

STATE OF WISCONSIN
CIRCUIT COURT
MANITOWOC COUNTY

EXHIBIT LIST

MANITOWOC COUNTY,
STATE OF WISCONSIN

Case number

FILED

85 FE 118

DEC 13 1985

Date
12-10-85

State vs. Steven A. Amery

Plaintiff's Attorney(s)
Denis R. Fogel

Defendant's Attorney(s)
James Bolgart
CLERK OF CIRCUIT COURT

NUMBER	DESCRIPTION	OFFERED	RECEIVED	DENIED	WITHDRAWN	WITHDRAWN & REPLACED	NUMBER	DESCRIPTION	OFFERED	RECEIVED	DENIED	WITHDRAWN	WITHDRAWN & REPLACED
P 1	Photograph	✓	✓				P 16	Photograph	✓	✓			
P 2	Photograph	✓	✓				P 17	Photograph	✓	✓			
P 3	Photograph	✓	✓				P 18	Photograph	✓	✓			
P 4	Photograph	✓	✓				P 19	Photograph	✓	✓			
P 5	Photograph	✓	✓				P 20	Photograph	✓	✓			
P 6	Photograph	✓	✓				P 21	Photograph	✓	✓			
P 7	Photograph	✓	✓				P 22	Photograph	✓	✓			
P 8	Photograph	✓	✓				P 23	Photograph	✓	✓			
P 9	Photograph	✓	✓				P 24	Photograph	✓	✓			
P 10	Photograph	✓	✓				P 25	Photograph	✓	✓			
P 11	Photograph	✓	✓				P 26	copy of sketch defendant	✓	✓			
P 12	Photograph	✓	✓				P 27	group of 9 photographs (re: line-up)	✓	✓			
P 13	Photograph	✓	✓				P 28	photocopy of victim's statement dated 7/29/85 (5 pages)	✓	✓			
P 14	Photograph	✓	✓				P 29	photocopy of receipt for evidence when received at Crime Lab	✓	✓			
P 15	Photograph	✓	✓				P 30	D 12 from kit from Crime Lab containing hair samples	✓	✓			

EL 6/85

STATE OF WISCONSIN
CIRCUIT COURT
MANITOWOC COUNTY

EXHIBIT LIST

Case number
85 FE 118
Date
12-10-85
12-11-85

Case Title
State vs. Steven A. Avery

Plaintiff's Attorney(s)
Werner R. Vogel

Defendant's Attorney(s)
James Bolger 12-12-85
12-13-85

NUMBER	DESCRIPTION	OFFERED	RECEIVED	DENIED	WITHDRAWN	WITHDRAWN & REPLACED	NUMBER	DESCRIPTION	OFFERED	RECEIVED	DENIED	WITHDRAWN	WITHDRAWN & REPLACED
P 31	inc. Brn. T. shirt Plastic bag from Crime Lab containing items referring to Item Form Report	✓	✓				P 46	photocopy of speeding ticket issued to Edward Weber	✓	✓			
P 32	Plastic bag containing hair samples of Steven A. Avery	✓	✓				P 47	foreman employment records from Weyerhaeuser Co., 3 pages	✓	✓			
P 33	Plastic bag containing hair samples of Lori Avery	✓	✓				P 48	Program log from WSPV-TV, 22 pages	✓	✓			
P 34	plastic bag containing blue trousers and brown paper bag	✓	✓				P 49	receipt from Fleet Farm for plaster	✓	✓			
P 35	box containing (includes shoes) various items, examined at Crime Lab.	✓	✓				P 50	statement of Lori Avery	✓	✓			
P 36	copy of report from crime lab dated 11-19-85	✓	✓				P 51	Photograph of A & family taken 7-28-85	✓	✓			
P 37	copy of report from crime lab dated 8-26-85 re: sand	✓	✓				P 52	portion of report of Sheriff blown up on cardboard	✓	✓			
P 38	Sex Crimes kit	✓	✓				P 53	portion of interview with D blown up on cardboard	✓	✓			
P 39	of 7/29/85 Police report (1 page)	✓	✓				P 54	statement of Charles Avery, 1 page	✓	✓			
P 40	copy of warning ticket for child safety restraints dated 4-6-84	✓	✓				P 55	statement of Charles Steffen, 1 page	✓	✓			
P 41	photocopy of time card of Donald Ciglar	✓	✓				P 56	framed picture of auto salvage yard	✓	✓			
P 42	photocopy of detail from Shopko East with time at 5:13PM	✓	✓				P 57	3 receipts for money paid out by Allan Avery on 7/29/85.	✓	✓			
P 43	photocopy of statement of victim taken at hospital	✓	✓				P 58	cement edger	✓	✓			
P 44	Brown leather jacket	✓	✓				P 59	group of four (4) photographs of cement work	✓	✓			
P 45	Document found on beach area by canine unit on 7-30-85	✓	✓				P 60	statement of Allan Avery	✓	✓			

