

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

STATE OF WISCONSIN : CIRCUIT COURT : MANITOWOC COUNTY  
BRANCH 1

---

STATE OF WISCONSIN,  
PLAINTIFF,                   ARRAIGNMENT & BAIL MODIFICATION  
vs.                               Case No. 05 CF 375 & 05 CF 381  
STEVEN A. AVERY,  
DEFENDANT.

---

**DATE:**       JANUARY 17, 2006  
**BEFORE:**   Hon. Patrick L. Willis  
              Circuit Court Judge

**APPEARANCES :**

                  KENNETH R. KRATZ  
                  Special Prosecutor  
                  On behalf of the State of Wisconsin.

                  ERIK R. LOY  
                  Attorney at Law  
                  On behalf of the Defendant.

                  CRAIG JOHNSON  
                  Attorney at Law  
                  On behalf of the Defendant.

                  STEVEN A. AVERY  
                  Defendant  
                  Appeared in person.

\* \* \* \* \*

**TRANSCRIPT OF PROCEEDINGS**

Reported by Diane Tesheneck, RPR  
Official Court Reporter

1 THE COURT: At this time the Court calls  
2 State of Wisconsin vs. Steven Avery, Case No.'s 05  
3 CF 375 and 05 CF 381. These matters are scheduled  
4 for an arraignment and a bail modification motion  
5 hearing today. Will the parties state their  
6 appearances for the record, please.

7 ATTORNEY KRATZ: State of Wisconsin appears  
8 by Calumet County District Attorney Ken Kratz  
9 appearing as Special Prosecutor.

10 ATTORNEY LOY: Steven Avery appears  
11 personally and by his Attorneys Erik Loy and Craig  
12 Johnson, your Honor.

13 THE COURT: Very well. It's my  
14 understanding that the State has filed an  
15 Information in Case 05 CF 381, but has not filed an  
16 Information in 05 CF 375; is that correct, Mr.  
17 Kratz?

18 ATTORNEY KRATZ: That is correct, Judge.  
19 We have joined the three counts, the two counts from  
20 381, and the single count in 375, in a single  
21 Information in 05 CF 381.

22 THE COURT: All right. The law is, then,  
23 in the case of 05 CF 375, that if the Information is  
24 not filed within 30 days of the bindover, the matter  
25 is dismissed without prejudice. Does either party

1           have any objection to the Court dismissing that  
2           matter?

3                    ATTORNEY KRATZ:  No, Judge, that should  
4           occur.

5                    ATTORNEY LOY:  No objection, your Honor.

6                    THE COURT:  All right.  Then the Court will  
7           dismiss Case 05 CF 375.  Mr. Loy, has your client  
8           received the Information in Case 05 CF 381?

9                    ATTORNEY LOY:  We have the Information,  
10          your Honor, we'll waive its reading and enter pleas  
11          of not guilty to all charges, reserving our right to  
12          object to the jurisdiction of the court and,  
13          particularly, to object to adding the felon with a  
14          gun charge to the Information in 381.

15                   THE COURT:  Very well.  And before I accept  
16          your plea, it's my understanding that the defendant  
17          also wishes to file a motion to change of venue; is  
18          that correct?

19                   ATTORNEY LOY:  We do, your Honor.  We are  
20          filing that today, pursuant to the statute; however,  
21          we are also reserving our right to withdraw that  
22          motion and to -- for Mr. Avery to insist on his  
23          constitutional right to be tried by a jury from this  
24          county.

25                   THE COURT:  Very well, the Court will note

1           that the motion has been timely filed. I will  
2           receive it at this time. I will accept the  
3           defendant's not guilty plea to the three charges in  
4           the Information.

5                       And at this time, before proceeding to  
6           the bail modification motion, for purposes of  
7           scheduling, I would like to set a deadline by  
8           which pretrial motions, if any, if there be any  
9           others, should be filed. I will hear the parties  
10          with respect to that issue at this time.

11          Mr. Loy, how much time do you anticipate the  
12          defense would need for such filing?

13                      ATTORNEY LOY: Your Honor, there are a  
14          number of potential motions in this case. I believe  
15          there were 15 or 20 search warrants; we have to look  
16          at those. Mr. Kratz has been very good about  
17          providing us with discovery and we -- I think we  
18          have the majority of those materials. I believe  
19          there's still some more to come, though, and it's a  
20          rather high stack of paper work.

21                      What we would ask the Court to do is to  
22          give us approximately two months to file motions  
23          and perhaps set a status date near the end of  
24          that time period. At that time, then, the Court  
25          will know what we filed and scheduling could be

1 done.

2 THE COURT: All right. I started out  
3 earlier with my calendar, but my judicial assistant  
4 got it before I came out. So I will get my calendar  
5 at this time.

6 I'm looking at Friday, March 17th, then,  
7 as a date for filing of motions. And I could set  
8 a status conference -- let's see -- how about  
9 10:00 on Friday, March 10th; will that work for  
10 the parties?

11 ATTORNEY LOY: I was wondering if you would  
12 want to set the status conference for after the  
13 deadline, that's the question I have.

14 THE COURT: All right. I misunderstood, I  
15 thought you were leaving open the possibility you  
16 might ask for a longer period. All right. Let's  
17 set a status conference then for -- how about March  
18 23rd, at 10:00?

19 ATTORNEY LOY: Your Honor, I'm scheduled to  
20 be gone that day. Most of the rest of that week I'm  
21 free, if the Court has any other time.

22 THE COURT: All right. Friday, the 24th,  
23 at 10:00?

24 ATTORNEY JOHNSON: That's fine, unless we  
25 could do it a little bit earlier.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

THE COURT: Earlier in the morning?

ATTORNEY JOHNSON: By like 9:00.

THE COURT: I have got a sentencing set for 9 and a plea date for 9:30.

ATTORNEY JOHNSON: That's fine, then, 10 will work.

THE COURT: Okay. Otherwise, I could do it at 8:30, but I know some folks are traveling to get here. I would be happy to do it at 8:30, if it works with the parties.

