
SEARCH WARRANT

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

WHEREAS, Detective Mark Wiegert of the Calumet County Sheriff's Department, being duly sworn, has this day complained, in writing, to the said Court, evidence located during execution of a search warrant on November 5, 2005, at 12932 Avery Road in the Town of Gibson, County of Manitowoc, State of Wisconsin, evidence more particularly described as follows:

1. A Hewlett Packard HP Pavilion System #PP165AA-ABA, Serial No. MXKI040MXH, currently located at 12932 Avery Road in the Town of Gibson, County of Manitowoc, State of Wisconsin, which items to be searched are more particularly described as:

Electronic processing and storage devices, central processing units; internal and peripheral storage devices such as fixed disks, external hard disks, floppy disk drives and diskettes, tape drives and tapes, optical storage devices or other memory devices; peripheral input/output devices such as keyboards, mouse, printers, video display monitors, optical readers, digital/photograph scanners and related communication devices such as modems together with system documentation, operating logs and documentation, software and instruction manuals and password documentation. Also included would be CD roms and all records, whether stored on paper, on magnetic media such as tape, cassette, disk, diskette or on memory storage devices such as optical disks, or any other storage media together with indicia of use, ownership, possession or control of such records;

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

Business and personal records and transactions conducted in the normal course of business, as well as computer hardware and magnetic media capable of storing data which may be utilized to store records including but not limited to, business and personal activities, criminal activities, associate names and addresses and the identity and location of assets for the business, as well as electronic and e-mail communications; images of sexually explicit material including, but not limited to, pornographic images, bondage, torture and death;

which things may constitute evidence of crimes committed, including but not limited to: violations of sec. 940.01, 940.225, 940.30, 940.31 Wis. Stats., and prays that a Search Warrant be issued to allow a duplicate copy of the hard drive to be made to copy, review and analyze all computer and computer-related items recovered pursuant to the search warrant signed November 5, 2005.

NOW, THEREFORE, in the name of the State of Wisconsin, you are commanded forthwith to search the evidence for said things, and if the same or any portion thereof are found, to safely keep said material so long as necessary for the purpose of being produced as evidence on any trial or until further order of the Court.

Dated this 7th day of November, 2005.

JUDGE
MANITOWOC COUNTY, WISCONSIN

ENDORSEMENT

Received by me, _____, 2005.

at _____ o'clock ____M.

AFFIDAVIT FOR SEARCH WARRANT

STATE OF WISCONSIN)
) ss.
MANITOWOC COUNTY)

WHEREAS, Detective Mark Wiegert of the County Sheriff's Department, being first duly sworn on oath, states on information and belief:

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. On November 5, 2005, the Calumet County Sheriff's Department was requested by the Manitowoc County Sheriff's Department to lead the investigation into the disappearance of Teresa Halbach (DOB: 03/22/1980) on behalf of the Manitowoc County Sheriff's Department, under the doctrine of mutual aid.
2. Your affiant states that based on his training and experience as a law enforcement officer, as well as his common experience, and in the execution of search warrants in the past, it is common for individuals and businesses to store electronic communications on a hard drive of a personal computer, as well as business and personal records of transactions conducted in the normal course of business. Your affiant is aware that computer hardware and magnetic media capable of storing data may be utilized to store records which include but are not limited to those relating to business and personal activities, criminal activities, associate names and addresses and the identity and location of assets for the business, as well as electronic and e-mail communications.
3. Your affiant states that a Hewlett Packard HP Pavilion Central Processing Unit, System # PP165AA-ABA, Serial No. MXKI040MXH 9 was located on property owned by Steven Avery (DOB: 07/09/1962) located at 12932 Avery Road in the Town of Gibson, County of Manitowoc, State of Wisconsin. Said personal computer was observed during the execution of a search warrant issued for Steven Avery's residence, obtained and executed on November 5, 2005. Your affiant states that the description of the computer is based upon his personal observation and are accurate.
4. 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.
5. 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, and works with the family-owned business d/b/a Avery Auto Salvage, located at 12928 Avery Road, Town of Gibson, County of Manitowoc, 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 his sister, 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.

