

IN THE IOWA DISTRICT COURT IN AND FOR EMMET COUNTY

STATE OF IOWA, v. GREGORY BUUM, CRAIG J. MERRILL, CONNIE THACKERY, and TRACIE LANG.	Plaintiff, Defendants.	Criminal No. _____ Criminal No. _____ Criminal No. _____ Criminal No. _____ TRIAL INFORMATION
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COME NOW Tyler J. Buller and Zachary Miller, Assistant Attorneys General, and in the name and by the authority of the State of Iowa accuse Defendants Gregory Buum, Craig J. Merrill, Connie Thackery, and Tracie Lang, of committing the following crimes in Emmet County, Iowa, in the following manner:

COUNT 1
Ongoing Criminal Conduct
CLASS B FELONY

Defendants Gregory Buum, Craig J. Merrill, and Connie Thackery, on or about between 2014 and 2020, did commit specified unlawful activities, to wit: indictable offenses, for financial gain, on an ongoing basis, in violation of Iowa Code sections 706A.1(5) and 706A.2(4).

COUNT 2
Theft in the First Degree
CLASS C FELONY

Defendants Gregory Buum and Craig J. Merrill, on or about March or April of 2017, did misappropriate property in their possession or control, to wit: certain checks payable to Craig J. Merrill, having an aggregate value exceeding \$10,000, by using or disposing of the property in a manner inconsistent with or a denial of the owner's rights in the property, in violation of Iowa Code sections 714.1(2) and 714.2(1).

COUNT 3
Fraudulent Practice in the First Degree
CLASS C FELONY

Defendants Gregory Buum and Tracie Lang, between 2016 and 2018, did make an entry in a public record knowing the entry to be false, and said entry involves money exceeding \$10,000, to wit: a City Street Financial Report, in violation of Iowa Code sections 714.8(4) and 714.9.

COUNT 4
Felonious Misconduct in Office
Class D Felony

Defendants Gregory Buum and Tracie Lang, between 2016 and 2018, while public officers or employees, knowingly falsified a public record or issued a false document as a public record, to wit: a City Street Financial Report, in violation of Iowa Code section 721.1(2).

COUNT 5
Theft in the Second Degree
CLASS D FELONY

Defendant Gregory Buum, on or about September through December of 2016, did misappropriate property in his possession or control, to wit: certain checks payable to either Kate Staton or Tylor Evans, having an aggregate value exceeding \$1,500 but less than \$10,000, by using or disposing of the property in a manner inconsistent with or a denial of the owner's rights in the property, in violation of Iowa Code section 714.1(2) and 714.2(2).

COUNT 6
Theft in the Second Degree
CLASS D FELONY

Defendants Gregory Buum and Connie Thackery, on or between January and March of 2013, did misappropriate property in their possession or control, to wit: certain checks payable to Cardmember Services, having an aggregate value exceeding \$1,500 but less than \$10,000, by using or disposing of the property in a manner inconsistent with or a denial of the owner's rights in the property, in violation of Iowa Code sections 714.1(2) and 714.2(2).

COUNT 7
Theft in the Third Degree
AGGRAVATED MISDEMEANOR

Defendants Gregory Buum and Connie Thackery, on or about January of 2015, did misappropriate property in their possession or control, to wit: certain checks payable to either Connie Thackery or Tylor Evans, having an aggregate value exceeding \$750 but less than \$1,500, by using or disposing of the property in a manner inconsistent with or a denial of the owner's rights in the property, in violation of Iowa Code section 714.1(2) and 714.2(3).

COUNT 8
Non-Felonious Misconduct in Office
SERIOUS MISDEMEANOR

Defendants Gregory Buum and Connie Thackery, on or between 2013 and 2016, while public officers or employees, did knowingly fail to properly report receipt or expenditure of public moneys, to wit: certain checks payable to Kate Staton or Tylor Evans or Connie Thackery or Cardmember Services, in violation of Iowa Code section 721.2(2).

COUNT 9
Non-Felonious Misconduct in Office
SERIOUS MISDEMEANOR

Defendant Gregory Buum, on or about April 17, 2017, while a public officer or employee, did knowingly, by color of the person's office and in excess of the authority conferred on the person by that office, require a person to refrain from doing a lawful thing, to wit: locked city clerk Kate Staton out of City Hall and required her to refrain from lawfully acting as city clerk, in violation of Iowa Code section 721.2(4).

COUNT 10
Non-Felonious Misconduct in Office
SERIOUS MISDEMEANOR

Defendant Gregory Buum, on or about between 2014 and 2017, while a public officer or employee, did knowingly use property owned by the state or a subdivision or agency of the state, for a private purpose and for personal gain, to the detriment of the state or any subdivision thereof, to wit: used a Sawzall owned by the Armstrong Fire Department to obtain personal gain in the private business of carpentry, in violation of Iowa Code section 721.2(5).

