

Defendant: Robin Ann Levitski
DPD CASE NO.: 13-52237
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IN THE
IOWA DISTRICT COURT FOR DUBUQUE COUNTY

STATE OF IOWA

VS

Levitski, Robin Ann
Defendant

DOB: 12/14/94 SSAN

716 Tisdell Ave.,

Warren, IL 61087

Before the Presiding
Judge or Magistrate

Iowa District Court

Court House, 2nd Floor

700 Central Avenue

Dubuque County,

Dubuque, Iowa 52001

Criminal No. _____

COMPLAINT

The Defendant, **Robin Ann Levitski** is accused of the crime of **False reports to or communicated with public safety entities (serious misdemeanor)** in that the Defendant did, on or about the 5th day of November 2013 in Dubuque County, Iowa, report an alleged occurrence of a criminal act, specifically a kidnapping in the 1st degree, knowing that the same did not occur, in violation of Section 718.6(1) of the Iowa Criminal Code.

DB Walsh L6
Corporal D. Brendan Welsh L6

Subscribed in my presence and sworn to before me this 8th day of
November, 2013

Scott Engleman
Notary Public, State of Iowa
SCOTT ENGLEMAN
Commission Number 742416
My Comm. Exp. AUG. 22, 2016

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STATE OF IOWA) ss.
DUBUQUE COUNTY)

AFFIDAVIT

The undersigned, being first duly sworn, states the following in support of probable cause to believe the offense charged hereon has been committed and that the Defendant has committed it:

On 11/05/13 police were contacted by telephone by Clarke University employee John Swanton (10/29/49) who said he was with Clarke student and resident, Robin Ann Levitski (12/14/94). Swanton relayed to police that Levitski was reporting to him that she had been abducted from Clarke at knife point, driven to a home on Dubuque's east side and sexually assaulted while there. Corporal D. Brendan Welsh was the assigned investigator and spoke with Levitski to schedule an interview with her.

On 11/06/13 Cpl. Welsh conducted a recorded interview with Levitski. Cpl. Welsh began this interview by explaining to Levitski the importance of being truthful in her report to him. Cpl. Welsh told Levitski that although it may be embarrassing it was essential when making a report of this significance to police that she be as truthful and accurate as possible. Levitski stated that she understood and the interview began. Levitski told Cpl. Welsh that she met a subject by the name of [REDACTED] (03/21/93) on the website *meetme.com* in late October and began chatting with him. Levitski said that on 10/23/13 at approximately 2030 hours she was at a pumpkin carving event in Clarke's student activities center when she was approached by [REDACTED]. Levitski said that [REDACTED] displayed a knife and told her to leave the center with him. Levitski said that [REDACTED] led her to an awaiting vehicle and made her enter it. Levitski told Cpl. Welsh that the driver of this vehicle was [REDACTED] relative with the first name of [REDACTED] and added that [REDACTED] drove her with [REDACTED] to a residence on Rhomberg Avenue.

Levitski said that she was led by [REDACTED] at knifepoint to an upstairs bedroom at this residence where she was forced to perform sex acts on [REDACTED]. Levitski added that [REDACTED] was photographing this incident with his telephone. Once [REDACTED] was done sexually assaulting her, Levitski said she was driven back to the Clarke campus by [REDACTED]. Levitski thought she was dropped off at Clarke around midnight on 10/24/13. Levitski additionally told Cpl. Welsh that [REDACTED] sent the images he took during the sexual assault to her phone. However, Levitski said that her grandmother saw these images on her phone and deleted them.

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Also on 11/06/13 Cpl. Welsh obtained key fob activity reports from Clarke University for Levitski's assigned campus keycard. This report showed Cpl. Welsh that during the time of the alleged kidnapping Levitski had used her key at and within Mary Benedict Hall at Clarke University.

Cpl. Welsh also sought and received permission from Levitski to process her cellphone. Cpl. Welsh recovered text messages within Levitski's text record that took place during the time of the alleged kidnapping and were not related to the incident. These text messages were between Levitski and fellow Clarke student, [REDACTED] (06/19/95).

Cpl. Welsh then located and interviewed [REDACTED]. [REDACTED] said that she was with Levitski on the night of 10/23/13 up until approximately 2100 hours on Clarke's campus. [REDACTED] added that she went to and left from the pumpkin carving event that evening with Levitski therefore no one could have approached her and led her out of the building at knife point. [REDACTED] added that she even visited with Levitski at approximately 2200 hours in Levitski's dorm room.

On 11/07/13 Cpl. Welsh interviewed [REDACTED] at his residence on Rhomberg. [REDACTED] said that he met Levitski on meetme.com a couple weeks prior and they started dating. [REDACTED] admitted that Levitski had previously spent the night at his residence but was adamant that she did not stay with him on the night of October 23rd. [REDACTED] gave Cpl. Welsh consent to process his cellphone and Cpl. Welsh recovered images depicting sexual acts between [REDACTED] and Levitski. The time date stamp on these images however was 10/27/13 and Levitski could be seen smiling while lying next to [REDACTED] in one photo. When asked if [REDACTED] knew a "[REDACTED]", [REDACTED] said that [REDACTED] was his uncle, [REDACTED] (06/07/59). [REDACTED] said that [REDACTED] had driven him around with Levitski in the past but not on the evening of 10/23/13.

Cpl. Welsh then met with [REDACTED] and conducted an interview with him. [REDACTED] stated that he had provided rides for [REDACTED] and Levitski in the past but denied any of Levitski's allegations.

On 11/08/13 Cpls. Welsh and Gorrell re-interviewed Levitski at Clarke University. This interview was recorded with a small audio recording device. Cpl. Welsh explained to Levitski that she had reported a class A felony that was punishable up to life in prison if [REDACTED] were found guilty. Cpl. Welsh asked if she thought this would be fair punishment for [REDACTED] based on what she was reporting. Levitski said that she didn't think he needed to serve that long of a sentence but he should have to do "several years." Cpl. Welsh told Levitski that her honesty was imperative if this investigation were to continue and Levitski was adamant that the details she had provided were true and accurate. Cpl. Welsh gave Levitski an opportunity to change or correct her statement if she thought at

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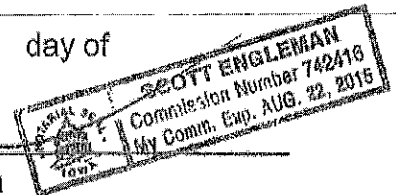
this time there was something that may have been misreported. Levitski maintained that her story was accurate.

Cpls. Welsh and Gorrell then presented Levitski with the evidence that they had uncovered which was contrary to her statements. After maintaining that she was telling the truth for approximately thirty minutes Levitski finally admitted that the entire story was fabricated to act as some sort of cover for the images that her grandmother had located on her cellphone. These images being of her and [REDACTED] engaged in sex acts. Levitski admitted that these photos were taken during a consensual sexual encounter between her and [REDACTED] on a date later than 10/23/13, contrary to what she had reported.

DB Welsh L6
Cpl. D. Brendan Welsh L6

Subscribed and sworn to before me this 8th day of November, 2013.

Scott Engleman
Notary Public, State of Iowa



The foregoing Complaint with attached affidavit having been filed before the undersigned, it appears from said Complaint and Affidavit that there is probable cause to believe an offense has been committed and that the Defendant committed the offense.

Dated this _____ day of _____

BY THE COURT: _____

Judge Magistrate / Iowa District Court