

FILED
10-09-2020
Clerk of Circuit Court
Kenosha County
2020CM001219
Honorable Bruce E.
Schroeder
Branch 3

STATE OF WISCONSIN CIRCUIT COURT KENOSHA COUNTY

STATE OF Wisconsin

Plaintiff,

CRIMINAL COMPLAINT

vs.

DA Case #: 2020KN004652

JOSHUA J. ZIMINSKI

Agency Case #: kpd 2020-00053398

3426 Ivy Lane

Racine, WI 53402

DOB: 02/21/1985

Sex/Race: M/W

Eye Color: Blue

Hair Color: Blonde

Height: 6 ft 5 in

Weight: 200 lbs

Alias:

Defendant.

For Official Use

The undersigned, being first duly sworn, states that:

Count 1: DISORDERLY CONDUCT, USE OF A DANGEROUS WEAPON

The above-named defendant on or about Tuesday, August 25, 2020, in the City of Kenosha, Kenosha County, Wisconsin, while in a public or private place, did engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct, under circumstances in which such conduct tended to cause or provoke a disturbance, contrary to sec. 947.01(1), 939.51(3)(b), 939.63(1)(a) Wis. Stats., a Class B Misdemeanor, and upon conviction may be fined not more than One Thousand Dollars (\$1,000), or imprisoned not more than ninety (90) days, or both.

And further, invoking the provisions of sec. 939.63(1)(a) Wis. Stats., because the defendant committed this crime while using a dangerous weapon, the maximum term of imprisonment may be increased by not more than 6 months.

PROBABLE CAUSE:

On August 25, 2020, Kenosha Police Detective Howard and Detective Antaramian were assigned to investigate two homicides that occurred in the 6100 and 6200 blocks of Sheridan Road. In the course of investigating the homicides, detectives reviewed numerous videos of the incidents and the night in question.

Detective Howard reports reviewing one video from the night of August 25, 2020. This video depicted the area of the Ultimate Gas Station, which is located at the southeast corner of Sheridan Road and 60th Street, in the City and County of Kenosha, State of Wisconsin. In the course of reviewing said video, Detective Howard was able to positively identify two subjects. Detective Howard first observed Joshua Ziminski, the defendant, whose identity was confirmed via booking photo. The defendant had on a grey scarf around his neck, and also wore a black hooded sweatshirt, a black hat, and had a medium length beard with a moustache. The defendant wore a black drawstring backpack, grey/black camouflage pants, and black shoes. The defendant stood

approximately 6'5" and was approximately 200 pounds. Near the defendant was his wife, identified as Kelly Ziminski, who had a unique shade of red hair color pulled up in a ponytail. She wore a black sweatshirt and had a black backpack with a black gaiter-style facemask.

Detective Howard further reports the defendant was holding a black handgun, which he was holding in his left hand, pointing downward. Detective Howard reports that in reviewing multiple other videos, he was able to see the defendant and Kelly Ziminski, in and around multiple other people on the streets, and the defendant was seen holding the handgun down at his side in said videos.

In another video, the defendant and Kelly are seen walking near a fire in the area of the Ultimate Gas Station lot. In later video, the defendant's right arm is seen on the video, which is taken near 63rd Street and Sheridan Road, in the City and County of Kenosha, State of Wisconsin. Detective Howard reports the defendant's arm pointing the gun upward towards the sky. Detective Howard observed a muzzle flash emit from the handgun, and heard a gunshot at the same time. In another video, the defendant is clearly seen at that same location. The defendant is seen walking in the same area, holding his right arm upwards, and firing off one shot from his handgun. The defendant and his wife are then seen leaving the area. Several other people are in the nearby vicinity when the defendant fires the handgun.

Detective Howard was later able to arrange a meeting with the defendant and Kelly Ziminski on October 7, 2020. In speaking to them, both admitted that the defendant had fired off a "warning shot" into the air during the night of August 25, 2020. They further stated that the firearm in question had subsequently been stolen from the defendant's residence several days prior.

Your complainant is an attorney with the Kenosha County District Attorney's Office, who bases his knowledge of this complaint on:

- The official law enforcement agency reports of the Kenosha Police Department prepared by Detective Howard, which reports were prepared in the normal course of law enforcement duties;
- Statements by citizen informant(s) Kelly Ziminski; who are eyewitnesses to the facts they relate;
- Statements by the defendant, which were made contrary to his penal interests;
- The official records of: The Circuit Court for Kenosha County; The Department of Transportation; The FBI Triple I Teletype; The Wisconsin Circuit Court Automated Program, which records are maintained in the normal course of business duties.

Subscribed and sworn to before me on 10/09/20

Electronically Signed By:

Angelina Gabriele

Deputy District Attorney

State Bar #: 1025039

Electronically Signed By:

Jason R. Zapf

Complainant