

MAY 01 2023

APPLICATION 1-1

STATE OF MINNESOTA, COUNTY OF WINONA

THIRD DISTRICT COURT

STATE OF MINNESOTA)

APPLICATION FOR SEARCH WARRANT AND
SUPPORTING AFFIDAVIT

)SS.

COUNTY OF WINONA

Special Agent Colleen Myhre being first duly sworn upon oath, hereby makes application to this Court for a warrant to search the (premises) (property) (motor vehicles) (person) hereinafter described, for the property, data and things hereinafter described.

Affiant knows the contents of this application and supporting affidavit, and the statements herein are true of his/her own knowledge, save as to such as are herein stated on information and belief, and as to those, he/she believes them to be true.

Affiant has good reason to believe, and does believe, that the following described property, data and things, to wit:

Any and all information retained by Meta Platforms, Inc. (Facebook, Inc.) in reference to:

-User ID: 100091686589957

-And/or Username: Wil Williams

-And/or profile URL: <https://www.facebook.com/profile.php?id=100091686589957>

Including but not limited to:

1. All contact and personal identifying information given to Facebook, either during the registration process or thereafter, including the user's full name, user identification number, birth date, gender, contact email addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
2. Private messages including those found in the Inbox, Trash, and Sent mail including any and all blogging and/or text.
3. All chat logs that include screen names associated with User IDs.
4. Any and all videos or images uploaded by the requested user posted to the page or exchanged in chat/messages or any other mean whether public or private to include a date/time stamp and IP address of the upload image/video.
5. Private messages on Facebook sent by the recipient or received, including those found in the Inbox, trash, and sent mail, including any and all images and/or videos sent or received to include date/time stamp and IP address of the upload image/video.
6. Facebook Notes for this user or any imported blogs from other services, such as Xanga, LiveJournal, and Blogger.
7. Internet Protocol (IP) logs for the requested user.
8. Secret conversations sent or received by the recipient.
9. All records of Facebook searches performed by the account.
10. Any/All groups the user is affiliated with to include: a list of all other who are currently registered to a particular group and the administrator and/or creator of the group and the group identification number to each group, group contact information as well as a PDF of the current status of the group profile page.

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11. The requested user's Neoprint to include but not limited to the following information from the user's profile: profile contact information; Mini-Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications.
12. Any/all additional information about the users' accounts to include information such as the length of service (including start date and end date), the types of services utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). Any/all communication the requested user had directly with Facebook about issues related to their account, such as technical problems, billing inquiries, or complaints from other users, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications.

***For dates 03/31/2023 through 4/26/2023

This account was preserved by Meta Platforms, Inc. (Facebook), at the request of the Bureau of Criminal Apprehension on April 22, 2023, and was assigned Facebook Case No. 7763093.

will be at the premises, in the motor vehicle(s), on the person, described as:

Meta Platforms, Inc. (Facebook, Inc.)
Attn: Security Department/Custodian of Records
1601 Willow Road
Menlo Park, CA 94025
Fax: 650-644-3229
Facebook.com/records

Sent via Meta Platforms/Facebook's electronic law enforcement portal

A company that regularly conducts business providing electronic communication services to residents and the general public in the State of Minnesota to include Winona, in Winona County.

This affiant applies for issuance of a search warrant upon the following grounds: (Strike inapplicable paragraph)

- ~~1. The property or things above described was stolen or embezzled.~~
- ~~2. The property or things above described was used as means of committing a crime.~~
- ~~3. The possession of the property or things above described constitutes a crime.~~
- ~~4. The property or things above described is in the possession of a person with intent to use such property as a means of committing a crime, or the property or things so intended to be used are in the possession of another to whom they have been delivered for the purpose of concealing them or preventing their being discovered.~~
5. 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 tending to establish the foregoing 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/General Investigations. Your affiant has been employed by the BCA since 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 these capacities, your affiant has been directly involved, or assisted other Agents and Officers, with several investigations.

Current Investigation

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), 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 surveillance of Fravel's movements, that he has been at that Mabel 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 8:15am 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 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. She told him that she would drive the kids to meet him for parenting time, if he was moving to his parent's home. Kingsbury had also told Fravel that she 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".

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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. Sometime in the last year, 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, 2021, after not returning from a months-long 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. would frequently come and watch 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 and 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.

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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 whipped 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.

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 parents' 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.

On 4/22/23, Your affiant received a Crime Stopper's Tip in which a concerned citizen noticed that a newly created Facebook page under the name "Wil Williams" was commenting on the tipster's social media page that they had created to help find Kingsbury. "Wil Williams" was noted to have a User ID of 100091686589957 and a URL of <https://www.facebook.com/profile.php?id=100091686589957>.

