

**Jim Doyle**  
Governor

**Matthew J. Frank**  
Secretary



Mailing Address  
Jennifer Hlinak #31903  
4200 N. Holton, Suite 210  
Milwaukee, WI 53212  
Telephone (414) 229-0638  
Fax (414) 229-0636

## State of Wisconsin Department of Corrections

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01/20/2005

Ronald Leonhardt  
City Clerk  
Common Council  
200 E. Wells Room 205  
Milwaukee, WI 53202

Dear Mr. Leonhardt:

This letter from the Department of Corrections is to request a review of the Public Passenger Vehicle License issued to Isdore Mbadiwe. He is currently on Probation in Milwaukee for Possession with Intent to Deliver THC (>200-1000g) 961.41(1M)(H) 2. (we have enclosed a copy of his Judgment of Conviction along with the Criminal Complaint in this case) This crime was committed while driving taxi for American United Cab Company. The Department of Corrections has serious concerns about his continued employment as a Taxicab Driver due to this crime and recent allegations of Sexual Assault of a Minor, again while driving his taxicab.

While no formal charges were brought by the District Attorney's office in this most recent case, our investigation revealed that the victim did admit to having sexual contact with Mr. Mbadiwe. She did pick him out of a photo array and while she reported that the contact was not a forcible act, she is under the age of 18 and therefore legally not able to consent to sexual contact.

The Department of Corrections strongly supports revocation of Mr. Mbadiwe's PPVL and as a temporary measure have issued a Probation Rule prohibiting his driving privileges as a taxi cab driver. The Department of Corrections is asking that you review and revoke his PPVL for the safety of the public and to assist Mr. Mbadiwe's successful completion of probation.

Please feel free to contact me with any questions or concerns at the above number.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Hlinak".

Jennifer Hlinak #31903  
Probation and Parole Agent  
Department Of Corrections

witnessed on 1-24-05  
my notary expires on 4-23-06  
A handwritten signature in cursive script that reads "Richard Fuler".  
1-24-05

**STATE OF WISCONSIN      CIRCUIT COURT BRANCH 24      MILWAUKEE COUNTY**

*For Official Use Only*

State of Wisconsin vs. Isdore Mbadiwe      **Judgment of Conviction**  
 Sentence Imposed & Stayed,  
 Probation Ordered  
 Date of Birth: 07-04-1973      Case No.: 2004GF001022

*01/11/2005 17:12  
 4142123523*

The defendant was found guilty of the following crime(s):

Ct.	Description	Violation	Plea	Severity	Date(s) Committed	Trial To	Date(s) Convicted
2	Possess w/ Intent-THC(> 200-1000g) [939.05 Party to a Crime]	961.41(1M)(H)2	No Contest	Felony H	02-20-2004		09-30-2004

**IT IS ADJUDGED** that the defendant is guilty as convicted and sentenced as follows:

Ct.	Sent. Date	Sentence	Length	Concurrent with/Consecutive to/Comments	Agency
2	12-03-2004	Probation, sent imposed	3 YR	Probation may be transferred to State of West Virginia after the condition time has been served, and if that state will accept him.	Department of Corrections
2	12-03-2004	License suspended	6 MO		
2		Sentence(s) Stayed Extended Supervision	2 YR	Concurrent with/Consecutive to/Comments Defendant is eligible for the Challenge Incarceration program or the Earned Release program.	Sent. Credit
2		State prison	2 YR		2 days

**Conditions of Sentence or Probation**

**Obligations:** (Total amounts only)

Fine	Court Costs	Attorney Fees	Restitution	Other	Mandatory Victim/Wit. Surcharge	5% Rest. Surcharge	DNA Anal. Surcharge
475.00	20.00			7.00	70.00		250.00

**Conditions:**

Ct.	Condition	Length	Agency/Program	Begin Date	Begin Time	Comments
2	House of Correction	8 MO				STAYED until 1/3/05. Huber for work and treatment.
2	Fine					Fine of \$250.00 plus all costs and surcharges. Bail to be applied.
2	Other					Complete an anger management course. Provide DNA sample, pay for same.
2	Alcohol assessment					AODA and any treatment deemed necessary. Absolute sobriety. Random urine screens.

