

IN THE MAGISTRATE COURT OF MARSHALL COUNTY, WEST VIRGINIA

State of West Virginia

Case No. 24-M25M-00820

v.

Misdemeanor/  Felony

Michael J. Maroney  
Defendant (Full Name)

[Redacted] 03/08/1968  
Social Security Number Date of Birth

[Redacted]  
Address  
Glen Dale, WV 26038  
City, State & Zip Code

Driver's License / Identification Number  
Phone Number(s)

**CRIMINAL COMPLAINT**

*Mag. Cl. Criminal Procedure Rule 3, 4; 18 U.S.C. § 921(a)(33)*

I, the undersigned complainant, upon my oath or affirmation, state the following is true and correct to the best of my knowledge and belief. On or about August 4, 2024, in Marshall County, West Virginia, in violation of *West Virginia Code § (cite specific section, subsection, and/or subdivision, if applicable) 61-6-1b(a) 61-8-9(a)*, the defendant did *(state statutory language of the offense)*

SEE ATTACHMENT

I further state that this complaint is based upon the following facts: On August 4, 2024 at approximately 1:06 pm I was dispatched to 13 Wheeling Ave. Glen Dale, WV (Gunbys #116). It was reported that Michael Maroney was in one of the gaming rooms masturbating.

Check if continued on an attached sheet?

*(If this complaint involves misdemeanor assault/battery [West Virginia Code § 61-2-9] or misdemeanor domestic assault/battery [West Virginia Code § 61-2-28], check all that apply.)*

The defendant

- is/was the victim's spouse.  is/was living with the victim as a spouse, parent, or guardian.
- is/was a parent or guardian of the victim.  is a person who is like a spouse, parent, or guardian of the victim.
- has a child in common with the victim.  has none of the above connections to the victim.


Complainant (who appears before Magistrate):

Edward Vogler  
Complainant Name (Full Name)  
402 WHEELING AVE  
Address  
GLEN DALE, WV 26038  
City, State & Zip Code  
304-845-5511  
Phone Number(s)  
Chief  
Office or Title, if any

On this complaint, sworn or affirmed before me and signed in my presence on this date by the complainant, the item(s) checked below apply:

- |  |  |
|--|--|
| <b>Finding</b>   | <b>Issuance</b>                                    |
| <input type="checkbox"/> No probable cause found         | <input type="checkbox"/> Summons issued            |
| <input checked="" type="checkbox"/> Probable cause found | <input checked="" type="checkbox"/> Warrant issued |
|  | <input type="checkbox"/> Warrantless arrest        |

8/13/2024  
Date  Complainant Signature

8-13-24  
Date  Magistrate Signature

ATTECHMENT 1

**§61-8-9. Indecent exposure.**

(a) A person is guilty of indecent exposure when such person intentionally exposes his or her sex organs or anus or the sex organs or anus of another person, or intentionally causes such exposure by another or engages in any overt act of sexual gratification, and does so under circumstances in which the person knows that the conduct is likely to cause affront or alarm: Provided, That it is not considered indecent exposure for a mother to breast feed a child in any location, public or private.

**§61-6-1b. Disorderly conduct; penalty.**

(a) Any person who, in a public place, any office or office building of the State of West Virginia, or in the State Capitol complex, or on any other property owned, leased, occupied or controlled by the State of West Virginia, a mobile home park, a public parking area, a common area of an apartment building or dormitory, or a common area of a privately owned commercial shopping center, mall or other group of commercial retail establishments, disturbs the peace of others by violent, profane, indecent or boisterous conduct or language or by the making of unreasonably loud noise that is intended to cause annoyance or alarm to another person, and who persists in such conduct after being requested to desist by a law-enforcement officer acting in his or her lawful capacity, is guilty of disorderly conduct, a misdemeanor and, upon conviction thereof, may be confined in jail for twenty-four hours or fined not more than \$100: Provided, That nothing in this subsection should be construed as a deterrence to the lawful and orderly public right to demonstrate in support or protest of public policy issues.

Case No.: \_\_\_\_\_

IN THE MAGISTRATE COURT OF MARSHALL COUNTY, WEST VIRGINIA

MAGISTRATE COURT CRIMINAL COMPLAINT  
CONTINUATION SHEET

Upon my arrival I entered the store and spoke to [REDACTED] Gunby's on duty employees, they stated that Mr. Maroney was in the back room on machine nine, they stated that he had come out to the ATM machine and was breathing heavy and was touching himself. Unsure as to what was going on they started to observe him on the CCTV, in doing so they witnessed him masturbating. [REDACTED] went on to say she contacted her supervisor who was able to view the video from her location, she instructed [REDACTED] to notify law enforcement. She stated that he is "doing it right now".

I went into the gaming area and found Mr. Maroney in the back room sitting in front of one of the poker machines. I approached him and inquired as to what he was doing. He stated he was playing the machine, I advised him that the attendants had witnessed him masturbating. He got defensive and advised he hadn't, I advised him they have camera's all over and had seen him on the camera. He still denied his actions and stated he'd just leave, he asked if he could finish his current game. He finished what he was doing and left the establishment. It is noted that the gaming room is not a secured area and can be accessed by anyone wanting to play the gaming machines.

I followed him out to the lobby and once he left I spoke to [REDACTED] They showed me the video of Mr. Maroney, there were numerous times where he would put his hands in his pants and begin to masturbate. At approximately 1:04pm It was very evident that Mr. Maroney was in the act of masturbating. Both [REDACTED] appeared to be shaken and upset by what they had witnessed.

8/13/2024

Date

Magistrate's Signature