

FILED
07-28-2021
Clerk of Circuit Court
For Official Use
La Crosse County WI
2021CF000582

STATE OF WISCONSIN CIRCUIT COURT LA CROSSE COUNTY

STATE OF WISCONSIN

Plaintiff,

vs.

Nya Kou Thao
361 Kimberly Street
Holmen, WI 54636
DOB: 08/08/1987
Sex/Race: M/A
Eye Color: Brown
Hair Color: Black
Height: 5 ft 4 in
Weight: 150 lbs
Alias: Also Known As Kush
Also Known As Nya K Thao

Defendant.

DA Case No.: 2021LC002500
Assigned DA/ADA: Tim Gruenke
Agency Case No.: 00-21-16271
Court Case No.:
ATN:

CRIMINAL COMPLAINT

Sergeant Brandon Penzkover, La Crosse County Sheriff's Department, being first duly sworn on oath says that on information and belief:

Count 1: FIRST DEGREE INTENTIONAL HOMICIDE - PTAC, AS A PARTY TO A CRIME

The above-named defendant on or about Friday, July 23, 2021, at N6290 County Road M - Romskog Quarry, in the Town of Hamilton, La Crosse County, Wisconsin, as a party to a crime, did cause the death of Nemo Yang, with intent to kill that person or another, contrary to sec. 940.01(1)(a), 939.50(3)(a), 939.05 Wis. Stats., a Class A Felony, and upon conviction shall be sentenced to imprisonment for life.

Count 2: FIRST DEGREE INTENTIONAL HOMICIDE - PTAC, AS A PARTY TO A CRIME

The above-named defendant on or about Friday, July 23, 2021, at N6290 County Road M - Romskog Quarry, in the Town of Hamilton, La Crosse County, Wisconsin, as a party to a crime, did cause the death of Peng Lor, with intent to kill that person or another, contrary to sec. 940.01(1)(a), 939.50(3)(a), 939.05 Wis. Stats., a Class A Felony, and upon conviction shall be sentenced to imprisonment for life.

Count 3: FIRST DEGREE INTENTIONAL HOMICIDE - PTAC, AS A PARTY TO A CRIME

The above-named defendant on or about Friday, July 23, 2021, at N6290 County Road M - Romskog Quarry, in the Town of Hamilton, La Crosse County, Wisconsin, as a party to a crime, did cause the death of Trevor Maloney, with intent to kill that person or another, contrary to sec. 940.01(1)(a), 939.50(3)(a), 939.05 Wis. Stats., a Class A Felony, and upon conviction shall be sentenced to imprisonment for life.

Count 4: POSSESSION OF A FIREARM BY A FELON - PTAC, AS A PARTY TO A CRIME, REPEATER

The above-named defendant on or about Friday, July 23, 2021, at N6290 County Road M - Romskog Quarry, in the Town of Hamilton, La Crosse County, Wisconsin, as a party to a crime, did possess a firearm, having been convicted of a felony in this state, contrary to sec. 941.29(1m)(a), 939.50(3)(g),

939.05, 939.62(1)(b) Wis. Stats., a Class G Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having conviction(s), which remain of record and unreversed, during the five year period immediately preceding the commission of this offense, consisting of at least one felony, so the maximum term of imprisonment for the underlying crime may be increased by not more than four years.

and prays that the defendant be dealt with according to law; that the basis for complainant's charge of such offense is:

FACTUAL BASIS:

CONVICTION RECORD OF DEFENDANT: Your complainant is informed by the National Crime Information Bureau and the Wisconsin Criminal Information Bureau official teletypes; the Wisconsin Circuit Court Automated Programs; and the La Crosse County District Attorney's Office files, when available, the defendant has the following convictions and related sentence abstracts:

CONV. DATE	OFF. DATE	JURISDICTION	CASE NUMBER	SEV.	OFFENSE/SENTENCE
3/17/2020	12/13/2019	La Crosse Co.	19CF1073	Fel. I	Possession of Meth – Rptr <i>Probation – 2 years</i>
3/17/2020	8/9/2019	La Crosse Co.	19CM891	Misd. A	Theft – Movable Prop<=2500 - Rptr <i>Probation – 2 years concurrent w/ 19CF107</i>
12/6/2016	8/2/2016	La Crosse Co.	16CF582	Fel. G	Possession of a Firearm – Felon <i>2yrs WSP – 1yr IC/1yr ES Revoked from ES on 6/21/2018</i>

Your complainant has reviewed the defendant's criminal conviction history above which reveals that the defendant is a convicted felon and a habitual criminal having at least one felony conviction, which remains of record and unreversed, dated within 5 years of the above alleged offenses and excluding time which the defendant spent in actual confinement serving a criminal sentence.