**IT IS ADJUDGED** that 0 days sentence credit are due pursuant to § 973.155, Wisconsin Statutes

STATE OF WISCONSIN

CIRCUIT COURT BRANCH 24

MILWAUKEE COUNTY

For Official Use Only

State of Wisconsin vs. Isdore Mbadiwe	<b>Judgment of Conviction</b> Sentence Imposed & Stayed, Probation Ordered
Date of Birth: 07-04-1973	Case No.: 2004CF001022

IT IS ORDERED that the Sheriff execute this sentence.

BY THE COURT:

Charles F. Kahn-24, Judge  
Karine O'Byrne, District Attorney  
Martin E Kohler, Defense Attorney

*[Signature]*  
Court Officer

December 13, 2004  
Date

*[Signature]* *[Signature]*



**STATE OF WISCONSIN** **CIRCUIT COURT** **CRIMINAL DIVISION** **MILWAUKEE COUNTY**

**STATE OF WISCONSIN**

**DRUG UNIT**

**CRIMINAL COMPLAINT**

Hamil, Melberton O  
5523 N 35th St  
Milwaukee, Wisconsin  
53209  
(D.O.B. : July 18, 1980)

Complaining Witness:

Police Officer Lisa Ordoñez

Mbadiwe, Isdore NMI  
6409 N 84th St  
Milwaukee, Wisconsin  
53224  
(D.O.B. : July 4, 1973)

DA Case Number: 04XF1291

Circuit Court Case Number:

04CF001022

Evans, Huntley NMI  
7222 W Custer Avenue  
Milwaukee, Wisconsin  
53218  
(D.O.B. : December 15,  
1977)

**Defendant(s)**

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN SAYS THAT THE ABOVE NAMED DEFENDANT(S) IN THE COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

**COUNT 01: POSSESSION WITH INTENT TO DELIVER CONTROLLED SUBSTANCE - TETRAHYDROCANNABINOLS (MARIJUANA) (MORE THAN 200 GRAMS BUT NOT MORE THAN 1000 GRAMS), PARTY TO A CRIME (As to Defendant Melberton Hamil)**  
On February 20, 2004, at 4050 N 38th St, City of Milwaukee, as party to a crime, did knowingly possess with intent to deliver more than 200 grams but not more than 1000 grams of tetrahydrocannabinols (marijuana), a controlled substance, contrary to Wisconsin Statutes sections 961.01(14), 961.14(4)(t) and 961.41(1m)(h)2. and 939.05.

**COUNT 02: POSSESSION WITH INTENT TO DELIVER CONTROLLED SUBSTANCE - TETRAHYDROCANNABINOLS (MARIJUANA) (MORE THAN 200 GRAMS BUT NOT MORE THAN 1000 GRAMS), PARTY TO A CRIME (As to Defendant Isdore Mbadiwe)**  
On February 20, 2004, at 4050 N 38th St, City of Milwaukee, as party to a crime, did knowingly possess with intent to deliver more than 200 grams but not more than 1000 grams of tetrahydrocannabinols (marijuana), a controlled substance, contrary to Wisconsin Statutes sections 961.01(14), 961.14(4)(t) and 961.41(1m)(h)2. and 939.05.

**COUNT 03: POSSESSION OF CONTROLLED SUBSTANCE - TETRAHYDROCANNABINOLS (MARIJUANA) (As to Defendant Huntley Evans)**

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Hamil, Melberton O D.O.B. July 18, 1980  
Mbadiwe, Isdore Nmi D.O.B. July 4, 1973  
Evans, Huntley Nmi D.O.B. December 15, 1977

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Page

- 2 -

On February 20, 2004, at 4050 N 38th St, City of Milwaukee, did knowingly possess tetrahydrocannabinols (marijuana), a controlled substance, contrary to Wisconsin Statutes sections 961.01(14), 961.14(4)(t) and 961.41(3g)(e).

**AS TO COUNT 01:**

Upon conviction of this charge, a Class H felony, the maximum possible penalty is a fine of not more than \$10,000 or imprisoned for not more than 6 years or both.

Upon conviction of this offense, the court shall suspend the defendant's operating privilege for not less than 6 months nor more than 5 years pursuant to section 961.50(1), Stats. If the court suspends the defendant's operating privileges the court shall impose a reinstatement assessment fee of \$50.00. If the defendant's driving privileges are already revoked or suspended, any revocation imposed must be served consecutively.