STATE OF WISCONSIN
CIRCUIT COURT
MANITOWOC COUNTY

EXHIBIT LIST

Case number
85 FE 118

Case Title
State vs. Steven A. Amery

Date
12-13-85

Plaintiff's Attorney(s)
Dennis R. Vogel

Defendant's Attorney(s)
James Bolger

NUMBER	DESCRIPTION	OFFERED	RECEIVED	DENIED	WITHDRAWN	WITHDRAWN & REPLACED
61	<i>Report of special investigator</i>	✓	✓			
62	<i>Inventory list of items seized in search warrant</i>	✓	✓			
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NUMBER	DESCRIPTION	OFFERED	RECEIVED	DENIED	WITHDRAWN	WITHDRAWN & REPLACED
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RECEIVED

FEB 24 1987

CLERK OF COURT OF APPEALS
OF WISCONSIN

SUPPLEMENTAL RETURN

COMPILATION OF RECORD

STATE OF WISCONSIN VS. STEVEN A. AVERY

CASE FILE NO. 85 FE 118

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Exhibit No. 24, Photograph

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Exhibit No. 25, Photograph

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STATE OF WISCONSIN VS. STEVEN A. AVERY
Case N. 85 FE 118

PAGE

1	(1 - 2)	Criminal complaint.
2	(1 - 3)	Petition for Pre-trial Detention.
3		Order Appointing Counsel.
4		Notice of Motion.
5	(1 - 2)	Motion to Dismiss.
6		Motion to Dismiss #2.
7		Motion to Dismiss Complaint.
8		Motion to Dismiss - Illegal Arrest.
9		Motion to Dismiss Illegal Detention.
10		Motion to Dismiss Unconstitutional Statute as Applied.
11	(1 - 4)	Motion for Discovery.
12	(1 - 2)	Motion for Exculpatory Evidence.
13		Motion for Bail.
14	(1 - 2)	Motion to Suppress Identification.
15	(1 - 2)	Motion to Suppress Identification # 2.
16		Motion to Suppress Statements.
17		Motion to Suppress Statements # 2.
18		Motion to Suppress Physical Evidence.
19	(1 - 5)	Exhibit No. 3 from preliminary examination, sign in sheet regarding condition of bail on Case No. 85 FE 3.
20		Order for Pre-Trial Detention dated 9-13-85 as of 9-12-85.
21		Order for Pre-Trial Detention dated 9-20-85 as of 9-18-85.
22	(1 - 2)	Information.
23		Notice of Motion.

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STATE OF WISCONSIN VS. STEVEN A. AVERY
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24 Motion to Dismiss Insufficiency of Preliminary Hearing.

25 Motion to Dismiss Insufficient Information.

26 Motion for Change of Place of Trial.

27 (1 - 2) Affidavit in Support of Motion to Change Place of Trial.

28 Scheduling Order.

29 (1 - 146) Transcript of preliminary examination commencing on 9-12-85
and continued to 9-18-85.

30 (1 - 17) Transcript of ruling of Court on pretrial detention held on
9-18-85.

