

PAGE 4A | TUESDAY, JUNE 13, 2017

FOLKREPORTER.COM | THE REPORTER

Avery's lawyer looks to shift focus to Halbach's ex-boyfriend

JOHN FERAK
USA TODAY NETWORK WISCONSIN

It was one of the most daring and risky legal maneuvers in last week's post-conviction filing by Steven Avery's criminal defense lawyer Kathleen Zellner.

Zellner declared in documents filed at the Manitowish County Court house that she suspects Teresa Halbach's killer was her on-again, off-again boyfriend, Ryan Hillegas.

Their relationship lasted roughly five years, beginning in high school in the small farming community of Hilbert. Halbach, 25, vanished on Halloween 2005. Manitowish County Sheriff's officials immediately targeted Steven Avery, a previously exonerated man, who lived in a red trailer on his family's salvage yard.

Zellner's motion for a new trial included sworn affidavits to her 1,250-page post-conviction filing from 10 law enforcement, legal, professional, medical and scientific experts. She hopes it will lead a judge to order a new trial for Avery.

Identifying Hillegas as the suspect isn't letting well with those who are convinced Avery killed Halbach and belongs in prison for life.

"It's alarming that in the face of such overwhelming evidence of Mr. Avery's guilt, Ms. Zellner, who has devoted her career to righting wrongful convictions, has so recklessly accused the victim's former boyfriend without a shred of legitimate evidence backing her claim and with no regard for the harm she has caused,"

said Michael Griesbach, an assistant district attorney in Manitowish, who has authored multiple books about Avery. Griesbach emphasized he was speaking with USA TODAY NETWORK in his capacity as a published author, not as a Wisconsin district attorney.

Zellner said her legal team attempted to interview Hillegas, who lives in the Milwaukee area, over the past 18 months but had no success.

"Our interviewers contacted Hillegas to help him understand the police investigation by the state of Wisconsin," Zellner told USA TODAY NETWORK. "He was told that we wanted to rule him out as a potential suspect, but we needed answers to certain questions related to his ability, abusive relationship with Teresa Halbach, injuries to her, and his interactions with law enforcement from Nov. 3 (2005) onward, damage to Teresa Halbach's parking light, access to Avery property, and Nov. 7, Mr. Hillegas never responded."

A message seeking comment was left on Hillegas' cell phone Monday, but he has not immediately responded.

Why the defense suspects Hillegas
Here are the key points in Zellner's motion relating to Hillegas as a suspect:

1. No alibi for time of murder
During Avery's trial, Hillegas testified that he

last saw Halbach on Oct. 30, 2005, but claimed he did not remember what time he visited her property. "I have seen no evidence that he offered an alibi or any sort of statement regarding his activities from Oct. 31, 2005, to November 3, 2005. Nor have I seen any evidence that the authorities ever asked him to do so," said Greg McCray, a retired FBI agent.

2. Spearheaded searches for vehicle
During his initial conversations with law enforcement, Hillegas did not reveal he and Halbach previously dated for about five years. Instead, he gave the impression he was only a concerned friend. "Mr. Hillegas injected himself into the police investigation by taking an active role in the volunteer search," McCray wrote. "He gave a friend a former searcher (Dun Sturm) a phone number to the sheriff (Jerry Dugich)."

On Saturday morning, Nov. 5, 2005, Hillegas mobilized a volunteer effort to locate his ex-girlfriend or her vehicle. It was only after most of the searchers left the property when former private investigator Pam Sturm showed up. Sturm conducted an interview with Hillegas and Scott Blomdorn, a close friend of Hillegas, who lived with Halbach at the time of her disappearance. Sturm proceeded to drive to the Avery Salvage Yard. She walked straight to the back of the property and quickly found the missing RAV4 covered with tree branches. "It appears

that he directed her to the area where the victim's vehicle was located," McCray stated, referring to Hillegas.

3. Gave police erroneous information
The discovery of a broken blinker light on the driver's side of Halbach's vehicle became one of the most overlooked clues in the Halbach investigation. The blinker blower turned up inside the cargo area. Hillegas "also appears to have misled police when he told them that Ms. Halbach had damaged the front driver's side of her vehicle months before her disappearance, had filed an insurance claim for that damage and had taken the cash payout without replacing the vehicle," McCray wrote. "However, it appears that particular damage was done more contemporaneously with the crime and a check with Ms. Halbach's insurance company revealed that she never filed an insurance claim for the front-end damage."

4. Used a fake name to search near Avery Salvage
"On at least one occasion," McCray stated, "Mr. Hillegas had misidentified himself as Mr. Kilgas to gain access to the Avery property. Regardless, the authorities allowed Mr. Hillegas multiple entries to the Avery property while it was under police control." During the weekend of Nov. 5 & 6, 2005, law enforcement officials recovered no major physical evidence to Steven Avery's trial.

5. Accessed Halbach's phone records after she disappeared
At Avery's trial, defense lawyers Doug Strang and Jerry Buting asked Hillegas about gaining access to Halbach's phone records. Hillegas testified he managed to correctly guess her username and password. "There is evidence that voice messages were deleted from Ms. Halbach's voice mailbox after her death and before law enforcement initiated their missing person investigation," McCray stated. "Mr. Hillegas is one individual who would have had access to Ms. Halbach's username and password and assisted law enforcement in accessing her Cellular Wisconsin account to obtain a list of her phone calls during the relevant time period."

6. Involved in abusive relationship with victim
Zellner's investigators determined Halbach had

severed romantic ties with Hillegas, who still remained a constant presence in her life. "She maintained both verbal and physical abuse in her relationship with her ex-boyfriend," McCray wrote. "At the time of her death, the ex-boyfriend was unemployed, lived close by and visited her home frequently."