**AS TO COUNT 02:**

Upon conviction of this charge, a Class H felony, the maximum possible penalty is a fine of not more than \$10,000 or imprisoned for not more than 6 years or both.

Upon conviction of this offense, the court shall suspend the defendant's operating privilege for not less than 6 months nor more than 5 years pursuant to section 961.50(1), Stats. If the court suspends the defendant's operating privileges the court shall impose a reinstatement assessment fee of \$50.00. If the defendant's driving privileges are already revoked or suspended, any revocation imposed must be served consecutively.

**AS TO COUNT 03:**

Upon conviction of this offense, a misdemeanor, defendant may be fined not more than \$1,000 or imprisoned for not more than 6 months or both.

Upon conviction of this offense, the court shall suspend the defendant's operating privilege for not less than 6 months nor more than 5 years pursuant to section 961.50(1), Stats. If the court suspends the defendant's operating privileges the court shall impose a reinstatement assessment fee of \$50.00. If the defendant's driving privileges are already revoked or suspended, any revocation imposed must be served consecutively.

Complainant states she is a City of Milwaukee Police Officer and bases this complaint upon her reading of official City of Milwaukee Police reports prepared by Milwaukee Police Officers which she has used in the past and found to be truthful and reliable.

On Friday, February 20, 2004 Milwaukee Police Officers working with a Confidential Informant arranged to buy several pounds of marijuana from a subject the Confidential Informant knew as "Booker". The Confidential Informant advised law enforcement officers that Booker was Jamaican and spoke with a Jamaican accent and had the cell phone

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Hamil, Melberton O D.O.B. July 18, 1980  
Mbadiwe, Isdore Nmi D.O.B. July 4, 1973  
Evans, Huntley Nmi D.O.B. December 15, 1977

---

Page

- 3 -

number 810-8138. The Confidential Informant called Booker by cell phone at 3:19 p.m. to arrange to buy two pounds of hydroponic marijuana for \$4,000.00. The Confidential Informant spoke to Booker again by phone later on and was informed by Booker that he could not get hydroponic marijuana but could sell nine pounds of regular marijuana for \$4,000.00 to the Confidential Informant. The CI further spoke with Booker and was informed that Booker had to meet his supplier first and would get back with the Confidential Informant when he met with his supplier. At approximately 8:02 p.m. the Confidential Informant spoke with Booker again by cell phone. Booker told the Confidential Informant that he had the marijuana and was ready to meet. A meet location was arranged at the Capitol Subs Shop on Sherman and Capitol Drive in the City of Milwaukee. Police Officers arrived at that location and observed a green Chevy Tahoe parked on the south side of Capitol Drive just east of the sandwich sub shop and also observed a maroon taxi cab parked in the sandwich sub shop parking lot. Inside the sub shop officers could view two subjects standing. One of the subjects was wearing a blue jacket with orange trim and holding a cell phone. The Confidential Informant's phone then rang and on the Confidential Informant's phone was the individual known as Booker who wanted to know how long it was going to take him to get to the Capitol Sub Shop. When the CI told him he would be right there and hung up the phone the individual wearing the blue jacket with the orange trim immediately hung up his telephone. Officers then asked the Confidential Informant to call Booker back on his cell phone and change the meet location to 34<sup>th</sup> Street and Capitol Drive. The Confidential Informant then called Booker back on his cell phone and law enforcement officers observed the subject wearing the blue jacket with orange trim answer his phone. The Confidential Informant changed the meet location to 34<sup>th</sup> Street and Capitol Drive and hung up the phone and immediately the individual wearing the blue jacket with orange trim hung up his phone and began walking to the green Tahoe with the other subject who was standing next to him. Officer observed the subject wearing the blue jacket with orange trim get in the front passenger seat and the other subject got in the driver's seat. The Chevy Tahoe truck drove eastbound on Capitol Drive and was the subject of a traffic stop on N. 38<sup>th</sup> Street. The front passenger who was wearing the blue jacket with orange trim was identified as Huntley Evans. The Confidential Informant later identified the defendant Huntley Evans as Booker through a photo array. The driver of the vehicle was identified as Melberton Hamil and a rear seat passenger was identified as Mbadiwe-Isdore.