COUNT 11
Tampering With Records
AGGRAVATED MISDEMEANOR

Defendant Gregory Buum, on or about 2016 or 2017, falsified or concealed a writing with the intent to injure, deceive, or conceal wrongdoing, to wit: directed Kate Staton to falsify writings related to revenues from the city pool, with intent to injure, deceive, or conceal wrongdoing from staff with the Auditor of State's Office or others, in violation of Iowa Code section 715A.5.

COUNT 12
Assault with a Dangerous Weapon
AGGRAVATED MISDEMEANOR

Defendant Craig J. Merrill, on or about April 2, 2016, did assault Tylor Evans, intending to cause pain or injury to Tylor Evans, by use of a dangerous weapon, to wit: a portable device or weapon directing an electric current, impulse, wave, or beam that produces a high-voltage pulse designed to immobilize a person, in violation of Iowa Code sections 708.1, 708.2(3), and 702.7.

COUNT 13
Assault with a Dangerous Weapon
AGGRAVATED MISDEMEANOR

Defendant Craig J. Merrill, between April and July of 2016, did assault a person other than Tylor Evans, intending to cause that person pain or injury, by use of a dangerous weapon, to wit: a portable device or weapon directing an electric current, impulse, wave, or beam that produces a high-voltage pulse designed to immobilize a person, in violation of Iowa Code sections 708.1, 708.2(3), and 702.7.

COUNT 14
Non-Felonious Misconduct in Office
SERIOUS MISDEMEANOR

Defendant Craig J. Merrill, on or about April 2, 2016, while a public officer or employee, did knowingly fail to properly report receipt or expenditure of public moneys, to wit: monies collected at a party for the ostensible purpose of reimbursing the City of Armstrong for deployed TASER darts, or did knowingly use or permit any other person to use property owned by the City of Armstrong, for a private purpose and for personal gain, to the detriment of the City of Armstrong, to wit: a City-issued TASER at a party, in violation of Iowa Code section 721.2(2) or 721.2(5).

COUNT 15
Non-Felonious Misconduct in Office
SERIOUS MISDEMEANOR

Defendant Craig J. Merrill, on or about the summer months of 2016, while a public officer or employee, did knowingly receive compensation other than a fixed fee for performance of a service or duty required by or incident to the public office, to wit: an all-expense paid vacation for performance of his duties as police chief of the City of Armstrong, for which he was already paid a fixed fee, in violation of Iowa Code section 721.2(3).

COUNT 16
Falsifying Public Documents
CLASS D FELONY

Defendant Tracie Lang, on or about February 2017, falsified public documents, to wit: altered a petition received by the City, without right or authority to do so, in violation of Iowa Code section 718.5.

COUNT 17
Felonious Misconduct in Office
CLASS D FELONY

Defendant Tracie Lang, on or about February 2017, while a public officer or employee, knowingly falsified a public record or issued a false document as a public record, to wit: a petition received by the City, in violation of Iowa Code section 721.1(2).

COUNT 18
Tampering With Records
AGGRAVATED MISDEMEANOR

Defendant Tracie Lang, on or about February 2017, falsified or concealed a writing with the intent to injure, deceive, or conceal wrongdoing, to wit: falsified or concealed portions of a petition received by the City, with intent to injure, deceive, or conceal wrongdoing from Dan Moore or other persons, in violation of Iowa Code section 715A.5.

COUNT 19
Falsifying Public Documents
CLASS D FELONY

Defendant Tracie Lang, on or about October or November of 2017, falsified public documents, to wit: City of Armstrong City Council minutes, without right or authority to do so, in violation of Iowa Code section 718.5.

COUNT 20
Felonious Misconduct in Office
CLASS D FELONY

Defendant Tracie Lang, on or about October or November of 2017, while a public officer or employee, knowingly falsified a public record or issued a false document as a public record, to wit: City of Armstrong City Council minutes, in violation of Iowa Code section 721.1(2).

COUNT 21
Tampering With Records
AGGRAVATED MISDEMEANOR

Defendant Tracie Lang, on or about October or November of 2017, falsified or concealed a writing with the intent to injure, deceive, or conceal wrongdoing, to wit: City of Armstrong City Council minutes, with intent to injure, device, or conceal wrongdoing from the public or specific persons, in violation of Iowa Code section 715A.5.

A TRUE INFORMATION



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State of Iowa Courts

Type: Approval of Trial Information

Case Number	Case Title
FECR012348	State v. Gregory Buum

On this date, I have reviewed the attached Trial Information and the accompanying Minutes of Testimony and find that they contain evidence which, if unexplained, is sufficient to warrant a conviction by a trial jury. Being satisfied from the showing made that the case should be prosecuted, I approve the Trial Information.

Release conditions are set by separate Order of the Court.

So Ordered

A handwritten signature in blue ink, reading "Shayne Mayer".

Shayne Mayer, District Court Judge
Third Judicial District of Iowa