

APR 12 2023

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STATE OF MINNESOTA, COUNTY OF FILLMORE

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, and motor vehicle(s) 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:

Search for human remains of Madeline Jane Kingsbury;

2015 Gray, Chrysler 200, bearing Minnesota license plate ABN466, located in the Third Judicial District;

Clothing, to include a white colored jacket, red colored bomber-style hat, red colored shirt, dark pants, white tennis shoes and dark colored footwear;

All trash, including but not limited to a white colored, plastic grocery style bag;

Photographing and video of the residence, property, vehicles and items within;

Computer systems including, but not limited to, the main computer box, hard drives, monitors, scanners, printers, modems and/or other peripheral devices;

Media in whatever form, including, but not limited to, magnetic (i.e., floppy disks and tapes); optical (i.e., CD's and DVD's), and/or solid state (i.e., Flash Drives and Memory Cards)

Personal electronic devices including, but not limited to, cell phones, tablets, personal data assistants, portable audio devices, digital video recorders, video entertainment/gaming consoles, and/or any other data storage medium;

Any and all clothing that may contain biological material; and

Any and all burned items that can be associated with the disappearance of Madeline Kingsbury.

is or are at the premises, and in the motor vehicle(s) described as:

The property at 42227 County Road 18, Mabel, Fillmore County, Minnesota, including the house, garage, any and all outbuildings, septic tanks, cisterns, wells, dumpsters and trash receptacles; and

2015 Gray, Chrysler 200, bearing Minnesota license plate ABN466, located in the Third Judicial District

located in city or township of Mabel, County of Fillmore, 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 significant other, 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, 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 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 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 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".

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.

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, 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. Fravel can be seen wearing a white jacket, dark pants, a red bomber-style hat and white tennis shoes at drop-off and the same white jacket, a red colored shirt underneath, the same red bomber-style hat, dark pants and dark colored footwear 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, March 31, 2023, 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. Investigators located Kingsbury’s phone at her residence during the execution of a search warrant later on April 1, 2023.

Investigators spoke with Fravel on April 1, 2023. Fravel told investigators that he and Kingsbury dropped their children off at daycare and returned home together. Fravel told investigators he played on his laptop in the living room while Kingsbury had breakfast in the kitchen. Fravel reports having left the Kerry Drive residence at approximately 10:30am, at which time he left in Kingsbury’s van to move boxes and totes of belongings to his parents’ residence, located at 42227 County Road 18, Mabel, Minnesota. According to Fravel, during the trip to his parents’ residence he realized he had brought the wrong load of belongings

and when he got to Choice, Minnesota, he turned around and returned to his Kerry Drive residence, approximating his arrival at about noon. Fravel allowed investigators to look through his vehicle, a gray Chrysler 200, bearing MN license plate ABN466. Investigators noted two pair of footwear that matched the general description of what Fravel was seen wearing on the Ring video when he picked up and dropped off the children at daycare. Because investigators were trying to develop rapport with Fravel, the shoes were not collected. Investigators noted several faint scratches on Fravel's forehead, area immediately below his nose and on his neck. Your affiant would note that sometime during the course of the investigation I observed, on other investigators' bodycam footage of the interview with Fravel, a dog on the porch at Fravel's parents residence in Mabel, Minnesota.

Investigators were able to retrieve business surveillance video in Rushford, Minnesota, showing a van matching the description of Kingsbury's van, to include a sticker in the lower left corner of the back window. The van travels south, on Hwy 43 toward Choice, Minnesota, at 11:56am, and nearly an hour later, at 12:47pm, what appears to be the same vehicle is seen returning, travelling north on Hwy 43 from the direction of Choice, Minnesota. According to Google maps the distance between the business that captured the van on camera and Choice, Minnesota, travelling via Hwy 43, is approximately 11.5 miles, and takes 15 minutes to drive one way.

For reference, according to Google Maps, the distance between the business that captured the van on camera and Fravel's parents residence, travelling via Hwy 43, is approximately 16.7 miles, and takes 23 minutes to drive one way.

