distinct point at the end of the headlight (closest to the front driver side tire). This same vehicle was then recorded on FLOCK surveillance to be traveling eastbound on W. Paradise drive at US Hwy 45 at 2:46 P.M. on February 10, 2024. This black sedan matches the vehicle observed in the Ring camera footage from Witness-Home Owner's home.

Wisconsin Department of Transportation Records identified the registered owner of the black Lincoln MKZ bearing Wisconsin Registration [REDACTED] as Donald P. Heisler (D.O.B. 05/19/73) and Christine E. Sagmo (D.O.B. 01/22/69) of [REDACTED] in West Bend, WI. A search of a law enforcement database showed Donald P. Heisler is currently residing at [REDACTED] in the Village of Campbellsport, Fond Du Lac County, Wisconsin.

### **SEARCH WARRANT OF CAMPBELLSPORT RESIDENCE**

In the early morning hours of February 11, 2024, West Bend police executed a lawful search warrant of the [REDACTED] in the Village of Campbellsport, WI. Inside of the residence police recovered dark shoes, dark pants and a sweatshirt. West Bend Police also report the recovery of a black and blue flannel jacket from roadway on Hwy V, in the County Fond du Lac, WI, which is the road that leads from Hwy 45 to Campbellsport. This flannel jacket was constant in appearance of as described by the armed robbery victims.

### **ARREST of Defendant Donald Heisler and Recovery of Evidence**

Prior to the execution of the search warrant, at approximately 11:45PM, Donald P. Heisler was observed to be driving the black Lincoln MKZ bearing Wisconsin Registration AUM-7542 in the alley way directly behind 146 W. Main Street, Campbellsport, WI location. Donald Heisler was subject to a traffic stop and placed under arrest without incident. Recovered from inside of the car was a dark mask and black gloves. Also recovered from Donald's person was folded paper money in Left pants pocket in the amount of \$469.50 in various denominations and a wallet containing more paper money / cash, miscellaneous cards and his driver's license.

On 02/14/24, West Bend Detective Otte, Detective Knepprath, Detective Bruss and Detective Bateman, based upon Defendant Donald Heisler geo-tracking from his smart phone, searched in excess of 7 miles of ditch line of the roadway traveled by Donald after he committed the armed robbery. On County HWY V., west of HWY 45, a drivers license belonging to one of the armed robbery victim WNG. On 02/14/24, Det. Bateman received a voicemail from Victim DRH advising him that a good Samaritan located his (Victim DRH's) wallet on Fond Du Lac Av. in Kewaskum, WI. The wallet, minus the money contents, was returned to Victim DRH.

### **SEARCH WARRANT of Defendant Jason Heisler's Residence – Franklin, WI**

On 02/13/24, at approximately 6:00AM, the Southwest Metro Swat team executed a search warrant at [REDACTED] City of Franklin, County of Milwaukee, Wisconsin. Multiple

subjects were detained by Franklin Police Department, including Defendant Jason J. Heisler and Frank M. Montey. Located in a master bedroom closet was a Smith & Wesson M&P AR-15 style rifle with an inserted magazine containing 24 rounds of ammunition. By the admissions of Jason and Frank Montey, this gun belonged to Jason Heisler. Located in the backyard of this residence was an old, demolition vehicle. Inside of this parked vehicle police located a black semi-automatic handgun. This firearm was what is commonly known as a "Ghost gun" for it did not have a serial number. There was no round in the chamber but there was a magazine loaded with nine rounds inserted into the firearm.

On 02/13/24, Detective Bateman, spoke with Jason J. Heisler at the Franklin Police Department and gave police a *Mirandized* statement. Before Det. Bateman asked Jason Heisler any questions he (Jason) said, "I have an idea who this is pertaining to and there's no way in-fuck I'm going to lie for him," referring to his brother and Co-Defendant Donald Heisler. Jason stated he knew Donald lived in Campbellsport. Jason indicated multiple times he and Donald did not have a good relationship.

Jason stated on 02/04/24, Donald came to his house and said someone owed him some money for Suboxone strips. Jason stated Donald said he wanted to collect his money. Jason stated Donald said someone had threatened him; therefore, he wanted the gun for protection. Jason confirmed the firearm he provided Donald was the one he hid inside of the demolition vehicle parked in the backyard. Jason confirmed the firearm was a "ghost" gun. Jason stated he bought the gun off the street for \$200 about a month prior. Jason stated this was the only time he lent a gun, for a fee, to Donald.

West Bend police also spoke with witness, ASP, adult male and father of Defendant Donald Heisler's grandchild. ASP told West Bend police officer Stacie Bruss that Donald was frustrated about not having money. Because of his low cashflow condition ASP stated he purchased a tire off of Facebook Market Place for Donald. Donald then relayed to ASP that he (Defendant Donald Heisler) took the tire and car to the Mavis Tire store to have it mounted on the car. Defendant Donald also told ASP while at the tire shop, Donald saw one of the employees of Mavis with a large sum, to which he (Donald) estimated to be \$10K cash in the employee's wallet. Donald also told ASP that he was going to get a gun because of a drug-deal dispute and Defendant Donald wanted protection. Donald told ASP that should something happen to him, ASP should retrieve the gun from inside moving blankets located in a living room closet in Kewaskum. Defendant Donald told ASP that he intended to get a gun either from brother Jason Heisler or his (Donald's) uncle.

Complainant asserts that Defendant Jason Heisler intentionally aided and abetted Co-Defendant Donald Heisler in the commission of the crime of armed robbery, in that three armed robberies were committed by Co-Defendant Donald Heisler, and that under the circumstances, those armed robberies were a natural and probable consequence of Jason Heisler providing a firearm to Donald Heisler, consistent with §939.05 Wis Stats.

**DEFENDANTS are PROHIBITED PERSONS**

Complainant knows that both Defendants Donald Heisler and Jason Heisler have previously been convicted of felony crimes in the State of Wisconsin: Jason Heisler in Milwaukee County case 14CF2298 of Felon in Possession of a Firearm in violation of §941.29(2)(a) Wis. Stats. on or about September 2, 2014 and Donald Heisler in Waukesha County case 99CF827 of Fleeing in violation of § 346.04(3) Wis. Stats. on or about February 18, 2000. Both

convictions remain of record and unreversed. Complainant asserts that both Defendants shared in the possession of the “ghost gun” firearm described herein.

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

**Subscribed and sworn to before me on 02/26/24**

**Electronically Signed By:**

**Mark D Bensen**

**District Attorney**

**State Bar #: 1000746**

**Electronically Signed By:**

**Detective Stacie Bruss**

**Complainant**