

05-1176/273

COPY

SEARCH WARRANT

TO THE SHERIFF OR ANY CONSTABLE OR ANY PEACE OFFICER OF SAID COUNTY:

WHEREAS, Special Agent Tom Fassbender of the Wisconsin Department of Justice, being duly sworn, has this day complained, in writing, to the said Court, that on April 21, 2006, in and upon certain premises located at 12930A Avery Road, Town of Gibson, County of Manitowoc, State of Wisconsin, occupied and maintained by Barbara Janda (DOB: 11-07-1964), and also occupied by Brendan R. Dassey (DOB: 10-19-1989), evidence more particularly described as follows:

a single family trailer with gray vinyl siding with maroon shutters. The numbers 12930A are located on the front of the residence. 12930A Avery Road has a detached garage with gray siding, two white garage doors and white trim around the windows and doors.

There are now located and concealed certain things, to-wit:

A computer currently located in the residence at 12930A Avery Road in the Town of Gibson, County of Manitowoc, State of Wisconsin, which items to be searched are more particularly described as:

Electronic processing and storage devices, central processing units; internal and peripheral storage devices such as fixed disks, external hard disks, floppy disk drives and diskettes, tape drives and tapes, optical storage devices or other memory devices; peripheral input/output devices such as keyboards, mouse, printers, video display monitors, optical readers, digital/photograph scanners and related communication devices such as modems together with system documentation, operating logs and documentation, software and instruction manuals and password documentation. Also included would be CD roms and all records, whether stored on paper, on magnetic media such as tape, cassette, disk, diskette or on memory storage devices such as optical disks, or any other storage media together with indicia of use, ownership, possession or control of such records;

Personal records and information, as well as computer hardware and magnetic media capable of storing data which may be utilized to store information including but not limited to, personal activities, criminal activities, electronic and e-mail communications; images of sexually explicit material including, but not limited to, images, records and messages;

which things may constitute evidence of crimes committed, including but not limited to: violations of sec. 940.01, 940.225, 940.30, 940.31 Wis. Stats., and prays that a Search Warrant be issued to allow officers to seize the computer and peripheral devices.

NOW, THEREFORE, in the name of the State of Wisconsin, you are commanded forthwith to search said residence for said evidence, and if the same or any portion thereof are found, to safely process, search and keep said material so long as necessary for the purpose of being produced as evidence on any trial or until further order of the Court.



Dated this 21 day of April, 2006.

RSJLF
JUDGE
MANITOWOC COUNTY, WISCONSIN

ENDORSEMENT

Received by me, _____, April _____, 2006.
at _____ o'clock ____ M.

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AFFIDAVIT FOR SEARCH WARRANT

STATE OF WISCONSIN)
) ss.
 MANITOWOC COUNTY)

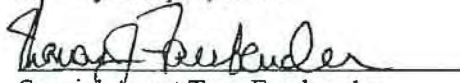
WHEREAS, Special Agent Tom Fassbender of the Wisconsin Department of Justice, being first duly sworn on oath, states on information and belief:

