

OFFICE OF ATTORNEY GENERAL

1302 East Highway 14, Suite 1 Pierre, South Dakota 57501-8501 Phone (605) 773-3215 Fax (605) 773-4106 TTY (605) 773-6585 www.state.sd.us/atq

CHARLES D. McGUIGAN
CHIEF DEPUTY ATTORNEY GENERAL

March 28, 2011

MARTY J. JACKLEY

ATTORNEY GENERAL

Martin Stanwick Brookings County Sheriff 315 7th Avenue Brookings, SD 57006-2081

Re: Extradition of Dean D. Moe

Dear Sheriff Stanwick:

Enclosed please find extradition papers on the above-named individual. The papers have been approved by this office as to form and filed with the Secretary of State. Governor Daugaard has issued his warrant of arrest and appointment of Agent to deliver said fugitive.

When the fugitive is ready to be returned to Wisconsin would you kindly notify Linda Lembcke, Wisconsin Department of Corrections, P.O. Box 7925, Madison, Wisconsin 53707 (608) 240-5332.

Sincerely.

Sherri Sundem Wald

Deputy Attorney General

SSW/rar Enclosures

Eliciosule:

The Honorable Scott Walker

The Honorable Dennis Daugaard The Honorable Jason M. Gant

Linda Lembcke, Wisconsin Department of Corrections

RECEIVED
MAR 2 9 2011
S.D. SEC. OF STATE



GOVERNOR'S WARRANT

To the Sheriff of BROOKINGS County, South Dakota,

Greetings:

WHEREAS, demand has been made upon the Governor of the State of South Dakota by the Governor of the State of WISCONSIN for the arrest and delivery of **DEAN D. MOE** who stands convicted of the crimes of **ESCAPE AND FIFTH OFFENSE OPERATING** WHILE INTOXICATED AND PROBATION VIOLATION, as a fugitive from the State of WISCONSIN, and it has been shown to me that all the requirements of the law have been satisfied;

NOW, THEREFORE, I command you to apprehend, secure and deliver the fugitive into the custody of **LINDA LEMBCKE**, agent of the State of **WISCONSIN**, and/or designated authorized agents; and

I HEREBY COMMAND all sheriffs and other officers authorized to execute warrants of arrest to aid and assist in the execution of this warrant and to make a proper return thereon.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of South Dakota at the City of Pierre, the Capital, this Twenty-eighth day of March, 2011.

Dennis Daugaard, Governor

ATTEST:

Jason M. Gant Secretary of State



AGENT'S AUTHORIZATION

To LINDA LEMBCKE, agent of the State of WISCONSIN, and/or designated authorized agents,

WHEREAS, demand has been made upon the Governor of the State of South Dakota by the Governor of the State of **WISCONSIN** for the arrest and delivery of **DEAN D. MOE** now alleged to be within the jurisdiction of the State; and

WHEREAS, such demand is accompanied by the application for requisition and papers duly certified to be authentic by the Governor of said State, alleging that **DEAN D. MOE** stands convicted of the crimes of **ESCAPE AND FIFTH OFFENSE OPERATING WHILE INTOXICATED AND PROBATION VIOLATION.**

NOW, THEREFORE, I hereby authorize you, if the fugitive is not held in custody or under bail to answer any offense against the laws of this State or of the United States, to transport the fugitive to the line of this State and I do hereby require all peace officers to whom this warrant may be shown to aid and assist in the execution thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of South Dakota at the City of Pierre, the Capital, this Twenty-eighth day of March, 2011.

Dennis Daugaard, Governor

ATTEST:

Jason M. Cant, Secretary of State

Extradition Ch. 976, Wis. Stat.

THE STATE OF WISCONSIN

DEPARTMENT OF JUSTICE

March 18, 2011

Crime: Convicted of Escape and Fifth Offense Operating While Intoxicated

(probation violator)

Charging Documents: Judgments of Conviction, Probation Violation Warrant,

Identification, and supporting papers

State: South Dakota

To His Excellency

The Governor:

Sir:

I have examined the annexed application of Bonnie Onsgaard, representing the Secretary of the Wisconsin Department of Corrections, for the requisition of **Dean D. Moe**, and the accompanying documents, and find the same to be in compliance with law.

