

STATE OF WISCONSIN : CIRCUIT COURT : MANITOWOC COUNTY

STATE OF WISCONSIN,)	
)	
v.)	Case No. 05-CF-381
)	
STEVEN A. AVERY,)	
)	
<i>Defendant.</i>)	

**DEFENDANT STEVEN AVERY'S SUPPLEMENT TO
PREVIOUSLY FILED MOTION FOR RECONSIDERATION**

Now Comes Defendant, Steven A. Avery, by and through his attorneys, Kathleen T. Zellner and Steven Richards, and hereby supplements his previously filed motion to reconsider this Court's order filed October 3, 2017. The instant supplement is based on the discovery of additional new evidence. In support of this supplement, Mr. Avery states as follows:

Introduction

On October 23, 2017, Mr. Avery filed a motion to reconsider this Court's order summarily dismissing his motion for post-conviction relief pursuant to Wis. Stats. § 974.06. The motion for reconsideration is based in part upon (1) new evidence meeting the legitimate tendency test established in *State v. Denny*, 120 Wis. 2d 614 (Ct. App. 1984) connecting Bobby Dassey ("Bobby") and Scott Tadych ("Mr. Tadych") to the crime; (2) new evidence demonstrating that Mr. Avery's trial and post-conviction attorneys were ineffective for failing to adequately investigate evidence of Bobby as a potential suspect and/or impeaching Bobby's trial testimony that

Teresa Halbach (“Ms. Halbach”) left the Avery property in contradiction to Bobby’s testimony. (Motion for reconsideration at pp. 33-38, 43-48); (3) A new *Brady* witness who provides evidence that Ms. Halbach left the Avery Salvage Yard on October 31, 2005;¹ (4) A new *Brady* witness who establishes that Ms. Halbach’s day planner was in her vehicle at the time of her murder and in the possession of Ryan Hillegas (“Mr. Hillegas”) after her murder; and (5) the State’s knowing use of the false testimony of Mr. Hillegas regarding his whereabouts on the evening of November 3, 2005.

As undersigned counsel’s investigation remains ongoing, additional new evidence continues to develop demonstrating that Bobby and Mr. Tadych meet the legitimate tendency test established by *Denny*. In summary, this evidence consists of: (1) brand-new admissions from Barb Tadych (“Barb”) and Mr. Tadych that they were aware that Ms. Halbach left the Avery property prior to her disappearance; and (2) an affidavit from Barb’s stepson, Brad Dassey (“Brad”) that Barb tried to remove relevant and probative evidence from the Dassey computer before it was seized by police on April 21, 2006. In addition to all of the other evidence referenced in Mr. Avery’s original § 974.06 motion and his motion for reconsideration, this new evidence establishes a reasonable probability that a different result would be reached at a new trial based upon the totality of the new evidence. The abundance

¹ The Motion for Reconsideration incorrectly stated that the text messages exchanged between Kevin Rahmlow and Mr. Tadych were sent on January 15 and 16, 2016 when they were actually sent on December 12 and 19, 2016. (*C.f.*, Motion for Reconsideration at p. 32 and Exhibit D at ¶ 8) Mr. Rahmlow recently received a text message from Barb. **All of the text messages between Mr. Rahmlow and Mr. Tadych are attached and incorporated herein as Group Exhibit 7 including the recent September 2017 text message from Barb.**

of new evidence mandates that an evidentiary hearing be held by this Court on Mr. Avery's claims.

(1) Barb and Mr. Tadych have recently made admissions that Ms. Halbach left the Avery property before her disappearance.

After Mr. Avery's motion for reconsideration was filed on October 23, 2017, he made a prepaid collect call to Barb on October 24, 2017. Barb is Mr. Avery's sister, the mother of Bobby, the stepmother of Brad, and the current wife of Mr. Tadych. The call was recorded by the Waupun Correctional Center. **(A copy of the call and transcript of the recording is attached and incorporated herein to this supplement as Group Exhibit 1).**

During the recorded call, Mr. Avery and Barb discussed the new evidence cited in Mr. Avery's motion for reconsideration connecting Bobby and Mr. Tadych to Ms. Halbach's murder. With regard to the disturbing internet searches and pornographic images found on the computer used by Bobby, Barb stated as follows:

Steven Avery: Why is all that shit on the computer?
Barb Tadych: There was nothing on my fucking computer. All this – I didn't even have fucking internet back then.
Steven Avery: Yes you did.
Barb Tadych: No I didn't.
Steven Avery: What do you mean you didn't?
Barb Tadych: No I didn't have internet.
Steven Avery: You did.
Barb Tadych: No I didn't.
Steven Avery: At that time, you did. Before that you did.
Barb Tadych: No I didn't.
Steven Avery: You didn't – well, it's on the computer.
Barb Tadych: I did not have internet.
Steven Avery: Well...
Barb Tadych: Well nothing. I didn't.

(See, Exhibit 1 at pp. 3-4).

Barb's vehement denial that her computer had access to the internet at the time of Ms. Halbach's disappearance is probative because it is unequivocally false. As cited in Mr. Avery's motion for reconsideration, a forensic examination of Barb's computer by forensic computer expert Gary Hunt ("Mr. Hunt") shows that the computer was used to access violent images of young deceased females, rape, torture, incest, and pedophilia on the internet at times when only Bobby was home (see below). Barb's denial is especially telling given that she took steps to delete the disturbing images before police seized her computer on April 21, 2006 (see below). This is additional new evidence that supports Mr. Avery's claim that the recovered images on the Dassey computer implicate Bobby in Ms. Halbach's murder.

Even more important, however, are admissions from Barb and Mr. Tadych that Ms. Halbach left the Avery property before her murder.² Specifically, regarding Bobby's statements that he observed Ms. Halbach leave, the following conversation occurred:

Steven Avery: Bobby's home.
Barb Tadych : He wasn't always home.
Steven Avery: Well, you – well, most of the time he was home.
Barb Tadych: No.
Scott Tadych: He doesn't know fucking shit.
Steven Avery: And he said he [*sic*] left. [Ms. Halbach] left.
Scott Tadych: That's right.
Barb Tadych: Yeah. She left.
Steven Avery: Yeah.
Barb Tadych: Yeah.
Steven Avery: Well, he didn't testify for [*sic*] that.

² Mr. Tadych participated in the recorded call, and can be overheard threatening Mr. Avery on multiple occasions, including his threat: "I'll put you in the fucking ground." (E.g., see, Exhibit 1 at pp. 11-14).

(See, Exhibit 1 at pp. 5-6) (emphasis added).

Barb and Mr. Tadych's admissions are crucial to Mr. Avery's defense because the most important eyewitness for the State was Bobby, who testified that Ms. Halbach was still on the Avery property and that he saw Ms. Halbach approaching Avery's trailer when he left. (Motion for reconsideration at pp. 33-35). Bobby made statements to his brother, Bryan Dassey ("Bryan"), that impeach Bobby's trial testimony and establish that, in fact, he had observed Ms. Halbach leave the Avery property before he left. (Motion for reconsideration at pp. 35-36). Now, in addition to the impeachment offered by Bryan, Barb, in the October 24, 2017 phone call, admitted that she knew that Ms. Halbach had left the property. Barb, in response to Mr. Avery saying that Bobby had said Ms. Halbach left responded, "Yeah. She left." (See, Exhibit 1 at p. 6).

(2) Barb's Statements on Facebook on October 30, 2017, directly contradict Bobby's trial testimony.

At trial, Bobby testified as follows with regard to actions after Ms. Halbach took pictures of his mother's van: "[b]efore [he] got in the shower, she actually started walking over to Steven's trailer." (TT:2/14:38).