Pursuant to a search warrant, a Minnesota Bureau of Criminal Apprehension (BCA) agent completed a forensic extraction of Fravel's cell phone on April 1, 2023, and found text messages sent from Fravel to Kingsbury, relevant to the timing of his travel, detailed below. At no time did Kingsbury reply to the messages.

- March 31, 2023 10:29am – Fravel to Kingsbury – “Got gas in van and stuff ready to go. Gonna leave soon. When do you have to leave?”
- March 31, 2023 10:29am – Fravel to Kingsbury – “You just gonna stay home?”
- March 31, 2023 1:33pm – Fravel to Kingsbury – “Umm I’m back and my car is still here? You get a ride or something?”

Also located within the forensic extraction, investigators found a web search, “are dog scratches on face dangerous”, dated March 31, 2023 at 6:51pm.

Investigators executed search warrants for the production of records from Fravel's cell phone provider for geolocation information and found that Fravel's phone last recorded geolocation information on March 30, 2023. Geolocation services can be turned on or off by

the user at any time.

Investigators also found that Fravel has four different Gmail accounts on his cell phone. A search of each of those account profiles, in the phone itself, shows that the location services for each account was turned off.

iPhones and iCloud connected devices can keep track of locations the devices has recently been, as well as how often that device visited those locations, in order to learn places that are significant to the user. A user can delete their significant location history at any time. Fravel's only significant location listed was the location of his childrens' daycare.

Based on the information detailed above, your affiant believes that Fravel went to great lengths to conceal the locations that he visited or traveled after March 30, 2023.

Also installed on Fravel's phone was a Wyze app. Your affiant noted that the only file containing surveillance video was titled 42227, which is the address location of Fravel's parents residence in Fillmore County. Investigators who have personally been to the Fillmore County property confirmed the video is of that property. The account name detailed on the app was "fravel.business@gmail.com", which was also detailed as the main email account within the phone and is listed as the username in multiple accounts within Fravel's phone, including being used as his Apple ID, messages and iCloud account.

Your affiant submitted a preservation letter to Wyze Labs, Inc. to preserve the "fravel.business@gmail.com" account, as the account identifier, per Wyze Labs, Inc., is the email address. Your affiant received a response from Wyze Lab, Inc. indicating they were, "unable to locate the Wyze account associated with the email address provided". Per Wyze Labs, Inc. information, the user is able to change the username, as well as delete video, in both, the app and online.

Investigators and BCA agents executed a search warrant at Kingsbury's residence on Kerry Drive and her Chrysler Town and Country van and did not locate her or any obvious signs of a struggle or foul play.

April 2, 2023

During an interview of Fravel on April 2, 2023, regarding Kingsbury's disappearance, Fravel told investigators that he is "infatuated" with the Gabby Petito case. Investigators asked Fravel where his laptop was located and Fravel said it was at his parents' residence. Fravel asked investigators if they could bring him the laptop because he had to do homework. Fravel later told investigators that the laptop was in the basement of the Mabel, Minnesota residence, where investigators located it sitting on a bed after a consent search of the residence and property.

In reviewing the publically viewable information on Fravel's Facebook account, the intro section reads the following:

- "Studied Computer Science and Engineering at Winona State University"
- "Studied Web Design and Software Development at Minnesota State College Southeast Tech"
- "From Mabel, Minnesota"

A Winona Police Department sergeant spoke with Reporting Party. Reporting Party told the sergeant that Kingsbury had told her that she couldn't deal with this any longer and asked Reporting Party to take care of her children. Reporting Party doesn't know what happened to Kingsbury. Reporting Party wondered aloud if Kingsbury could have done something like jumped off a bridge, checked herself in to a mental health facility or left for a while. Reporting Party told the sergeant that she recalled Fravel with an older cell phone with a cracked screen and two pop-sockets on the back. Reporting Party reports not having seen Fravel with the newer phone that he provided to investigators on April 1, 2023.

