
SEARCH WARRANT

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

WHEREAS, Investigator John Dederling 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 December 9, 2005, in and upon certain premises at 12932 Avery Road in the Town of Gibson, County of Manitowoc, Wisconsin, occupied by Steven A. Avery, Sr. (DOB: 07/09/1962). The premises is described more specifically as:

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.

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

- (1) Wood cabinet/book case – one horizontal and three vertical shelves, between two and three feet high and 12 to 15 inches deep, approximately 18 inches wide with a reddish brown wood finish last seen in the bedroom of Steven Avery at 12932 Avery Road approximately three feet from the entry door on the left side of the room (see attached photos).

which thing was used in the concealing 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 item and seize same.

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 9th day of December, 2005.

Circuit Court Judge

ENDORSEMENT

Received by me, _____, 2005

at _____ o'clock ____M.

AFFIDAVIT FOR SEARCH WARRANT

WHEREAS, Investigator John Dederling 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:

1. Your affiant is an investigator with the Calumet County Sheriff's Department. Your affiant has duties that include missing person and homicide investigations in and around Calumet County, Wisconsin. On November 5, 2005, the Calumet County Sheriff's Department 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 states that an investigation was conducted into the disappearance of Teresa Halbach, and a criminal complaint was subsequently filed in Manitowoc County Circuit Court on November 15, 2005, which is attached hereto and incorporated within this Affidavit. A preliminary hearing was held in Manitowoc County on December 6, 2005, where Judge Patrick Willis found probable cause that the defendant, Steven Avery, committed a felony offense.
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). Upon speaking with Steven Avery, Avery stated that he resides at 12932 Avery Road in the Town of Gibson, Manitowoc County, Wisconsin.
4. Between November 5 and November 11, 2005, your affiant observed premises located 12932 Avery Road in the Town of Gibson, County of Manitowoc, Wisconsin, 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. Your affiant states that based upon interviews conducted during this investigation and the location of personal papers and records during the execution of previous search warrants at 12932 Avery Road, your affiant is able to identify 12932 Avery Road as the residence of Steven A. Avery, Sr.
5. Your affiant is informed that on November 8, 2005, Deputy Dan Kucharski of the Calumet County Sheriff's Department located a Toyota ignition key adjacent to a night stand in the bedroom of Steven Avery's residence located at 12932 Avery Road in the Town of Gibson, County of Manitowoc, State of Wisconsin. Your affiant is informed that the key located adjacent to the nightstand in the bedroom of Steven Avery's residence was successfully used in the ignition of the Toyota Rav 4 owned by Teresa M. Halbach. The key started the vehicle. Prior to seizing the key, Deputy Kucharski took digital photographs of the bookcase (see attached Exhibit 1) and of the key itself (see attached Exhibit 2).

6. Your affiant believes that Teresa Halbach is the victim of a crime including homicide.
7. During the preliminary hearing held on Tuesday, December 6, 2005, defense counsel for Steven Avery requested that Deputy Kucharski render an opinion concerning the location from which the key had fallen. Kucharski opined that the key must have come from within the bookcase or areas close to it as a result of the cabinet or its contents being physically moved. The State believes that seizing the cabinet at this time will allow investigators to determine where the key had been hidden.

Dated this _____ day of December, 2005, at Chilton, Wisconsin.

John Dederling, Investigator
Calumet County Sheriff's Department

Subscribed and sworn before me
this _____ day of December, 2005.

Notary Public, State of Wisconsin
My Commission Expires: _____