William L. Gansner

Assistant Attorney General

STATE OF WISCONSIN EXECUTIVE DEPARTMENT REQUISITION

To His Excellency, the Governor of the State of South Dakota:

It appears by the annexed documents, which I certify are authentic, that **Dean D. Moe** (herein "the fugitive") is convicted as verified by affidavit with the crimes of **Escape and Fifth Offense Operating While Intoxicated** and is a probation violator under the laws of this state and that the fugitive was present in Wisconsin when the alleged crime was committed but has since fled Wisconsin and is now in South Dakota.

Pursuant to the Constitution and laws of the United States, I respectfully demand that the fugitive be apprehended and delivered to Linda Lembcke and/or designee, whom I have authorized to receive and convey the fugitive to Wisconsin.

IN WITNESS WHEREOF, I have signed this requisition and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this twenty-fourth day of March, in the year two thousand elevan.

Scot Walker GOVERNOR

By the Governor:

STATE OF WISCONSIN **EXECUTIVE DEPARTMENT** AGENT'S APPOINTMENT

To All to Whom These Presents Come:

I have this day demanded of the Governor of South Dakota the apprehension and return of Dean D. Moe (herein "the fugitive") who is convicted in Wisconsin as a probation violator after conviction of Escape and Fifth Offense Operating While Intoxicated, and has fled Wisconsin.

I appoint and authorize Linda Lembcke and/or designee to, on behalf of Wisconsin, receive the fugitive from the Governor of South Dakota, and return the fugitive to Wisconsin, to be dealt with according to the law.

> IN WITNESS WHEREOF, I have signed this requisition and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this twenty-fourth day of March, in the year two thousand eleven

> > Walker Scott ERNOR

By the Governor:

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Scott Walker GOVERNOR

By the Governor:

STATE OF WISCONSIN

EXECUTIVE DEPARTMENT AGENT'S APPOINTMENT

To All to Whom These Presents Come:

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I appoint and authorize **Linda Lembcke** and/or designee to, on behalf of Wisconsin, receive the fugitive from the Governor of South Dakota, and return the fugitive to Wisconsin, to be dealt with according to the law.

IN WITNESS WHEREOF, I have signed this requisition and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this twenty-fourth day of March, in the year two thousand eleven.

Scott Walker GOVERNOR

By the Governor:

APPLICATION FOR REQUISITION

To his Excellency, Honorable Scott Walker, Governor of the State of Wisconsin:

I, Bonnie Onsgaard, representing the Secretary of the State Department of Corrections, do hereby make application for the requisition and return to the State of Wisconsin of Dean Moe (hereinafter called the "defendant") who stands convicted in the Circuit Court of Chippewa & Rusk County of the crime(s) of Escape & Drive while Intoxicated.

The reason the District Attorney does not make this application is because a trial has already been conducted or waived for said crime(s), the defendant was convicted and sentenced on July 30, 2008, in the Circuit Court of Chippewa County, and convicted on September 2, 2008 and sentenced on November 18, 2008 in Rusk County and sentence was withheld and defendant was placed on probation for 3 years for each crime in the custody of the State Department of Corrections pursuant to the probation statutes of the State of Wisconsin, as appears from the annexed certified copies of the judgment(s) of conviction and sentence and order of probation, and has breached the conditions thereof as set forth below.

I HEREBY CERTIFY:

- A. That said defendant was duly taken into custody of the State Department of Corrections pursuant to said order of probation.
- B. That before the expiration of defendant's period of probation as prescribed by law defendant is alleged to have breached the conditions thereof by failing to conduct himself in accordance with the rules and regulations of the State Department of Corrections with reference to probationers, as appears from the annexed certified copy of the probation violation warrant dated December 9, 2008, by which it was ordered that the defendant be taken into custody and held for hearing on probation violation charges.