Investigators executed a search warrant at Fravel's parents' residence, located at 42227 County Road 18 in Mabel, Fillmore County, Minnesota. During the execution of that search warrant they collected SD cards from the Wyze cameras located on that property. Later review of those cameras, which is still ongoing as of April 7, 2023, shows the following:

- March 31, 2023 at 5:14pm - Fravel parks in the driveway at the Fillmore County property, and is seen unpacking the vehicle and going back and forth from the house.
- March 31, 2023 at 5:19pm - Fravel walks into camera view from the house and goes to the open trunk of the vehicle and removes a small white bag, consistent in appearance to a plastic grocery store bag, that appeared to be full, and places it into a garbage dumpster that had a "RICHARD" placard on it. Fravel then walks back to the vehicle, shuts the trunk, retrieves items from the front passenger seat and the video stops at 5:20pm

April 4, 2023

Investigators reviewed surveillance video from March 31, 2023 at Kwik Trip, located at 375 Cottonwood Drive in Winona, Minnesota, which is the closest gas station to the Kerry Drive residence, at .3 miles. While reviewing the video, Investigators found a blue van, matching Kingsbury's vehicle, at the pumps at 10:02am. The rear license plate on the van was MN ABN466, which is the license plate for Fravel's Chrysler 200 sedan. A male subject matching Fravel's description was seen pumping gas in the van.

It should be noted that when investigators located Kingsbury's van at her Kerry Drive residence on both March 31, 2023 and April 1, 2023, it had plates belonging to her vehicle

on it with areas around the bolts that hold the plate to the vehicle that were clean and clear of dirt, when the remainder of the plate was dirty.

Also of note is that Fravel's vehicle, when viewed by law enforcement, had plates belonging to his vehicle on it.

April 6, 2023

A Fillmore County deputy contacted Richard's Sanitation ("Richards") out of Caledonia, Minnesota, in reference to the dumpster located on the 42227 County Road 18, Mabel, Minnesota property. Richard's confirmed that the dumpster is serviced by Richard's and informed the deputy that it is an "on-call dumpster", meaning the property owners call Richard's when they want it collected. Richard's informed that the dumpster was last collected and emptied in September 2022.

April 7, 2023

Investigators and MN BCA agents executed a search warrant at 42227 County Road 18, Mabel, located in Fillmore County, Minnesota. During the execution of the search warrant investigators and agents located a burn pit that is approximately 10 feet by 10 feet. Located within the burn pit was a piece of what appears to be the remnants of a desktop style computer.

While searching the dumpster, which was enumerated in the previous warrant, investigators located multiple pieces of electronic equipment, including a desktop style computer tower, as well as other items. The items were located at the top of the items within the dumpster such that they were immediately visible upon opening the dumpster.

Investigators and agents are actively searching at the property as this warrant is being drafted.

Madeline Kingsbury remains missing as of 5:30pm.

Wyze Information

Wyze Labs, also known as Wyze ("Wyze") is a company that specializes in various smart home products, including video surveillance cameras. Per Wyze, a user can install a microSD card into the Wyze Cam to record footage to the microSD card. The Wyze Cam can be set to record footage to the microSD card either (i) continuously 24/7 OR (ii) continuously when motion or sound occurs. The user can view the saved footage through the Wyze app. The user can remove the microSD card and view the video files on a computer. When the microSD card is full, it automatically over-writes the oldest footage. A 32GB card holds approximately 48 hours of HD video footage or seven to eight days of SD video footage.

I request a search warrant be issued, commanding Angela C Evans, INV. DEREK LANNING, INV. ANDY MOHAN, WINONA COUNTY SHERIFF INV. NICK WALCH, FILLMORE COUNTY SHERIFF DEPUTY JORDAN HEYER, MNBCA SAIC DON NEWHOUSE, MN BCA ASAIC RICKY WOURI, 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, and motor vehicle(s) 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
04/07/2023 5:36 PM
Winona County, Minnesota

