

Wisconsin DOJ Division of Criminal Investigation  
ACISS Search Warrant with Charges 05-1776/29

Report Date: 11/12/2005

**Primary Information**

|                     |                                                                   |
|---------------------|-------------------------------------------------------------------|
| Description:        | TERESA MARIE HALBACH: Search Warrant Execution/Charles Avery      |
| Occurrence From:    | 11/09/2005 13:25                                                  |
| Occurrence To:      | 11/09/2005 15:45                                                  |
| Dissemination Code: | Agency                                                            |
| Reporting LEO:      | Skorlinski, Kim J (Appleton Special Assignments DCI)              |
| Backup LEO:         | O'Neill, Tony (Detective / Marinette County Sheriff's Department) |
| Approval Status:    | Approved                                                          |
| Approved Date:      | 11/21/2005                                                        |
| Approved By:        | Kelly, Carolyn S (Madison Arson DCI)                              |

**Related Addresses**

| Address                                                           | Relationship      |
|-------------------------------------------------------------------|-------------------|
| 5000 Memorial Dr, Two Rivers, Wisconsin, United States of America | Location of Event |
| E2704 CTH G, Kewaunee, Wisconsin, United States of America        | Location of Event |

**Related Subjects**

| Name                   | Type   | Sex    | Race  | DOB        | Relationship       |
|------------------------|--------|--------|-------|------------|--------------------|
| Avery, Carla J         | Person | Female | White | 01/13/1976 | Mentioned          |
| Avery, Steven Allen Sr | Person | Male   | White | 07/09/1962 | Mentioned          |
| Avery, Charles Earl    | Person | Male   | White | 07/13/1954 | Subject of Warrant |
| Halbach, Teresa Marie  | Person | Female | White | 03/22/1980 | Victim             |

**Record Status Information**

|                              |                                                                                     |
|------------------------------|-------------------------------------------------------------------------------------|
| Record Origination Operator: | Knutson, Andrea L (DCI Appleton Field Office / Wisconsin Department of Justice DCI) |
| Record Origination Date:     | 11/12/2005 18:34                                                                    |
| Last Update Operator:        | Kelly, Carolyn S (Wisconsin Statewide Intelligence Center DCI)                      |
| Last Update Date:            | 11/21/2005 13:12                                                                    |

| Reporting LEO                                        | Date | Supervisor                           | Date      |
|------------------------------------------------------|------|--------------------------------------|-----------|
| Skorlinski, Kim J (Appleton Special Assignments DCI) |      | Kelly, Carolyn S (Madison Arson DCI) | 9/12/2016 |
|                                                      |      |                                      |           |

Narrative begins on the following page.



On Wednesday, November 9, 2005, at approximately 1:25 p.m., S/A Kim J. Skorlinski and Investigator Tony O'Neill, of the Marinette County Sheriff's Department, contacted Charles "Chuck" E. Avery, DOB 07/13/1954, at his daughter's residence, Carla Avery, E2704 CTH G, Kewaunee, regarding a search warrant. S/A Skorlinski advised Chuck that a search warrant had been issued from Manitowoc County, to obtain from Chuck a sample of his DNA, fingerprints and palm prints, and his body shall be searched and photographed for defensive wounds. S/A Skorlinski advised Chuck that he and Inv. O'Neill would be transporting him to the Aurora Medical Center, 5000 Memorial Drive, Two Rivers, 920-794-5000, to obtain these items and conduct the search. Chuck said he needed his shoes, and was allowed to go back into the residence to get those.

While Chuck was getting his shoes, S/A Skorlinski spoke with Carla who said they have already heard that Chuck's brother, Steven Avery, got picked up by law enforcement for the same thing. S/A Skorlinski explained that this was a routine police procedure and was needed to eliminate the Avery family members from the source of any DNA or finger and palm prints that were found during the search of their property. Carla said she understood that.