ATTORNEY JOHNSON: 8:30 is fine with me.

THE COURT: Mr. Kratz?

ATTORNEY KRATZ: It doesn't matter to me, Judge.

THE COURT: All right. 8:30 it is, on Friday, the 24th.

ATTORNEY KRATZ: So I understand, Judge, we will be scheduling the motion hearings at that time and will we at least begin to discuss potential trial dates?

THE COURT: Yes. And I will ask the parties at this time to -- after you have had a chance to review the discovery, have some idea of how long each of you believe the trial will take, to have that information ready for the Court at the

1 time of the status conference so we can look at  
2 scheduling this matter for trial at that time, along  
3 with setting a motion date for any motions that are  
4 filed.

5 (Partial Transcript begins here.)

6 At this time, then, the Court will move  
7 on to the defendant's motion for modification of  
8 bail. Mr. Loy, or Mr. Johnson, which one of you  
9 will be heard on that motion?

10 ATTORNEY LOY: Your Honor, we filed --  
11 actually, we recently filed an amended motion for  
12 bail reduction. And the amendment, we're asking the  
13 Court to consider allowing sureties. And the  
14 sureties would be Mr. Avery's family.

15 They are here in the courtroom today. I  
16 have talked with them. They are willing to  
17 guarantee a recognizance bond. They have  
18 property in the county. They own Avery Salvage  
19 Yard, business and the land. And I believe that  
20 that's worth somewhere in the neighborhood of 200  
21 to \$250,000, if not more.

22 Mr. Avery is a lifetime resident of  
23 Manitowoc County, except during a period of time  
24 when he was incarcerated. He has very  
25 substantial ties to this community. His parents,

1 his siblings, his children, all reside in this  
2 county. And most tellingly, your Honor, early on  
3 in this investigation, when evidence was found at  
4 the Avery Salvage Yard, and Mr. Avery was  
5 questioned, he was cooperative with law  
6 enforcement.

7 He, despite knowing that he was at least  
8 a person of interest, he didn't go anywhere. He  
9 was up, I believe, in Crivitz at a family cabin  
10 and he came back. There's no reason to believe  
11 that -- that Mr. Avery would flee, um, given his  
12 behavior before he was incarcerated.

13 Um, he talked with law enforcement  
14 officers. He allowed law enforcement officers  
15 access to his residence. I don't see, um, any  
16 reason to think that Mr. Avery is likely to flee.

17 He has not been able to post the bail  
18 that's currently set. I believe the bail right  
19 at this time is \$500,000. Your Honor, we would  
20 ask the Court to reduce the bail to a smaller  
21 amount, perhaps a hundred thousand dollars, or we  
22 would ask the Court -- and this, actually, would  
23 be our preference -- to set the bail as a  
24 recognizance bail, but a recognizance bail that  
25 has to be guaranteed by, I think the wording of

1 the statute is solvent sureties. And the solvent  
2 sureties would be his parents and other family  
3 members.

4 I don't think that Mr. Avery would be  
5 likely to violate his bail if he knew that, you  
6 know, his family's livelihood was on the line if  
7 he did so. So, your Honor, that would be our  
8 request.

9 THE COURT: All right. Mr. Kratz.

10 ATTORNEY KRATZ: Thank you, Judge. When  
11 the original bond issue was brought up, the State  
12 cited Section 969.01 (4), the factors that this  
13 Court should consider when determining bond. The  
14 State had argued at that time for a \$1 million cash  
15 bond. The Court did set \$500,000 noting the gravity  
16 of the offense, the penalties involved, the degree  
17 of violence that was used in this case, the degree  
18 of violence he used in evidence hiding and  
19 destruction, defendant's prior felony criminal  
20 record, the character and strength of the evidence,  
21 his history on release, and his ties to the  
22 community.

23 Of those, the defendant only has a  
24 positive consideration in ties to the community.  
25 The rest of those factors weigh heavily in favor

1 of the Court not modifying the \$500,000 cash  
2 bond. The only change since the last time the  
3 Court visited the issue of bond is the Court has  
4 now found probable cause that the defendant has  
5 committed a felony offenses.

6 Defendant's attempts to raise bond money  
7 have been well publicized. He's attempting to  
8 raise bond money from sources unrelated to him.  
9 And if raised -- if successful in raising money  
10 from strangers or other sources that's, of  
11 course, a factor for this Court to consider.  
12 There's no incentive at all to comply with bond,  
13 no financial incentive or other risk to violate  
14 that particular kind of bond.

15 The suggestion, also, that a salvage  
16 yard could be put up as a surety, does not  
17 provide the incentive for Mr. Avery to not flee,  
18 to be made available for future court  
19 appearances. This Court also must consider  
20 community safety; the degree of violence, again,  
21 involved; the fact that this was a stranger, or  
22 at the very best, casual acquaintance homicide  
23 allegation. Risk of future violence to  
24 additional victims or other members of the  
25 community is substantial. For all of those

1 factors, I'm asking the Court to deny the defense  
2 motion at this time. Thank you.

3 ATTORNEY LOY: Just a brief response, your  
4 Honor.

5 THE COURT: Yes, Mr. Roy.

6 ATTORNEY LOY: I think it's worth noting  
7 that Mr. Avery is, at this point, presumed innocent.  
8 The State hasn't proved his guilt to a jury. So I  
9 think it may be premature to assume any guilt on his  
10 part of the allegations against him.

11 Regarding the efforts to raise bail  
12 money, I think I can tell the Court that those  
13 efforts have not met with a great deal of  
14 success. I don't think that there's much chance  
15 that -- that strangers are going to be donating  
16 anything even remotely close to the amount of  
17 money needed for bail here.

18 What we're really asking the Court to do  
19 is to allow Mr. Avery's family to be sureties.  
20 And Mr. Avery, I'm sure, would not want to  
21 imperil his family's business by violating his  
22 bail. And, um, that's -- that's all I have to  
23 say at this point, your Honor.