Detective Derrick Harris recovered a clump of loose suspected marijuana from the driver's side door handle of the vehicle. Detective Harris further recovered four cell phones from the back seat of the truck which were later placed on inventory. A custodial search of Melberton Hamil by Police Officer Todd Bowen revealed \$580 in his right front pants pocket. Police Officer William Schroeder recovered a clear plastic baggie containing suspected marijuana from Evans front left jacket pocket at the Prison Processing Center and conveyed it to the Vice Control Division. The rear cargo area of the vehicle directly behind Mbadiwe, Police Officer Brian Brosseau observed a clear ziplock plastic bag,

Hamil, Melberton O D.O.B. July 18, 1980  
Mbadiwe, Isdore Nmi D.O.B. July 4, 1973  
Evans, Huntley Nmi D.O.B. December 15, 1977

Page

- 4 -

which contained a greenish brown plant like substance, believed to be marijuana. The marijuana was confiscated and all the occupants were arrested and transported to the Vice Control Division.

Police Officer Michael Washington who is trained in the application of the Duquenois-Levine Field Test and knows that test is used to determine the presence of tetrahydrocannabinols (THC), the active ingredient in marijuana subjected a sample of the marijuana recovered from defendant Evans jacket to said test and received a positive result for the presence of tetrahydrocannabinols (THC) with a weight of 12.76 grams without container. The gallon size ziplock bags observed in the rear of the vehicle were subjected to the Duquenois-Levine Field Test and determined to be positive for the presence of tetrahydrocannabinols (THC) with a total weight of 899.75 grams without container.

Defendant Melberton Hamil was advised of his constitutional rights by Detective Anna King who heard the defendant acknowledge understanding his rights and waiving same and agreed to speak to Detective King. The defendant states he was driving his mothers' Chevy truck and he states a friend of his whom he calls "Booker" called him and asked him for a ride. The defendant identified Huntley Evans as Booker. Defendant Hamil stated he picked up Huntley and they were driving around when Huntley got a phone call on his cell phone from someone looking to buy marijuana. He states Huntley asked Hamil for a ride to the area of 36<sup>th</sup> and Capitol Drive. Hamil states he drove to this location and Huntley was in the front passenger seat. Hamil states the person calling Huntley was looking for hydro two pounds. After Huntley hung up with the unknown buyer, Huntley made another phone call to his supplier. He states Huntley told his supplier that he needed hydro but from the conversation Hamil heard the supplier didn't have hydro. Mr. Hamil states Huntley and his supplier then agreed to ten pounds of regular marijuana. When Hamil was parked at N. 36<sup>th</sup> and Capitol a red taxi pulled up and an unknown subject got into the back seat of Hamil's vehicle. While all three individuals were in Hamil's vehicle he states the rear passenger had a strong accent and said he was from Nigeria. Hamil identified the rear passenger as Mbadiwe, Isdore by photograph. Hamil states Mbadiwe showed two pounds of regular marijuana to Huntley and Hamil and that Huntley said it would not pass for hydro and he needed eight more pounds for his buyer. Mbadiwe stated "Let's go and get it around the corner." Hamil states that they drove around the corner and a taxi followed him. Hamil states the rest of the marijuana was not in the taxi at this point. Hamil states that Mbadiwe then called one of the subjects in the taxi from his cell phone and told them to get the additional eight pounds and meet them at Chicago Sub on Sherman. Hamil states that he was driving directly to Chicago Sub because that is where everyone was meeting for the transaction. Hamil states that when he got to Chicago Sub he was going to drop off both Huntley and Mbadiwe to finish their business and he was going to leave. Hamil states that when the police were behind him Mbadiwe pulled the two pounds of marijuana out of his coat and put them in the back of his truck when Mbadiwe was doing

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Hamil, Melberton O D.O.B. July 18, 1980  
Mbadiwe, Isdore Nmi D.O.B. July 4, 1973  
Evans, Huntley Nmi D.O.B. December 15, 1977

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Page

- 5 -

this Huntley told Mbadiwe "You can't do him like that" referring to putting the marijuana in Hamil's car so he would be arrested for it. Hamil states while Huntley was talking to the buyer and Mbadiwe, Huntley's phone went dead so Hamil states that he let Huntley use his cell phone to call the buyer and that is why his phone number is on his phone. Hamil states he does smoke marijuana one to two times a week and on weekends and he has known Huntley for six years and is aware that he sells marijuana sometimes as the middleman. Hamil knows that Huntley was buying marijuana and that he was driving him to pick it up. Hamil states that he knows what he did was wrong and he is sorry for his foolish actions.

