

JUN 15 2023

Application Page 1 - 9

STATE OF MINNESOTA, COUNTY OF WINONA

DISTRICT COURT

APPLICATION FOR SEARCH WARRANT

I, Robert Wilkinson, 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:

Records from any account(s) held by Adam Fravel, SSN , from August 21, 2022 to present.

Is or are at the premises described as:

**Ollo Bank
PO Box 9201,
Old Bethpage, NY 11804**

(a foreign corporation doing business Winona, Winona County)

This search is of records held by an out-of-state corporation, Ollo Card, 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 Robert Wilkinson is employed as a Special Agent of the Minnesota Bureau of Criminal Apprehension (BCA), and has over 18 years' experience as a licensed peace officer. Your affiant has experience and training investigating theft and theft-related crimes, as well as specific experience investigating check forgery, identity theft, and financial card transaction fraud. Affiant also has experience in other major and/or sensitive investigations, including homicides, fugitive investigations, kidnappings, online sexual solicitation, and law enforcement-involved deaths. Affiant was formerly employed by the Ramsey County Sheriff's Office,

and has over 11 years' full-time experience investigating felony-level offenses.

Affiant is a Certified Fraud Examiner and Certified Anti-Money Laundering Specialist. Affiant is presently assigned to the Minnesota Financial Crimes Task Force, a multi-jurisdictional unit that investigates crimes such as complex fraud and identity theft. Affiant has testified in court as an expert witness regarding counterfeit and altered checks, as well as counterfeit transaction cards. Affiant teaches financial crimes investigation courses to other peace officers. Affiant is a United States Secret Service Task Force Officer and a Special Deputy United States Marshal.

Your affiant has executed numerous search warrants in connection with his investigations, which resulted in the recovery of items of probative value, including stolen or fraudulently obtained goods, as well as instrumentalities of fraud, forgery, and identity theft. Affiant's investigations have generated successful prosecutions in both state and Federal court.

Since Affiant submits this affidavit for the limited purpose of securing a search warrant, your affiant has not included every single fact known to affiant concerning this investigation. Your affiant has set forth only those facts that are necessary to establish probable cause to believe that evidence of violations of Minnesota Statutes §609.18 *et seq*, Homicide and Bodily Harm and/or §609.25, Kidnapping, are contained inside the premise hereinbefore described. Where statements of others are set forth in this affidavit, they are set forth in substance, and in part.

Overview 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), with 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).

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 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, 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 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. Winona Police Investigator Angela Evans noted that sometime during the course of the investigation she 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.

In the evening of April 1, 2023 and into the early morning hours of April 2, 2023, 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.

Affiant and other investigators observed that the Kwik Trip Kwik Rewards app was installed on Fravel's mobile device. Affiant learned that Fravel used his Kwik Rewards identifier at a Kwik Trip in Rushford, Minnesota on April 5, 2023, and tendered a Mastercard as payment. Kwik Trip officials reported that the same card was used at about 10:02 am at a Kwik Trip in Winona, though that customer did not supply a Kwik Rewards identifier. Surveillance from the transaction showed a person fueling a van matching the description of Kingsbury's van, to include a sticker in the lower left corner of the back window, at about 10:02 am.

However, the van bore the rear Minnesota license plate ABN466, which registered to Fravel's Chrysler 200 sedan. Affiant reviewed photos from the search warrant on Kingsbury's van, and found the displayed its assigned license plates, Minnesota NJV450.

Fravel's Finances

Affiant and other investigators observed activity on Fravel's mobile device showing that on Friday, March 31, 2023, Fravel received \$20.00 from Kingsbury via Apple Cash. Affiant knows that Apple Cash is a digital transaction card stored within one's Apple Wallet on an iPhone or iPad, and permits the user to send or receive money in iMessages or the Apple Wallet. With the Apple Wallet enabled, the user may use their Apple Cash balance at locations where Apple Pay is accepted. Affiant knows that Green Dot Bank manages the Apple Cash account and associated records.

Affiant and other investigators also observed that the Altra Federal Credit Union mobile application ("app") was installed on Fravel's mobile device.

Affiant obtained a search warrants, signed by the Honorable Lisa Hayne, Olmsted County District Court, authorizing the search of Green Dot Bank and Altra Federal Credit Union for records related to accounts held by Fravel. Affiant found that in March 2023, all the deposits into Fravel's Altra Federal Credit Union account (except for eights cents in interest), which totalled \$884.98 derived from transfers from Kingsbury into Fravel's Apple Cash account, and then to the Altra account.

Neither the Altra nor the Green Dot Bank records reflected the March 31, 2023 purchase at Kwik Trip.