7. Sustained injuries to his hands during time frame of murder
Dr. Larry Blum, a pathologist from Rockford, Ill., reviewed television news footage showing Hillegas with several scratches to his hands as he was expanding volunteer search efforts. "It is my opinion, to a reasonable degree of scientific certainty in the field of forensic pathology, that Mr. Hillegas' right hand ... appears discolored ... the abrasions I observed on the back of Mr. Hillegas' left hand are consistent with injuries inflicted by fingernails," Blum testified to USA TODAY NETWORK on Monday.

Blum also testified by the criminal justice system to have murdered Teresa Halbach to get Steven Avery's conviction vacated.

"Rather, we are trying to show Hillegas a motive, opportunity and a connection to the crime that meets the Denny (third-party) standard. The jury should have been presented with this evidence. It may have created a reasonable doubt about Steven's guilt."

John Ferak: 920-993-7215, @jferak on Twitter
@JohnFerak

Walker

Continued from Page 1A

state's shortage of workers.

Before speaking at Thelma, Walker toured Mercury Marine and lauded the company as an innovator. A report released last week shows that the company employs some 3,200 workers in Fond Du Lac and supports 10,000 jobs in Fond Du Lac, according to a study by the Fond Du Lac County Economic Development Corporation and Impact DataSource. The study found Mercury has invested some \$800 million in its Fond du Lac campus since 2009.

Still, the company faces challenges in filling open positions. John Pfeifer, president of Mercury, said the company must present itself as a creative and engaging place to work, while helping Fond du Lac meet that measure, too.

"Our ability to attract these employees to come and work with the skill sets we need to be successful, to match the investment we have put in is fundamental to how successful we can be," Pfeifer said. "We have to expand this culture here so that these millennials that come in and they see what we have to offer, they say, 'I want to stay, or I want to come to Wisconsin because that's a really interesting place to be.'"

Reach Nate Beck at 920-858-9657 or nbeck@reporter.com; on Twitter: @NateBeck9

Burke

Continued from Page 1A

ment capital from the Washington-based Hillier Group to complete the second phase of its expansion, which it will complete by the end of 2017 to help fund its first phase, which wrapped up in March. Burke used capital from Incline Equity Partners of Pittsburgh.

"We are enthusiastic about Burke's differentiated position in the growing commercial playground market," said Scott Plummeridge, Partner at Hillier, in a statement. "We believe the company is poised for continued expansion due to an increasing focus on healthy play options for children and adults."

Burke takes its name from the company's founder, J.E. Burke, who began making weather stripping, then radiator furniture, on the nine-acre plot in North Fond Du Lac that the company still occupies.

The company soon pivoted, though, into making playground equipment after a family friend asked J.E. Burke to fashion a slide. In the decades since, Burke's focus moved to playground equipment exclusively.

Some of the company's creations even became a familiar part of life at recess. Burke dreamed up Funnel Ball, a widespread game that feeds a tossed basketball through a funnel and back to waiting kids.

Lately, Burke strives to develop playground equipment that strains young minds and strengthens young limbs. This effort to develop



Colin Griesbach, 5, of Fond du Lac, climbs on a piece of J.E. Burke playground equipment at Lakeside Park.

entertaining and enlightening equipment is an appeal to Burke's biggest clients: schools and local governments.

Reaching puzzles and games are common features of Burke play

grounds, as are climbing ropes and other obstacles intended to challenge kids and fight childhood obesity.

"Kids learn through play," said Brian Johnson, chief marketing officer at Burke. "We can have very engaging play environments, whether it's vibrant colors or different materials or themes or interactive sensory toys."

When Johnson says he takes that on as a challenge to really engage children and families.

The company's expansion includes swanky new space for Burke's product development team, which designs and tests new playground equipment. There's a 3-D printer, where designers can print small, scaled prototypes of new gear.

With a regional shortage of workers, companies of all stripes are struggling to fill rosters. Though Burke has grown its workforce by 30 percent to about 100 this summer, Pfeifer said he'd hire a qualified worker "on the spot."

Pfeifer is confident the expansion will help attract employees and cultivate a creative work culture, too, where employees can dream up the next obstacle that will bring any parent a pang of envy.

"We have to keep the culture of innovation and service," Pfeifer said. "Now it's bringing Burke to places Burke hasn't been before. We feel like we have a lot of runway left."

Reach Nate Beck at 920-858-9657 or nbeck@reporter.com; on Twitter: @NateBeck9

Rescue

Continued from Page 1A

known amount" of gasoline and oil into the creek and the Sheriff's Office notified the Wisconsin Department of Natural Resources about the spill, according to the release.

Police determined that the vehicle was heading south when it struck the guardrail on the bridge over Anderson Creek and tipped into the water. Residents nearby helped pull the driver — the vehicle's only occupant — from the car. Nine were injured while rescuing

the driver or containing the spill, according to the release.

A North Fond du Lac ambulance checked and then released the driver at the scene. Alcohol and inattentive driving are suspected factors in the crash, according to Sheriff's Office.

Fond du Lac County

Sheriffs and the Wisconsin DNR did not immediately return messages seeking comment Monday morning.

Reach Nate Beck at 920-858-9657 or nbeck@reporter.com; on Twitter: @NateBeck9

More obituaries on Page 2A

Wagner, Donald E.
90, Fond du Lac, June 11, 2017, Zacherl Funeral Home & Crematory

Edwards, Helen A.
81, Fond du Lac, June 11, 2017, Zacherl Funeral Home & Crematory

Steffes, Rosemary
86, of St. Cloud, June 12, 2017, Spool Funeral Home of St. Cloud