1. Your affiant is a special agent with the State of Wisconsin Department of Justice. Your affiant has duties that include sexual assault and homicide investigations in and around the State of Wisconsin, including Calumet County. On November 5, 2005, the Calumet County Sheriff's Department was requested by the Manitowoc County Sheriff's Department to lead the investigation into the disappearance and subsequent homicide of Teresa Halbach (DOB: 03/22/1980) on behalf of the Manitowoc County Sheriff's Department, under the doctrine of mutual aid.
2. Your affiant states that based on his training and experience as a law enforcement officer, as well as his common experience, and in the execution of search warrants in the past, it is common for individuals to store electronic communications, personal records, and information on a hard drive of a personal computer. Your affiant is aware that computer hardware and magnetic media capable of storing data may be utilized to store records which include but are not limited to those relating to personal activities, criminal activities, names and addresses of personal contacts, as well as electronic and e-mail communications.
3. Your affiant states that an investigation was completed into the death of Teresa Halbach, and a criminal complaint was subsequently filed against Brendan R. Dassey (DOB: 10-19-1989) in Manitowoc County Circuit Court on March 2, 2006, which is attached hereto and incorporated within this Affidavit. Brendan R. Dassey was charged with First Degree Intentional Homicide, Mutilating a Corpse, and First Degree Sexual Assault.
4. Your affiant is aware that Barbara Janda resides at 12930A Avery Road in the Town of Gibson, County of Manitowoc, Wisconsin with her children, including Brendan R. Dassey (DOB: 10-19-1989). Your affiant received information from Candy Avery that a computer was located in a bedroom at Barb Janda's residence. Candy Avery stated that Brendan R. Dassey (DOB: 10-19-1989) would frequently send instant messages (IM) and e-mails to her children using a computer located in the Janda residence both before and after October 31, 2005. Candy Avery indicated that the computer was located in a bedroom in Barbara Janda's residence, which was occupied by one of her sons, Blaine Dassey.
5. Your affiant received information from Marie Avery that she had frequent computer contact with Brendan Dassey both before and after October 31, 2005 through Instant Messaging (IM) and e-mail conversations. Marie Avery stated that Brendan Dassey used a computer located in his brother, Blaine's bedroom, in Barbara Janda's

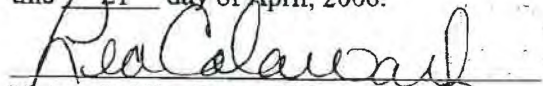
residence at 12930A Avery Road in the Town of Gibson, County of Manitowoc, Wisconsin. Marie informed your affiant that Brendan Dassey used the e-mail screen name nigerforlife@yahoo.com, and further indicated that she believed Brendan Dassey utilized AOL as a service provider. Marie indicated that in addition to communicating with her, she was aware that Brendan Dassey has used the computer to IM and e-mail a girl named "Emily". Marie told your affiant that she believed the computer was still in the residence the night before Brendan Dassey was arrested for charges in Manitowoc County Case No. 06-CF-88, because Marie and Brendan were having an IM conversation on that night. Your affiant is aware that Brendan R. Dassey was arrested on March 1, 2006.

6. Your affiant is aware of a recorded telephone conversation between Brendan Dassey and his mother, Barbara Janda, which took place on March 27, 2006, while Brendan Dassey was incarcerated at the Sheboygan County Secure Detention Facility. During this conversation, Barbara Janda tells Brendan Dassey that her telephone line at the residence was busy because Blaine is probably on the computer.
7. Your affiant describes the property located at 12930A Avery Road, in the Town of Gibson, County of Manitowoc, Wisconsin, currently occupied by Barbara Janda (DOB:), and formerly occupied by Brendan R. Dassey (DOB: 10-19-1989), as follows: a single family trailer with gray vinyl siding with maroon shutters. The numbers 12930A are located on the front of the residence. 12930A Avery Road has a detached garage with gray siding, two white garage doors and white trim around the windows and doors.
8. Your affiant believes that said computer may contain images, records and messages which may be relevant to the investigation into the homicide of Teresa Halbach. Your affiant further believes that information contained on said computer, may include evidence of the crimes of homicide, mutilating a corpse, and sexual assault.
9. Your affiant believes, based upon the information provided in this affidavit, and based upon your affiant's training and experience, the items listed on the fact sheet of the search warrant are likely to be found upon a search of the computers. Your affiant further believes that information retrieved from the computer at the Barbara Janda residence, which was used by Brendan Dassey, may assist law enforcement with their investigation into the death of Teresa Halbach.

Respectfully submitted this
21st day of April, 2006.


Special Agent Tom Fassbender
Wisconsin Department of Justice

Subscribed and sworn to before me
this 21st day of April, 2006.


Notary Public, State of Wisconsin
My Commission: 9-17-07