The "Wil Williams" account made comments such as "Bug her fathers phone. Once she arises, he would be her first phone call!" And when the tipster posted about the ex-boyfriend possibly being involved, "Williams" wrote that the evidence did not point to him and that his "alibi checks out." "Williams" also wrote "Weird how she disappears a week after announcing her new relationship." "Williams" also commented on the airplane seen in photos with Adam Fravel. "Williams" advised that it was a plane with the Houston County Pilot permit class. "Williams" also claims that Adam Fravel is being put through the "wringer" and seems to be asking for sympathy for him. "Williams" continued to try to point the finger at Kingsbury's family.

These messages seem to come from someone with knowledge of the case. Adam Fravel claimed in his interview that officers should suspect Kingsbury's father or family members of hiding her as a ploy to get custody of the kids. Adam Fravel, or a family member, would also know that the airplane in the photo was not one that he owned, but one that was in the pilot training program.

Your affiant is aware that the data contained within social media accounts often helps investigators to determine time lines, provide locations of interest, provide messaging data that can identify others that may assist in the investigation and uncover evidence. The historical location data and messages can also confirm or refute the witness and suspect's statements.

Your affiant is requesting data from "Wil Williams" Facebook account to identify the user as he/she seems to have intimate knowledge of the case and has espoused the same comments that Adam Fravel has made to law enforcement.

Non-Disclosure Request:

Your Affiant requests that the court order Meta Platforms, Inc. NOT TO NOTIFY any person (including the subscribers or customers of the account(s)) listed in the search warrant of the existence of the search warrant until further order of the court. Meta Platforms, Inc. is a provider of electronic communications service, as defined in 18 U.S.C. 2510(15) and Minn. Stat. 626A.01, Subd. 17, and/or a remote computer service, as defined in 18 U.S.C. 2711(2) and Minn. Stat. 626A.34.

This Court has authority under 18 U.S. Code § 2705 (b) and Minn. Stat. 626A.30 Subd. 2 to issue an order commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for a period as the court considers appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order.

Such an order shall be entered if the court determines there is reason to believe that the notification of the existence of the warrant, subpoena, or court order will result in: (1) endangering the life or physical safety of an individual; (2) flight from prosecution; (3) destruction of or tampering with evidence; (4) intimidation of potential witnesses; or (5) otherwise seriously jeopardizing an investigation or unduly delaying a trial. Your Affiant believes if Meta Platforms, Inc. notifies the user (of the above listed Meta Platforms, Inc. account) of the issuance of a search warrant, the suspect may destroy evidence related to this case.

Therefore, your Affiant requests the Court to order Meta Platforms, Inc. not to disclose the existence or content of the search warrant, except that Meta Platforms, Inc. may disclose the warrant to an attorney for Meta Platforms, Inc. for the purpose of receiving legal advice.

Minnesota State Statute 626.085 Subd. 4(b) Requirements - SEARCH WARRANT REQUIRED FOR ELECTRONIC COMMUNICATION INFORMATION

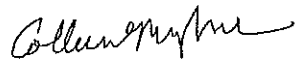
Subd. 4. Notice; temporary nondisclosure of search warrant.

(b) A search warrant authorizing collection of electronic communication information must direct that:

- (1) The warrant be sealed for a period of 90 days or until the objective of the warrant has been accomplished, whichever is shorter; and
- (2) The warrant be filed with the court administrator within ten days of the expiration of the warrant.

Thus, it is requested that notice and inventory be delayed pursuant to Minnesota State Statute 626. Subd. 4(b), that this warrant be sealed for a period of 90 days or until the objective of the warrant has been accomplished, whichever is shorter. Additionally, the warrant will be filed with the court administrator within ten days of the expiration of the warrant.

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



Affiant

Special Agent Colleen Myhre— MN BCA
Signed under penalty of perjury on

4/26/23, 1510 hours

in Winona County.

SEARCH WARRANT

STATE OF MINNESOTA, COUNTY OF WINONA

THIRD DISTRICT COURT

TO: SA COLLEEN MYHRE (A) PEACE OFFICER(S) OF THE STATE OF MINNESOTA.