On Friday, July 23, 2021, at approximately 4:57 a.m. Sergeant Mark Patterson of the La Crosse County Sheriff Office was dispatched to the Romskog Quarry located at N6290 County Road M in the Town of Hamilton and the County of La Crosse. Employees of Milestone Materials discovered bodies at the entrance of the quarry when they arrived for work that morning. When Sergeant Patterson arrived at the scene, he observed that the employees had their vehicles parked in the driveway to the quarry and that there were three bodies lying in front of the metal gates blocking the quarry. He observed that they appeared to be younger males. He checked on the bodies to confirm that they were deceased and had the witnesses relocate to intersection of County Road M and County Road S.

Investigator Sergeant John Williams of the La Crosse County Sheriff Office arrived at the quarry shortly thereafter and reviewed the scene and photographs that had been taken by Sgt. Patterson. He observed three deceased males that were covered in blood and lying close to each other. He was able to see ammunition casings next to the bodies and a red bandana lying on County Rd M.

The three decedents were identified as Nemo Yang (age 24), Peng Lor (age 24), and Trevor Maloney (age 23). They all appeared to have been shot several times in the head and/or torso.

The Wisconsin State Crime Lab team and the assisting Sheriff's Office Investigators located (10) ten Winchester 40 caliber silver shell casings scattered close to the bodies. Wallets were located at the feet of (2) two of the deceased. Identification for Nemo Yang and Trevor Maloney were found inside the wallets. The third individual had a medical card with the name of Peng Lor.

On July 23, 2021 at approximately 12:00 p.m., Wisconsin Department of Justice, Division of Criminal Investigation Special Agent Jonathan Meyer and Investigator Rich Amundsen of the La Crosse County Sheriff Office were assigned to interview a female at the City of La Crosse Police Department who had information reference this investigation. SA Meyer and Inv. Amundsen conducted a recorded interview of the female, later identified as B.L.S.

B.L.S. indicates that she was with the three victims on Thursday, June 22, 2021 and was staying in the same room as them at the Baymont Hotel in Onalaska, WI. In the early morning hours of June 23, 2021, B.L.S. and the victims were on their way from the south side of La Crosse to B.L.S.'s place of employment, the Holiday Inn Express & Suites in Onalaska, WI in B.L.S.'s black Dodge Charger. On their way to the Holiday Inn, a car began to follow them and pulled up along the passenger side of B.L.S.'s car in the parking of the hotel at approximately 2:00am. B.L.S. believed that the car following her was a black Mercedes Benz. She briefly went into the Hotel to drop off some identifying information. When she returned to her car, she identified that an individual she knew as "Kush" had gotten into her backseat on the driver's side. Nemo had moved into the passenger seat of the black Mercedes Benz. B.L.S. identified the individual driving the other car as an individual she knew as "Black" and she indicated that Black was holding a gun.

B.L.S. was instructed to follow the black Mercedes Benz in her car. At some point, she was instructed by Kush to pass the other car and Kush gave her directions as they drove to the quarry. When they arrived, B.L.S. missed the turn into the driveway, so she had to turn around and then pulled into the driveway. The car driven by Black also missed the turn into the driveway. When he reapproached, he backed in on the passenger side of B.L.S.'s car. B.L.S. stated that everyone got out of the cars and Black hit Trevor with the gun he was holding. Black then instructed Nemo, Peng, and Trevor to get on their knees and knee crawl towards the gate. Black gave the gun to Kush. Kush used the gun to shoot each of the victims. Black and Kush then got back into the black Mercedes Benz and drove away from the quarry. B.L.S. returned to her vehicle and also left.

Law enforcement is familiar with an individual who uses the name Kush with a legal name of Nya Thao. B.L.S. was shown a photo array and she positively identified the individual she knew as "Kush" as Nya Thao.

On Saturday, July 24, 2021, Deputy Peter Sloan observed the autopsies of Nemo Yang, Peng Lor, and Trevor Maloney at the Department of Anatomic Pathology in the Mayo Clinic.

As to Nemo Yang, Dr. Reichard observed four bullet entrance wounds to his person. Two of the entrance wounds were in the back of Nemo's head, one in his hand, and a fourth entrance wound midway up his back, along his spinal cord.

As to Peng Lor, Dr. Reichard observed four bullet entrance wounds to his person. The gunshot wounds were to the back of his head, his back, his neck, and one in his hand.

As to Trevor Maloney, Dr. Reichard observed three gunshot entrance wounds to his person. A gunshot wound that traveled through his arm, a second entrance wound to the area of his left temple, and a third entrance wound to the back of his neck that traveled up along with the mandible area of his jaw.

On July 24, 2021, Wisconsin Department of Justice, Division of Criminal Investigation Special Agent Joe Welsch and Investigator Fritz Leinfelder of the La Crosse County Sheriff Office went to the North Minneapolis area to interview M.V. regarding the July 23rd homicides. Earlier that day, M.V. indicated to Inv. Leinfelder that he could provide information regarding who was responsible for the killings.

He stated P.Z., Nemo Yang's mother, reached out to him and that M.V. considered Nemo family. M.V. indicated that P.Z. said the homicide occurred over \$600 and the he was going to pay Nemo's debt

himself even though he knew Nemo did not steal the money. He stated that the debt in question was with "some dude named Black." M.V. did not know who Black was but he just got out of prison. M.V. said the theft was of credit cards or cards. He was not sure. He again said Nemo would not lie to him about his involvement in this and that Nemo and Peng did not take the cards.