- C. That said defendant has fled from the jurisdiction of the State of Wisconsin and, as I am informed and believe, has taken refuge and is now located in the City of Brookings, County of Brookings, State of South Dakota, and that in my opinion the ends of public justice require and I am content that the defendant should be brought back to the State of Wisconsin to be punished for his crime.
- D. That as a representative of the Wisconsin Department of Corrections, Division of Community Corrections, Madison, Wisconsin, I will designate, recommend and name the agent who has no private interest in the arrest of the said fugitive, as the proper person to be appointed as agent of the State of Wisconsin and to whom the warrant may issue to receive and convey the said fugitive to the State of Wisconsin.
- E. That I am not aware that application has ever been made for a requisition for the said fugitive for the offense which is the basis of this application.

That I am not aware and do not believe that said fugitive is now held under civil or criminal arrest in the State of South Dakota, or elsewhere, unless he is now detained by the public authorities of Brookings County, South Dakota, awaiting extradition to this State.

- F. That this application for a requisition for said fugitive is made in good faith and with the sole intent to punish him for said crime, and not to secure his return to the State of Wisconsin to afford an opportunity to serve him with civil process nor to collect a debt nor for any private purpose whatsoever; and that if the requisition applied for be granted it will not be used, directly or indirectly, for any private purpose whatsoever.
- G. That the crime(s) for which said fugitive was convicted are Escape & Drive While Intoxicated as defined in section(s) 946.42(3)(A) & 346.63(1)(A) of the Wisconsin Statutes of 2007, which provides as follows.

(3) A person in custody who intentionally escapes from custody under any of the following circumstances is guilty of a Class H felony:

(a) Pursuant to a legal arrest for, lawfully charged with or convicted of or sentenced for a crime.

346.63 Operating under influence of intoxicant or other drug. (1) No person may drive or operate a motor vehicle

(a) Under the influence of an intoxicant, a controlled substance, a controlled substance analog or any combination of an intoxicant, a controlled substance and a controlled substance analog, under the influence of any other drug to a degree which renders him or her incapable of safely driving, or under the combined influence of an intoxicant and any other drug to a degree which renders him or her incapable of safely driving; or

H. That application for the arrest and return of said fugitive has not been sooner made because, as I am informed and believe, he could not be located or found although diligent search and inquiry has been made in that behalf.

All annexed documents referred to herein are incorporated and made a part hereof by reference.

WITNESS my hand in the City of Madison, Dane County, Wisconsin, this 16th day of March 2011.

Approved as to Form

and 28 day of Marel 2011

Caroni Attorney Conorsi

Respectfully,

Representing the Secretary,

State Department of Corrections

of Wisconsin

STATE OF WISCONSIN)
-) ss.
DANE COUNTY)

AFFIDAVIT

Bonnie Onsgaard, being first duly sworn, on oath says that she is the representative of the State Department of Corrections of Wisconsin and is the person who makes the foregoing application; that the facts stated in said application are true to her own knowledge except those based upon annexed affidavits or certified copies of official records and those set forth on information and belief, and all such facts she believes to be true.

onnu Chogaard
IE ONSGAARD

Subscribed and sworn to before me this 16th day of March, 2011.

Judge, Branch 6, Circuit Court, Dane County, Wisconsin

I, Shelley Gaylord, Judge of Branch 6, Circuit Court of Dane County, Wisconsin, do hereby certify that I am the magistrate before whom the annexed affidavit has been duly made; that the said affidavit was duly sworn to and subscribed by Bonnie Onsgaard; that I know the person who subscribed said affidavit and know that she is the representative of the State Department of Corrections of Wisconsin and is a credible person and entitled to be believed.

In Witness Whereof I have hereunto set my hand and affixed the seal of said Court at Madison. Wisconsin, this 16th day of March, 2011.

