



DODGE COUNTY SHERIFF'S OFFICE

Dale J Schmidt Sheriff Scott Smith Chief Deputy

FOR IMMEDIATE RELEASE

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Sheriff Dale J Schmidt

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At 6:00 am on April 27, 2016 the Dodge County Sheriff's Office SWAT team executed a search warrant at N3315 County J, in the Town of Lowell, Dodge County. The search warrant was a part of a lengthy joint investigation conducted by the Dodge County Sheriff's Office Criminal Investigative Division and the Federal Bureau of Alcohol, Tobacco and Firearms (ATF) in regard to the purchasing and possession of firearms by individuals who have state or federal firearms disqualifiers prohibiting them from possessing a firearm.

The search warrant led to the seizure of about 35 firearms along with thousands of rounds of ammunition and suspected drugs (see attached photo of some of those weapons). A male, identified as Kirk Lupton, age 56 was taken into custody and booked into the Dodge County Jail with a charge of Possession of a Firearm by a Felon being requested of the Dodge County District Attorney's Office. Richard Nutter age 34, was also taken into custody on a probation violation and booked into the Dodge County Jail.

An ordinance device was located within the home as well. As a precaution, the Milwaukee County Bomb Squad was requested to assist the Dodge County Sheriff's Office and determined it to be inert and safe.

The Dodge County Sheriff's Office wants to assure the community that they are safe. We have taken a very dangerous individual with an extensive criminal history off the streets today and removed a large arsenal from him that was not legal for him to possess.

This case remains under investigation and therefore further information will not be released at this time. Below is a list of State Firearms Disqualifiers for your information.

Wisconsin Firearms Disqualifiers include:

Wis. Stat. § 941.29(1m)(a) Convicted of a felony in Wisconsin unless pardoned.

Wis. Stat. § 941.29(1m)(b) Convicted of a crime elsewhere that would be a felony if committed in this state unless pardoned.

Wis. Stat. § 941.29(1m)(bm) Adjudicated delinquent for an act committed on or after 04/21/1994 that if committed by an adult in this state would be a felony unless a court has restored the right to possess.

Wis. Stat. § 941.29(1m)(c) Found not guilty of a felony in this state by reason of mental disease or defect unless a court has restored the right to possess.

Wis. Stat. § 941.29(1m)(d) Found not guilty or not responsible for a crime elsewhere that would be a felony in this state by reason of insanity or mental disease, defect or illness unless a court has restored the right to possess.

Wis. Stat. § 941.29(1m)(e) Committed for treatment under s. 51.20(13)(a) and ordered not to possess a firearm unless the prohibition has been cancelled.

Wis. Stat. § 941.29(1m)(em) Ordered not to possess a firearm under s.51.20(13)(cv)1, 51.45(13)(i)1, 54.10(3)(f)1 or 55.12(10)(a) unless the order has been cancelled.

Wis. Stat. § 941.29(1m)(f) Enjoined under an injunction issued under s. 813.12 or 813.122 or under a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court established by any federally recognized Wisconsin Indian tribe or band, except the Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he or she is subject to the requirements and penalties under s. 941.29 and that has been filed under s. 806.247 (3).

Wis. Stat. § 941.29(1m)(g) Ordered not to possess a firearm under s. 813.125(4m).

Federal Firearms Disqualifiers include

18 U.S.C. § 922(g)(1) Has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year

18 U.S.C. § 922(n) Is under indictment for a crime punishable by imprisonment for a term exceeding one year

18 U.S.C. § 922(g)(2) Is a fugitive from justice

18 U.S.C. § 922(g)(3) Is an unlawful user of or addicted to any controlled substance

18 U.S.C. § 922(g)(4) Has been adjudicated as a mental defective or committed to a mental institution

18 U.S.C. § 922(g)(5) Illegally or unlawfully in the United States

18 U.S.C. § 922(g)(6) Has been discharged from the Armed Forces under dishonorable conditions

18 U.S.C. § 922(g)(7) Having been a citizen of the United States, has renounced U.S. citizenship

18 U.S.C. § 922(g)(8) Is subject to a court order that restrains the person from harassing, stalking, or threatening an intimate partner or child of such intimate partner

18 U.S.C. § 922 (g)(9) Has been convicted in any court of a misdemeanor crime of domestic violence

Follow up questions may be directed to Sheriff Dale J Schmidt.

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