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STATE OF WISCONSIN

CIRCUIT COURT
BRANCH

DANE COUNTY

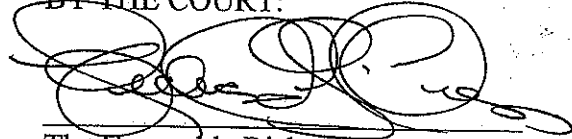
In the matter of a request to seal
Search Warrant 1

ORDER

IT IS HEREBY ORDERED, on request of the State of Wisconsin, and for the reasons stated, that the Complaint for Search Warrant 1, Search Warrant 1, and the Return of Search Warrant 1 are sealed for a period not exceeding 60 days.

DATED at Madison, Wisconsin this 7 day of April, 2008.

BY THE COURT:



The Honorable Richard Niess
Dane County Circuit Court
Branch 9

CIRCUIT COURT
2008 APR -7 PM 4:10
DANE COUNTY, WI

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH

DANE COUNTY

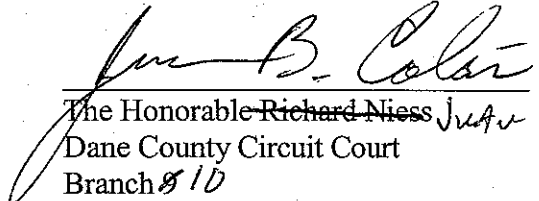
In the matter of a request to seal
Search Warrant 1

ORDER

IT IS HEREBY ORDERED, on request of the State of Wisconsin, and for the reasons stated, that the Complaint for Search Warrant 1, Search Warrant 1, and the Return of Search Warrant 1, as well as the Affidavits filed in support of the sealing of this warrant, are sealed for a period not exceeding 90 days.

DATED at Madison, Wisconsin this 2 day of ^{June} ~~May~~, 2008.

BY THE COURT:


The Honorable ~~Richard Niess~~
Dane County Circuit Court
Branch ~~810~~

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CIRCUIT COURT
DANE COUNTY

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STATE OF WISCONSIN

CIRCUIT COURT
BRANCH

DANE COUNTY

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In the matter of a request to seal
Search Warrant 1

FILED
AUG 28 2008
STATE OF WISCONSIN
CIRCUIT COURT FOR DANE CTY.

ORDER

IT IS HEREBY ORDERED, on request of the State of Wisconsin, and for the reasons stated, that the Complaint for Search Warrant 1, Search Warrant 1, Return of Search Warrant 1, and all documents relating to the sealing of Search Warrant 1, are sealed for a period not exceeding 90 days.

DATED at Madison, Wisconsin, this 28 day of August 2008.

BY THE COURT:

Sarah B. O'Brien

The Honorable SARAH B. O'BRIEN
Dane County Circuit Court
Branch 16

*Findings contained in this
envelope for Search Warrants
1-127*

08SW9
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STATE OF WISCONSIN

CIRCUIT COURT
BRANCH

DANE COUNTY

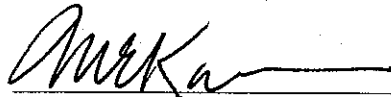
In the matter of a request to seal
Search Warrant 1

MOTION

COMES NOW The State of Wisconsin, by Assistant District Attorney Mary Ellen Karst, and hereby moves this court for an Order sealing the Complaint for Search Warrant, Search Warrant, and Return of Search Warrant for the residence located at 517 West Doty Street, Madison Wisconsin, herein designated as "Search Warrant 1". Grounds for this Motion are set forth in the attached Affidavit of Detective Al Rickey pursuant to State v. Cummings, 199 Wis. 2d 721 (1996).

DATED at Madison, Wisconsin, is 7th day of April, 2008.

Respectfully submitted:



Mary Ellen Karst
Assistant District Attorney
Dane County, Wisconsin
State Bar No. 1001844

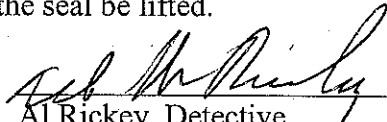
CIRCUIT COURT
2008 APR -7 PM 4:10
DANE COUNTY, WI

085W9
[Signature]


AFFIDAVIT

Your Affiant, being duly sworn under oath, states as follows:

1. That your Affiant is a detective employed by the Madison Police Department involved in the investigation of the death of Brittany Zimmerman in her home at 517 W. Doty Street, Madison, Wisconsin, on April 2, 2008;
2. That a warrant was signed by The Honorable Richard Niess, Dane County Circuit Court, Branch 9, authorizing the search of this residence on April 2, 2008, for evidence of the homicide of Ms. Zimmerman;
3. That your Affiant participated in the execution of this search warrant and return of the same;
4. That this is an ongoing investigation and no one has yet been charged with this crime;
5. That your Affiant requests this warrant and attending documents be sealed to prevent witnesses from conforming their testimony to media reports and to prevent future suspects from knowing what information the investigative agencies already possess when interviewing them;
6. That your Affiant requests 60 days due to the complexity of the investigation and the need for time for the Wisconsin State Crime Laboratory to analyze physical evidence; that should charges be issued in connection with this crime prior thereto, Affiant will notify the court and ask that the Order authorizing the seal be lifted.


