

Wisconsin Department of Justice DCI

ACISS Investigative 05-1776/328

Report Date: 12/22/2006

Primary Information	
Description:	TERESA MARIE HALBACH: Interview/Attorney Robert R. Henak
Occurrence From:	12/20/2006 15:00
Occurrence To:	12/20/2006 15:00
Dissemination Code:	Agency
Reporting LEO:	Fassbender, Thomas J (Appleton Special Assignments DCI)
Approval Status:	Approved
Approved Date:	01/05/2007
Approved By:	Kelly, Carolyn S (Madison Arson DCI)

Related Subjects					
Name	Type	Sex	Race	DOB	Relationship
LABORATORY CORP OF AMERICA	Organization	---	---	---	Mentioned
Henak, Robert R Atty	Person	Male	Unknown	---	Interviewed
Avery, Steven Allen Sr	Person	Male	White	07/09/1962	Person of Interest

Related Telephones	
Telephone Number	Relationship
(414) 283-9300	Number Called

Record Status Information	
Record Origination Operator:	Knutson, Andrea L (DCI Appleton Field Office / Wisconsin Department of Justice DCI)
Record Origination Date:	01/05/2007 11:52
Last Update Operator:	Kelly, Carolyn S (Wisconsin Statewide Intelligence Center DCI)
Last Update Date:	01/05/2007 14:28

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: 05-1776/328**

On Wednesday, December 20, 2006, S/A Thomas J. Fassbender telephoned Attorney Robert R. Henak, 1223 N. Prospect, Milwaukee, 414-283-9300. S/A Fassbender identified himself and asked Henak questions about blood that had been drawn from Steven Avery in 1995/1996 when Henak was representing Avery. Henak provided the following information:

S/A Fassbender asked Henak if the blood was drawn by prison staff or by private medical personnel. Henak believed it was drawn by staff at the prison. Henak stated he was pretty sure he had to get a court order to have it drawn, so he was pretty sure it was prison staff. Henak advised that he was trying to access some of his records and asked if he could telephone S/A Fassbender back.

After a short period of time, Henak did telephone S/A Fassbender back. Henak advised S/A Fassbender that, from the information he had, it was himself and the district attorney who had a stipulation in November of 1995 that the Health Services Unit at the prison would do the blood draw. Based on that, Henak advised the judge issued an order, which Henak said he had drafted. Henak advised he did not go to the prison when the blood was drawn.

Henak advised that the blood was sent directly to Lab Corp of America for analysis. He advised the blood would have been drawn in either late November or early December of 1995. Henak advised that Lab Corp of America received the blood on 01/04/1996.

On Friday, December 22, 2006, S/A Fassbender again telephoned Attorney Henak. S/A Fassbender told Henak that he had reviewed some of the files and in those files there was an affidavit by Attorney Henak, wherein he wrote that Avery's blood had been sent separately by Kettle Moraine Correctional Institution. Henak advised that was probably a mistake by him, in that everything else indicated that Avery was at Fox Lake Correctional Institution at that time.

Attorney Henak provided no further information.