Chuck then came out of the residence and S/A Skorlinski patted him down for weapons and then placed him into the front seat of S/A Skorlinski's state vehicle. Inv. O'Neill sat in the backseat behind Chuck. S/A Skorlinski explained to Chuck that he was not under arrest, but was in custody and because of that, if the investigators wanted to ask him any questions they would first have to read him his Constitutional Rights.

Inv. O'Neill then read Chuck his Constitutional Rights from a Miranda Warning form that was provided by the Calumet County Sheriff's Department. The reading of the Miranda Warning was started at 1:33 p.m., and Chuck said he understood each of his rights and understood the waiver and signed the form. The Miranda Warning and the subsequent interview with Chuck while being transported to the Aurora Medical Center was recorded by Inv. O'Neill using a digital recorder. (Inv. O'Neill also wrote a report regarding the interview with Chuck.)

At approximately 2:05 p.m., S/A Skorlinski, Inv. O'Neill and Chuck arrived at the Aurora Medical Center. At this time, Chuck said he was all done talking. S/A Skorlinski told Chuck that is fine, but he is going to cooperate with the evidence and medical technicians and if at any point he refuses to do that, S/A Skorlinski will arrest him and transport him to the Manitowoc County Jail. Chuck said he understood that and would cooperate.

While waiting for the evidence and medical technicians to begin taking the samples and doing the examination, S/A Skorlinski told Chuck that he wanted him to think about a few things. S/A Skorlinski told Chuck that Teresa Halbach's car key was found in the bedroom of his brother, Steven Avery. S/A Skorlinski said that the investigators believe that Steven kept the key so he could later move Halbach's vehicle from the back of the salvage yard to the shop, where he could strip it down to get it ready for crushing.

S/A Skorlinski said Steven concealed Halbach's vehicle with branches and car parts so Chuck and his other brother, Earl Avery would not see it and become suspicious. S/A Skorlinski said



Steven's intention was to get Halbach's vehicle to the shop when Chuck and Earl were not around, so they would not question why Steven would be stripping down a perfectly good vehicle to crush.

While waiting for Chuck to be processed, S/A Skorlinski was informed by S/A Fassbender that there were human female bones and teeth found in the burn pit behind Steven's house. S/A Skorlinski then shared this information with Chuck. S/A Skorlinski also told Chuck that there was blood found in Steven's house, Steven's garage, Halbach's vehicle, and possibly in Steven's vehicle. Chuck did not respond to S/A Skorlinski's comments.

At approximately 3:10 p.m., medical personnel conducted a physical examination for scratches, bruises and bite marks on Chuck's body and several photographs were taken by Sergeant Bill Tyson, of the Calumet County Sheriff's Department.

At approximately 3:20 p.m., buccal swabs were taken from Chuck for DNA by the same medical personnel, and these were turned over to Sgt. Tyson.

At approximately 3:27 p.m., fingerprints and palm prints were taken from Chuck by Calumet County Sheriff's Department personnel, and these were also turned over to Sgt. Tyson.

The execution of the search warrant was completed at approximately 3:45 p.m., at which time Chuck left the Aurora Medical Center and met his daughter, Carla, who was waiting in the parking lot.

On Thursday, November 10, 2005, S/A Skorlinski filled out a search warrant return indicating that items taken from Charles Avery, consisted of buccal cells, fingerprints and palm prints and photographs, were all in the custody of Sgt. Tyson, of the Calumet County Sheriff's Department.

On Friday, November 11, 2005, at approximately 9:00 a.m., S/A Skorlinski provided to Investigator Mark Wiegert, of the Calumet County Sheriff's Department, the original search warrant, affidavit and search warrant return for Chuck. Inv. Wiegert advised that he would return these to the Manitowoc County Clerk of Courts office later that day.

The Miranda Warning form, search warrant, affidavit and search warrant return will be electronically attached to this report and a copy will be placed into the case file.