Affiant noted that, at the time Fravel opened the Altra account in 2015, his credit score was 584. Affiant knows that a score between 580 and 640 is considered "fair" credit. Other investigators related to affiant that Fravel has not been employed in the recent past.

In September 2019, Fravel obtained a loan from Altra to purchase the Chrysler sedan. Fravel's parents co-signed the loan, which was for 72 months at 12.99% interest. Affiant ascertained, from a J.P. Morgan Chase website, that the prime interest rate in September-October 2019 was between 4.75% and 5%. Affiant knows that, while many factors figure into the cost of a loan, Fravel's loan had terms that were less favorable than someone with better credit would likely received at the same time.

In addition to the Altra app, affiant learned apps from Ally, Aspire, Avant Credit, Discover, and Ollo card were installed on Fravel's mobile device. Affiant noted payments in March 2023 from Fravel's Altra account to Ally, Avant, Credit One Bank, Discover, Genesis Card, and Ollo. The payments totaled \$2,750.18. Through open-source searches, affiant learned that the listed companies provided credit cards to consumers with fair to bad credit scores.

Affiant believes the circumstances suggest that Fravel is or was largely dependent on Kingsbury for financial support, and the prospect of their relationship ending would likely be more distressing to Fravel than if her were not financial dependent on Kingsbury.

Nexus to Investigation

Investigators located transaction cards in Kingsbury's name, from Capital One, Wells Fargo, and Bank of America. Affiant knows, based on experience and common sense, that the means to procure goods and services are essential to everyday life, and the apparent abandonment of one's vehicle, mobile telephone, and transaction cards tends to suggest Kingsbury disappeared under suspicious circumstances, likely criminal. There has been no activity on any of Kingsbury's account since she was last seen alive.

Affiant knows, based on training, experience, and common sense, that banks, credit card companies, and lenders maintain the records described *supra* in the normal course of business. Affiant asserts that said records would tend to illustrate Fravel's habits, movements, and activity, particular since the Kingsbury was last seen alive.

Thus, the records sought would tend to show a crime occurred, or that a particular person committed a crime; if the accounts were used to facilitate Kingsbury's disappearance--such as fueling her vehicle while illegally and intentionally displaying the incorrect plates--the records would tend to show the accounts were used as a means of committing a crime.

Based on the foregoing, affiant sought and obtained search warrants, signed by the Honorable Nancy Buytendorp, Winona County District Court, authorizing the search of Ollo Card, and signed by the Honorable Amber Brennan, Hennepin County District Court, authorizing the search of Ally. Affiant received responsive material from Ally, and learned that Ally acquired Ollo Card in the recent past. Unsolicited, Ally produced records from outside the period specified in the search warrant. Although affiant is confident that the records in lawfully in law enforcement's possession, affiant now makes an updated application out of an abundance of caution.

Affiant asserts a fair probability exists said records will be located in the premise hereinbefore described, and requests the Court's permission to make a search for the same.

Affiant knows that the bank/credit card/lender identified in this application is a foreign corporation that does business in Winona and the Third Judicial District, and affiant avers the has sufficient jurisdiction to authorize a warrant.

(End of Page)

I request a search warrant be issued, commanding Robert Wilkinson, a peace officer 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: Robert Wilkinson
Minnesota Bureau of Criminal
Apprehension
Electronically Signed
05/09/2023 10:52 AM
Olmsted County, Minnesota

STATE OF MINNESOTA, COUNTY OF WINONA

DISTRICT COURT

SEARCH WARRANT

TO: ROBERT WILKINSON, A PEACE OFFICER OF THE STATE OF MINNESOTA.

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

**Olo Bank
PO Box 9201,
Old Bethpage, NY 11804**

(a foriegn corporation doing business Winona, Winona County)

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

**Records from any account(s) held by Adam Fravel, SSN from August 21,
2022 to present.**

WHEREAS, the application of Robert Wilkinson 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 Robert Wilkinson, peace officer 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: 09 May, 2023

Judicial Officer: Nancy Buytendorp

Judge of District Court

Electronically Signed

05/09/2023 11:49 AM

DISTRICT COURT

I, Robert Wilkinson, received the attached search warrant issued by the Honorable Nancy Buytendorp on 05/09/2023 and have executed it as follows:

☒ Premises ☐ Motor Vehicle ☐ Person ☐ Device

Ollo Bank
PO Box 9201
Old Bethpage, NY 11804

Results delivered electronically, pursuant to previous warrant.

☐ 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.

Robert Wilkinson Date: 06/08/2023
(Signature)
County: Olmsted State: Minnesota

v2.00 10/10/2018