

Wisconsin DOJ Division of Criminal Investigation
ACISS Search Warrant with Charges 05-1776/37

Report Date: 11/13/2005

Primary Information

Description:	TERESA MARIE HALBACH: Execution of Search Warrant: Avery Auto Salvage Office
Occurrence From:	11/08/2005 09:22
Occurrence To:	11/08/2005 12:00
Dissemination Code:	Agency
Reporting LEO:	Sturdivant, Thomas A (Wausau Narcotics DCI)
Backup LEO:	Strauss, Debra K (Appleton Financial Crimes DCI / Wisconsin Department of Justice DCI)
Approval Status:	Approved
Approved Date:	11/16/2005
Approved By:	Kelly, Carolyn S (Madison Arson DCI)

Related Addresses

<u>Address</u>	<u>Relationship</u>
12930 Avery Rd, Two Rivers, Wisconsin 54241, United States of America	Search Location

Related Subjects

<u>Name</u>	<u>Type</u>	<u>Sex</u>	<u>Race</u>	<u>DOB</u>	<u>Relationship</u>
Avery's Auto Salvage	Business	---	---	---	Subject Searched
Avery, Allen K	Person	Male	White	05/03/1937	Mentioned
Avery, Charles Earl	Person	Male	White	07/13/1954	Mentioned
Avery, Delores A	Person	Female	White	08/20/1937	Mentioned
Avery, Earl Kevin	Person	Male	White	06/10/1970	Mentioned
Avery, Steven Allen Sr	Person	Male	White	07/09/1962	Mentioned

Property

<u>Status</u>	<u>Quantity</u>	<u>Description</u>
Other Agency	1	Auto purchase book from Avery Auto Salvage
Other Agency	3	Misc receipts from Avery Auto Salvage
Other Agency	1	Miscellaneous documents from Avery Auto Salvage
Other Agency	1	LG cell phone and plastic belt holder
Other Agency	1	Box containing Kyocera cell phone and wall charger
Other Agency	8	Log books from Avery Auto Salvage
Other Agency	1	Misc receipts from Avery Auto Salvage
Other Agency	1	Misc documents from Avery Auto Salvage
Other Agency	1	Misc documents from Avery Auto Salvage
Other Agency	1	Misc documents from Avery Auto Salvage

Record Status Information

Record Origination Operator:	Knutson, Andrea L (DCI Appleton Field Office / Wisconsin Department of Justice DCI)
Record Origination Date:	11/13/2005 19:46
Last Update Operator:	Kelly, Carolyn S (Wisconsin Statewide Intelligence Center DCI)
Last Update Date:	11/16/2005 13:28

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Reporting LEO	Date	Supervisor	Date
Sturdivant, Thomas A (Wausau Narcotics DCI)		Kelly, Carolyn S (Madison Arson DCI)	9/12/2016

Narrative begins on the following page.

On November 7, 2005, Detective Mark Wiegert, Calumet County Sheriff's Department, applied for and received a search warrant for the Avery Auto Salvage office building, located at 12930 Avery Road, Town of Gibson, Manitowoc County, WI. The search warrant was signed by Judge Jerome Fox, at 7:18 p.m., on November 7, 2005.

On November 8, 2005, at approximately 9:22 a.m., S/A Thomas A. Sturdivant and S/A Debra K. Strauss executed the search warrant at the Avery Auto Salvage office building, 12930 Avery Road, Town of Gibson, Manitowoc County, WI. Entry was made through the front, unlocked door. S/A Joseph M. Kapitany was present for a portion of the search.

Documents relating to sales, purchases, and earnings records were removed from the office. The majority of the records were dated 10/31/2005 and forward. This office area appeared to be utilized by Charles, Earl, Steven, Delores and Allen Avery. A copy of the search warrant was placed on the cash register in the main office. The search was completed at approximately 12:00 noon, and all officer departed the office building, leaving the building unsecured.

The search warrant return was completed by S/A Sturdivant and filed with the Manitowoc County Clerk of Court's office on 11/11/2005. A copy of the search warrant, affidavit and return will be electronically attached to this report and forwarded to DCIR.

The following items of evidentiary value were seized by S/A Sturdivant:

EVIDENCE

- D-2599-1 Three (3) miscellaneous receipts obtained from the top of Chuck Avery's desk.
- D-2599-2 Two (2) hand drawn sketches taken from Earl Avery's desk, believed to be that of the Avery salvage yard.
- D-2599-3 One (1) LB cellular telephone and plastic belt holder, taken from the desk of Earl Avery.
- D-2599-4 One (1) box containing a Kyocera cell phone and a wall charger, taken from Earl Avery's desk.
- D-2600-1 Eight (8) log books (dark blue in color), taken from the gray metal unlocked cabinet in the "private" office.
- D-2600-2 Miscellaneous receipts, located inside an envelope dated "Oct No. 10" taken from inside a small metal cabinet in the office marked "private."
- D-2600-3 Miscellaneous documents such as bills of sale, taken from manila envelopes titled "Bill of Sales 2005" taken from inside the small metal cabinet in the office marked "private."

- D-2600-4 Miscellaneous documents including title information and receipts, taken from the desk in the office marked "private."
- D-2600-5 Receipts taken from a manila envelope marked "2005 Nov. No. 11" taken from inside small metal cabinet in the office marked "private."
- D-2601-1 Auto purchases book dates from 09/10/2003 through 11/02/2005; found on desk in office marked "private" (b/t/b Delores Avery's office).

EVIDENCE DISPOSITION

The evidence remained in S/A Sturdivant's exclusive possession, and will subsequently be transferred to Deputy Rick Reimer, of the Calumet County Sheriff's Department.