

MAY 01 2023

Application Page 1 - 7

STATE OF MINNESOTA, COUNTY OF WINONA

DISTRICT COURT

APPLICATION FOR SEARCH WARRANT

I, Colleen Myhre, 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:

Video, Audio, smart motion logs, Biometric Data and Activity Data recorded by:

Device MAC Address Camera: 2CAA8EFE9D91 (Driveway)

Device MAC Address Camera: 2CAA8EEBEA7A (Garage)

Device MAC Address Camera: D03F27196B9B (South Side)

Device MAC Address Camera: D03F27195650 (North)

Device MAC Address Camera: 7C78B218BC2F (Living Room)

Device MAC Address: JA.SC.2CAA8E43B993 (Wyze Scale)

Device MAC Address: RY.WA1.676716 (Wyze Watch)

- **Any files associated with Adam Fravel (1/29/1994)**
- **Any video and audio captured or stored by Wyze Labs, Inc. and cloud recording for the listed dates, including deleted clips, full record of any deleted files, full account information including by not limited to:**
 - ◊ **Customer/subscriber names, contact information, and location of service**
 - ◊ **Billing information, phone numbers, account numbers, account packages, features, products, services, account online access or Cloud Storage.**
 - ◊ **Any connected wireless network information or settings**
 - ◊ **Type of Account and Wyze video system with dates of service**
 - ◊ **Any account payment information**
 - ◊ **Payment history associated with unit purchase and cloud recording account**

- Existing and deleted video files, thumbnails, and user name(s), address(es), email address(es), telephone numbers, and IP address.

****Between the dates of March 22, 2023, through April 9, 2023.**

is or are at the premises described as:

Wyze Labs, Inc.

Attn: Alan Tang, VP of Finance

5808 Lake Washington Blvd E, Suite 301

Kirkland, WA 98033

legal@wyze.com

This search is of records held by an out-of-state corporation, Wyze Labs, Inc., 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:

Your affiant, Special Agent Colleen Myhre, has been a licensed Peace Officer in the State of Minnesota since 2006. Your affiant is currently employed by the State of Minnesota at the Bureau of Criminal Apprehension (BCA), assigned to Homicide/Missing Persons Investigations. Your affiant has been employed by the BCA since September of 2019. Prior to her employment with the BCA, your affiant worked at the Willmar and South St. Paul Police departments as a patrol officer, and then as an Investigator with the South St. Paul Police department from 2011-2019. In 2022, your Affiant was assigned to the Minneapolis Police Department's Homicide Unit in response to a violent crime initiative. In these capacities, your affiant has been directly involved, or assisted other Agents and Officers, with several investigations.

At approximately 8:20 PM 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), whom 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 significant other, Adam Taylor Fravel (Date of Birth: January 29, 1994).

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, Fillmore County, Minnesota. Law enforcement knows, based on phone contact with Fravel, an in-person interview of Fravel and surveillance of Fravel's movements, that he has been at that residence the majority of the time since then.

Officers gained access to Kingsbury's townhome and verified that she was not there.

Officers later learned that Fravel had contacted the reporting party's significant other and was upset that she had reported Kingsbury as missing because Kingsbury had not been gone for over 24 hours.

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 8:15 AM with a response that is typical of Kingsbury. Sister reports sending a second text to her at 8:23 AM, 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 splitting up, 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 children's 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".

Another friend was interviewed, hereinafter referred to as H.S., who advised that Fravel had

become physically abusive with Kingsbury after the birth of their son. Last fall, Kingsbury had called H.S. crying and said that Fravel had choked her on their couch and told her if she wasn't careful, that would be her. He was referring to the Gabby Petito case on the news.

Gabrielle "Gabby" Petito was reported missing on September 11, 2022 after not returning from a monthslong cross-county trip with her significant other, a case which garnered significant, nation-wide media coverage. Her remains were later located in a national park in Wyoming and it was determined that her death was a homicide. The person of interest in that case was her significant other.

H.S. also advised that Kingsbury had insisted Fravel go to therapy after the choking incident. H.S. understood that the therapist suggested that Fravel start assisting with daycare drop off to show that he was being a more involved father.

The daycare provider was spoken to and advised 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, Daycare Provider 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 4:21pm.

H.S. advised that Fravel had some sort of Computer Programming Degree and was very technologically smart. He had not had a job in a few years and Kingsbury supported him financially. As far as H.S. knew, Fravel played video games all day and would refuse to watch the children even if Kingsbury had to go grocery shopping, so H.S. had helped from time to time and watched the children while Fravel continued to play his games. H.S. was also aware that Kingsbury had ended the relationship and believed that Kingsbury told Fravel to be moved out of the home by that weekend (April 1-2).