STATE OF MINNESOTA, COUNTY OF FILLMORE

DISTRICT COURT

SEARCH WARRANT

TO: ANGELA C EVANS, INV. DEREK LANNING, INV. ANDY MOHAN, WINONA COUNTY SHERIFF
INV. NICK WALCH, FILLMORE COUNTY SHERIFF DEPUTY JORDAN HEYER, MNBCA SAIC DON
NEWHOUSE, MN BCA ASAIC RICKY WOURI 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, and motor vehicle(s) :

**The property at 42227 County Road 18, Mabel, Fillmore County, Minnesota, including the
house, garage, any and all outbuildings, septic tanks, cisterns, wells, dumpsters and trash
receptacles; and**

**2015 Gray, Chrysler 200, bearing Minnesota license plate ABN466, located in the Third
Judicial District**

located in city or township of Mabel, State of Minnesota for the following described property
and thing(s):

Search for human remains of Madeline Jane Kingsbury;

**2015 Gray, Chrysler 200, bearing Minnesota license plate ABN466, located in the Third
Judicial District;**

**Clothing, to include a white colored jacket, red colored bomber-style hat, red colored
shirt, dark pants, white tennis shoes and dark colored footwear;**

All trash, including but not limited to a white colored, plastic grocery style bag;

Photographing and video of the residence, property, vehicles and items within;

**Computer systems including, but not limited to, the main computer box, hard drives,
monitors, scanners, printers, modems and/or other peripheral devices;**

**Media in whatever form, including, but not limited to, magnetic (i.e., floppy disks and
tapes); optical (i.e., CD's and DVD's), and/or solid state (i.e., Flash Drives and Memory
Cards)**

Personal electronic devices including, but not limited to, cell phones, tablets, personal

data assistants, portable audio devices, digital video recorders, video entertainment/gaming consoles, and/or any other data storage medium;

Any and all clothing that may contain biological material; and

Any and all burned items that can be associated with the disappearance of Madeline Kingsbury.

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, and in the above-described motor vehicle(s)

(End of Page)

NOW, THEREFORE, you Angela C Evans, INV. DEREK LANNING, INV. ANDY MOHAN, WINONA COUNTY SHERIFF INV. NICK WALCH, FILLMORE COUNTY SHERIFF DEPUTY JORDAN HEYER, MNBCA SAIC DON NEWHOUSE, MN BCA ASAIC RICKY WOURI, 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, and motor vehicle(s), 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: 07 April, 2023

Judicial Officer: Nancy Buytendorp

Judge of District Court

Electronically Signed

04/07/2023 5:58 PM

STATE OF MINNESOTA, COUNTY OF WINONA 3RD JUDICIAL COURT

RECEIPT, INVENTORY AND RETURN

I, INV. DEREK LANNING, received the attached search warrant issued by the Honorable ~~SHARON~~ BUYTENDORP on APRIL 7TH, 20 23 and have executed it as follows:

Pursuant to said warrant, on APRIL 7TH, 20 23 at 1804 o'clock Pm, I searched the (premises) (motor vehicle) (Person) described in said warrant, and left a true and correct copy of said warrant (with) (in) (at) 42227 COUNTY RD #18 MABEL, MN

I took into custody the property and things listed below (attached and identify additional sheet if necessary)

- AUSUS TOWER
- DELL LAPTOP
- DELL ALL IN COMPUTER
- BURNT COMPUTER
- RED SWEATSMRT

(Strike when 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 were found)

(I shall retain or (deliver) custody of said property as directed by Court order)

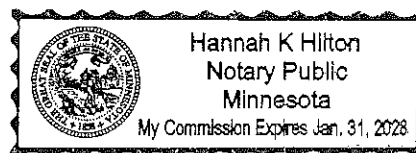
INV. DEREK LANNING, being first duly sworn upon oath, deposes and says that he has read the foregoing receipt, inventory and return and the matters stated are true and correct, except as to such matters stated therein on information and belief, and as to those, he believes them to be true.

Subscribed and sworn to before this

10th day of April, 20 23

Hannah Hilton Winona
Notary Public County

My commission expires 1/31/28



MN

Hannah K Hilton
Signature