

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute 343.30(1d), the court shall revoke the defendant's operating privileges upon conviction. The revocation shall be for a period of six (6) months, unless the court orders a period of revocation of less than 6 months and places its reasons for ordering the lesser period of revocation on the record.

Count 3: HIT AND RUN - RESULTING IN DEATH

The above-named defendant on or about Sunday, May 5, 2024, at 1919 West Lincoln Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, did operate a vehicle involved in an accident that resulted in death of MG-P and failed to reasonably investigate what was struck and if the operator knew or had reason to know that the accident resulted in injury or death of a person or in damage to a vehicle that is driven or attended by a person, and failed to stop the vehicle he was operating as close to the scene of the accident as possible and remain at the scene of the accident until he did the all of the following: give his name, address and the registration number of the vehicle he was operating to the operator or occupant of or person attending any vehicle collided with and, upon request and if available, exhibit his operator's license to the operator or occupant of or person attending any vehicle collided with and render reasonable assistance to any person injured in the accident, including transporting, or making arrangements to transport the person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that medical or surgical treatment is necessary or if requested by the injured person, contrary to sec. 346.67(1) and 346.74(5)(d), 939.50(3)(d) Wis. Stats.

Upon conviction for this offense, a Class D Felony, the defendant may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute 343.31(3)(j), the Department shall revoke the defendant's operating privilege for five (5) years.

And the defendant may also be subject to additional collateral consequences upon conviction, including revocation of operating privileges, assessment and treatment requirements, and future restrictions on operation of motor vehicles under Wisconsin Statute 343.31(1m).

Count 4: KNOWINGLY OPERATE MOTOR VEHICLE WITHOUT A VALID LICENSE - CAUSE DEATH

The above-named defendant on or about Sunday, May 5, 2024, at 1919 West Lincoln Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, did operate a motor vehicle on a highway knowing that he did not possess a valid operator's license, and in the course of the violation, caused the death of another person, MG-P, contrary to sec. 343.05(3)(a) and (5)(b)5, 939.50(3)(h) Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute 343.30(1d), the court shall revoke the defendant's operating privileges upon conviction. The revocation shall be for a period of six (6) months, unless the court orders a period of revocation of less than 6 months and places its reasons for ordering the lesser period of revocation on the record.

Probable Cause:

Complainant is a City of Milwaukee law enforcement officer and bases this complaint upon the reports of fellow law enforcement officers. Complainant has relied on similar reports in the past and has found them to be true and accurate. Complainant knows that said reports were written in the normal course of police business. Said reports indicate the following:

Police Officer Victor Torres stated that on May 5, 2024 at approximately 2:45 PM, he was dispatched to a traffic incident at 1919 W. Lincoln Ave., City and County of Milwaukee. Torres stated that when he arrived on scene he observed a white Suzuki SUV double parked facing eastbound at 1919 W. Lincoln Ave. Torres stated that the Suzuki had damage to its driver's side, including a broken headlight, side mirror and damage to the door frame. Torres stated that he observed two men, subsequently identified as brothers MG-P and AG-P, lying deceased in the roadway, near the driver's side of the Suzuki. Torres stated that when he arrived on scene, witness CF-P was seated in the driver's seat of the Suzuki crying uncontrollably.

Torres stated that he made contact with witness AGM who had called 911 just moments before. AGM stated that at approximately 2:41 AM she heard a loud crash coming from W. Lincoln Ave. AGM stated she then looked out her window and observed two bodies lying in the street. AGM stated that she then heard CF-P scream "they are dead!"

Detective Nicholas Beckett stated that he responded to the scene and interviewed CF-P. CF-P stated that prior to the incident, she had been out at a bar, and that her neighbor, who was subsequently identified as AG-P asked her for a ride home. CF-P stated that she and AG-P then got into her Suzuki and drove together to 1919 W. Lincoln Ave., where she double parked in the bicycle lane to let AG-P out. CF-P stated that as AG-P got out of her Suzuki and walked around the front of her car toward the driver's side, she observed AG-P's brother, MG-P, approach the driver's side of her car to begin go talk with AG-P. CF-P stated that as she began to open her driver's door to get out and talk with MG-P and AG-P a vehicle driving eastbound on W. Lincoln Ave., at a high rate of speed, struck MG-P, then struck her Suzuki, and then struck AG-P, and then continued to drive off in an easterly direction.

Police Officer Richard Schnier stated that he subsequently responded to the scene, where the MG-P and AG-P were pronounced deceased at 3:06 AM and 3:12 AM respectively. Schnier stated that while he was on scene he located collision debris from the striking vehicle, including pieces of plastic with distinctive markings on them. Schnier stated that he was able to determine that the plastic debris had come from a 2013-2017 Chevrolet Traverse. Schnier stated that reviewed surveillance video which did not show the impact, but showed W. Lincoln Ave. just a few feet west of the impact. Schnier stated that the video shows the Suzuki arriving on scene from the west, and approximately 45 seconds later, a white vehicle that appears to be a 2013-2017 Chevrolet Traverse travels eastbound in the direction of the Suzuki. Schnier noted that there were no other vehicles that drove past the Suzuki during that time period. Schnier stated that he reviewed additional surveillance video from a few blocks further east, which showed the white Chevrolet Traverse continue to travel eastbound on W. Lincoln Ave., with its passenger side headlight extinguished – consistent with having struck another object with its front passenger side.

Police Officer Anthony Milone stated that at approximately 6:20 PM on May 5, 2024, he observed a white Chevrolet Traverse parked near 2515 S. 5th Pl. Milone stated that he observed the Traverse to have heavy damage to the front passenger side. Milone stated that shortly thereafter, neighbors informed him that the owner of the Traverse lived in the upper unit of 551 W. Arthur Ave. Milone stated that he then knocked on the door of that residence and made contact with Luis Perez-Garcia, the above-named defendant. Milone stated that the defendant was then taken into custody.

Detective Michael Martin stated that on May 6, 2024, he conducted an interview with the defendant. Martin stated that during that interview the defendant stated that he knew why he had been arrested and admitted to causing the collision and leaving the scene. The defendant stated that shortly before the incident, he had been at a bar. He stated that he drove his white Chevrolet Traverse to the bar by himself, and arrived sometime between 12:30 AM and 1:00 AM on May 5, 2024. The defendant stated that while at the bar, he drank eight 12 oz. cans of Modelo beer and ate food from the bar. The defendant stated that he was not drunk, but that he was buzzed.

The defendant stated that he subsequently left the bar and began to drive home. He stated that while he was driving home he observed a car in the bike lane, and struck the car as he passed it. The defendant stated that he did not stop, but instead continued home after striking the car.

The defendant further stated that he does not have a driver's license. Officer Schnier reviewed Wisconsin DOT records which showed that the defendant has never been issued a driver's license.

****End of Complaint****

Electronic Filing Notice:

This case was electronically filed with the Milwaukee County Clerk of Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases. Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov> and may withdraw as an electronic party at any time. There is a \$ 20.00 fee to register as an electronic party. If you are not represented by an attorney and would like to register an electronic party, you will need to contact the Clerk of Circuit Court office at 414-278-4120. Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Criminal Complaint prepared by Daniel T. Flaherty.
ADA Assigned Email Address: dan.flaherty@da.wi.gov

Subscribed and sworn to before me on 05/09/24

Electronically Signed By:

Daniel T. Flaherty

Assistant District Attorney

State Bar #: 1115364

Electronically Signed By:

Police Officer Richard Schnier

Complainant