On October 30, 2017, Barb posted statements using her Facebook account that further impeach Bobby's trial testimony. Specifically, Barb stated:

[...] just got off the phone with bobby [sic] and I asked him and he told me that:
He seen [sic] her pull in but that was it because he left to go hunting then. He said that is the truth.

Cindy Stauffer Edajani replied, “so he never see [sic] her walk towards steven [sic] home[?]”

Barb replied: “No.” (**See, Barb’s Comments on Facebook, attached and incorporated herein as Exhibit 5).**

(3) *The State’s theory that Mr. Avery initiated the appointment with Ms. Halbach on October 31, 2005, is refuted by Bryan’s affidavit and the corroborating statements of his brothers, Blaine and Brendan.*

Bryan’s statement in his affidavit (Motion for reconsideration, Exhibit G at ¶ 5) about Barb setting up the October 31, 2005 appointment with Ms. Halbach is corroborated by his brother, Blaine Dassey (“Blaine”), who told the authorities in an interview on November 7, 2005, “[. . .] it was Barb who made the arrangements to have the photo of the car taken.” (**Police reports reflecting interviews of Brendan, Blaine, and Barb, attached and incorporated herein as Group Exhibit 6, STATE 0365).** Bryan’s statement is also corroborated by his brother, Brendan Dassey (“Brendan”), who told the authorities in an interview on November 10, 2005, that he knew about “[. . .] the Auto Trader photographer because a few days before this, his mom told him she was coming to take photos of the van.” (Group Exhibit 6, STATE 0348).

Similarly, Mr. Tadych responded to Mr. Avery’s rendition of Bobby’s statement that Ms. Halbach left in the phone call by stating, “*That’s right.*” (*See, Exhibit 1 at p. 6).* Mr. Tadych’s response indicates either that Bobby had told him that he (Bobby) observed Ms. Halbach leave the property, or Mr. Tadych’s response

indicates that he (Mr. Tadych) observed and/or had contact with Ms. Halbach *after* she left the property. (See, Exhibit 1 at p. 12).

(4) *Mr. Avery has discovered new evidence that Barb attempted to remove evidence from her computer before it was seized by police on April 21, 2006.*

Police believed that Barb's computer would contain evidence relevant to Ms. Halbach's disappearance and murder. (See, **Affidavit for Search Warrant, attached and incorporated herein as Exhibit 2, ¶¶ 7-9**). Mr. Avery has discovered new evidence that Barb hired a person to make deletions of incriminating evidence prior to the computer being seized by the police on April 21, 2005.

Mr. Avery has attached to this supplement the affidavit of Brad A. Dassey. (See, **incorporated herein as Exhibit 3**). Brad is the half-brother of Bryan, Bobby, Blaine, and Brendan and Barb's stepson. (See, Exhibit 3 at ¶ 2). Brad avers that he had a conversation with Barb during a trip to visit Brendan at the Sheboygan County Jail. Barb stated that she had hired someone to "re-format" her home computer, and she wanted to know if "re-formatting" would remove what was on the computer. (See, Exhibit 3 at ¶ 3). Barb stated that she had the "re-formatting" done **shortly before** the authorities seized her computer. (See, Exhibit 3 at ¶ 4). During her conversation with Brad, Barb admitted that she did not want anyone to see what was on her computer. (See, Exhibit 3 at ¶¶ 4-5).

Brad further states that he contacted the authorities after this conversation because he thought that Barb was trying to remove evidence relevant to Ms.

Halbach's murder. (See, Exhibit 3 at ¶ 6). The authorities interviewed Brad after he reported this information, but he was not called as a witness, by either side, to testify at Mr. Avery's or Brendan's trials. (See, Exhibit 3 at ¶¶ 8-9).

The new forensic examination of Barb's computer corroborates the affidavit of Brad. Mr. Hunt, who used 2017 technology to examine the computer, detected eight periods in 2005, close to the date of the murder, for which files are missing and "presumably deleted from the Dassey computer:" August 23–26; August 28–September 11; September 14–15; September 24–October 22; October 23–24; October 26–November 2; November 4–13; and November 15–December 3. (**See, Supplemental Affidavit of Gary Hunt, ¶ 3, attached and incorporated herein as Exhibit 4).**

The foregoing is powerful evidence that Barb was aware that her computer had incriminating files on it that were relevant to Ms. Halbach's murder. Barb's efforts to delete the files before the computer was examined by authorities — in addition to her recent denials that she even had the ability to access the internet during the time in question — reinforces this conclusion.

(5) Further evidence impeaching Bobby's trial testimony.

Bobby testified at Mr. Avery's trial that after he arrived home on October 31, 2005, from working the 10:00 p.m. to 6:00 a.m. shift, he went to sleep until 2:30 p.m. (TT:2/14:35-36). Bobby's testimony is demonstrably false. Mr. Hunt has determined that the Dassey computer was used to access the internet at 6:05 a.m., 6:28 a.m., 6:31 a.m., 7:00 a.m., 9:33 a.m., 10:09 a.m., 1:08 p.m., and 1:51 p.m. (See, Exhibit 4

at ¶ 4). Bobby was the only person home during those hours because his mother, Barb, was at work, (Group Exhibit 6, STATE 805), Blaine and Brendan were in school, (Group Exhibit 6, STATE 360), and Bryan lived with his girlfriend. (Motion for reconsideration, Exhibit G at ¶ 3).

(6) In addition to the other evidence cited in Mr. Avery's prior motions, the evidence presented in this supplement requires an evidentiary hearing.

In order to set aside a conviction based on newly-discovered evidence, the defendant must establish by clear and convincing evidence that (1) the evidence was discovered after conviction, (2) the defendant was not negligent in seeking the evidence, (3) the evidence is material to an issue in the case, and (4) the evidence is not merely cumulative. *State v. Edmunds*, 2008 WI App 33, ¶ 13, 308 Wis. 2d 374, 746 N.W.2d 590. Once these criteria are established, the court looks to “whether a reasonable probability exists that a different result would be reached in a trial.” *Id.* (quoting *State v. Armstrong*, 2005 WI 119, ¶ 161, 283 Wis. 2d 639, 700 N.W.2d 98).

The evidence referenced above meets the four threshold criteria. Obviously, Barb's and Mr. Tadych's admissions were not made until October 24, 2017. The evidence was therefore discovered after Mr. Avery's conviction and Mr. Avery was not negligent in seeking it. The evidence is material because it directly contradicts a key element of the State's case, *i.e.*, that Ms. Halbach never left the Avery property and was in fact walking towards Mr. Avery's trailer when she was last seen. Moreover, evidence that Bobby lied about what he observed itself suggests his involvement in Ms. Halbach's disappearance and murder. The evidence is not

cumulative, as no other evidence directly refuting Bobby's trial testimony was elicited at trial.

Barb's efforts to conceal from police the potentially incriminating evidence regarding Ms. Halbach's murder on her computer also meet the four relevant criteria. The forensic examination of Barb's computer performed by law enforcement did not permit law enforcement to detect Barb's efforts to delete computer records of eight periods in 2005. The missing records, which were presumably deleted, were only discovered using 2017 forensic technology. Moreover, Mr. Avery cannot be faulted for failing to detect Barb's efforts at concealment prior to his trial; in fact, as recently as October 24, 2017 Barb denied that she even had internet during this period of time. The evidence is material because it supports Mr. Avery's theory of an alternative perpetrator. Nor is this evidence cumulative, as there was no evidence elicited at trial concerning Barb's efforts to remove evidence of the Halbach murder on her home computer.