24 THE COURT: All right. The factors that  
25 the Court is to consider in setting bail are set

1           forth in Section 969.01 (4). Each of the parties  
2           have touched on those factors in their arguments.

3                         And there are a number of the factors  
4           that warrant consideration of Mr. Avery's  
5           request; specifically, his inability to make bail  
6           as it is set now, and his lifelong residence in  
7           Manitowoc County, and the fact that there's no  
8           record that he's ever tried to flee before, and  
9           was apparently cooperative with officers earlier  
10          in the investigation of this matter.

11                        There are also factors that support the  
12          State's argument; specifically, the Court is to  
13          consider the number and gravity of the offenses.  
14          In this case, the defendant is charged with three  
15          felonies including, most significantly, first  
16          degree intentional homicide, which carries with  
17          it a penalty of life in prison if convicted.

18                        The Court also considers the -- whether  
19          the alleged acts were violent in nature. And the  
20          Court certainly, at this time, is making no  
21          determination or venturing no opinion as to the  
22          guilt or innocence of the defendant, but the  
23          allegations are of a crime which is certainly  
24          violent in nature.

25                        And with respect to the strength of the

1 evidence, the Court has already found probable  
2 cause to believe that the defendant committed a  
3 felony and bound the defendant over for trial.

4 Based primarily on those considerations,  
5 the Court feels that its initial determination as  
6 to the appropriate bail amounts, or amount, is  
7 still appropriate. So I'm not going to modify  
8 bail; I'm going to leave it at \$500,000.

9 I will, however, indicate that in lieu  
10 of cash, the Court would consider a mortgage of  
11 property of the defendant's family, if that's  
12 what's offered, providing there was a sufficient  
13 showing of the equity in the property and its  
14 fair market value to meet a part or all of the  
15 \$500,000.

16 Mr. Kratz, I will direct you to prepare  
17 the order with respect to the Court's decision in  
18 this case. Is there anything further today  
19 before we adjourn? Mr. Kratz?

20 ATTORNEY KRATZ: I don't believe so, Judge.  
21 Thank you.

22 THE COURT: Mr. Loy.

23 ATTORNEY LOY: No, your Honor.

24 THE COURT: All right. If not, we're  
25 adjourned for today.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

ATTORNEY JOHNSON: Thank you.  
ATTORNEY LOY: Thank you, your Honor.  
(Proceedings concluded.)

1 STATE OF WISCONSIN )  
 )ss  
2 COUNTY OF MANITOWOC )

3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I, Diane Tesheneck, Official Court Reporter for Circuit Court Branch 1 and the State of Wisconsin, do hereby certify that I reported the foregoing matter and that the foregoing transcript has been carefully prepared by me with my computerized stenographic notes as taken by me in machine shorthand, and by computer-assisted transcription thereafter transcribed, and that it is a true and correct transcript of the proceedings had in said matter to the best of my knowledge and ability.

Dated this        day of        , 2006.