Fravel was interviewed in person on 4/1/23, and it was noted by investigators that he had faint scratches on his forehead, nose and neck. He claimed to be running errands on Friday. He got gas and then grabbed the wrong moving boxes and so had driven as far south as Choice, before he turned around and headed back home. He alleged that Kingsbury was gone and he did not know where she had gone. His phone was confiscated from him at the interview.

In another interview on 4/2/23, Fravel told investigators that he was "infatuated" with the Gabby Petito case. When more pointed questions were asked of him concerning Kingsbury,

he refused to answer any more questions.

In a search warrant conducted at Kingsbury and Fravel's residence, investigators found that Wyze cameras had been pulled down from their installed locations in the home and the SD Cards were removed.

Investigators recovered various business surveillance videos of interest from 3/31/23. In one, Fravel was seen pumping gas into Kingsbury's van, but he had switched the plate to his vehicle's plate. In another video, he had returned home and was backed up to the garage.

Investigators found various videos of his route south of Winona. The last video was from 28901 Hwy 43, in Rushford. He was last seen on the video at approximately 11:59AM, traveling south. The same video caught Fravel traveling north again at 12:44 PM. There is a 45 minute window that Fravel could not be tracked. Choice is 11.5 miles south of that Rushford business. Fravel's parent's home is 16.7 miles from that business. In that time, Fravel could have made it to his parents home, north of Mabel, and back.

A search warrant of Fravel's phone revealed that he had wiped data on his phone and also disabled certain tracking applications and location services after 3/30/23.

In reviewing the deleted data or remnants of data on the unallocated space on Fravel's phone, Agents with the BCA discovered that Fravel had access to a network of Wyze cameras, a scale and a Wyze watch, that looks similar to an Apple watch. In the data time stamped 3/30/23, at 8:24 PM, the Wyze network was still in working order as indicated by the "records event switches." By the day that police conducted the search warrant, all cameras were ripped down and their SD cards were missing. Also noted in this carved data, Agents could see that the device MAC addresses were listed, as well as their descriptions. Your affiant noted that the descriptions that had been given to them by the device administrator (Fravel) was "Garage, Driveway, south side, north, and Living room." Some of the cameras appeared to be connected to another wifi and the network was labeled as his parent's partial address, indicating that Fravel controls the cameras at his own home and the ones outside of his parent's residence.

A search warrant was conducted at Fravel's parent's home on 4/7/23, and your affiant noticed two ATVs and a side by side in the detached garages. There was also a computer tower and laptop that were in the dumpster, as well as a burned computer item in one of the fire pits.

Massive searches occurred for Kingsbury April 3-8, 2023. The searches were paused after the day on Saturday, April 8, 2023. This fact was widely reported in the news. Agents and Investigators were advised that on Easter Sunday, 4/9/23, Fravel was caught on a trail camera located on the neighbor's property to the north of his parent's address, driving in the side-by-side through the neighbor's land, with a shovel in the back. Your affiant reviewed her body worn camera of the search warrant and there were no shovels in the back of the

side-by-side at that time.

Wyze does store video and data on a cloud-based system, located out of state. Your affiant believes that video leading up to the disappearance will show a pattern of life for Fravel and Kingsbury. In addition, any data logs showing deleted items or system wipes further shows Fravel's attempt to conceal information in this investigation. Kingsbury is seen with a smart watch on her wrist in one of her photos. As there is a Wyze watch on the home system, the Wyze cloud should record steps, activity and even biometrics, like heartrate, if it was set up to do so. All of this will be helpful in determining Kingsbury's last movements. Lastly, these videos will assist in confirming or denying statements made by Fravel and other witnesses.

(End of Page)

I request a search warrant be issued, commanding Colleen Myhre, Special Agent Joe Swenson, 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. 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: Colleen Myhre

Minnesota Bureau of Criminal
Apprehension
Electronically Signed
04/21/2023 3:38 PM
Winona County, Minnesota

STATE OF MINNESOTA, COUNTY OF WINONA

DISTRICT COURT

SEARCH WARRANT

TO: COLLEEN MYHRE, SPECIAL AGENT JOE SWENSON PEACE OFFICERS OF THE STATE OF MINNESOTA.