In summary, Bobby viewed violent images of young deceased females, rape, torture, incest, and pedophilia online, he had a fixation with Ms. Halbach, and he testified falsely about observing Ms. Halbach's vehicle still being present on the Avery property before he left in addition to other multiple inconsistencies in his statements to police.

Bobby and Mr. Tadych placed themselves in the same location as Ms. Halbach when she received her last phone call. (*See*, Motion for reconsideration, Exhibit J; pp. 43-44). Mr. Tadych's multiple inconsistent statements severely

undermine his credibility at trial. (*See*, Motion for reconsideration at pp. 44-46). His recent telephone call with Mr. Avery demonstrates his knowledge that Ms. Halbach had left the Avery property on October 31, 2005. The telephone call also demonstrates that Mr. Tadych has a violent, homicidal nature and an uncontrollable temper. Mr. Tadych threatens to physically assault Mr. Avery and, even more disturbingly, put Mr. Avery “in the ground.” (Exhibit 1 at p. 14).

It is an undisputed fact that some of Ms. Halbach’s bones were found in the Dassey burn barrel. (TT:2/28:171; 229-32). No credible explanation has ever been provided by the State as to why Ms. Halbach’s bones would be in the Dassey burn barrel if Mr. Avery had burned her whole body in his burn pit. Clearly, the jury understood that the State’s argument was fatally flawed because it acquitted Mr. Avery of the mutilation charge, which was based upon burning the body in his burn pit.

Finally, there is a reasonable probability that had the evidence cited herein — in addition to the evidence relied on in Mr. Avery’s § 974.06 motion and his motion for reconsideration — been presented to the jury, a different result would be reached at trial, and the jury would have found reasonable doubt of Mr. Avery’s guilt.

Conclusion

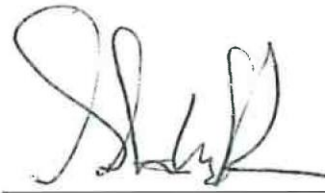
Wherefore, for the reasons stated herein and in his motion for reconsideration and his § 974.06 motion, Mr. Avery respectfully asks that this Court vacate its order of October 3, 2017, order an evidentiary hearing, and grant any and all other relief deemed appropriate.

Dated: October 31, 2017

Respectfully submitted,



Kathleen T. Zellner
Admitted pro hac vice
(Lead Counsel)
Kathleen T. Zellner & Associates, P.C.
1901 Butterfield Road, Suite 650
Downers Grove, Illinois 60515
(630) 955-1212
attorneys@zellnerlawoffices.com



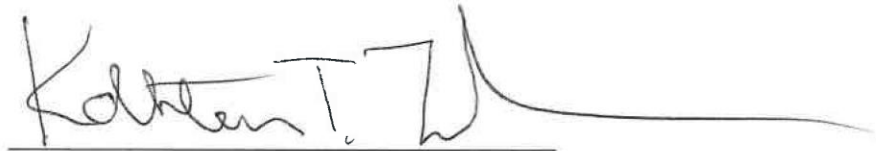
Steven G. Richards
Attorney No. 1037545
(Local Counsel)
Everson & Richards, LLP
127 Main Street
Casco, Wisconsin 54205
(920) 837-2653
sgrlaw@yahoo.com

CERTIFICATE OF SERVICE

I certify that on October 31st, 2017, a true and correct copy of Defendant Steven Avery's Supplement to Previously Filed Motion to Reconsider, Pursuant to Wisconsin Statute 806.07 (1)(a) was furnished via electronic mail and by first-class U.S. Mail, postage prepaid to:

Manitowoc County District Attorney's Office
1010 South 8th Street
3rd Floor, Room 325
Manitowoc, WI 54220

Mr. Thomas J. Fallon
Assistant Attorney General
P.O. Box 7857
Madison, WI 53707

A handwritten signature in black ink, appearing to read 'Kathleen T. Zellner', written over a horizontal line. The signature is stylized and extends to the right with a long, thin tail.

Kathleen T. Zellner

10/24/2017 Steven Avery call with Barbara Tadych (fka Janda) and Scott Tadych Transcript

[Century Link recorded introduction:

Hello. This is a prepaid collect call from (“uh, Steven Avery”). An inmate at Waupun Correctional Institution. All calls, other than properly placed attorney calls, may be monitored and recorded. To accept charges, press 1, to refuse charges—thank you for using Century Link. You may start the conversation now.]

STEVEN AVERY: Yeah?

BARB TADYCH: Yeah?

STEVEN AVERY: Yeah, what are you doing?

BARB TADYCH: What the fuck is going on?

STEVEN AVERY: What’s going on?

BARB TADYCH: Yeah.

STEVEN AVERY: Where?

BARB TADYCH: What do you mean, where? Why is she—why is she starting up with Scott and Bobby again?

STEVEN AVERY: Well, it’s going wherever the—the evidence is going.

BARB TADYCH: Yeah, so she’s gonna take down my fucking family again?

STEVEN AVERY: If that’s where the lead is gonna go, I don’t know.

BARB TADYCH: It’d fucking better not, because you’ll have a dead sister.

STEVEN AVERY: Well...

BARB TADYCH: Yeah.

STEVEN AVERY: Mm...well, I don’t think it was—it’s kinda him. It’s the other one.



BARB TADYCH: Who's the other one?

STEVEN AVERY: Your husband.

BARB TADYCH: He didn't do it either, 'cause, Steven, Christ, I was fucking with him.

STEVEN AVERY: Well—

BARB TADYCH: Yeah.

STEVEN AVERY: You weren't with him all day.

BARB TADYCH: I was with him from 5 o'clock on.

STEVEN AVERY: Yeah.

BARB TADYCH: And—yeah. Plus he was in the hospital with his mother for most of the day. So you tell me.

STEVEN AVERY: Well...

BARB TADYCH: Well nothing.

STEVEN AVERY: I don't know about that either. Because he was—

BARB TADYCH: Yes he was.

STEVEN AVERY: Well they had the—they got the records of the hospital and everything.

BARB TADYCH: What's that gonna do? He was up there seeing his mom.

STEVEN AVERY: Everything is recorded there anyway.

BARB TADYCH: No it's not.

STEVEN AVERY: What do you mean there ain't? There ain't no cameras out there?

BARB TADYCH: The hospital?

STEVEN AVERY: Yeah.

BARB TADYCH: In the—in the room?

STEVEN AVERY: No, not in the room. In the parking lot or around there.

BARB TADYCH: So you're actually thinking Scott did this?

STEVEN AVERY: Well, don't ask me. I don't know who did it. I know I didn't.

BARB TADYCH: Well neither did he.

STEVEN AVERY: Well—

BARB TADYCH: And neither did Bobby. So she better get it right out of her fucking mind because I called that bitch today.

STEVEN AVERY: Well she wasn't in.

BARB TADYCH: I know she wasn't in.

STEVEN AVERY: No.

BARB TADYCH: I know, but I still called her and left her a message.

STEVEN AVERY: Yeah?

BARB TADYCH: Yeah, I did.

STEVEN AVERY: Yeah?

BARB TADYCH: Yeah.

STEVEN AVERY: Well, I don't know—

BARB TADYCH: We give—we give her fucking information and this is what she turns around and does?

STEVEN AVERY: She been doing this for quite a while already.

BARB TADYCH: Yeah, so she's gonna try to ruin a happy family. He's got two kids that he's gotta worry about now.

STEVEN AVERY: Yeah.

BARB TADYCH: Yeah.

STEVEN AVERY: Why is all that shit on the computer?

BARB TADYCH: There was nothing on my fucking computer. All this—I didn't even have fucking internet back then.