 Al Rickey, Detective
 Madison Police Department

Subscribed and sworn to before me
 This 7 day of April, 2008.


 My commission: is renewed

CIRCUIT COURT
 2008 APR -7 PM 4:10
 DANE COUNTY, WI

085W9

pw

SEARCH WARRANT

STATE OF WISCONSIN)

) ss.

In the Circuit Court of the
County of Dane.

COUNTY OF DANE)

THE STATE OF WISCONSIN, to the Sheriff, or any other peace officer for said County: WHEREAS, Detective Marion Morgan has this day complained in writing to this Court of the County of Dane, upon oath that on April 2, 2008, in the City of Madison, County of Dane, that there is now located and concealed in and upon certain premises and vehicle, located in the City of Madison, in said County, and more particularly described as follows:

517 West Doty Street, Apt. 1. 517 West Doty Street is a multi-story, light green house with darker green window trim located on the south side of West Doty Street in the 500 block. The residence has a white wood-framed front porch with gray steps and landing. The front door to this residence faces north and is a wood door, white in color. The door has a window centered on the door approximately 6 inches wide by 24 inches high. There is a for rent sign affixed to the residence immediately adjacent to the west side of the front door indicating the premises for rent through the Wisconsin Management Company. The numerals 517 are affixed to the eastern-most upright post for the front porch and are black in color and each numeral is approximately 3 inches in height.

Apt. 1 is located on the ground level of this residence and the front door to this apartment faces west. Apt. 1 is the only apartment located on the first floor of 517 West Doty Street. The numeral "1" is affixed approximately 6 feet from ground level and is dark in color, centered on the door. The front door of Apt. 1 is dark-stained wood.

A 1999 Volkswagen Golf GLS 4-door hatchback, black in color, bearing Wisconsin registration SFS-219, with Vehicle Identification No. WVGGA31J4XW493970. The aforesaid vehicle is registered to Dennis E. Gonnering, S625 Karau Avenue, Marshfield, WI, 54449. Dennis Gonnering is the father of Jordan Gonnering who resides at 517 West Doty Street, Apt. 1, with the decedent Brittany S. Zimmermann. The aforesaid vehicle is parked on the street in front of 517 West Doty Street in the city of Madison, Dane County, WI.

certain things, to-wit:

Any and all firearms, firearm ammunition and casings, paraphernalia or documents associated with firearms, including but not limited to magazines and storage devices. Any and all edged weapons, including knives, razor blades, etc. Any and all items that appear to have been used or fashioned to cause injury to a human body.

Any documents tending to identify the occupant(s) of 517 West Doty Street, Apt. 1, including but not limited to utility bills, telephone bills, lease, keys, etc.

DANE COUNTY, WI
2008 APR -7 PM 4:10
CIRCUIT COURT

Any and all clothing items or fabric, bedding, etc., with blood and/or any other biological substances or other potential trace evidence present on them.

Any and all cell phones, PDAs, telephones, answering machines, and other electronic data devices, including but not limited to data contained within the device, including phone information, carrier information, assigned phone number, contact lists and address books; logs of recent incoming, outgoing, and missed calls; photographs or other digital images; voicemail messages, incoming or outgoing text messages; passwords; calendars or date books; and any information stored in memo or note pad format,

Any and all computers and computer hardware consisting of all such equipment that can collect, analyze, create, display, convert, conceal, or transmit electronic, magnetic, optical, or similar computer impulses or data, to include but not limited to desktop, laptop, and handheld computers; internal and peripheral storage devices, such as hard drives, floppy disks, zip disks, CD ROM and CD-RW disks, DVD and DVD-RW, data cartridges, compact flash memory cards, memory sticks, thumb drives and other magnetic or optical memory storage devices; peripheral input/output devices, such as keyboards, printers, fax machines, digital cameras, scanners, video display monitors, and optical readers, reproducing devices capable of interfacing with computers and related communications devices, that can be used to transmit or receive information to or from a computer; also, to view and examine all written and electronic storage media devices including, but not limited to data contained on hard drives, computer disks, zip disks, CD ROMS, DVDs and written records and notes regarding computer usage.

which things may constitute evidence of a crime, to-wit: **First Degree Intentional Homicide**, committed in violation of Section(s) 940.01 of the Wisconsin Statutes; and prayed that a Search Warrant be issued to search said premises and vehicle for the property aforesaid.