31 Notice of Motion.

32 (1 - 2) Motion to Re-open Preventive Detention Hearing.

33 (1 - 20) Motion to Court of Appeals, District II, to Enlarge Time Period for
Filing Petition for Leave to Appeal a Non-final Order entered in
the Circuit Court of Manitowoc County, Branch III, Honorable
Fred Hazlewood Presiding, with Appendices A, B, C and D attached,
and Certificate of Service.

34 (1 - 2) Order from Court of Appeals dated 10-8-85 that the motion for
extension of time is dismissed as prematurely brought and it is
further ordered that the petition for leave to appeal is
denied, as moot.

35 Notice of Motion.

36 Additional Discovery Motion.

37 Order Appointing Counsel.

38 (1 - 2) Request for Crime Lab Analysis; Admission of Service.

39 (1 - 5) Notice of Alibi; Motion for Discovery-Medical Records;
Unsigned Medical and Psychological Authorization; Admission of
Service of Notice of Alibi and Motion for Discovery-Medical Records.

40 Admission of Service of Subpoena of Penelope Beerntsen.

41 Subpoena to Penelope Beerntsen.

42 Exhibit No. 2 at motion hearing, Miranda Warning and Waiver.

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STATE OF WISCONSIN VS. STEVEN A. AVERY
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- 43 Exhibit No. 5 at motion hearing, Miranda Warning, Waiver, in plastic cover.
- 44 (1 - 8) Exhibit No. 6 at motion hearing, Report of Manitowoc County Sheriff's Department - 8 pages.
- 45 Exhibit No. 7 at motion hearing, group of 9 photographs used in line-up.
- 46 (1 - 5) Exhibit No. 8 at motion hearing, report of notes made by witness Judy Dvorak dated 7-29-85 - 5 pages.
- 47 (1 - 5) Exhibit No. 9 at motion hearing, typewritten report of notes made by witness Judy Dvorak dated 8-1-85 - 5 pages.
- 48 Photocopy of drawing of defendant made by witness Eugene Kusche.
- 49 (1 - 3) Memorandum Decision to Supplement Oral Decision Rendered on 11-13-85.
- 50 through Subpoena Duces Tecum.
- 59
- 60 (1 - 2) Certificate of Service of Subpoena Duces Tecum with Subpoena Duces Tecum attached. (News Director, WOMT Radio.)
- 61 (1 - 2) Certificate of Service of Subpoena Duces Tecum with Subpoena Duces Tecum attached. (News Director, WCUB/WKKB Radio.)
- 62 (1 - 2) Certificate of Service of Subpoena Duces Tecum with Subpoena Duces Tecum attached. (News Director, WQTC Radio.)
- 63 (1 - 2) Certificate of Service of Subpoena Duces Tecum with Subpoena Duces Tecum attached. (Editor, Manitowoc Herald Times Reporter)
- 64 Letter from Al Volker, News Director, WLUK, Channel 11.
- 65 (1 - 2) Letter from Green Bay Press-Gazette with copies of articles printed in Green Bay Press-Gazette.
- 66 (1 - 3) Letter from WFRV-TV Channel 5 with two (2) attachments.
- 67 (1 - 2) Letter from Foley & Lardner with Affidavit of Robert H. Wills, Editor of Milwaukee Sentinel attached.
- 68 (1 - 2) Letter from Paul E. Kritzer, Co-General Counsel for The Milwaukee Journal and Milwaukee Sentinel with affidavit of JoEllyn A. Reitman, Manager of News Information Center for Newspapers, Inc., attached.