STEVEN AVERY: Yes you did.

BARB TADYCH: No I didn't.

STEVEN AVERY: What do you mean you didn't?

BARB TADYCH: No I didn't have internet.

STEVEN AVERY: You did.

BARB TADYCH: No I didn't.

STEVEN AVERY: At that time, you did. Before that you did.

BARB TADYCH: No I didn't.

STEVEN AVERY: You didn't—well, it's on the computer.

BARB TADYCH: I did not have internet.

STEVEN AVERY: Well...

BARB TADYCH: Well nothing. I didn't.

STEVEN AVERY: You got the paperwork?

BARB TADYCH: How do you get fucking paperwork? All I had was, uh, Direct Dish. That's all I had. That's all I could afford.

STEVEN AVERY: Well, no, you had the internet.

BARB TADYCH: No I didn't.

STEVEN AVERY: Yeah, 'cause we were on it.

BARB TADYCH: Who was on it?

STEVEN AVERY: Uh, you, that woman, and I was there too.

BARB TADYCH: What woman?

STEVEN AVERY: The woman that you had—I don't know. You couldn't get something on it or something.

BARB TADYCH: Huh? What the fuck are you talking about? I've never had internet. You can ask any one of my boys. I didn't have internet back then.

STEVEN AVERY: Well we—

BARB TADYCH: I didn't have internet—I didn't have internet until this place, here.

STEVEN AVERY: Umm... Well, I don't know.

BARB TADYCH: I know.

STEVEN AVERY: I don't know. All I know is it's on the computer. That's all I know.

BARB TADYCH: Well—

STEVEN AVERY: And the only time somebody was on was when Bobby was there alone.

BARB TADYCH: Really?

STEVEN AVERY: Yeah. Oh, there's times and everything.

BARB TADYCH: Huh?

STEVEN AVERY: There's times and everything. Bobby said he was sleeping, but he wasn't sleeping, he was on the internet. He was on the computer.

BARB TADYCH: He was doing shift, Bry—er, Steven.

STEVEN AVERY: He did. You—you're God dead right. This was during the day. After he got home from work.

BARB TADYCH: Bullshit.

STEVEN AVERY: Yeah. The time is there.

BARB TADYCH: Bullshit. Then somebody else was in my fucking house and was on it.

STEVEN AVERY: Bobby—

BARB TADYCH: How about that one? Huh?

STEVEN AVERY: Bobby's home.

BARB TADYCH: He wasn't always home.

STEVEN AVERY: Well, you—well, most of the time he was home.

BARB TADYCH: No.

SCOTT TADYCH: *[background]* He doesn't know fucking shit.

STEVEN AVERY: And he said he left. She left.

SCOTT TADYCH: That's right.

BARB TADYCH: Yeah. She left.

STEVEN AVERY: Yeah.

BARB TADYCH: Yeah.

STEVEN AVERY: Well, he didn't testify for that. [emphasis added]

BARB TADYCH: *[sighs]*

STEVEN AVERY: Yeah. I'm just going where evidence go. I told her, I said: Go where the evidence goes. I don't care where it goes, who it leads to, I don't care.

BARB TADYCH: Well, like I said, you'll have a dead sister.

STEVEN AVERY: Well, that's why I told you always to do something. Nobody wanted to do nothing.

BARB TADYCH: Do what? What didn't we do?

STEVEN AVERY: Well, let's put it this way, why is, uh, why were you over by the yard all the time and—and chasing them off the property?

SCOTT TADYCH: ...I wanna talk to him.

BARB TADYCH: I wasn't.

SCOTT TADYCH: I wanna talk to him.

STEVEN AVERY: What do you mean?

SCOTT TADYCH: Put the phone down here. I wanna talk to him.

BARB TADYCH: I wasn't.

SCOTT TADYCH: I wanna talk to him.

STEVEN AVERY: You went over there when she was over there.

SCOTT TADYCH: I wanna talk to him.

BARB TADYCH: What do you mean? I never even seen her.

STEVEN AVERY: I know—

BARB TADYCH: The only time I seen her was once.

STEVEN AVERY: Yeah.

BARB TADYCH: Yeah.

STEVEN AVERY: You came over there when she—she was over there because you had the red truck. You had his truck.

BARB TADYCH: We were coming over there to talk to her to give her some evidence.

STEVEN AVERY: Well you were kinda in a, uh, hurry.

SCOTT TADYCH: Let me talk to him.

BARB TADYCH: Yeah, before she left.

SCOTT TADYCH: I wanna talk to him.

STEVEN AVERY: Well, I don't know. But it ain't only me. It's your kids too.

SCOTT TADYCH: I wanna talk to him. Put him on speaker phone.

BARB TADYCH: What do you mean?

STEVEN AVERY: Your kids are saying something.

BARB TADYCH: About what?

STEVEN AVERY: Uh, I ain't even gonna get into that. Yeah, this ain't only me.

BARB TADYCH: My kids aren't saying shit. Just like, uh, I was supposed to call Auto Trader?

SCOTT TADYCH: He doesn't know a fucking thing...

STEVEN AVERY: That's another thing. That's on the computer.

BARB TADYCH: Bullshit.

SCOTT TADYCH: I wanna talk to him.

STEVEN AVERY: Yeah.

BARB TADYCH: Bullshit. Then somebody else was on my fucking computer after they took it.

STEVEN AVERY: Well—

BARB TADYCH: Yeah.

STEVEN AVERY: No—nobody—

SCOTT TADYCH: I wanna talk—

STEVEN AVERY: Because you got the computer back. This was the hard drive.

BARB TADYCH: That was the fucking hard drive they took.

STEVEN AVERY: Well...

BARB TADYCH: Yeah.

SCOTT TADYCH: Let me talk to Steven.

STEVEN AVERY: I don't know. I just wanna get down to the truth and see who did it.

BARB TADYCH: Well, so do I.

STEVEN AVERY: Well—

BARB TADYCH: But you should know fu—you should know fucking better that it wouldn't be my fucking kids.

SCOTT TADYCH: Or me.

BARB TADYCH: Or Scott.

STEVEN AVERY: Well how do I know that?

SCOTT TADYCH: Let me talk to him.

STEVEN AVERY: I don't know him, and I don't know nobody. I know they got a temper. That's all I know.

BARB TADYCH: Who does?

STEVEN AVERY: Well, you don't want me to put it over the phone, do you?

BARB TADYCH: Well I got a temper right now.

SCOTT TADYCH: Let me talk to him.

STEVEN AVERY: Yeah.

SCOTT TADYCH: Let me talk to him.

STEVEN AVERY: That ain't my problem—

SCOTT TADYCH: Let me talk to him.

STEVEN AVERY: I asked you guys to do something for me—

BARB TADYCH: Scott?

STEVEN AVERY: I said: I asked you to do something. You never did it.

BARB TADYCH: What was I supposed to do?

STEVEN AVERY: Well, you could've—

BARB TADYCH: I didn't—

STEVEN AVERY: When they threaten you and everything else, you could've brought all that shit out. But you didn't wanna. They took—

BARB TADYCH: I didn't—

STEVEN AVERY: It took—

BARB TADYCH: I did—I did too. I did too bring it out.

STEVEN AVERY: It took this documentary to bring this shit out to where you guys realize. Otherwise right at the first start you blaming me. And he should of knew better the first time when it happened to me. But no.

BARB TADYCH: You just don't get it, do you?

STEVEN AVERY: No you guys—

BARB TADYCH: You don't know—no, you don't know how badly we were pressured.

SCOTT TADYCH: Put him on the phone, I wanna talk to him.