\_\_\_\_\_  
Diane Tesheneck, RPR  
Official Court Reporter

|   |  |  |
|---|--|--|
| <b>\$</b>   | any [7] 3/1 4/8 4/8 5/21 7/3 8/15 11/9   | cash [3] 9/14 10/1 13/10   |
| \$1 [1] 9/14  | anything [2] 11/16 13/18   | casual [1] 10/22   |
| \$1 million [1] 9/14                                | anywhere [1] 8/8   | cause [2] 10/4 13/2  |
| \$250,000 [1] 7/21                                  | apparently [1] 12/9  | certainly [2] 12/20 12/23  |
| \$500,000 [5] 8/19 9/15 10/1 13/8 13/15             | appearances [3] 1/12 2/6 10/19   | certify [1] 15/6   |
| <b>0</b>  | Appeared [1] 1/20  | CF [10] 1/5 1/5 2/3 2/3 2/15 2/16 2/21 2/23 3/7 3/8                    |
| 05 [10] 1/5 1/5 2/2 2/3 2/15 2/16 2/21 2/23 3/7 3/8 | appearing [1] 2/9  | chance [2] 6/23 11/14  |
| <b>1</b>  | appears [2] 2/7 2/10   | change [2] 3/17 10/2   |
| 10 [1] 6/5  | appropriate [2] 13/6 13/7  | character [1] 9/20   |
| 10:00 [3] 5/9 5/18 5/23                             | approximately [1] 4/22   | charge [1] 3/14  |
| 10th [1] 5/9  | are [13] 2/3 3/19 3/21 4/13 6/8 7/3 7/15 7/16 11/15 11/25 12/3 12/11 12/23         | charged [1] 12/14  |
| 15 [1] 4/15   | argued [1] 9/14  | charges [2] 3/11 4/3   |
| 17 [1] 1/10   | argument [1] 12/12   | children [1] 8/1   |
| 17th [1] 5/6  | arguments [1] 12/2   | CIRCUIT [3] 1/1 1/11 15/5  |
| <b>2</b>  | arraignment [2] 1/4 2/4  | cited [1] 9/12   |
| 20 [1] 4/15   | as [8] 2/9 5/7 8/23 10/16 12/6 12/21 13/5 15/9                                     | client [1] 3/7   |
| 200 [1] 7/20  | ask [5] 4/21 5/16 6/21 8/20 8/22   | close [1] 11/16  |
| 2006 [2] 1/10 15/15                                 | asking [3] 7/12 11/1 11/18   | come [1] 4/19  |
| 23rd [1] 5/18                                       | assistant [1] 5/3  | committed [2] 10/5 13/2  |
| 24th [2] 5/22 6/16                                  | assisted [1] 15/10   | community [5] 7/25 9/22 9/24 10/20 10/25                               |
| <b>3</b>  | assume [1] 11/9  | comply [1] 10/12   |
| 30 [1] 2/24   | at [33]  | computer [1] 15/10   |
| 375 [6] 1/5 2/3 2/16 2/20 2/23 3/7                  | attempting [1] 10/7  | computer-assisted [1] 15/10  |
| 381 [7] 1/5 2/3 2/15 2/20 2/21 3/8 3/14             | attempts [1] 10/6  | computerized [1] 15/9  |
| <b>8</b>  | Attorney [3] 1/16 1/18 2/8   | concluded [1] 14/3   |
| 8:30 [4] 6/8 6/9 6/11 6/15                          | Attorneys [1] 2/11   | conference [4] 5/8 5/12 5/17 7/1                                       |
| <b>9</b>  | available [1] 10/18  | consider [7] 7/13 9/13 10/11 10/19 11/25 12/13 13/10                   |
| 969.01 [2] 9/12 12/1                                | AVERY [15] 1/6 1/19 2/2 2/10 3/22 7/18 7/22 8/4 8/4 8/11 8/16 9/4 10/17 11/7 11/20 | consideration [2] 9/24 12/4  |
| 9:00 [1] 6/2  | Avery's [3] 7/14 11/19 12/4  | considerations [1] 13/4  |
| 9:30 [1] 6/4  | <b>B</b>   | considers [1] 12/18  |
| <b>A</b>  | back [1] 8/10  | constitutional [1] 3/23  |
| ability [1] 15/14                                   | bail [19]  | convicted [1] 12/17  |
| able [1] 8/17                                       | Based [1] 13/4   | cooperative [2] 8/5 12/9   |
| about [3] 4/16 5/8 5/17                             | be [19]  | correct [4] 2/16 2/18 3/18 15/12                                       |
| accept [3] 3/15 4/2 7/23                            | been [5] 4/1 4/16 8/17 10/7 15/8   | could [5] 4/25 5/7 5/25 6/7 10/16                                      |
| access [1] 8/15                                     | before [7] 1/11 3/15 4/5 5/4 8/12 12/8 13/19                                       | count [1] 2/20   |
| acquaintance [1] 10/22                              | begin [1] 6/19   | counts [2] 2/19 2/19   |
| acts [1] 12/19                                      | begins [1] 7/5   | county [8] 1/1 2/8 3/24 7/18 7/23 8/2 12/7 15/2                        |
| actually [2] 7/11 8/22                              | behalf [3] 1/14 1/16 1/18  | course [1] 10/11   |
| adding [1] 3/13                                     | behavior [1] 8/12  | court [37]   |
| additional [1] 10/24                                | believe [9] 4/14 4/18 6/24 7/19 8/9 8/10 8/18 13/2 13/20                           | Court's [1] 13/17  |
| adjourn [1] 13/19                                   | best [2] 10/22 15/13   | courtroom [1] 7/15   |
| adjourned [1] 13/25                                 | bindover [1] 2/24  | CRAIG [2] 1/17 2/11  |
| after [2] 5/12 6/22                                 | bit [1] 5/25   | crime [1] 12/23  |
| again [1] 10/20                                     | bond [10] 7/17 9/11 9/13 9/15 10/2 10/3 10/6 10/8 10/12 10/14                      | criminal [1] 9/19  |
| against [1] 11/10                                   | bound [1] 13/3   | Crivitz [1] 8/9  |
| all [16]  | BRANCH [2] 1/1 15/5  | currently [1] 8/18   |
| allegation [1] 10/23                                | brief [1] 11/3   | <b>D</b>   |
| allegations [2] 11/10 12/23                         | brought [1] 9/11   | date [5] 1/10 4/23 5/7 6/4 7/3   |
| alleged [1] 12/19                                   | business [2] 7/19 11/21  | Dated [1] 15/15  |
| allow [1] 11/19                                     | but [5] 2/15 5/3 6/8 8/24 12/22  | dates [1] 6/20   |
| allowed [1] 8/14                                    | <b>C</b>   | day [2] 5/20 15/15   |
| allowing [1] 7/13                                   | cabin [1] 8/9  | days [1] 2/24  |
| along [1] 7/2                                       | calendar [2] 5/3 5/4   | deadline [2] 4/7 5/13  |
| already [1] 13/1                                    | calls [1] 2/1  | deal [1] 11/13   |
| also [6] 3/17 3/21 10/15 10/19 12/11 12/18          | Calumet [1] 2/8  | decision [1] 13/17   |
| amended [1] 7/11                                    | came [2] 5/4 8/10  | defendant [11] 1/7 1/16 1/18 1/20 3/16 9/23 10/4 12/14 12/22 13/2 13/3 |
| amendment [1] 7/12                                  | can [2] 7/1 11/12  | defendant's [5] 4/3 7/7 9/19 10/6 13/11                                |
| amount [3] 8/21 11/16 13/6                          | carefully [1] 15/8   | defense [2] 4/12 11/1  |
| amounts [1] 13/6                                    | carries [1] 12/16  | degree [4] 9/16 9/17 10/20 12/16                                       |
| anticipate [1] 4/11                                 | case [10] 1/5 2/2 2/15 2/23 3/7 3/8 4/14 9/17 12/14 13/18                          | deny [1] 11/1  |