(Attach Seal of Court)

Judge, Branch & Circuit Court Dane County, Wisconsin (A Court of Record)

I, Donna Hall, Deputy Clerk of the Circuit Court for the County of Dane, State of Wisconsin, do hereby certify that the Honorable Shelley Gaylord, whose name is subscribed to the papers hereto attached, is the Judge of Branch 6, Circuit Court for the County of Dane, State of Wisconsin, and the presiding Judge of said Court, duly elected, qualified and acting as such; that I am well acquainted with her handwriting and that her signature to the attached certificate is genuine.

> WITNESS my hand and the Seal of the Court at the City of Madison, in said County and State, this 16th day of March, 2011.

(Attach Seal of Court)

Deputy Clerk of Circuit Court of

Dane County, Wisconsin

STATE OF WISCONSIN.

Plaintiff,

v.

Dean Moe,

Defendant.

I, Shelley Gaylord, do hereby certify that I am the Presiding Judge (of Branch 6) of the Circuit Court in and for the County of Dane, Wisconsin, and further certify that Donna Hall, whose name is subscribed to the certificate subjoined to the within copies, is and was at the date of said certificate, the Deputy Clerk of the said Court duly appointed and qualified and acting as such; that I am well acquainted with the handwriting, and know the signature thereof to be genuine, and, further, that the attestation of said Donna Hall is genuine and in due form of law, and that the seal thereto attached is the proper seal of said Court.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Court at the City of Madison, County of Dane, Wisconsin, this 16th day of March, 2011.

Judge of the Circuit Court County of Dane Wisconsin (A Court of Record)

STATE OF WISCONSIN) ss.
DANE COUNTY)

I, Donna Hall, Deputy Clerk of the Circuit Court in and for the County of Dane in the State of Wisconsin, do hereby certify that the Honorable Shelley Gaylord, whose name is subscribed to the papers hereto attached, (is and) was at the date thereof, the Judge of the Circuit Court, in said County, duly elected and qualified and acting as such; (that I am well acquainted with her handwriting, and that her signature to the attached certificate is genuine (and the seal thereto attached is the proper seal of said Court)).

WITNESS my hand and Seal of the Court at the City of Madison in said County and State, this 16th day of March, 2011.

Deputy Clerk of Circuit Court of Dane County, Wisconsin

DEPARTMENT OF CORRECTIONSDivision of Community Corrections DOC-95 (Rev. 10/04)

VIOLATION WARRANT

WISCONSIN Wisconsin Statutes Section 973.10

TO ANY PAROLE OFFICER, PROBATION OFFICER, PEACE OFFICER OR ANY OFFICER authorized to serve criminal process and to the Superintendent or other person in charge of any jail, penitentiary, lockup or other place of detention.

OFFENDER	NAME		-	DOC NUMBER		COURT OAS	T AU IMPED
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OFFENSE(S				STATUTE(S) V	IOI ATED	00010003	0 & 00CL00013
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-	le Intoxicated			346.63(1)(A	,		
TERM	ic intoxicated	DATE OF	SUPERVISION		.) EGED VIOLATION (d	n or about)	
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Sanctions	status on.						
07/30/08	•		Ch	ippewa & Rusk			
Date			If P	robation-Name of Co	ounty		
AND WH following	EREAS, The aboreason(s):	ve named off	ender is alle	ged to have vio	plated the cond	itions of supe	ervision by the
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	n Department of					t of Correctio	
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9	day of Dec	ember	20 08		.	note obin	alle
					DCC Regional	Chief / Designee	

