05 SW 53

STATE OF WISCONSIN CIRCUIT COURT MANITOWOC COUNTY

MANITOWOC COUNTY FILED JUL 19 2006 CLERK OF CIRCUIT COURT

SERVED 3:48 PM NOVEMBER 5TH, 2005

SEARCH WARRANT

TO THE SHERIFF OR ANY CONSTABLE OR ANY PEACE OFFICER OF SAID COUNTY:

WHEREAS, Investigator Mark Wiegert of the Calumet County Sheriff's Department, being duly sworn, has complained in writing to the said Court, and states on information and belief, that on November 5, 2005, in and upon certain premises in the Town of Gibson, County of Manitowoc, Wisconsin, specifically:

(1) 12932 Avery Road, in the Town of Gibson, County of Manitowoc, Wisconsin, occupied by Steven A. Avery, Sr. (DOB: 07/09/1962), more particularly described as follows: a single family trailer, red in color, with white trim around the windows. The trailer has an attached wooden deck and has the number 12932 on the front of the residence next to the front entrance. There is a detached garage next to the residence that is red and blue in color with a single white garage door and a white service door.

(2) 12930A Avery Road, in the Town of Gibson, County of Manitowoc, Wisconsin, occupied by Barbara E. Janda (DOB: 11/07/1964), more particularly described as a single family trailer with gray vinyl siding with maroon shutters. The numbers 12930A are located on the front of the residence. 12930A Avery Road has a detached garage with gray siding, two white garage doors and white trim around the windows and doors.

(3) The residences and garages are located within the property of Avery Auto Salvage. The auto salvage yard is approximately 40 acres in size and is surrounded by a berm and some fencing. On the property, there are numerous outbuildings and vehicles, those that are operational and also junked and scrapped vehicles, associated with the salvage yard business.

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EXHIBIT tabbies 05CF 381 15 JB 07-19-06

99 (1)

There are now located and concealed certain things, to-wit:

(1) 1999 Toyota Rav 4, dark blue in color, VIN #JT3HP10V5X7113044.

(2) Women's clothing including, but not limited to, blue jeans, a white button-down shirt, and a spring jacket.

(3) Teresa Marie Halbach, DOB: 03/22/1980, described as a white female, sandy blonde hair, 5'6", approximately 135 pounds.

(4) Property belonging to Teresa Halbach including, but not limited to, cameras, film and photography equipment, and electronic storage devices.

(5) Forensic evidence including, but not limited to, fiber evidence, blood, hair, saliva, semen, and fingerprints.

(6) Instrumentalities capable of taking a human life including, but not limited to, weapons, firearms, ammunition, knives, cutting instruments, ropes, and ligatures.

which things were used in the commission of, or may constitute evidence of a crime, to-wit: violations of secs. 940.01, 940.225, 940.30, 940.31 and 943.20, Wis. Stats.

and prays that a Search Warrant be issued to search said premises for said items.

NOW, THEREFORE, in the name of the State of Wisconsin, you are commanded forthwith to search the said premises for said things, and if the same or any portion thereof are found, to bring the same, and the persons(s) in whose possession the same are found, and return this warrant within forty-eight hours of service, before the said Court, to be dealt with according to law.

Dated this 5 day of November, 2005.

JUDGE OR COURT COMMISSIONER
MANITOWOC COUNTY, WISCONSIN

05SW53

STATE OF WISCONSIN CIRCUIT COURT MANITOWOC COUNTY

AFFIDAVIT FOR SEARCH WARRANT

WHEREAS, Investigator Mark Wiegert of the Calumet County Sheriff's Department, being first duly sworn on oath, states on information and belief that the facts tending to establish the grounds for issuing a search warrant are as follows:

The facts tending to establish the grounds for issuing a search warrant are as follows:

1. Your affiant is an investigator with the Calumet County Sheriff's Department. Your affiant has duties that include missing person investigations in and around Calumet County, Wisconsin. The Calumet County Sheriff's Department on November 5, 2005, was requested by the Manitowoc County Sheriff's Department to lead the investigation on behalf of the Manitowoc County Sheriff's Department under the doctrine of mutual aid.

