

APR 06 2023

Application Page 1 - 7

STATE OF MINNESOTA, COUNTY OF WINONA

DISTRICT COURT

APPLICATION FOR SEARCH WARRANT

I, Angela C Evans, a licensed peace officer in the State of Minnesota, make an application to this Court for a warrant to search the premises described below, for the property and thing(s) described below.

I know the content of this application and affirm that the statements contained in this application are true based on my own knowledge, or are believed to be true.

I believe that the following described property and thing(s), namely:

Any and all records and data for phone number (507) 459-6895 for the time period of March 31, 2023 through April 2, 2023, including but not limited to:

- subscriber information;
- length of service, including start date, and types of service(s) utilized;
- call detail records;
- RTT records;
- data records;
- pings;
- text message detail records;
- text message content;
- voicemail detail records;
- voice mail content;
- associated device IMEI, IMSI and/or ESN;
- telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and
- means and source of payment for such service, including any credit card or bank

account number.

And 30 days historical CDR records, RTT records, Data records, Pings and text message content.

is or are at the premises described as:

Verizon

Attn: VSAT

180 Washington Valley Road

Bedminster, NJ 07921

This search is of records held by an out-of-state corporation, Verizon, doing business in city or township of Winona, County of Winona, State of Minnesota.

I apply for a search warrant on the following grounds:

- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The facts establishing the grounds for issuance of a search warrant are as follows:

Affiant's Background

Your affiant is a licensed peace officer and has been a licensed peace officer in the State of Minnesota since August 1996. Your affiant has worked for the Winona Police Department in various capacities for the past 26 years, including patrol officer, evidence technician, and is currently an investigator assigned to the Criminal Investigation Division. Your affiant has worked in her current capacity since September 2012. Your affiant has discussed this case and reviewed reports of other officers about this case and believes the following to be true, and to constitute probable cause sufficient to support the requested search.

Nature of Investigation

March 31, 2023

At approximately 8:20pm on Friday, March 31, 2023 the Winona Police Department took a report of a missing person. The reporting party ("Reporting Party") indicated that they were best friends with Madeline Jane Kingsbury (Date of Birth: June 1, 1996), who she had not had contact with all day, which she characterized as unusual. Reporting Party went to Kingsbury's residence and did not get an answer to her knocks at the door at 456 Kerry Drive, located in the City of Winona, Winona County, Minnesota. Reporting Party also informed officers that she was aware that Kingsbury was having issues with her husband,

Adam Taylor Fravel (Date of Birth: January 29, 1994).

One of Kingsbury's neighbors ("Neighbor") reported that they she did not see Kingsbury's van in the driveway at approximately 7:00am, but had seen it back at approximately 6:00pm. The van was still in the driveway when officers arrived on scene, as is still there at 12:00pm on April 1, 2023.

Officers did not get an answer to knocks at Kingsbury's door and noted that there were no lights on inside. Officers then spoke with Kingsbury's dad who reported not having had any contact with her throughout the day, explaining that as odd.

Officers also spoke with Fravel via phone. Fravel said he had not heard from Kingsbury since earlier that morning. He reported that Kingsbury was supposed to pick up their children from daycare after she got off of work, however, she did not show up so he went to pick them up. After picking up the children he and the kids went to his parents' residence in Mabel, Minnesota.

Officers gained access to Kingsbury's apartment and verified that she was not there and noted that the apartment did not look disturbed.

April 1, 2023

On April 1, 2023 Kingsbury's mother and sister ("Sister") came to the Winona County Law Enforcement Center to report that there had still not been any contact with Kingsbury, which was extremely out of character for her. Sister said that she had texted Kingsbury Friday morning and that Kingsbury replied at 8:15am with a response that is typical of Kingsbury. Sister reports sending a second text to her at 8:23am, which went unanswered. Sister said that she and Kingsbury communicated with one another multiple times a day

They informed officers that Kingsbury and Fravel were in the process of getting divorced, however, they were still living together. They said that the first night that Fravel hasn't stayed at their joint residence on Kerry Drive was last night, March 31, 2023.

Kingsbury reportedly told Fravel earlier in the week that she no longer wanted to continue with the plans they had to move closer to his parents and change the childrens' daycare, rather, she was going to stay in Winona, keep the children with her and at the daycare they were currently attending and that she was looking for an apartment. It was also known to Fravel, and others, that Kingsbury was currently seeing someone else.

They reported that Fravel was very emotionally abusive and controlling over Kingsbury. He insisted that she was not allowed to speak with her new boyfriend while he was around and demanded to see all text messages between the two of them. Kingsbury told Sister that

Fravel had told her, "if you don't listen you'll end up like Gabby Petito".

Officers learned that Kingsbury had also told Reporting Party that Fravel told her, "if you don't listen you'll end up like Gabby Petito".

