

Wisconsin DOJ Division of Criminal Investigation
ACISS Search Warrant with Charges 05-1776/45

Report Date: 11/12/2005

Primary Information	
Description:	TERESA MARIE HALBACH: Execution of Search Warrant/Delores Avery
Occurrence From:	11/09/2005 13:15
Occurrence To:	11/09/2005 15:04
Dissemination Code:	Agency
Reporting LEO:	Strauss, Debra K (Appleton Public Integrity DCI / Wisconsin Department of Justice DCI)
Backup LEO:	Ojeda, Luis A. (Appleton Narcotics DCI)
Approval Status:	Approved
Approved Date:	11/17/2005
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
6904 CTH Y, Whitelaw, Wisconsin 54247, United States of America	Location of Event

Related Subjects					
Name	Type	Sex	Race	DOB	Relationship
Avery, Earl Kevin	Person	Male	White	06/10/1970	Mentioned
Avery, Delores A	Person	Female	White	08/20/1937	Subject of Warrant

Property		
Status	Quantity	Description
Inventory	1	Audiocassette tape of conversation w/Delores Avery 11/09/2005

Record Status Information	
Record Origination Operator:	Knutson, Andrea L (DCI Appleton Field Office / Wisconsin Department of Justice DCI)
Record Origination Date:	11/14/2005 12:53
Last Update Operator:	Kelly, Carolyn S (Wisconsin Statewide Intelligence Center DCI)
Last Update Date:	11/17/2005 12:30

Reporting LEO	Date	Supervisor	Date
Strauss, Debra K (Appleton Public Integrity DCI / Wisconsin Department of Justice DCI)		Kelly, Carolyn S (Madison Arson DCI)	9/12/2016

Narrative begins on the following page.

On Wednesday, November 9, 2005, at approximately 1:15 p.m., S/A Debra K. Strauss and S/A Louis Ojeda arrived at the Earl Avery residence, 6904 Highway Y, Whitelaw, WI. S/A Ojeda was met on the front porch of the residence by Delores A. Avery, DOB 08/20/1937. For the purpose of this report, Delores Avery will hereinafter be referred to as Delores.

At approximately 1:20 p.m., Delores was advised a search warrant had been issued for Delores' DNA along with her finger and palm prints. Delores was told that, even though she was not under arrest, she was considered to be in police custody and Delores was unable to leave. At that time, S/A Strauss advised Delores of her Miranda Rights. Delores indicated she understood her rights as Delores then signed the Miranda Warning waiver form.

Delores was transferred to the Aurora Medical Center, 5000 Memorial Drive, Two Rivers, WI, by S/A Strauss and S/A Ojeda. During the transport to and from the medical center, an audio tape recording of the conversations between S/A Strauss, S/A Ojeda and Delores was made.

While at the hospital, at approximately 2:16 and 2:17 p.m., trained medical personnel conducted a buccal cell swab. At approximately 2:21 p.m., Calumet County Sheriff's deputies obtained Delores' finger and palm prints.

This evidence was collected by representatives of the Calumet County Sheriff's Department.

S/A Strauss, S/A Ojeda and Delores left the Aurora Medical Center at approximately 2:35 p.m.

At approximately 2:51 p.m., S/A Ojeda was dropped off in the Town of Mishicot and SAIC Pete Thelen assisted S/A Strauss in returning Delores to the residence at 6904 Highway Y, Whitelaw, WI.

At approximately 3:04 p.m., Delores was dropped off at the Earl Avery residence. S/A Strauss offered to walk Delores to the door but Delores stated she would prefer to walk by herself.

The signed Miranda Warning by Delores will be electronically attached and forwarded to DCIR.

S/A Strauss assigned DJ-DCI-37 Property Receipt No. D-1500-1 to the audiotape recording of the conversations between S/A Ojeda, S/A Strauss and Delores during the transport. Side A of this audiocassette is the tape recording of the conversations to the Aurora Medical Center, while Side B is the tape recording of the conversations from the Aurora Medical Center back to the Avery residence.

A copy of the search warrant, affidavit for search warrant, and return of officer will be electronically attached to this report and those documents, along with Property Receipt No. D-1500, will be forwarded to DCIR.