2. Your affiant is informed that on November 3, 2005, at 5 p.m., Karen Halbach contacted the Calumet County Sheriff's Department. Halbach stated that her daughter, Teresa Marie Halbach, DOB: 03/22/1980, had not been seen or heard from since Monday, October 31, 2005. Halbach said it was unusual for Teresa not to have had personal or telephone contact with her family or friends for this length of time. Halbach stated that her daughter was driving a 1999 Toyota Rav 4, dark blue in color.

3. Your affiant is informed that on November 4, 2005, Investigator Dave Remiker of the Manitowoc County Sheriff's Department interviewed Steven A. Avery (DOB: 07/09/1962) on November 4, 2005. Upon speaking with Steven Avery, Avery stated that he resides at 12932 Avery Road in the Town of Gibson, Manitowoc County, Wisconsin. Avery also did provide Investigator Remiker with verbal consent to search his residence, and Investigator Remiker was allowed into Avery's residence on November 4, 2005. Avery informed Investigator Remiker that Teresa Halbach was on his property on Monday, October 31, 2005, to take photographs of a vehicle he was selling. Avery also stated that Barbara Janda lives at 12930A Avery Road in the Town of Gibson, Manitowoc County, Wisconsin. Janda's residence is very close in proximity to the location where Teresa Halbach conducted her business on the Avery property on October 31, 2005.

4. On November 5, 2005, your affiant observed the property at 12932 Avery Road, in the Town of Gibson, County of Manitowoc, Wisconsin, occupied by Steven A. Avery, Sr. (DOB: 07/09/1962), and describes it as follows: a single family trailer, red in color, with white trim around the windows. The trailer has an attached wooden deck and has the number 12932 on the front of the residence next to the front entrance. There is a detached garage next to the residence that is red and blue in color with a single white garage door and a white service door. Also located on the property is 12930A Avery Road, in the Town of Gibson, County of Manitowoc, Wisconsin, occupied by Barbara E.

Janda (DOB: 11/07/1964), and describes it as a single family trailer with gray vinyl siding with maroon shutters. The numbers 12930A are located on the front of the residence. 12930A Avery Road has a detached garage with gray siding, two white garage doors and white trim around the windows and doors. Your affiant states that the residences and garages are located within the property of Avery Auto Salvage. The auto salvage yard is approximately 40 acres in size and is surrounded by a berm and some fencing. On the property, there are numerous outbuildings and vehicles, those that are operational and also junked and scrapped vehicles, associated with the salvage yard business. Your affiant is aware that Steven Avery is employed by Avery Auto Salvage and would have access to all the buildings, vehicles, and residences on the parcel.

5. Your affiant is informed that on November 5, 2005, officers received information from volunteer searchers that they had located a vehicle matching the description of the vehicle owned by Teresa Halbach at Avery Auto Salvage located 12932 Avery Road, in the Town of Gibson, County of Manitowoc, Wisconsin. Your affiant is informed that Investigator Remiker was provided with the VIN number of the Rav 4 located at Avery Auto Salvage; the searchers provided the VIN #JT3HP10V5X7113044 taken from the vehicle which they located. Investigator Remiker was able to confirm that VIN #JT3HP10V5X7113044 is the correct number for Teresa Halbach's Toyota Rav 4. During a visual observation of the vehicle, Investigator Remiker noted that there were tree branches covering the vehicle and also vehicle parts placed alongside of the vehicle which looked as though someone had attempted to conceal the vehicle.

6. Your affiant received information that when Teresa Halbach was last seen, she was wearing blue jeans, a white button-down shirt, and a spring jacket.

7. Your affiant believes that based upon Teresa's lack of contact with her employer and family members and her vehicle being abandoned at the Avery Auto Salvage yard, that Teresa Halbach is the victim of a crime including, but not limited to, homicide, sexual assault, kidnapping, false imprisonment, and theft.

Respectfully submitted this
5th day of November, 2005.

