

Wisconsin Department of Justice DCI

ACISS Investigative 05-1776/303

Report Date: 12/06/2006

Primary Information

Description: TERESA MARIE HLABACH: Obtaining and Serving of Subpoenas for Telephone Subscriber Information
 Occurrence From: 10/31/2006 00:00
 Occurrence To: 11/28/2006 00:00
 Dissemination Code: Agency
 Reporting LEO: Fassbender, Thomas J (Appleton Special Assignments DCI)
 Approval Status: Approved
 Approved Date: 12/11/2006
 Approved By: Kelly, Carolyn S (Madison Arson DCI)

Related Subjects

Name	Type	Sex	Race	DOB	Relationship
Avery, Steven Allen Sr	Person	Male	White	07/09/1962	Subject of Records
Dassey, Bryan J	Person	Male	White	07/15/1985	Subject of Records
Halbach, Teresa Marie	Person	Female	White	03/22/1980	Subject of Records

Related Telephones

Telephone Number	Relationship
(920) 323-4038	Toll Records
(920) 737-4731	Toll Records
(920) 973-1130	Toll Records

Record Status Information

Record Origination Operator: Price, Denise (DCI Appleton Field Office)
 Record Origination Date: 12/07/2006 07:26
 Last Update Operator: Kelly, Carolyn S (Wisconsin Statewide Intelligence Center DCI)
 Last Update Date: 12/11/2006 12:01

Reporting LEO	Date	Supervisor	Date
Fassbender, Thomas J (Appleton Special Assignments DCI)		Kelly, Carolyn S (Madison Arson DCI)	9/12/2016

Narrative begins on the following page.

Wisconsin Division of Criminal Investigation Case Report
Case/Report Number: 05-1776/303

On Tuesday, October 31, 2006, S/A Thomas J. Fassbender assisted in the preparation of an Affidavit in Support of Subpoenas for Documents with the Calumet County District Attorney's office. The subpoenas for documents were to various telephone companies for subscriber information for telephone numbers associated with this investigation. The numbers were obtained from toll records associated with accounts for Teresa M. Halbach, Steven Avery and Bryan Dassey. The toll records were obtained pursuant to subpoena. The telephone numbers in question were from either outgoing or incoming calls on their cell phones. The calls were made or received on and around the date of October 31, 2005. The subpoenas for documents requested subscriber information between the dates of October 24, 2005 and November 9, 2005.

On October 31, 2006, S/A Fassbender swore to and signed said affidavit in the presence of Calumet County District Attorney Kenneth R. Kratz.

Included with the subpoenas for documents was a Petition for Subpoena for Documents signed by D/A Kratz, and dated October 31, 2006.

On October 31, 2006, 17 Subpoenas for Documents were prepared for the following telephone telecommunication companies:

Airadigm Comm, Inc.
Alltel
BellSouth Telecom
Cellcom
Choice One Communication
Cincinnati Bell
Cingular
Lakefield Communications
SBC Ameritech
Nextel Communications
Sprint Nextel
TDS Telecommunications
Time Warner
U.S. Cellular
Verizon New York
Verizon North – WI
Verizon Washington

On October 31, 2006, S/A Fassbender presented said subpoenas for documents, along with the Affidavit and the Petition for Subpoena for Documents to Manitowoc County Circuit Court Judge Patrick L. Willis. Judge Willis signed each Subpoena for Documents.

Narrative Page 1

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Wisconsin Division of Criminal Investigation Case Report
Case/Report Number: 05-1776/303

It should be noted that on the Subpoena for Documents to Nextel Communications the telephone numbers being requested had been omitted and S/A Fassbender provided the target telephone numbers to Judge Willis, who wrote them on the subpoena.

On Wednesday, November 1, 2006, the Calumet County District Attorney's office served each subpoena via fax. Subsequently, three subpoenas were not served on that date, due to apparent improper fax numbers. Those subpoenas were subsequently served on November 28, 2006. Those subpoenas were for BellSouth Telecom, SBC Ameritech (AT&T), and Verizon Washington.

As of December 6, 2006, S/A Fassbender has received responses pursuant to each subpoena with the exception of Choice One Communication. BellSouth Telecom responded that they could not provide the requested information because the document needed to be served to BellSouth Telecommunications, Inc., and it needed to be served by a law enforcement agency from the BellSouth region.

Investigator Mark Wiegert, of the Calumet County Sheriff's Department subsequently, filed the subpoenas for documents with the Manitowoc County Clerk of Courts.

Electronically attached to this supplemental report are copies of the Affidavit in Support of Subpoena for Documents, Petition for Subpoena for Documents and Subpoenas for Documents, and copies of these documents will be submitted to DCIR.