STEVEN AVERY: Ha, you got a mouth, don't you?

SCOTT TADYCH: I wanna talk to him.

BARB TADYCH: Huh?

STEVEN AVERY: You got him out. You coulda put it out there. You got the internet. You got everything. But no. Oh, go ahead, search the house. We'll go to Mishicot. You know, whatever you said—

BARB TADYCH: Who goes to Mishicot?

STEVEN AVERY: Whatever they said, you did. When you went to Fox Hills.

BARB TADYCH: No I—no I didn't.

STEVEN AVERY: Why wouldn't you stay in the house then?

SCOTT TADYCH: I can't fucking hear, hon.

BARB TADYCH: Huh?

STEVEN AVERY: Why wouldn't you stay in the house, then? Why would you go to Fox Lake? I mean, Fox Hills.

BARB TADYCH: I had no choice.

STEVEN AVERY: You had no choice? You always had a choice—

BARB TADYCH: If I woulda left—if I woulda left Fox Hills, they woulda arrested me.

STEVEN AVERY: For what?

BARB TADYCH: That's what they told me.

STEVEN AVERY: Well, I don't care what they say. They can't frame you and get away with it.

BARB TADYCH: That's all out there already.

STEVEN AVERY: Well I don't see none of it—

BARB TADYCH: That's been—that's been out there.

STEVEN AVERY: Well, I don't see it. I don't see it on the documentary.

BARB TADYCH: You didn't even watch the documentary.

SCOTT TADYCH: He hasn't got fucking clue.

STEVEN AVERY: I got a, uh—I got a printout of the documentary.

SCOTT TADYCH: That's how fucking intelligent he is.

STEVEN AVERY: Yeah I got a, uh, copy of it on paper that a woman from the UK sent me. Yeah. So I know what's on there. That ain't—that shit ain't on there. Yeah, nobody looked out for me these—these, uh, uh, 12 years.

BARB TADYCH: Nobody looked out for me either what we all had to go through.

STEVEN AVERY: Yeah, well—

BARB TADYCH: Yeah.

STEVEN AVERY: But you had the power to put it on—

BARB TADYCH: I had—I had a family over there ignored me for fucking 4 years.

STEVEN AVERY: Well, you shouldn't have moved out of that house. You shoulda stayed there.

BARB TADYCH: It didn't have nothing to do with that. And that was fucking Mark Wiegert's doings.

STEVEN AVERY: No. That was your guys—

BARB TADYCH: Yes.

[Century Link recording: All calls, other than properly placed attorney calls, may be monitored and recorded.]

STEVEN AVERY: You coulda told him to get off the property.

SCOTT TADYCH: I wanna talk to that fucking little bastard. I want that motherfucker to answer some fucking questions. Fuck Steven Avery. He is a piece of shit. He's been all his fucking life.

BARB TADYCH: Shut up.

SCOTT TADYCH: Let me talk to the cock-sucking loser. Fuck him. All you do is—the only evidence they got is against him, and he's trying to gasp for air to blame it on somebody else. He's a fucking loser. I wasn't even on that fucking property that day, you goddamn idiot. That's how fucking intelligent you are. You wanna get out yourself so you can get out and do something stupid again, you dumb fuck. I can't wait to kick your fucking ass. Fucking little fucker...

STEVEN AVERY: I ain't scared of him.

BARB TADYCH: Huh?

STEVEN AVERY: I ain't scared of him.

BARB TADYCH: Well—

SCOTT TADYCH: You ruined my fucking life. You ruined my fucking name, dumb cock-sucker. You fucking jailbird motherfuck.

STEVEN AVERY: Yep.

SCOTT TADYCH: I hate the cock-sucker. You ruined my fucking life.

STEVEN AVERY: Yeah—

SCOTT TADYCH: *[inaudible]* get out of fucking prison.

STEVEN AVERY: You know—

SCOTT TADYCH: *[inaudible]* in the first fucking place—

STEVEN AVERY: You little fucker, look what you did. What you said.

SCOTT TADYCH: The fucker's all for him and nobody else. You don't give—

BARB TADYCH: *[screams]* Shut up!

SCOTT TADYCH: Oh, I hate that cock-sucker. *[inaudible]*—

STEVEN AVERY: Everybody hates you.

BARB TADYCH: It's all because of this shit.

STEVEN AVERY: Yeah.

BARB TADYCH: Yeah.

STEVEN AVERY: *[inaudible]* been talking. He accused me of uh, um, with uh—with, uh—with the boys that was touching them. It came from him. So, he wanted the cops to put the—to put the blame on me all. So who would say something like that, I did something to the boys?

BARB TADYCH: I don't know. I didn't read none of this shit, okay?

STEVEN AVERY: Yeah. That's why nobody wanted to read nothing and see about nothing. Any—any guilty person, uh, would say—and try to blame it onto somebody else. Oh, I was fucking with the boys.

BARB TADYCH: Okay—

STEVEN AVERY: How about you—you, uh—he says you and Brendan were having sex or something?

BARB TADYCH: Shut up.

STEVEN AVERY: Or Bryan—yeah.

BARB TADYCH: That's—that's—that's just like, uh, Mark Wiegert and—and Wendy Baldwin trying to get me to say that, uh, you molested me. How about that one?

STEVEN AVERY: Yeah.

SCOTT TADYCH: They tried to get me to say the same thing with Brendan before him. And I fucking defended this stupid cock-sucker...

STEVEN AVERY: That's not what the papers say.

BARB TADYCH: That is—he just said that ain't what the paper said.

SCOTT TADYCH: Yeah. Fuck him. The cocksucker.

STEVEN AVERY: Yeah that time, uh—

SCOTT TADYCH: *[inaudible]*

STEVEN AVERY: That time the paper—

SCOTT TADYCH: *[inaudible]*...is what he is.

BARB TADYCH: Well they can switch all that.

SCOTT TADYCH: He's a stupid fuck.

STEVEN AVERY: Yeah.

BARB TADYCH: Yeah.

SCOTT TADYCH: *[inaudible]* ...going down to fuck your family when he got out of prison the first time.

STEVEN AVERY: Yeah, see? That fucker needs to be locked up. How about, uh—how about his mother?

BARB TADYCH: What about his mother?

STEVEN AVERY: Yeah.

BARB TADYCH: What about his mother?

SCOTT TADYCH: Yeah, you talking about my mother, you cock-sucker? I'll put you in the fucking ground.

STEVEN AVERY: Yeah?

SCOTT TADYCH: Fucking bastard.

STEVEN AVERY: Yeah.

SCOTT TADYCH: I don't give a fuck. The cock-sucker's a loser. He's grasping for air.

STEVEN AVERY: Yeah, you pull the phone out and they'll take it out—

SCOTT TADYCH: The only evidence they got is against him.

BARB TADYCH: Huh?

STEVEN AVERY: Uh, his mother had to call the cops on him.

BARB TADYCH: He never touched his mother.

SCOTT TADYCH: You stupid fucker.

BARB TADYCH: I already asked her all of that.

SCOTT TADYCH: Smart man you are.

STEVEN AVERY: Yeah.

SCOTT TADYCH: 36 years in prison and you know the world.

BARB TADYCH: Shut up!

SCOTT TADYCH: I hate him.

STEVEN AVERY: Yeah.

SCOTT TADYCH: Don't ever...*[inaudible]* that. Fuck him.

STEVEN AVERY: Mm-hmm.

SCOTT TADYCH: ...*[inaudible]* down to Waupun *[inaudible]*

STEVEN AVERY: Yeah...

BARB TADYCH: This needs to stop.

STEVEN AVERY: It's gonna stop when it's over.

