

**FILED**  
**11-22-2021**  
**Clerk of Courts**  
**Fond du Lac County WI**  
**2021CF000923**

**STATE OF WISCONSIN      CIRCUIT COURT      FOND DU LAC COUNTY**

STATE OF WISCONSIN

Plaintiff,

vs.

ANTHONY J VAN EGTERN

W3631 County Road WH

Malone, WI 53049-1678

DOB: 05/27/1981

Sex/Race: M/W

Alias:

Defendant.

DA Case No.: 2021FL002999

Assigned DA/ADA: Eric J. Toney

Agency Case No.:

Court Case No.:

ATN:

**CRIMINAL COMPLAINT**

*For Official Use*

The undersigned law enforcement officer, being first duly sworn, states that:

**Count 1: ELECTION FRAUD - VOTING BY DISQUALIFIED PERSON**

The above-named defendant on or about Tuesday, November 3, 2020, Fond du Lac County, Wisconsin, did intentionally vote at an election when he did not have the necessary elector qualifications, to wit, he was a convicted felon who had not yet completed their term of probation, contrary to sec. 12.13(1)(a), 939.50(3)(i) Wis. Stats., a Class I Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than three (3) years and six (6) months, or both.

**PROBABLE CAUSE:**

Complainant is a Detective with the Fond du Lac County Sheriff's Office and basis this complaint upon the report and investigation of Detective Michelle Fink of the same agency with whom your complainant has worked with and knows to be competent and reliable.

On September 21, 2021 the Wisconsin Elections Commission employees Nathan Judnic and Jodi Kitts submitted letters and documentation to the Fond du Lac County District Attorney's Office indicating that Anthony J. Van Egtern, the defendant, was on probation or parole for a felony conviction and voted on November 3, 2020 in the general election at the Taycheedah Town Hall located at W4295 Kiekaefer Parkway, Fond du Lac County, Wisconsin. The letter from Jodi Kitts also indicated that Anthony Van Egtern was on active probation beginning on December 11, 2018, which included election day November 3, 2020, and was scheduled to end probation on December 11, 2020.

Complaint reviewed a copy of the Anthony Van Egtern's Wisconsin Voter Application which was signed by Anthony Van Egtern on November 3, 2020 in which the defendant listed his address as W3631 County Road WH, Malone, Fond du Lac County, Wisconsin. Prior to signing the Application it required the defendant to acknowledge that "**I am a qualified elector**" and "not otherwise disqualified from voting." Complainant is aware the defendant's address was listed as W3631 Cty Wh, Malone 53049, which is in Fond du Lac County, Wisconsin, with the Department of Corrections.

Complaint has reviewed a copy of the Town of Taycheedah poll book from the November 3, 2020 election, which reflects Anthony Van Egtern signed the poll book as voter #1252 and listed his address as "W3631 County Road WH, Malone, WI 53049."

Complainant has also reviewed a copy of the Judgment of Conviction from Ozaukee County Case No. 18CF310. The forms reflect that Anthony Van Egtern was convicted of a felony on December 11, 2018, and sentenced to 2 years of probation with a withheld sentence and 75 days of conditional jail time. Complaint reviewed a copy of the plea questionnaire and waiver of right form from 18CF310 in which the Defendant signed, which states "I understand that if I am convicted of any felony, I may not vote in any election until my civil rights are restored."

Detective Fink reviewed the materials provided by the Wisconsin Election Commission and Detective Fink interviewed the defendant on November 8, 2021 at his residence. The defendant initially denied having voted in the November 3, 2020 election

Detective Fink then showed the defendant his plea/waiver form from 18CF310 and the defendant confirmed the form had his signature on it. Detective Fink then showed the Defendant a copy of the November 3, 2020 poll book from Taycheedah including the poll book signature. Detective Fink pointed out that signatures from the two forms looked to be the same.

Detective Fink then asked the Defendant if he voted and the Defendant stated "Okay, I'm not going to lie, it was me." The Defendant then said he was freaking out about it and that he did do it and was not going to lie. Detective Fink asked the Defendant why he voted and the Defendant stated he voted because he thought it was important to vote and the country was going to hell.

Detective Fink reviewed a copy of the Department of Corrections "Discharge Certificate" for the Defendant, which stated that effective December 11, 2020 the Defendant was discharged from probation and his civil rights were restored, meaning the Defendant was ineligible to vote on November 3, 2020.

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

Subscribed and sworn to before me on 11/22/21  
Electronically Signed By:  
Douglas R. Edelstein  
Deputy District Attorney  
State Bar #: 1070550

Electronically Signed By:  
Detective Nathan LaMotte  
Complainant