Mark Wiegert, Investigator
Calumet County Sheriff's Department

Subscribed and sworn to before me
this 5th day of November, 2005.

Notary Public, State of Wisconsin
My commission: is permanent

ENDORSEMENT

Nov. 5th mw.

Received by me, ~~Feb 5th mw.~~, 2005

at 3:10 o'clock pm M.

M. West

05SW53

MANITOWOC COUNTY, WIS
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2005 NOV 10 PM 4:19
CYNTHIA HAUNT
CLERK OF
CIRCUIT COURT

RETURN OF OFFICER

State of Wisconsin
Circuit Court
Manitowoc County

I hereby certify that by virtue of the within warrant, the property described on the face of the search warrant was searched and the following was seized:

1. 1994 Toyota RAV4, VIN #JT3HP10V5X7113044 and contents therein
2. Wisconsin registration plates bearing SWH-582
3. Charred material that may be a cellular telephone
4. Charred material that may be part of a digital camera
5. Broken pair of eyeglasses
6. Possible blood evidence
7. Charred remains of a female human being
8. Bedding material containing fiber and other forensic evidence
9. Broken "LG" cellular telephone
10. 1 pair of metal handcuffs
11. 1 pair of metal leg irons
12. Duct tape
13. Vacuum cleaner, bag, and filter
14. Couch pillow containing fiber and other forensic evidence
15. Pornographic material
16. Small memo style notebook
17. Personal identifiers of Steven Avery tending to establish residency
18. "Auto Trader" magazine
20. "For Sale" sign
21. Keys
22. Sheet of paper with "Auto Trader" letterhead
23. CD case (sun visor style) containing two CD's
24. .22 caliber long rifle brass casings
25. .223 caliber brass casings
26. Firearms and ammunition
27. Rags with reddish stains
28. Hairs and fibers
29. Blanket from black Ford F-350 bearing Wisconsin registration plate AG 5467/Truck listing to Steven Avery containing fiber and other

forensic evidence
30. Passenger side floor mat from above vehicle
31. Finger/palm print evidence
32. Burning barrels and contents
33. Ashes
34. "Bissell" carpet cleaner
35. Sexual devices
36. 1 pair women's gloves (black)
37. Charred remnants of clothing
38. Cutting instruments
39. Claw hammer
40. Rubber hammer
41. Electrical cord
42. Fabric swatches cut from couches containing fiber and other forensic evidence

and have the same now in my control subject to the direction of the court.

Dated this 10TH day of NOVEMBER, 2005

John Dedering, Investigator
Calumet County Sheriff's Department

CALUMET COUNTY SHERIFF'S DEPARTMENT

GERALD A. PAGEL, SHERIFF
Paul A. Rusch, Captain

Radio Station – KGL 593
WI Teletype Code – CASO

206 Court Street
Chilton, WI 53014

Chilton (920) 849-2335
Appleton (920) 989-2700 Ext. 222
FAX (920) 849-1431

DATE: 11/10/05

TO: CLERK OF COURTS
MANITOWOC COUNTY

FROM: DEDERING, INVESTIGATIONS

No. of sheets including cover sheet 3

Comments: AFFIDAVIT OF RETURN; AVERY SEARCH WARRANT; TIME STAMP 2:22 PM 11/10/05

CONFIDENTIALITY NOTICE

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sheriff/secretary/forms

05SW053

RETURN OF OFFICER

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Circuit Court
Manitowoc County

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29. Blanket from black Ford F-350 bearing Wisconsin registration plate AG 5467/Truck listing to Steven Avery containing fiber and other

MANITOWOC COUNTY, WIS
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CIRCUIT COURT

forensic evidence

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34. "Bissell" carpet cleaner
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36. 1 pair women's gloves (black)
37. Charred remnants of clothing
38. Cutting instruments
39. Claw hammer
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42. Fabric swatches cut from couches containing fiber and other forensic evidence

and have the same now in my control subject to the direction of the court.

Dated this 10TH day of NOVEMBER, 2005

John Dedering, Investigator
Calumet County Sheriff's Department