|  |  |   |
|--|--|---|
| <b>D</b>   | going [3] 11/15 13/7 13/8<br>gone [1] 5/20<br>good [1] 4/16<br>got [2] 5/4 6/3<br>gravity [2] 9/15 12/13<br>great [1] 11/13<br>guarantee [1] 7/17<br>guaranteed [1] 8/25<br>guilt [3] 11/8 11/9 12/22<br>guilty [2] 3/11 4/3<br>gun [1] 3/14   | 15/11<br>it's [4] 2/13 3/16 4/19 11/6<br>its [3] 3/10 13/5 13/13  |
| Diane [3] 1/24 15/4 15/19<br>did [2] 9/7 9/15<br>didn't [1] 8/8<br>direct [1] 13/16<br>discovery [2] 4/17 6/23<br>discuss [1] 6/19<br>dismiss [1] 3/7<br>dismissed [1] 2/25<br>dismissing [1] 3/1<br>District [1] 2/8<br>do [8] 3/19 4/11 4/21 5/25 6/7 6/9 11/18 15/6<br>does [2] 2/25 10/16<br>doesn't [1] 6/13<br>dollars [1] 8/21<br>don't [4] 8/15 9/4 11/14 13/20<br>donating [1] 11/15<br>done [1] 5/1<br>during [1] 7/23   | <b>H</b><br>had [3] 6/22 9/14 15/13<br>happy [1] 6/9<br>has [14] 2/14 2/15 3/7 4/1 4/16 5/21 7/24 8/17 8/25 9/23 10/3 10/4 13/1 15/8<br>hasn't [1] 11/8<br>have [16]<br>he [15] 7/24 7/24 8/5 8/7 8/7 8/8 8/8 8/10 8/12 8/13 8/14 8/17 9/5 9/7 9/18<br>he's [2] 10/7 12/8<br>hear [1] 4/9<br>heard [1] 7/9<br>hearing [1] 2/5<br>hearings [1] 6/18<br>heavily [1] 9/25<br>here [4] 6/9 7/5 7/15 11/17<br>hereby [1] 15/6<br>hiding [1] 9/18<br>high [1] 4/20<br>him [2] 10/8 11/10<br>his [18]<br>history [1] 9/21<br>homicide [2] 10/22 12/16<br>Hon [1] 1/11<br>Honor [14] 2/12 3/5 3/10 3/19 4/13 5/19 7/10 8/2 8/19 9/7 11/4 11/23 13/23 14/2<br>how [4] 4/11 5/8 5/17 6/24<br>however [2] 3/20 13/9<br>hundred [1] 8/21 | <b>J</b><br>JANUARY [1] 1/10<br>JOHNSON [3] 1/17 2/12 7/8<br>joined [1] 2/19<br>Judge [7] 1/11 2/18 3/3 6/14 6/17 9/10 13/20<br>judicial [1] 5/3<br>jurisdiction [1] 3/12<br>jury [2] 3/23 11/8<br>just [1] 11/3  |
| <b>E</b>   | <b>K</b><br>Ken [1] 2/8<br>KENNETH [1] 1/13<br>kind [1] 10/14<br>knew [1] 9/5<br>know [3] 4/25 6/8 9/6<br>knowing [1] 8/7<br>knowledge [1] 15/14<br>KRATZ [8] 1/13 2/8 2/17 4/16 6/12 9/9 13/16 13/19  | <b>L</b><br>land [1] 7/19<br>last [1] 10/2<br>law [6] 1/16 1/18 2/22 8/5 8/13 8/14<br>least [2] 6/19 8/7<br>leave [1] 13/8<br>leaving [1] 5/15<br>let's [2] 5/8 5/16<br>lieu [1] 13/9<br>life [1] 12/17<br>lifelong [1] 12/6<br>lifetime [1] 7/22<br>like [2] 4/7 6/2<br>likely [2] 8/16 9/5<br>line [1] 9/6<br>little [1] 5/25<br>livelihood [1] 9/6<br>long [1] 6/24<br>longer [1] 5/16<br>look [2] 4/15 7/1<br>looking [1] 5/6<br>LOY [6] 1/15 2/11 3/7 4/11 7/8 13/22 |
| each [2] 6/24 12/1<br>earlier [4] 5/3 5/25 6/1 12/9<br>early [1] 8/2<br>efforts [2] 11/11 11/13<br>either [1] 2/25<br>end [1] 4/23<br>enforcement [3] 8/6 8/13 8/14<br>enter [1] 3/10<br>equity [1] 13/13<br>ERIK [2] 1/15 2/11<br>even [1] 11/16<br>ever [1] 12/8<br>evidence [4] 8/3 9/18 9/20 13/1  | <b>I</b><br>I'm [7] 5/6 5/19 5/20 11/1 11/20 13/7 13/8<br>idea [1] 6/23<br>if [14] 2/23 4/8 4/8 5/11 5/21 6/9 7/21 9/5 9/6 10/9 10/9 12/17 13/11 13/24<br>imperil [1] 11/21<br>in [37]<br>inability [1] 12/5<br>incarcerated [2] 7/24 8/12<br>incentive [3] 10/12 10/13 10/17<br>including [1] 12/15<br>indicate [1] 13/9<br>information [9] 2/15 2/16 2/21 2/23 3/8 3/9 3/14 4/4 6/25<br>initial [1] 13/5<br>innocence [1] 12/22<br>innocent [1] 11/7<br>insist [1] 3/22<br>intentional [1] 12/16<br>interest [1] 8/8<br>investigation [2] 8/3 12/10<br>involved [2] 9/16 10/21<br>is [26]<br>issue [3] 4/10 9/11 10/3<br>it [13] 4/2 5/4 5/25 6/7 6/9 6/9 6/13 6/15 11/9 12/6 12/17 13/8                                   | <b>M</b><br>machine [1] 15/10<br>made [1] 10/18<br>majority [1] 4/18<br>make [1] 12/5<br>making [1] 12/20<br>MANITOWOC [4] 1/1 7/23 12/7 15/2<br>March [3] 5/6 5/9 5/17<br>March 10th [1] 5/9<br>March 17th [1] 5/6<br>market [1] 13/14<br>materials [1] 4/18<br>matter [7] 2/24 3/2 6/13 7/2 12/10 15/7 15/13<br>matters [1] 2/3<br>may [1] 11/9<br>me [4] 6/11 6/13 15/8 15/9<br>meet [1] 13/14<br>members [2] 9/3 10/24<br>met [1] 11/13<br>might [1] 5/16             |
| <b>F</b>   | <b>G</b><br>get [2] 5/4 6/8<br>give [1] 4/22<br>given [1] 8/11<br>go [1] 8/8   |   |
| fact [2] 10/21 12/7<br>factor [1] 10/11<br>factors [7] 9/12 9/25 11/1 11/24 12/2 12/3 12/11<br>fair [1] 13/14<br>family [5] 7/14 8/9 9/2 11/19 13/11<br>family's [2] 9/6 11/21<br>favor [1] 9/25<br>feels [1] 13/5<br>felon [1] 3/13<br>felonies [1] 12/15<br>felony [3] 9/19 10/5 13/3<br>file [2] 3/17 4/22<br>filed [9] 2/14 2/15 2/24 4/1 4/9 4/25 7/4 7/10 7/11<br>filing [3] 3/20 4/12 5/7<br>financial [1] 10/13<br>fine [3] 5/24 6/5 6/11<br>first [1] 12/15<br>flee [4] 8/11 8/16 10/17 12/8<br>folks [1] 6/8<br>foregoing [2] 15/7 15/7<br>forth [1] 12/1<br>found [3] 8/3 10/4 13/1<br>free [1] 5/21<br>Friday [4] 5/6 5/9 5/22 6/16<br>further [1] 13/18<br>future [2] 10/18 10/23 |  |   |