BARB TADYCH: It needs to stop now.

STEVEN AVERY: I can't. Yeah. That's why—

BARB TADYCH: Well, like I said—like I said, you will end up with a dead sister because I can't take this shit no more.

STEVEN AVERY: Well then shut the computer off then.

BARB TADYCH: The computer ain't even on.

STEVEN AVERY: Shut everything off. You don't need a phone. Just go to work.

BARB TADYCH: Yeah, okay, whatever.

STEVEN AVERY: And—and—and I'll bet you—

BARB TADYCH: I gotta—I gotta go. Brendan's calling me.

STEVEN AVERY: Hey, I'll bet you, uh—

BARB TADYCH: I gotta go. Brendan's calling me.

STEVEN AVERY: Yeah, okay. Bye...Huh?

[Recorded voice: The caller has hung up.]



EXHIBIT

tabbles

Group 1

Audio Recording of 10/24/2017
Steven Avery call with Barb
and Scott Tadych

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EXHIBIT

Dated this _____ day of April, 2006.

RF

OC COUNTY, WISCONSIN

ENDORSEMENT

Received by me, _____, April _____, 2006.

at _____ o'clock _____ M.

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residence at 12930A Avery Road in the Town of Gibson, County of Manitowoc, Wisconsin. Marie informed your affiant that Brendan Dassey used the e-mail screen name nigerforlife@yahoo.com, and further indicated that she believed Brendan Dassey used AOL as a service provider. Marie indicated that in addition to communicating with her, she was aware that Brendan Dassey has used the computer to IM and e-mail a girl named "Emily". Marie told your affiant that she believed the computer was still in the residence the night before Brendan Dassey was arrested for charges in Manitowoc County Case No. 06-CF-88, because Marie and Brendan were having an IM conversation on that night. Your affiant is aware that Brendan R. Dassey was arrested on March 1, 2006.

6. Your affiant is aware of a recorded telephone conversation between Brendan Dassey and his mother, Barbara Janda, which took place on March 27, 2006, while Brendan Dassey was incarcerated at the Sheboygan County Secure Detention Facility. During this conversation, Barbara Janda tells Brendan Dassey that her telephone line at the residence was busy because Blaine is probably on the computer.
7. Your affiant describes the property located at 12930A Avery Road, in the Town of Gibson, County of Manitowoc, Wisconsin, currently occupied by Barbara Janda (DOB:), and formerly occupied by Brendan R. Dassey (DOB: 10-19-1989), as follows: a single family trailer with gray vinyl siding with maroon shutters. The numbers 12930A are located on the front of the residence. 12930A Avery Road has a detached garage with gray siding, two white garage doors and white trim around the windows and doors.
8. Your affiant believes that said computer may contain images, records and messages which may be relevant to the investigation into the homicide of Teresa Halbach. Your affiant further believes that information contained on said computer, may include evidence of the crimes of homicide, mutilating a corpse, and sexual assault.
9. Your affiant believes, based upon the information provided in this affidavit, and based upon your affiant's training and experience, the items listed on the fact sheet of the search warrant are likely to be found upon a search of the computers. Your affiant further believes that information retrieved from the computer at the Barbara Janda residence, which was used by Brendan Dassey, may assist law enforcement with their investigation into the death of Teresa Halbach.

Respectfully submitted this


Special Agent Tom Fassbender
Wisconsin Department of Justice

Subscribed and sworn to before me
of April, 2006.


Notary Public, State of Wisconsin
My Commission: 9-17-07

STATE OF WISCONSIN : CIRCUIT COURT : MANITOWOC COUNTY

STATE OF WISCONSIN,)	
)	
Plaintiff,)	
)	Case No. 05-CF-381
v.)	
)	Honorable Judge Angela Sutkiewicz,
STEVEN A. AVERY,)	Judge Presiding
)	
Defendant.)	

AFFIDAVIT OF BRAD A. DASSEY

Now comes your affiant, Brad A.Dassey, and under oath hereby states as follows:


1. I am of legal majority and can truthfully and competently testify to the matters contained herein based upon my personal knowledge. The factual statements herein are true and correct to the best of my knowledge, information, and belief. I am of sound mind and I have not taken any medication or ingested any alcohol that would impair my memory of the facts stated in this affidavit.
2. Bryan, Bobby, Blaine, and Brendan Dassey are my half-brothers. Peter Dassey is our common father.
3. I had a conversation with Barb Dassey,(Janda) (now Barb Tadych) during a car trip to visit Brendan Dassey at Sheboygan County Jail. My father Peter Dassey was with us. Barb stated that she had hired someone to "reformat" her home computer. She wanted to know if "reformatting" would remove what was on the computer.
4. Barb admitted her computer had some pornography stored on it and she claimed the computer had "viruses" on it. She had the reformatting done shortly before the



authorities seized her computer. Barb commented that she did not think the person she hired knew what he was doing.

5. She said she did not want anyone to get what was on her computer
6. Shortly after my conversation with Barb I contacted the authorities because I thought Barb was trying to remove evidence relevant to the Teresa Halbach murder from her computer.
7. I do not know who reformatted Barb's computer.
8. I was interviewed by the authorities after I reported this information to them.
9. I was not called as a witness to testify at Steven Avery or Brendan Dassey's criminal trials.
10. Nothing has been promised or given to me in exchange for this affidavit.

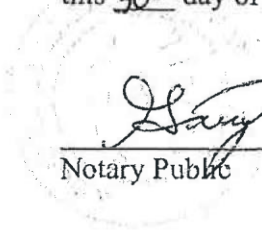
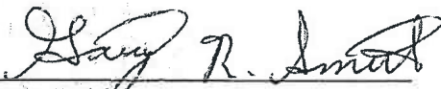
FURTHER AFFIANT SAYETH NAUGHT



Brad A. Dassey

State of Wisconsin
County of Outagamie

Subscribed and sworn before me
this 30th day of October, 2017.

Notary Public

STATE OF WISCONSIN : CIRCUIT COURT : MANITOWOC COUNTY

STATE OF WISCONSIN,)
)
 Plaintiff,)
) Case No. 05-CF-381
 v.)
) Honorable Judge Angela Sutkiewicz,
 STEVEN A. AVERY,) Judge Presiding
)
 Defendant.)

SUPPLEMENTAL AFFIDAVIT OF GARY HUNT

Now comes your affiant, Gary Hunt, and under oath hereby states as follows:

1. I am of legal majority and can truthfully and competently testify to the matters contained herein based upon my personal knowledge and to a reasonable degree of certainty in the field of computer science. The factual statements herein are true and correct to the best of my knowledge, information, and belief.
2. In my original affidavit (Exhibit Q to Motion for Reconsideration), I made a typographical error at ¶ 11(c). My affidavit should read: "On September 18, 2005, between 5:57 AM and 10:04 AM, the HP_Owner user conducted 75 unique Google searches."
3. Using 2017 technology, I have detected eight periods in 2005 when computer records are missing and presumably deleted from the Dassey computer: August 23-26; August 28-September 11; September 14-15; September 24-



October 22; October 23-24; October 26-November 2; November 4-13; and
November 15- December 3.


4. On October 31, 2005, the Dassey computer was used to access the internet at
6:05 a.m., 6:28 a.m., 6:31 a.m., 7:00 a.m., 9:33 a.m., 10:09 a.m., 1:08 p.m., and
1:51 p.m.

FURTHER AFFIANT SAYETH NAUGHT



Gary Hunt

Subscribed and sworn before me
this 30th day of October, 2017.