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Case No. 85 FE 118

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69	(1 - 2)	
through		
74	(1 - 2)	Certificate of service of Subpoena Duces Tecum with Subpoena Duces Tecum attached.
75		Order regarding motion hearings held on November 12 and 13, 1985.
76	(1 - 5)	Letter from News Director of Cub Radio, Inc. with Arbitron Ratings attached.
77	(1 - 15)	Copies of Newspaper clippings from Herald-Times-Reporter.
78	(1 - 308)	Transcript of hearing on motions held on 11-12-85 and continued to 11-13-85.
79	(1 - 52)	Transcript of hearing on motion for change of venue held on 11-25-85.
80		Letter to defense counsel from News Director of WFRV-TV.
81		Order to Release Exhibits.
82		Motion in Limine to Exclude Evidence of Other Crimes and Wrongs, and to Exclude Photographs of Victim.
83	(1 - 3)	Jury Lists of 72 jurors reporting.
84		Courtroom Jury List.
85		Specific Instructions for Bailiffs.
86	(1 - 3)	Exhibit List.
87	(1 - 4)	Copy of Jury Instruction No. 1105 - Attempted Murder in the First Degree; Murder Not Charged.
88	(1 - 2)	Copy of Jury Instruction No. 1345 - Endangering Safety by Conduct Regardless of Life.
89	(1 - 3)	Copy of Jury Instruction No. 1275 - False Imprisonment.
90	(1 - 2)	Copy of Jury Instruction - First Degree Sexual Assault by a Threat of Use of a Dangerous Weapon - 940.225 (1)(b).
91		Copy of Jury Instruction No. 140 - Burden of Proof and Presumption of Innocence.
92		Note from jury.
93		Note from jury.

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94		Guilty verdict - first degree sexual assault by threat of use of a dangerous weapon.
95		Guilty verdict - attempted murder in the first degree.
96		Guilty verdict - false imprisonment.
97		Order Requesting Presentence Investigation.
98	(1 - 3)	Order Regarding Motions.
99	(1 - 13)	Presentence Investigation Report.
100		Exhibit No. 1, photograph from sentencing held on 3-10-86.
101	(1 - 2)	Copy of Felony Guidelines Scoring and Sentencing Information - first degree sexual assault.
102		Appeal Rights.
103		Judgment of Conviction Sentence to Wisconsin State Prisons.
104	(1 - 2)	Notice of Intent to Pursue Post-Conviction Relief; Affidavit of Mailing.
105	(1 - 32)	Transcript of sentencing held on 3-10-86.
106	(1 - 6)	Transcript of Dismissal of Case No. 85 FE 103 and Initial Appearance on Case No. 85 FE 118 held on 9-9-85.
107	(1 - 5)	Transcript of Arraignment held on 9-23-85.
108	(1 - 6)	Transcript of Waiver of Time Limits held on 9-27-85.
109	(1 - 9)	Transcript of Waiver of Time Limits held on 10-29-85.
110	(1 - 13)	Transcript of Arguments and Decision on Motion for Change of Venue held on 12-5-85.
111	(1 - 1029)	Transcript of Jury Trial commencing on 12-9-85 and concluding on 12-14-85.
112	(1 - 2)	Order Appointing Special Prosecutor; Petition for Order Appointing Special Prosecutor.
113	(1 - 5)	Notice of Motion; Motion for Bail Pending Appeal; Motion for In Camera Inspection.
114		Affidavit of Denis R. Vogel, District Attorney.

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115		Affidavit in Opposition to Defendant's Request for Bail Pending Appeal.
116	(1 - 7)	Notice of Motion; Motion; Memorandum.
117	(1 - 22)	Notice of Motion; Amended Motion for In Camera Inspection with Exhibits A through H attached.
118	(1 - 32)	Post-Conviction Motion with Exhibits A through M attached.
119	(1 - 3)	Statement in Opposition to Defendant's Request for Ex-Parte Order for Transportation.
120	(1 - 3)	Response to Defendant's Post Conviction Motion; Affidavit of Mailing.
121	(1 - 2)	Response to Defendant's Request for Enlargement of Time.
122	(1 - 11)	Memorandum Decision Denying Post-Conviction Motions, Motion for In Camera Inspection, and Motion for Ex-Parte Consideration of Defense Motion for Transportation.
123		Order Denying Post-Conviction Motions.
124		Notification by Court of Appeals of Order entered dated 9-29-86 that the deadline for the trial court to decide the post-conviction motion is extended to 12-1-86.
125		Notice of Appeal.