|   |  |   |
|---|--|---|
| <b>M</b>  | 10/24<br>others [1] 4/9<br>Otherwise [1] 6/7<br>our [4] 3/11 3/21 8/23 9/7<br>out [2] 5/2 5/4<br>over [1] 13/3<br>own [1] 7/18   | recognize [3] 7/17 8/24 8/24<br>record [3] 2/6 9/20 12/8<br>reduce [1] 8/20<br>reduction [1] 7/12<br>Regarding [1] 11/11<br>release [1] 9/21<br>remotely [1] 11/16<br>reported [2] 1/24 15/6<br>Reporter [3] 1/25 15/5 15/19<br>request [2] 9/8 12/5<br>reserving [2] 3/11 3/21<br>reside [1] 8/1<br>residence [2] 8/15 12/6<br>resident [1] 7/22<br>respect [3] 4/10 12/25 13/17<br>response [1] 11/3<br>rest [2] 5/20 9/25<br>review [1] 6/23<br>right [14] 2/22 3/6 3/11 3/21 3/23<br>5/2 5/14 5/16 5/22 6/15 8/18 9/9<br>11/24 13/24<br>risk [2] 10/13 10/23<br>Roy [1] 11/5<br>RPR [2] 1/24 15/19  |
| million [1] 9/14<br>misunderstood [1] 5/14<br>modification [4] 1/4 2/4 4/6 7/7<br>modify [1] 13/7<br>modifying [1] 10/1<br>money [5] 10/6 10/8 10/9 11/12<br>11/17<br>months [1] 4/22<br>more [2] 4/19 7/21<br>morning [1] 6/1<br>mortgage [1] 13/10<br>most [3] 5/20 8/2 12/15<br>motion [11] 2/4 3/17 3/22 4/1 4/6<br>6/18 7/3 7/7 7/9 7/11 11/2<br>motions [5] 4/8 4/14 4/22 5/7 7/3<br>move [1] 7/6<br>Mr [3] 2/16 6/12 9/9<br>Mr. [21]<br>Mr. Avery [9] 3/22 7/22 8/4 8/11<br>8/16 9/4 10/17 11/7 11/20<br>Mr. Avery's [3] 7/14 11/19 12/4<br>Mr. Johnson [1] 7/8<br>Mr. Kratz [3] 4/16 13/16 13/19<br>Mr. Loy [4] 3/7 4/11 7/8 13/22<br>Mr. Roy [1] 11/5<br>much [2] 4/11 11/14<br>must [1] 10/19<br>my [7] 2/13 3/16 5/3 5/3 5/4 15/9<br>15/13 | <b>P</b><br>paper [1] 4/20<br>parents [2] 7/25 9/2<br>part [2] 11/10 13/14<br>Partial [1] 7/5<br>particular [1] 10/14<br>particularly [1] 3/13<br>parties [6] 2/5 4/9 5/10 6/10 6/22<br>12/1<br>party [1] 2/25<br>Patrick [1] 1/11<br>penalties [1] 9/16<br>penalty [1] 12/17<br>perhaps [2] 4/23 8/21<br>period [3] 4/24 5/16 7/23<br>person [2] 1/20 8/8<br>personally [1] 2/11<br>PLAINTIFF [1] 1/4<br>plea [3] 3/16 4/3 6/4<br>pleas [1] 3/10<br>please [1] 2/6<br>point [2] 11/7 11/23<br>positive [1] 9/24<br>possibility [1] 5/15<br>post [1] 8/17<br>potential [2] 4/14 6/19<br>preference [1] 8/23<br>prejudice [1] 2/25<br>premature [1] 11/9<br>prepare [1] 13/16<br>prepared [1] 15/8<br>presumed [1] 11/7<br>pretrial [1] 4/8<br>primarily [1] 13/4<br>prior [1] 9/19<br>prison [1] 12/17<br>probable [2] 10/4 13/1<br>proceeding [1] 4/5<br>proceedings [3] 1/23 14/3 15/13<br>property [3] 7/18 13/11 13/13<br>Prosecutor [2] 1/14 2/9<br>proved [1] 11/8<br>provide [1] 10/17<br>providing [2] 4/17 13/12<br>publicized [1] 10/7<br>purposes [1] 4/6<br>pursuant [1] 3/20<br>put [1] 10/16 | <b>S</b><br>safety [1] 10/20<br>said [1] 15/13<br>salvage [3] 7/18 8/4 10/15<br>say [1] 11/23<br>scheduled [2] 2/3 5/19<br>scheduling [4] 4/7 4/25 6/18 7/2<br>search [1] 4/15<br>Section [2] 9/12 12/1<br>see [2] 5/8 8/15<br>sentencing [1] 6/3<br>set [11] 4/7 4/23 5/7 5/12 5/17 6/3<br>8/18 8/23 9/15 11/25 12/6<br>setting [2] 7/3 11/25<br>shorthand [1] 15/10<br>should [3] 3/3 4/9 9/13<br>showing [1] 13/13<br>siblings [1] 8/1<br>significantly [1] 12/15<br>since [1] 10/2<br>single [2] 2/20 2/20<br>smaller [1] 8/20<br>so [8] 5/4 6/17 7/1 9/7 9/7 11/8<br>13/7 13/20<br>solvent [2] 9/1 9/1<br>some [3] 4/19 6/8 6/23<br>somewhere [1] 7/20<br>sources [2] 10/8 10/10<br>Special [2] 1/14 2/9<br>specifically [2] 12/5 12/12<br>ss [1] 15/1<br>stack [1] 4/20<br>started [1] 5/2<br>state [12] 1/1 1/3 1/14 2/2 2/5 2/7<br>2/14 9/11 9/14 11/8 15/1 15/5<br>State's [1] 12/12<br>status [5] 4/23 5/8 5/12 5/17 7/1<br>statute [2] 3/20 9/1<br>stenographic [1] 15/9<br>STEVEN [4] 1/6 1/19 2/2 2/10<br>still [2] 4/19 13/7<br>stranger [1] 10/21<br>strangers [2] 10/10 11/15<br>strength [2] 9/20 12/25<br>substantial [2] 7/25 10/25<br>success [1] 11/14<br>successful [1] 10/9<br>such [1] 4/12 |
| <b>N</b>  | 10/24<br>others [1] 4/9<br>Otherwise [1] 6/7<br>our [4] 3/11 3/21 8/23 9/7<br>out [2] 5/2 5/4<br>over [1] 13/3<br>own [1] 7/18   |   |