Sister reported that Kingsbury had planned to travel, with her daughter, to visit her in the cities for the weekend and that Fravel was supposed to be taking their son with him to his parents' in Mabel. Both were supposed to be leaving for their intended destinations on Saturday, April 1, 2023, so they were very concerned that Fravel left with both children on Friday, knowing Kingsbury was going to be taking their daughter with her on Saturday.

Officers spoke with the childrens' daycare provider ("Daycare Provider"). She reported that Kingsbury and Fravel dropped the children off together Friday morning, and they arrived in the van, which is typically driven by Kingsbury. She told officers that Kingsbury is the one who typically picks up the children at the end of the day, but that Fravel will if Kingsbury can't. She explained that Fravel arrived to pick up the children at their normal pick-up time. When asked, Reporting Party she said that she never contacted Fravel, or anyone, in reference to Kingsbury not arriving to pick up the children because Fravel picked them up at their regularly scheduled time. Daycare Provider said that when Fravel showed up to get the children they asked where their mother was. She said that he never answered their question, rather he just said, "we're going to Grandma's house". A review of the daycare provider's ring camera shows both Kingsbury and Fravel arrive at 8:03am to drop off the kids and Fravel arrive alone to pick up the kids at 4:21. Fravel can be seen wearing white tennis shoes at drop-off and boots at pick-up. It should be noted that there was no snow on the ground at that time, it was raining and the temperature was approximately 40 degrees.

Reporting Party reported that her significant other (Witness #1) is very close friends with Fravel. Witness #1 and Fravel communicated via text about Kingsbury being missing. Witness #1 reports Fravel as being very frustrated that law enforcement is involved so quickly since he had seen her Friday morning. Witness #1 shared screenshots of his conversation with Fravel from Friday night, which is detailed, in part, below

- Fravel 9:37pm – I talked to the police. Who or what prompted you guys to go check at the house? I'm so confused, she hasn't been gone for a day yet so I'm not freaking out but everyone else is"
- Fravel 9:42pm – "So Katie called the police?"
- Fravel 9:44pm – "She was leaving for Farmington in the morning"
- Witness #1 9:45pm – "Yes she did. Weird that no one can get ahold of her."
- Fravel 9:46pm – "Wow that's a little out of bounds of Katie. It hasn't even been 24 hrs

and I saw her this morning”

- Witness #1 9:48pm – “Not really when no one has heard from her most of the day. Apparently no one was able to reach you either to at least know you’ve heard from her. You can’t blame people for being worried man.”

- Fravel 10:04pm – “Nobody tried to reach me at all until 7pm which was Megan so idk what you mean by that”

- Fravel 10:04pm – I get being worried. But nobody asked me anything so it’s like wtf lol”

An investigator spoke with Kingsbury’s work supervisor (“Supervisor”) who reported that Kingsbury works at the office on Mondays and Fridays, however, she did not show up for work on March 31, 2023. Supervisor said that Kingsbury did not contact anyone to let them know she was not coming in to work, which Supervisor said was out of character for Kingsbury. The IT department at Kingsbury’s place of employment reported to investigators that Kingsbury last logged into her work system at 7:44am on Friday, March 31, 2023 and had not logged back in after it timed out, which it would have done in the time it took for them to drop the children off at daycare at 8:03am.

Family also told investigators that a friend (“Friend”) of Kingsbury’s reports that, a couple weeks ago Kingsbury visited Friend in the hospital and told her that if something ever happened to her, “it was Adam”.

Pings of Kingsbury’s phone on April 1, 2023 reported GPS coordinates of 44.05627, -91.691015, which is the tower located at Service Drive and Sebo Steet in Winona, with an accuracy of 4043 meter radius. Multiple pings have returned the same coordinates.

A forensic extraction of Fravel’s phone revealed the device phone number is 507-459-6895 and did not yield any location data after Thursday, March 30, 2023. Your affiant believes there is a possibility that the historical location data of Fravel’s phone records could provide information as to Kingsbury’s current location and/or Fravel’s movements and communications prior to and after her disappearance. Your affiant knows from training and experience that Verizon maintains historical location data of the phone for a very short window of time. That, coupled with the fact that Kingsbury’s location is still unknown, and that any possible location information held by Verizon could lead to Kingsbury’s whereabouts, your affiant is requesting a night-time search warrant.

Foreign Corporation

Verizon is a foreign corporation located outside the State of Minnesota. Verizon is located in the State of New Jersey. The Court has jurisdiction to issue a Minnesota State search

warrant for records held by Verizon pursuant to Minnesota Statutes section 626.18. Minnesota Statutes section 626.18 allows a search warrant for records that are in the actual or constructive possession of a foreign corporation that provides electronic communication services or remote computing services to the general public, where those records would reveal the identity of the customers using those services; data stored by, or on behalf of, the customer; the customer's usage of those services; the recipient or destination of communications or services sent to or from those customers; or the content of those communications or services. Verizon provides such services to residents of the State of Minnesota.