6. 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 from detection.
7. 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. 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.
8. 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.

9. On November 5, 2005, your affiant applied for and was granted search warrants for numerous buildings on the Avery Auto Salvage property. On November 5, 2005, your affiant observed additional buildings on the property of Avery Auto Salvage on Avery Road in the Town of Gibson, County of Manitowoc, Wisconsin, and describes them as follows: (1) a trailer with a detached two-stall garage located on the east side near the northeast corner of the Avery Auto Salvage property. The trailer is unsided on the east side of the trailer and has beige-colored siding on the south side of the trailer. There is a white door located on the east side of the trailer. There is also a two-stall garage with red and blue siding and with two beige garage doors located on the east side of the garage; and (2) a single story trailer located on the northeast corner of the Avery Auto Salvage property with green siding and a metal steel or tin-type roof. There is an attached purple or lavender-colored deck on the trailer. The trailer has a detached one-car garage with green siding and a beige garage door.
10. During the execution of search warrants of November 5, 2005, officers located a burn barrel containing burnt clothing and a partially burned shovel. Officers also utilized trained cadaver dogs and handlers. On two occasions, the cadaver dogs "hit" on Teresa Halbach's Toyota Rav 4 which had been concealed on the Avery Auto Salvage property. Teresa Halbach's body was not located within the vehicle; however, a "hit" from the cadaver dogs indicates that at one time there may have been a corpse or blood in the vehicle. On November 6, 2005, officers located blood in the interior of two junked vehicles on the Avery Auto Salvage property.
11. On November 5, 2005, your affiant applied for and was granted search warrants for numerous buildings on the Avery Auto Salvage property, including the residence of Steven Avery located at 12932 Avery Road in the Town of Gibson, County of Manitowoc, State of Wisconsin. During the execution of the search warrant for Steven Avery's residence, officers located several items of restraints within Steven Avery's residence, including handcuffs and leg irons. Your affiant believes these items are capable and intended for use in holding person against their will for activities including sexual assault or other assaultive non-consensual behavior.
12. Your affiant states that on November , 2005, Investigator Dave Remiker of the Manitowoc County Sheriff's Department spoke with Steven Avery at his property located at 12932 Avery Road, in the Town of Gibson, County of Manitowoc, State of Wisconsin. Steven Avery gave permission for officers to search his residence. During the search of Steven Avery's residence, officers observed a personal computer located in the living room of the residence described as a Hewlett Packard HP Pavilion, System Number PP165AA-ABA, Serial Number MXKI040MXH. Your affiant states that the descriptions of the computers are based upon personal observation and are accurate.
13. Your affiant believes that on said computer, evidence of the commission of crimes may be found, as well as evidence confirming that a business transaction occurred between Teresa Halbach and Steven Avery at Avery's residence located at 12932 Avery Road, Town of Gibson, County of Manitowoc, State of Wisconsin on October 31, 2005.

14. Your affiant states that Steven Avery informed officers on November 4, 2005 that Teresa Halbach came to Avery Auto Salvage sometime in the afternoon on October 31, 2005 on behalf of her employer, Auto Trader, in order to photograph a vehicle which Avery was selling. Your affiant is aware that Steven Avery is the last confirmed person to see Teresa Halbach on October 31, 2005.
15. Your affiant believes that images of pornography, torture, and death may be relevant as to issues of intent, motive or Steven Avery's plan to commit violent or sexual crimes against Teresa Halbach (DOB: 03/22/1980).
16. Your affiant believes, based upon the information provided in this affidavit, and based upon your affiant's training and experience, the items listed on the fact sheet of the search warrant are likely to be found upon a search of the computers. Your affiant further believes that information retrieved from Steven Avery's computer will confirm that Steven Avery had personal contact with Teresa Halbach in his residence located at 12932 Avery Road, Town of Gibson, County of Manitowoc, State of Wisconsin on October 31, 2005.

Respectfully submitted this
7th day of November, 2005.

Detective Mark Wiegert
Calumet County Sheriff's Department

Subscribed and sworn to before me
this 7th day of November, 2005.

Notary Public, State of Wisconsin
My Commission: _____