Notary Public



Barbara Tadych

Well I have your answer for all of you that was wondering , just got off the phone with bobby and I asked him and he told me that:

He seen her pull in but that was it because he left to go hunting then. He said that is the truth.

👍 2More · 5 minutes ago



Cindy Staufer Eldajani

so he never seen her walk towards steven home

More · 4 minutes ago



Barbara Tadych

No

👍 2More · 4 minutes ago



Wisconsin DOJ Division of Criminal Investigation

ACISS Investigative Report

Report Number: 05-1776/33

Report Date: 11/1 5

Report Number: 05-1776/33
 Report Date: 11/13/2005
 Type Of Report: Investigative
 Description: TERESA MARIE HALBACH: Interview/Brendan Dassey 11/10/2005
 Occurrence From: 11/10/2005 12:05
 Occurrence To: 11/10/2005 12:30
 Dissemination Code: Agency
 Reporting LEO: Skorlinski, Kim J (Appleton Special Assignments / Wisconsin DOJ Division of Criminal Investigation)
 Backup LEO: Baldwin, Todd (Detective / Marinette County Sheriff's Office)
 Approval Status: Approved
 Approved Date: 11/22/2005
 Approved By: Kelly, Carolyn S (Madison Arson / Wisconsin DOJ Division of Criminal Investigation)

Address	Relationship
N9493 Highline Ln, Crivitz, Wisconsin 54114, United States of America	Interview Location
12930 Avery Rd, Two Rivers, Wisconsin 54241, United States of America	Suspect Location

Name	Type	Sex	Race	DOB	Relationship
Auto Trader	Business	—	—	—	Mentioned
Avery's Auto Salvage	Business	—	—	—	Subject of Interest
Dassey, Brendan R	Person	Male	Unknown	10/19/1989	Interviewed
Avery, Allen K	Person	Male	White	5/3/1937	Mentioned
Avery, Delores A	Person	Female	White	8/20/1937	Mentioned
Dassey, Blaine A	Person	Male	White	12/3/1988	Mentioned
Dassey, Bobby A	Person	Male	White	10/18/1986	Mentioned
Janda, Barbara Ellen	Person	Female	White	11/7/1964	Mentioned
Kresco, Jason	Person	Male	White	—	Mentioned
Avery, Steven Allen Sr	Person	Male	White	7/9/1962	Person of Interest
Halbach, Teresa Marie	Person	Female	White	3/22/1980	Victim

Record

Record Origination Operator: Knutson, Andrea L (Criminal Investigation / Wisconsin DOJ Division of Criminal Investigation)
 Record Origination Date: 11/13/2005 13:59
 Last Update Operator: Kelly, Carolyn S (Madison Arson / Wisconsin DOJ Division of Criminal Investigation)
 Last Update Date: 11/22/2005 10:32

Date	Supervisor	Date
11/13/2005	Kelly, Carolyn S (Madison Arson / Wisconsin DOJ Division of Criminal Investigation)	12/2 5

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begins at 11/13/2005 11:00

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piled some branches and garbage on the fire and had just lit it. He observed two black plastic garbage bags already in the fire and starting to burn. Dassey was asked what was in the garbage bags and he said it looked like regular garbage.

Dassey was asked if Steven had a fire on Monday, October 31, 2005, and he said he did not see a fire on Monday. Dassey was asked if Steven had a fire on Tuesday, November 1, 2005, and he said that could have been the night he and Steven had a fire, but he thought it was on Wednesday, November 2, 2005. Dassey did go to school every day last week, and said if Steven had a fire during the day, he would not know about it.

Dassey was asked if he noticed any strange odor coming from the fire pit when he and Steven were burning, and he said no. He was asked if after the fire, Steven dug through the ashes or smashed any items that had not burned, and he said he did not see that. Dassey did say that Steven took some wire out of the fire and told Dassey to put it in a tan car over by the old garage near the shop. Dassey said the length of wire was long and he thought it was about 20'.

Dassey was asked how long he and Steven were outside burning at the fire on Wednesday night and he said probably 1½ to 2 hours. Dassey thought they both left the fire at the same time to go into their residences. He said that was the only fire he was aware of that Steven had last week.

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Dassey was asked if he had ever gone back inside of Steven's garage since Monday night, October 31, 2005, when he helped push the gray Suzuki into Steven's garage, and he said no.

Dassey was asked to recall the events of Monday, October 31, 2005, when he and his brother Blaine got off the school bus and were walking towards their residence. He said as he and Blaine were walking up to their residence, which is right next door to Steven's residence, he observed Steven and Halbach talking outside Halbach's vehicle. He said as they got closer, he and Blaine commented to each other that must be the woman who was here from the Auto Trader magazine to take photos of their mom's van.

Dassey said as he and Blaine got closer to their residence, he observed Steven walk towards his residence and observed Halbach get into her vehicle. He did not see her drive away. Dassey knew about the Auto Trader photographer because a few days before this, his mom told him she was coming to take photos of the van.

)

Dassey said he and Blaine then walked into their house and their other brother, Bobby, was not home at the time. Dassey said Steven never came over to their residence the rest of that day, but Steven did call him on the telephone to ask him to help him push the gray Suzuki into his garage. Dassey was asked why his brother Blaine did not help him and Steven push the Suzuki, and he said right after Steven called him, Blaine called one of his friends, Jason Kresco, so he was on the phone with Kresco when he and Steven were pushing the Suzuki.

Wisconsin DOJ Division of Criminal Investigation

ACISS Investigative Report

Report Number: 05-1776/35

Report Date: 11/1 5

Information

Report Number: 05-1776/35
Report Date: 11/13/2005
Type Of Report: Investigative
Description: TERESA MARIE HALBACH: Interview/Blaine A. Dassey
Occurrence From: 11/07/2005 10:11
Occurrence To: 11/11/2005 14:45
Dissemination Code: Agency
Reporting LEO: Strauss, Debra K (Appleton Public Integrity / Wisconsin DOJ Division of Criminal Investigation)
Backup LEO: Wilson, Lisa A (Madison Special Assignments / Wisconsin DOJ Division of Criminal Investigation)
Approval Status: Approved
Approved Date: 11/17/2005
Approved By: Kelly, Carolyn S (Madison Arson / Wisconsin DOJ Division of Criminal Investigation)

s Creek, Wisconsin, United States of America Relationship
Interview Location

<u>Name</u>	<u>Type</u>	<u>Sex</u>	<u>Race</u>	<u>DOB</u>	<u>Relationship</u>
Avery's Auto Salvage	Business	—	—	—	Subject of Int
Dassey, Blaine A	Person	Male	White	12/3/1988	Interviewed
Avery, Allen K	Person	Male	White	5/3/1937	Mentioned
Avery, Charles Earl	Person	Male	White	7/13/1954	Mentioned
Avery, Delores A	Person	Female	White	8/20/1937	Mentioned
Dassey, Bobby A	Person	Male	White	10/18/1986	Mentioned
Dassey, Brendan R	Person	Male	Unknown	10/19/1989	Mentioned
Dassey, Bryan J	Person	Male	White	7/15/1985	Mentioned
Janda, Barbara Ellen	Person	Female	White	11/7/1964	Mentioned
Kornely, Michael J	Person	Male	White	10/27/1949	Mentioned
Kresco, Jason	Person	Male	White	—	Mentioned
Owens, Adrianna	Person	Female	Unknown	—	Mentioned
Wiensch, Carmen K	Person	Female	White	8/16/1961	Mentioned
Avery, Steven Allen Sr	Person	Male	White	7/9/1962	Person of I
Halbach, Teresa Marie	Person	Female	White	3/22/1980	Victim

Related Vehicles

<u>Make</u>	<u>Model</u>	<u>Color</u>	<u>Tag #</u>	<u>Tag Year</u>	<u>Relationship</u>
Pontiac	Grand Am GT	Blue	187JFF	1993	Suspect Vehicle
Eagle	Talon ES	Red	242JFV	1993	Suspect Vehicle
Chevrolet	Blazer	Black	365JNP	1985	Suspect Vehicle
Oldsmobile	Achleva S	White	399EUW	1995	Suspect Vehicle
GMC Trucks	—	—	651HXB	1993	Suspect Vehicle

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message left her name and who she worked for. The caller also said she would be coming to Dassey's residence at approximately 1:00 or 2:00 on Monday (10/31/2005) to take the pictures. The caller left a call back number to reschedule if necessary. Blaine stated he thought this message would still be on their answering machine. Blaine said he thought the ad charge was \$85 and it was Barb who made the arrangements to have the photos of the car taken. Blaine said Barb has placed ads in this magazine in the past. The most recent advertised vehicle was Barb's black Lincoln. Blaine was asked if anyone else in the family used this magazine and Blaine said they did not.