Detective Anna King advised Isdore Mbadiwe of his constitutional rights, which he acknowledged understating and waiving. Mr. Mbadiwe states he is from Nigeria and has lived in the United States since 1997 as a permanent resident on visa. He states that on Friday, February 20, 2004 at about 8:00 p.m. he received a phone call from Booker. Mr. Mbadiwe identified Booker as the same person who was arrested with him today in the front passenger's seat. Mr. Mbadiwe has known Booker also identified as Huntley Evans for one year from the Caribbean Club. Mr. Mbadiwe states that Huntley was looking for two pounds of weed (marijuana). Mbadiwe said he would try and help Huntley get it. He called his supplier Mbadiwe he went to pick up his supplier who was with another individual all three of them then went to the area of Chicago Sub where Mbadiwe parked his taxi. Got out of his taxi and went to meet Booker who was in a truck. Mr. Mbadiwe states that he had two pounds of marijuana to take to Booker and that he brought the two pounds into the truck and sat in the rear seat of the truck. Mbadiwe states he only called and carried it to the car and he is a middleman. Mbadiwe states he is not a drug dealer. He states he understands what he did was wrong and he is sorry for his poor decision he was only doing Huntley a favor and he wasn't sure what he was going to get for carrying the two pounds of marijuana in the car.

The defendant Huntley Evans was advised of his constitutional rights by Detective Mary Schmitz who heard the defendant acknowledge his understanding and waiving of his rights and he stated he didn't know the guy in the backseat of the truck he was stopped in. The defendant Mr. Evans states that he knows that he had some marijuana for his personal use in his inside left jacket pocket. He states he got the weed from guys walking around 79<sup>th</sup> and Bender. He states he has been smoking marijuana all of his life every chance he gets he states it is his religion he is Rastifarian. He states he did have a bag of marijuana in his jacket and his jacket was royal blue with orange trim. He states that he was with these guys in the truck to smoke his weed.

A review of Milwaukee County Clerk of Court records of criminal defendants reflects that the defendant Huntley Evans has a pending case 2002CM004430 for retail theft and resisting or obstructing an officer, a condition of his release on that case is that he commits no further criminal conduct. The defendant Huntley Evans failed to comply with the terms



Hamil, Melberton O D.O.B. July 18, 1980  
Mbadwe, Isdore Nmi D.O.B. July 4, 1973  
Evans, Huntley Nmi D.O.B. December 15, 1977

Page

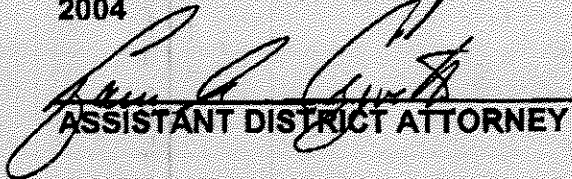
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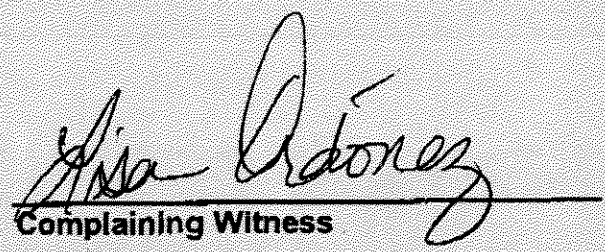
of his release under Chapter 969 of the Wisconsin Statutes and as such committed the misdemeanor offense of bail jumping. A certified record of the defendant's bond has been ordered.

\*\*\*\*End of Complaint\*\*\*\*

Subscribed and sworn to before me  
and approved for filing on this

26 day of February,  
2004

  
ASSISTANT DISTRICT ATTORNEY

  
Complaining Witness

Karine O'Byrne\TJK

-- FELONY COMPLAINT --

J:\REVIEW\04XF\01000 - 01499\04XF1291\2004-02-25 COMP COMPLAINT  
-HAMIL,MELBERTON^MBADINE,ISDORE^EVANS,HUNTLEY~~04XF1291.DOC  
TYPIST: TJK