WHEREAS, Special Agent Colleen Myhre has this day on oath, made application to the said Court applying for issuance of a search warrant to search the following described (premises) ~~(property)~~ ~~(motor vehicle)~~ ~~(person)~~:

Meta Platforms, Inc. (Facebook, Inc.)
Attn: Security Department/Custodian of Records
1601 Willow Road
Menlo Park, CA 94025
Fax: 650-644-3229
Facebook.com/records

A company that regularly conducts business providing electronic communication services to residents and the general public in the State of Minnesota to include Winona, in Winona County,

located in the City of Winona, and State of Minnesota for the following described property, data and things:

Any and all information retained by Meta Platforms, Inc. (Facebook, Inc.) in reference to:

-User ID: 100091686589957

-And/or Username: Wil Williams

-And/or profile URL: <https://www.facebook.com/profile.php?id=100091686589957>

Including but not limited to:

1. All contact and personal identifying information given to Facebook, either during the registration process or thereafter, including the user's full name, user identification number, birth date, gender, contact email addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
2. Private messages including those found in the Inbox, Trash, and Sent mail including any and all blogging and/or text.
3. All chat logs that include screen names associated with User IDs.
4. Any and all videos or images uploaded by the requested user posted to the page or exchanged in chat/messages or any other mean whether public or private to include a date/time stamp and IP address of the upload image/video.
5. Private messages on Facebook sent by the recipient or received, including those found in the Inbox, trash, and sent mail, including any and all images and/or videos sent or received to include date/time stamp and IP address of the upload image/video.
6. Facebook Notes for this user or any imported blogs from other services, such as Xanga, LiveJournal, and Blogger.
7. Internet Protocol (IP) logs for the requested user.

8. Secret conversations sent or received by the recipient.
9. All records of Facebook searches performed by the account.
10. Any/All groups the user is affiliated with to include: a list of all other who are currently registered to a particular group and the administrator and/or creator of the group and the group identification number to each group, group contact information as well as a PDF of the current status of the group profile page.
11. The requested user's Neoprint to include but not limited to the following information from the user's profile: profile contact information; Mini-Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications.
12. Any/all additional information about the users' accounts to include information such as the length of service (including start date and end date), the types of services utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). Any/all communication the requested user had directly with Facebook about issues related to their account, such as technical problems, billing inquiries, or complaints from other users, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications.

***For dates 03/31/2023 through 04/26/2023

This account was preserved by Meta Platforms, Inc. (Facebook), at the request of the Bureau of Criminal Apprehension on April 22, 2023, and was assigned Facebook Case No. 7763093.

WHEREAS, the application and supporting affidavit of Special Agent Colleen Myhre were duly presented and read by the Court, and being fully advised of the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon 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 court further finds that probable cause exists to believe that the above-described property and thing(s) is or are at the above-described location.

IT IS ORDERED, pursuant to Minn. Stat. § 626.085 subd. 4(b), that this warrant be sealed for a period of 90 days or until the objective of the warrant has been accomplished, whichever is shorter and that this warrant be filed with the court administrator within ten days of the expiration of the warrant.

IT IS ORDERED, pursuant to Minn. Stat. § 626.085 subd. 4(d), following the commencement of any criminal proceeding utilizing evidence obtained in or as a result of the search, the supporting application or affidavit must be filed immediately or at any other time as the court directs.

IT IS FURTHER ORDERED pursuant to Minn. Stat. § 626.085, subd. 4 that if the Search Warrant, Application, Affidavit of Probable Cause, and related documents, are ordered unsealed or unsealed by operation of law the search warrant applicant shall, within 90 days of the date of unsealing, provide the inventory to the subject(s) of the warrant.


IT IS ORDERED under 18 U.S.C. 2705 (b) and/or Minn. Stat. 626A.30, Subd. 2, that Meta Platforms, Inc. shall **NOT DISCLOSE** the existence of the above-described search warrant, or this order of the court, to the listed subscriber or to any other person, unless or until otherwise authorized to do so by the court, except that Meta Platforms, Inc. may disclose the attached warrant to an attorney for Meta Platforms, Inc., for the purpose of receiving legal advice.

IT IS ORDERED, under Minnesota Statute 626.18 Subd.2(b), which states: When properly served with a search warrant issued by the Minnesota court, a foreign corporation subject to this section shall provide to the applicant all records sought pursuant to that warrant within **EIGHT BUSINESS DAYS** of receipt, including those records maintained or located outside this state.

NOW, THEREFORE, you Special Agent Colleen Myhre, peace officer of the state of Minnesota, and any other authorized person are hereby commanded to authorize the custodian of records to release the above-described records and to seize and keep said property and thing(s) in custody until dealt with according to law.

Dated: _____

BY THE COURT:


Judge of District Court

Buytendorp, Nancy

2023.04.26 15:14:04

-05'00'

STATE OF MINNESOTA, COUNTY OF Winona

DISTRICT COURT

RECEIPT, INVENTORY AND RETURN

I, Sgt Colleen Myhre, received the attached search warrant issued by the Honorable Judge Buftandorp on 4/26/23 and have executed it as follows:

Pursuant to the warrant, on 4/26/23 at 3:45 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)

Meta Platforms, Inc. via Law Enforcement Platform

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

Records to be recovered via LE platform.

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: 5/1/23
(Signature)
County: Winona State: MN

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