| nature [2] 12/19 12/24<br>near [1] 4/23<br>need [1] 4/12<br>needed [1] 11/17<br>neighborhood [1] 7/20<br>no [10] 1/5 3/3 3/5 8/10 10/12<br>10/13 12/7 12/20 12/21 13/23<br>No.'s [1] 2/2<br>not [13] 2/15 2/24 3/11 4/3 7/21<br>8/17 10/1 10/16 10/17 11/13<br>11/20 13/7 13/24<br>note [1] 3/25<br>notes [1] 15/9<br>noting [2] 9/15 11/6<br>now [2] 10/4 12/6<br>number [3] 4/14 12/3 12/13   | <b>P</b><br>paper [1] 4/20<br>parents [2] 7/25 9/2<br>part [2] 11/10 13/14<br>Partial [1] 7/5<br>particular [1] 10/14<br>particularly [1] 3/13<br>parties [6] 2/5 4/9 5/10 6/10 6/22<br>12/1<br>party [1] 2/25<br>Patrick [1] 1/11<br>penalties [1] 9/16<br>penalty [1] 12/17<br>perhaps [2] 4/23 8/21<br>period [3] 4/24 5/16 7/23<br>person [2] 1/20 8/8<br>personally [1] 2/11<br>PLAINTIFF [1] 1/4<br>plea [3] 3/16 4/3 6/4<br>pleas [1] 3/10<br>please [1] 2/6<br>point [2] 11/7 11/23<br>positive [1] 9/24<br>possibility [1] 5/15<br>post [1] 8/17<br>potential [2] 4/14 6/19<br>preference [1] 8/23<br>prejudice [1] 2/25<br>premature [1] 11/9<br>prepare [1] 13/16<br>prepared [1] 15/8<br>presumed [1] 11/7<br>pretrial [1] 4/8<br>primarily [1] 13/4<br>prior [1] 9/19<br>prison [1] 12/17<br>probable [2] 10/4 13/1<br>proceeding [1] 4/5<br>proceedings [3] 1/23 14/3 15/13<br>property [3] 7/18 13/11 13/13<br>Prosecutor [2] 1/14 2/9<br>proved [1] 11/8<br>provide [1] 10/17<br>providing [2] 4/17 13/12<br>publicized [1] 10/7<br>purposes [1] 4/6<br>pursuant [1] 3/20<br>put [1] 10/16 | <b>S</b><br>safety [1] 10/20<br>said [1] 15/13<br>salvage [3] 7/18 8/4 10/15<br>say [1] 11/23<br>scheduled [2] 2/3 5/19<br>scheduling [4] 4/7 4/25 6/18 7/2<br>search [1] 4/15<br>Section [2] 9/12 12/1<br>see [2] 5/8 8/15<br>sentencing [1] 6/3<br>set [11] 4/7 4/23 5/7 5/12 5/17 6/3<br>8/18 8/23 9/15 11/25 12/6<br>setting [2] 7/3 11/25<br>shorthand [1] 15/10<br>should [3] 3/3 4/9 9/13<br>showing [1] 13/13<br>siblings [1] 8/1<br>significantly [1] 12/15<br>since [1] 10/2<br>single [2] 2/20 2/20<br>smaller [1] 8/20<br>so [8] 5/4 6/17 7/1 9/7 9/7 11/8<br>13/7 13/20<br>solvent [2] 9/1 9/1<br>some [3] 4/19 6/8 6/23<br>somewhere [1] 7/20<br>sources [2] 10/8 10/10<br>Special [2] 1/14 2/9<br>specifically [2] 12/5 12/12<br>ss [1] 15/1<br>stack [1] 4/20<br>started [1] 5/2<br>state [12] 1/1 1/3 1/14 2/2 2/5 2/7<br>2/14 9/11 9/14 11/8 15/1 15/5<br>State's [1] 12/12<br>status [5] 4/23 5/8 5/12 5/17 7/1<br>statute [2] 3/20 9/1<br>stenographic [1] 15/9<br>STEVEN [4] 1/6 1/19 2/2 2/10<br>still [2] 4/19 13/7<br>stranger [1] 10/21<br>strangers [2] 10/10 11/15<br>strength [2] 9/20 12/25<br>substantial [2] 7/25 10/25<br>success [1] 11/14<br>successful [1] 10/9<br>such [1] 4/12 |
| <b>O</b>  | 10/24<br>others [1] 4/9<br>Otherwise [1] 6/7<br>our [4] 3/11 3/21 8/23 9/7<br>out [2] 5/2 5/4<br>over [1] 13/3<br>own [1] 7/18   |   |
| object [2] 3/12 3/13<br>objection [2] 3/1 3/5<br>occur [1] 3/4<br>offense [1] 9/16<br>offenses [2] 10/5 12/13<br>offered [1] 13/12<br>officers [3] 8/14 8/14 12/9<br>Official [3] 1/25 15/4 15/19<br>Okay [1] 6/7<br>on [14] 1/14 1/16 1/18 3/22 5/9<br>6/15 7/7 7/9 8/2 9/6 9/21 11/9<br>12/2 13/4<br>one [1] 7/8<br>only [2] 9/23 10/2<br>open [1] 5/15<br>opinion [1] 12/21<br>or [11] 4/15 7/8 8/21 10/10 10/13<br>10/21 10/24 12/21 12/22 13/6<br>13/14<br>order [1] 13/17<br>original [1] 9/11<br>other [5] 5/21 9/2 10/10 10/13  | <b>Q</b><br>question [1] 5/13<br>questioned [1] 8/5  |   |
| <b>R</b>  | 10/24<br>others [1] 4/9<br>Otherwise [1] 6/7<br>our [4] 3/11 3/21 8/23 9/7<br>out [2] 5/2 5/4<br>over [1] 13/3<br>own [1] 7/18   |   |
| raise [3] 10/6 10/8 11/11<br>raised [1] 10/9<br>raising [1] 10/9<br>rather [1] 4/20<br>reading [1] 3/10<br>ready [1] 6/25<br>really [1] 11/18<br>reason [2] 8/10 8/16<br>receive [1] 4/2<br>received [1] 3/8<br>recently [1] 7/11   |  |   |