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

Wyze Labs, Inc.
Attn: Alan Tang, VP of Finance
5808 Lake Washington Blvd E, Suite 301
Kirkland, WA 98033
legal@wyze.com

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

Video, Audio, smart motion logs, Biometric Data and Activity Data recorded by:

Device MAC Address Camera: 2CAA8EFE9D91 (Driveway)

Device MAC Address Camera: 2CAA8EEBEA7A (Garage)

Device MAC Address Camera: D03F27196B9B (South Side)

Device MAC Address Camera: D03F27195650 (North)

Device MAC Address Camera: 7C78B218BC2F (Living Room)

Device MAC Address: JA.SC.2CAA8E43B993 (Wyze Scale)

Device MAC Address: RY.WA1.676716 (Wyze Watch)

- **Any files associated with Adam Fravel (1/29/1994)**
- **Any video and audio captured or stored by Wyze Labs, Inc. and cloud recording for the listed dates, including deleted clips, full record of any deleted files, full account information including by not limited to:**
 - **Customer/subscriber names, contact information, and location of service**
 - **Billing information, phone numbers, account numbers, account packages, features,**

- products, services, account online access or Cloud Storage.
 - Any connected wireless network information or settings
 - Type of Account and Wyze video system with dates of service
 - Any account payment information
 - Payment history associated with unit purchase and cloud recording account
-
- Existing and deleted video files, thumbnails, and user name(s), address(es), email address(es), telephone numbers, and IP address.

****Between the dates of March 22, 2023, through April 9, 2023.**

WHEREAS, the application of Colleen Myhre 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)

NOW, THEREFORE, you Colleen Myhre, Special Agent Joe Swenson, 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., 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

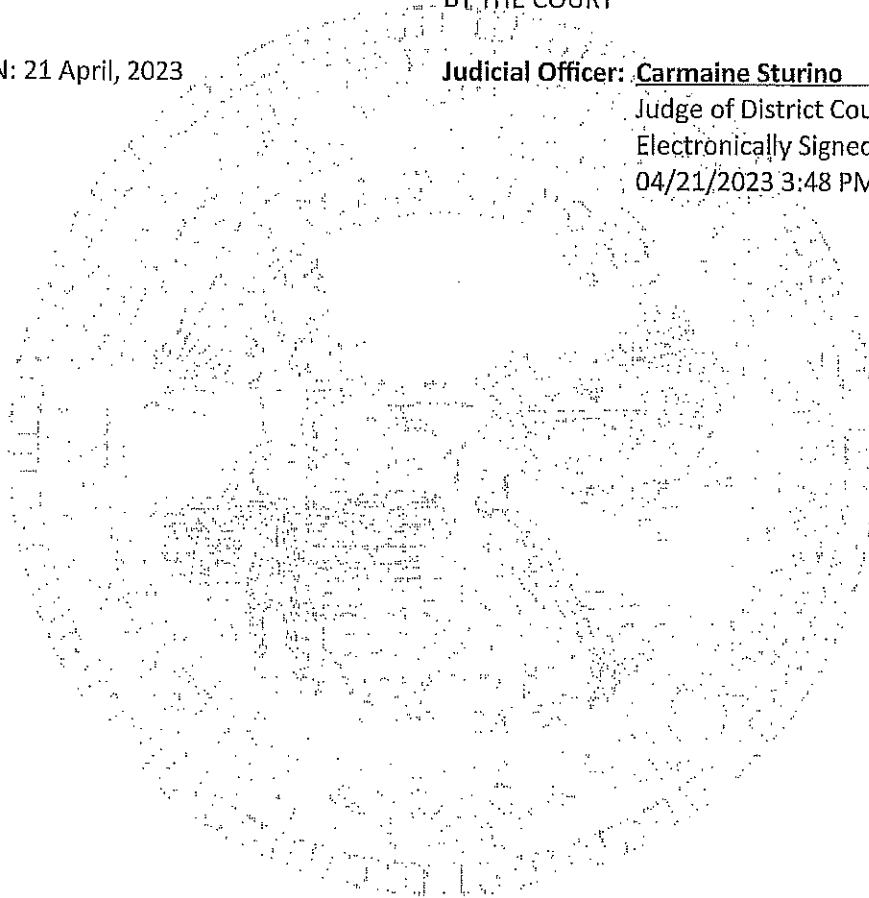
ISSUED ON: 21 April, 2023

Judicial Officer: Carmaine Sturino

Judge of District Court

Electronically Signed

04/21/2023 3:48 PM



STATE OF MINNESOTA, COUNTY OF Winona

DISTRICT COURT

RECEIPT, INVENTORY AND RETURN

I, SA Colleen Myhre, received the attached search warrant issued by the Honorable Judge Carmaine Sturino, on 04/21/2023, and have executed it as follows:

Pursuant to the warrant, on 04/21/2023, at 03:56 o'clock pm, 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) Wyze Labs, Inc. via their law enforcement contact.

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

Data received on 4/27/23.

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.

Colleen Myhre Date: 4/27/23
(Signature)

County: Winona State: MN

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