STATE OF WISCONSIN CIRCUIT COURT CHIPPEWA COUNTY For Official Use Only State of Wisconsin vs. Dean D Moe **Judgment of Conviction** Sentence Withheld, Probation Ordered Date of Birth: 04-09-1961 Case No.: 2008CF000058 The defendant was found guilty of the following crime(s): ري Date(s) Trial -Date(s) Ct. Description Violation Plea Severity Committed Convicted Escape-Criminal Arrest 946.42(3)(a) No Contest Felony H 02-19-2008 07-30-2008 on or about IT IS ADJUDGED that the defendant is guilty as convicted and sentenced as follows: Sent. Date Sentence Length Concurrent with/Consecutive to/Comments Agency 07-30-2008 Probation, Sent Withheld 3 YR Department of Corrections Conditions of Sentence or Probation Obligations: (Total amounts only) . Mandatory 5% Rest. DNA Anal. Fine Court Costs Attorney Fees Restitution Other Victim/Wif. Surcharge Surcharge Surcharge 20.00 85.00 Conditions: Ct. Condition Length Agency/Program Begin Date Begin Time Comments Jail Time 1 YŘ County Ct. Condition Agency/Program Comments Costs Plus supervision fees. If probation is revoked or discharged with outstanding financial obligations, a civil judgment shall be entered against the defendant in favor of restitution victims and/or governmental entities for the balance due. All available enforcement actions will be used to collect the debt. Work Release / Huber Law Huber granted for work release. 1 Alcohol treatment AODA Assessment and counseling as required and follow through and complete all required treatment. 1 **Prohibitions** Not to possess or consume any alcohol or illegal drugs. Not to go on any premises where primary purpose is the sale of alcohol. Not to possess any drug paraphernalia. IT IS ADJUDGED that 0 days sentence credit are due pursuant to § 973.155, Wisconsin Statutes IT IS ORDERED that the Sheriff shall deliver the defendant into the custody of the Department.

STATE OF WISCONSIN CIRCUIT COURT **CHIPPEWA COUNTY** For Official Use Only State of Wisconsin vs. Dean D Moe **Judgment of Conviction** Sentence Withheld, Probation Ordered Date of Birth: 04-09-1961 Case No.: 2008CF000058 BY THE COURT: Roderick A. Cameron, Judge

Date

Jon M Theisen, District Attorney Mark Mullen, Defense Attorney CHSO

County of Dane

certify that this is a true

		CUIT COU	RT BRAN	CH 1	RUSK	COUNTY		ial Use Only
3ta	te of Wisconsin vs. Dean D Mo	е		Judgm	ent of Co	nviction		I F D
				Sentenc Ordered	e Withheld, F	robation	NΩ	ov 1 8 2008
Dat	e of Birth: 04-09-1961			Case No	.: 2008CF00	0013		AS IT BAXTER SK COUNTY
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STATE OF WISCONSIN

CIRCUIT COURT BRANCH 1

RUSK COUNTY

For Official Use Only

State of Wisconsin vs. Dean D Moe

Frederick A. Henderson, Judge Steven P Anderson, Rusk Co. District Attorney Mary L R Burns, Defense Attorney Probation Department

Judgment of Conviction

Sentence Withheld, Probation Ordered

Date of Birth: 04-09-1961

Rusk County Jail

Case No.: 2008CF000013

BY THE COURT:

Circuit Court Judge/Dient/Deputy Clerk

November 18, 2008

Date

State of Wisconsin County of Dane certify that this is

My Commission Expire

Wisconsin Department of Corrections Offender Basic Information Sheet

Name: MOE, DEAN D

DOC #: 00216379 DOB: 04/09/1961

Age: 49

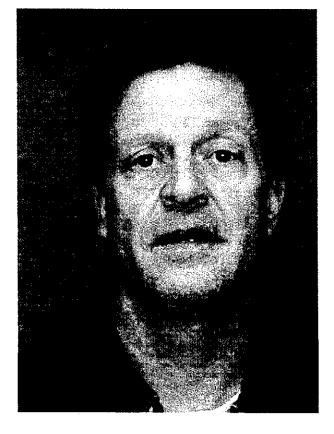
Height: 6' 0" Weight: 190

Race: WHITE

Hair Color: BROWN Eye Color: BROWN

Sex: MALE

PhotoDate: 11/18/2008



WI-DOC OFFENDER INFO SHEET PRINTED 03/10/2011