(End of Page)

A nighttime search outside the hours of 7 a.m. to 8 p.m. is necessary to prevent the loss, destruction or removal of the objects of the search or to protect the searchers or the public because Your affiant believes there is a possibility that the historical location data of Fravel's phone records could provide information as to Kingsbury's current location and/or Fravel's movements and communications prior to and after her disappearance. Your affiant knows from training and experience that Verizon maintains historical location data of the phone for a very short window of time. That, coupled with the fact that Kingsbury's location is still unknown and that any possible location information held by Verizon could lead to Kingsbury's whereabouts, your affiant is requesting a night-time search warrant.

I request a search warrant be issued, commanding Angela C Evans, Sgt. Adam Brommerich, peace officers of the State of Minnesota, and any other authorized person, to enter and search between the hours of 7 a.m. and 8 p.m., and a nighttime search outside those hours, to search the above described premises for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

I declare under penalty of perjury that everything stated in this document is true and correct.

Applicant: Angela C Evans
Winona Police Department
Electronically Signed
04/02/2023 3:21 AM
Winona County, Minnesota

STATE OF MINNESOTA, COUNTY OF WINONA

DISTRICT COURT

SEARCH WARRANT

TO: ANGELA C EVANS, SGT. ADAM BROMMERICH PEACE OFFICERS OF THE STATE OF MINNESOTA.

WHEREAS, Angela C Evans has this day on oath made an application to this Court for a warrant to search the following described premises :

**Verizon
Attn: VSAT
180 Washington Valley Road
Bedminster, NJ 07921**

This search is of records held by an out-of-state corporation, Verizon, doing business in city or township of Winona, State of Minnesota for the following described property and thing(s):

Any and all records and data for phone number (507) 459-6895 for the time period of March 31, 2023 through April 2, 2023, including but not limited to:

- **subscriber information;**
- **length of service, including start date, and types of service(s) utilized;**
- **call detail records;**
- **RTT records;**
- **data records;**
- **pings;**
- **text message detail records;**
- **text message content;**
- **voicemail detail records;**
- **voice mail content;**
- **associated device IMEI, IMSI and/or ESN;**

- **telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and**
- **means and source of payment for such service, including any credit card or bank account number.**

And 30 days historical CDR records, RTT records, Data records, Pings and text message content.

WHEREAS, the application of Angela C Evans was duly presented and read by the Court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following ground(s):

- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The court further finds that probable cause exists to believe that the above-described property and thing(s) is or are at the above-described premises

(End of Page)

The court further finds that a nighttime search outside the hours of 7 a.m. to 8 p.m. is necessary to prevent the loss, destruction, removal of the objects of said search, or to protect the safety of the searchers or the public.

NOW, THEREFORE, you Angela C Evans, Sgt. Adam Brommerich, peace officers of the State of Minnesota, and any other authorized person, are hereby commanded to enter and search between the hours of 7 a.m. and 8 p.m., and a nighttime search outside those hours, to search the above-described premises, for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

BY THE COURT

ISSUED ON: 02 April, 2023

Judicial Officer: Nancy Buytendorp
Judge of District Court
Electronically Signed
04/02/2023 3:23 AM

STATE OF MINNESOTA, COUNTY OF Winona

DISTRICT COURT

RECEIPT, INVENTORY AND RETURN

I, Inv. Angela Evans, received the attached search warrant issued by the Honorable Nancy Buytendorp, on 04/02/2023, and have executed it as follows:

Pursuant to the warrant, on 04/02/2023, at 03:59 o'clock am, I searched the following described in the search warrant.

☒ Premises ☐ Motor Vehicle ☐ Person ☐ Device

I have left a true and correct copy of the search warrant (with) (~~in~~) (~~at~~)

Verizon - 180 Washington Valley Road, Bednimster, JH 07921

I took into custody the property and things listed below: (attach and identify additional sheets if necessary)

Electronic records forthcoming

Check the appropriate:

- ☒ I left a receipt for the property and things listed above with a copy of the warrant.
- ☐ None of the items set forth in the search warrant was found.
- ☒ I shall retain or deliver custody of said property as directed by court order.

"I declare under penalty of perjury that everything I have stated in this document is true and correct." Minn. Stat. 358.116.

Angela Evans Date: 04/05/2023
(Signature)

County: Winona State: Minnesota

COPIES TO: • COURT • PROS. ATTORNEY • PEACE OFFICER • PREMISES/MOTOR VEHICLE/PERSON