According to M.V., Nemo, Peng, Black, and Kush were friends. He was told one night one of them went to sleep and somehow Black's credit card got stolen and swiped. M.V. said he never received the whole story regarding that incident.

He proceeded to show Inv. Leinfelder Facebook and instant message conversations he had with Nya Thao, aka Kush. M.V. explained Kush used some disparaging words, calling him a slob which is a gang insult from a Crip to a Blood to which M.V. responded not to use those types of words with him.

M.V. showed Inv. Leinfelder that Kush called him back on July 20, 2021 at 1:47 p.m. He said, "We were hiding them," meaning Nemo and Peng. Nemo and Peng were with him almost every day and the cameras would show that at the Baymont. Trevor had the room at the Baymont and M.V. said that Trevor was a "good dude, really good dude." When the threats started he told Nemo and Peng to run. He explained "Crazy", C.X., was also there. Crazy and Nemo had a falling out because at some point Nemo had taken some money from Crazy's wallet. They had gotten a text prior to this from either Peng or Nemo's phone that went to Crazy's phone. It appeared to be an urgent message that said, "Pick us up now."

M.V. indicated that when they received this message Crazy grabbed a knife. Inv. Leinfelder asked M.V. why Crazy felt he needed to grab a knife and he said they were all TABs, True Asian Bloods, and the other people are believed to be CHBs, Crazy Hmong Boys. These titles represent rival gangs.

He described seeing and hearing B.L.S. on the phone and appearing to be scared. M.V. believed Black and Kush were the ones who were speaking with B.L.S. He believed that Kush and Black talk to B.L.S. a lot. M.V. said he then got a phone call from a person saying, "I know you're hiding them." He said this call came from Black because he knows what Kush's voice sounds like. Black told M.V. they had stolen his money and M.V. told Black they were his family. When M.V. asked how much was stolen, Black indicated it was \$618 or something like that. M.V. told Black if he needed that money to come get it from him. However, Black told M.V. that he did not want the money from M.V., but wanted it from Nemo. M.V. told Black he would give Nemo the money and Nemo would give it to Black. Black said he did not want it that way. Black became upset with him and told him "that's not how we do this" and then hung up.

M.V. questioned Nemo again about taking the money and Nemo denied it. M.V. said he told Nemo that he would pay the debt. Nemo again denied taking the money. M.V. said Black called again and M.V. told Black that Nemo has the money in his pocket. Black told M.V. that he did not want the money, "he wants his life."

M.V. stated that Nemo told him that Black and Kush put a gun in his face prior to this. He said Kush put a gun in his mouth before. M.V. told them to go to the Southside and Nemo said that they would. B.L.S. drove them out of the area.

M.V. later received a phone call from B.L.S. saying they were going back to the hotel. M.V. told her not to bring them back to that area several times. B.L.S. told M.V. they were almost back to the hotel. He then heard her scream and the phone went off. After this happened he and Crazy became "sketched out" so they went out of the door of the hotel. They attempted to hide in the woods in case someone was coming to harm them as well.

Nya Kou Thao

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M.V. then proceeded to show Inv. Leinfelder several messages between him and Kush. A message on M.V.'s Facebook from Kush with a timestamp of 2:05 a.m. read, "Peng here with both," both meaning Nemo and Trevor according to M.V.

M.V. stated he does not know who Black is. He was asked if he knew what Black drives and he said a black Mercedes. M.V. later provided information to Investigator Leinfelder that he believes that Black may be from the Wausau area.

On Monday, July 26, 2021, Inv. Leinfelder contacted Special Agent Jeremy Buss out of the Wausau Department of Criminal Investigation Office and provided him with the information collected about Black. SA Buss indicated that he had prior contact with an individual named Khamthaneth Rattanasack who uses the name Blackie or Black. SA Buss sent Inv. Leinfelder photographs of Khamthaneth Rattanasack as well as a vehicle he is known to drive. The vehicle was a black 2005 Mercedes Benz S sedan, with a Wisconsin License Plate of AGW7386.

SA Buss then contacted a Task Force Officer with the Green Bay area DEA office. The Task Force Officer was able to determine that a welfare check was done on a Virginia Rose Kreil, the registered owner of the 2005 Mercedes Benz S sedan (WI LPN AGW7386), because the vehicle was found abandoned on a property in the Green Bay area.

After this information regarding the identity of Black was received, B.L.S. was interviewed again on July 26, 2021 by SA Meyer and Inv. Amundsen. On that day, she was shown a photo array and she positively identified the individual she knew as Black, and was involved in the homicides of Nemo, Peng, and Trevor, as Khamthaneth Rattanasack.

Subscribed and sworn to before me on 07/28/21

Electronically Signed By:

Emily E Ruud

Assistant District Attorney

State Bar #: 1084087

Electronically Signed By:

Dep. Scott Nieman

Complainant