Blaine was asked if he had seen any media coverage of the missing woman, including her name and the picture of her car. Blaine said he had, but these photos did not help Blaine recall having seen Habach or her vehicle before.

Blaine had no additional information and the interview was at that time terminated.

During the interview, Blaine provided the Special Agents with a diagram of the trailers, garages, and burning barrels around the Dasseys and Steve Avery houses. This diagram will be electronically attached to this report and will be forwarded to DCIR.

On Monday, November 11, 2005, at approximately 2:15 p.m., S/A Strauss and S/A Wilson went back to re-interview Blaine to verify the activities of Wednesday, 11/02/2005 and Thursday, 11/03/2005.

Blaine said that one day last week (week of 10/31/05) Blaine was supposed to have a girl over to his house for a bonfire. This girl was identified as Adrianna Owens, a sophomore at Mishicot High School. Blaine said this bonfire never took place, as Owens later said she did not want to come out for a bonfire.

According to Blaine, on Tuesday, Wednesday and Thursday, Blaine did not leave his residence. Blaine said he did not go anywhere, he did not see anyone, and he could not recall Steve or Chuck coming over to his house.

Blaine also said he is sure that Chuck and Steve went to Menard's on Friday night instead of Thursday night. Blaine said he can recall going into his garage with Bobby looking for duct tape or tie downs for the dryer vents. While out there, Blaine saw Chuck in his flatbed smoking a cigarette and Steve run into his house as if to get something. Blaine estimated Steve was in his house for approximately 3 to 5 minutes. Blaine said he did not talk to Chuck or Steve at all. Blaine saw Steve come out of his house, get in the passenger seat of the flatbed, and they left the area.

The Special Agents asked Blaine why he had previously stated that before Chuck and Steve went to Menard's, they asked Blaine if he wanted to go along. However, Blaine had to decline because he had something else to do. Blaine said this was an error because he was confusing it with a separate

Wisconsin DOJ Division of Criminal Investigation

ACISS Investigative Report

Report Number: 05-1776/62

Report Date: 11/11/2005

Report Number: 05-1776/62

Report Date: 11/11/2005

Type Of Report: Investigative

Description: TERESA MARIE HALBACH / Interview - BARBARA E. JANDA 11/06/2005

Occurrence From: 11/06/2005 15:39

Occurrence To: 11/06/2005 19:00

Dissemination Code: Agency

Reporting LEO: Holmes, James C (Madison Special Assignments / Wisconsin DOJ Division of Criminal Investigation)

Backup LEO: Kapitany, Joseph M (Appleton Gaming / Wisconsin DOJ Division of Criminal Investigation)

Approval Status: Approved

Approved Date: 12/09/2005

Approved By: Kelly, Carolyn S (Madison Arson / Wisconsin DOJ Division of Criminal Investigation)

Relationship

shicot, Wisconsin 54228 , United States of Interview Location

Name	Type	Sex	Race	DOB	Relationship
Auto Trader	Business	---	---	---	Mentioned
Avery's Auto Salvage	Business	---	---	---	Mentioned
Y-Go-By Restaurant	Business	---	---	---	Mentioned
Janda, Barbara Ellen	Person	Female	White	11/7/1964	Interviewed
Avery, Carla Jean	Person	Female	White	1/13/1976	Mentioned
Avery, Charles Earl	Person	Male	White	7/13/1954	Mentioned
Avery, Delores A	Person	Female	White	8/20/1937	Mentioned
Avery, Earl Kevin	Person	Male	White	6/10/1970	Mentioned
Avery, Steven	Person	Male	White		Mentioned
Dassey, Blaine A	Person	Male	White	12/3/1988	Mentioned
Dassey, Bobby A	Person	Male	White	10/18/1986	Mentioned
Dassey, Brendan R	Person	Male	Unknown	10/19/1989	Mentioned
Dassey, Bryan J	Person	Male	White	7/15/1985	Mentioned
Janda, Thomas Lee	Person	Male	White	9/26/1965	Mentioned
Kornely, Michael J	Person	Male	White	10/27/1949	Mentioned
Tadych, Patsy	Person	Female	Unknown	---	Mentioned
Halbach, Teresa Marie	Person	Female	White	3/22/1980	Victim

Make	Model	Color	Tag #	Tag Year	Relationship
Plymouth	Truck	---	343HXB	1989	Observed At Suspect Location

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which was near the entry door. BARBARA JANDA sat at a chair with her back to the entryway door while S/A Holmes sat on JANDA's right side and S/A Kapitany sat on JANDA's left side.

For clarity purposes within this report, the JANDA and AVERY family members will be referred to by their first names throughout this report.

INITIAL STATEMENTS MADE BY BARBARA JANDA

Initially when the agents met with JANDA at the Y-Go-By Restaurant, S/A Holmes asked JANDA if she knew why the agents wanted to speak to her. JANDA told the agents that she believed the agents wanted to speak with her regarding the girl who was missing who took pictures "out there." JANDA told the agents she believed that the girl had been missing since Monday (10/31/2005), but that BARBARA was working on Monday. JANDA also told the agents that she believed that the girl was at "our house, I guess" on Monday when BARBARA was at work.

BARBARA told the agents that she believed her brother, STEVEN AVERY, was being framed for the missing woman's disappearance.

S/A Holmes told BARBARA that the agents appreciated her meeting with them. S/A Holmes also told BARBARA that law enforcement officers would be interviewing a lot of people regarding TERESA M. HALBACH'S (DOB: 03/22/1980) disappearance, and that the investigation was not focused on STEVEN AVERY. S/A Holmes told BARBARA that the investigation was focused on finding HALBACH first, and then learning what might have happened to HALBACH. BARBARA stated that she understood.

BARBARA JANDA'S WORK SCHEDULE

S/A Holmes asked JANDA to provide the agents with her work schedule beginning on Monday, 10/31/2005, and ending on Friday, 11/04/2005. JANDA stated that her normal work schedule was from 6:00 a.m. until 4:30 p.m. every day Monday through Thursday of every week. JANDA believed that she went to work at 5:30 a.m. on Monday, 10/31/2005. BARBARA stated that she always ended her work day at 4:30 p.m. and that she was usually always home at her residence by 5:00 p.m. at the latest.

BARBARA JANDA'S CHILDREN

S/A Holmes asked BARBARA if anyone lived with her at her residence on Avery Drive. BARBARA told the agents that all of her kids lived with her. S/A Holmes asked BARBARA if she could give the names of all of her children to the agents as well as their contact information. BARBARA provided the following names to the agents.