**S**

sufficient [1] 13/12  
 suggestion [1] 10/15  
 support [1] 12/11  
 sure [1] 11/20  
 sureties [5] 7/13 7/14 9/1 9/2 11/19  
 surety [1] 10/16

**T**

take [1] 6/24  
 taken [1] 15/9  
 talked [2] 7/16 8/13  
 tell [1] 11/12  
 tellingly [1] 8/2  
 Teshneck [3] 1/24 15/4 15/19  
 Thank [5] 9/10 11/2 13/21 14/1 14/2  
 that [54]  
 that's [9] 5/13 5/24 6/5 7/20 8/18 10/10 11/22 11/22 13/11  
 their [2] 2/5 12/2  
 them [1] 7/16  
 then [7] 2/22 3/6 4/24 5/6 5/17 6/5 7/6  
 there [7] 4/8 4/13 4/15 12/3 12/11 13/12 13/18  
 there's [5] 4/19 8/10 10/12 11/14 12/7  
 thereafter [1] 15/11  
 These [1] 2/3  
 They [4] 7/15 7/16 7/17 7/18  
 think [8] 4/17 8/16 8/25 9/4 11/6 11/9 11/12 11/14  
 this [28]  
 those [8] 4/16 4/18 9/23 9/25 10/25 11/12 12/2 13/4  
 though [1] 4/19  
 thought [1] 5/15  
 thousand [1] 8/21  
 three [3] 2/19 4/3 12/14  
 ties [3] 7/25 9/21 9/24  
 time [20]  
 timely [1] 4/1  
 today [5] 2/5 3/20 7/15 13/18 13/25  
 touched [1] 12/2  
 transcribed [1] 15/11  
 transcript [4] 1/23 7/5 15/8 15/12  
 transcription [1] 15/11  
 traveling [1] 6/8  
 trial [4] 6/20 6/24 7/2 13/3  
 tried [2] 3/23 12/8  
 true [1] 15/12  
 two [2] 2/19 4/22

**U**

um [4] 8/11 8/13 8/15 11/22  
 understand [1] 6/17  
 understanding [2] 2/14 3/16  
 unless [1] 5/24  
 unrelated [1] 10/8  
 up [3] 8/9 9/11 10/16  
 us [2] 4/17 4/22  
 used [2] 9/17 9/18

**V**

value [1] 13/14  
 venturing [1] 12/21  
 venue [1] 3/17  
 very [6] 2/13 3/15 3/25 4/16 7/24 10/22

victims [1] 10/24  
 violate [2] 9/5 10/13  
 violating [1] 11/21  
 violence [4] 9/17 9/18 10/20 10/23  
 violent [2] 12/19 12/24  
 visited [1] 10/3

**W**

waive [1] 3/10  
 want [2] 5/12 11/20  
 warrant [1] 12/4  
 warrants [1] 4/15  
 was [14] 5/11 7/24 8/3 8/4 8/5 8/7 8/9 8/12 9/6 9/11 9/17 10/21 12/9 13/12  
 we [19]  
 we'll [1] 3/10  
 we're [3] 7/12 11/18 13/24  
 week [1] 5/20  
 weigh [1] 9/25  
 well [4] 2/13 3/15 3/25 10/7  
 were [3] 4/15 5/15 12/19  
 what [3] 4/21 4/25 11/18  
 what's [1] 13/12  
 when [4] 7/24 8/3 9/10 9/13  
 whether [1] 12/18  
 which [4] 4/8 7/8 12/16 12/23  
 will [18]  
 willing [1] 7/16  
 Willis [1] 1/11  
 WISCONSIN [7] 1/1 1/3 1/14 2/2 2/7 15/1 15/6  
 wishes [1] 3/17  
 withdraw [1] 3/21  
 within [1] 2/24  
 without [1] 2/25  
 wondering [1] 5/11  
 wording [1] 8/25  
 work [3] 4/20 5/9 6/6  
 works [1] 6/10  
 worth [2] 7/20 11/6  
 would [15] 4/7 4/12 4/21 5/11 6/9 7/14 8/11 8/19 8/22 8/22 9/2 9/4 9/7 11/20 13/10

**Y**

yard [3] 7/19 8/4 10/16  
 Yes [2] 6/21 11/5  
 you [14] 4/11 5/11 5/15 5/15 6/22 6/24 7/8 9/5 9/10 11/2 13/16 13/21 14/1 14/2  
 your [16]