NOW, THEREFORE, in the name of the State of Wisconsin, you are commanded forthwith to search the said premises and vehicle for the property aforesaid, and return this Warrant within forty-eight hours, before the said Court.

WITNESS, the Honorable Richard G. Niss, Judge of Circuit Court,


Branch 9, Dane County, Wisconsin, this 2nd day of April 2008.



Judge

ENDORSEMENT

Received by me this 2nd day of April, 2008, at 6¹⁰ o'clock P M



(Peace Officer)

08SW9
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SEARCH WARRANT RETURN

STATE OF WISCONSIN)

) ss.

In the Circuit Court of the
County of Dane.

COUNTY OF DANE)

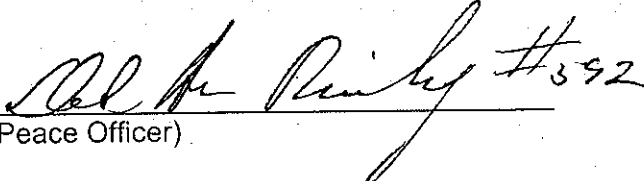
RETURN OF OFFICER

Dated this 7th day of April, 2008, in the City of Madison Wisconsin,
I hereby certify that by virtue of the within Warrant, I searched the within named
premises and found the following:

- CELL PHONE PARTS
- USED TISSUE PAPER
- MEN'S TENNIS SHOES
- JANSPORT BACKPACK WITH CONTENTS
- PURSE AND WALLET FROM JANSPORT BACKPACK
- SAMSONITE BACKPACK WITH CONTENTS
- WOMEN'S COAT, GAP BRAND, SIZE SMALL
- TWO KNIVES
- DIGITAL CAMERA
- PHONE CHARGER
- FIVE ASSORTED KNIVES
- HP COMPUTER, PAVILION 735n
- IPOD SHUFFLE
- KNIFE BLOCK CONTAINING ASSORTED KNIVES, SCISSORS AND SHARPENER
- KNIFE FROM SINK AREA
- KNIFE FROM SINK AREA
- BLOODY WOMENS SLIPPERS
- GLASSES
- BEDSPREAD, SHEETS AND PILLOWCASES
- DELL COMPUTER- DIMENSION 4700 SERVICE TAG #8VMZZ71
- VERIZON PHONE BOX
- DIAMOND RING
- RECYCLABLES
- PAPER TOWEL WITH UNKNOWN RED SUBSTANCE
- PERSONAL DOCUMENTS IDENTIFYING ZIMMERMANN AND GONNERING
- WOMEN'S PURSE
- FORK WITH BENT TINES
- YELLOW MPD ISSUE EMERGENCY BLANKET
- LEATHERMAN TOOL
- BEADED RIBBON
- DEADBOLT LOCK MECHANISM 1/2 INCH EXTENSION
- METAL CYLINDER LOCK MECHANISM
- "RED STRIPE" BOTTLE CAP
- HAIR
- METAL DEAD BOLT PLATE

CIRCUIT COURT
2008 APR - 7 PM 4:10
DANE COUNTY, WI

FAUCET HANDLES SINK
THREAD
METAL DEADBOLT PLATE
STANDARD COMPUTER PAPER WITH SUSPECTED BLOOD DROPS
FRAME FROM PICTURE
18 BLOOD SAMPLES
12 CONTROL SAMPLES
23 SWABS FOR DNA
9 ELECTROSTATIS LIFTER-PARTIAL FOOTWEAR PRINTS
10 RECOVERED PRINTS
GRAY T-SHIRT WITH STAINS
CAT TOY
ELECTRIC BLANKET CORD
FITTED BEDSHEET
OTHER STAIN SWABS AND CONTROL SWABS
2 SINK TRAPS AND CONTENTS



(Peace Officer)

08SW9 PW

COMPLAINT FOR SEARCH WARRANT

STATE OF WISCONSIN)

) ss.

In the Circuit Court of the
County of Dane

COUNTY OF DANE)

Detective Marion Morgan, being duly sworn on oath complains to the said Court of the County of Dane, that on April 2, 2008, in the City of Madison, County of Dane, that there is now located and concealed in and upon certain premises, in the City of Madison, in said County, and more particularly described as follows:

2500 APR -7 PM 4:10
DANE COUNTY, WI
CIRCUIT COURT

517 West Doty Street, Apt. 1. 517 West Doty Street is a multi-story, light green house with darker green window trim located on the south side of West Doty Street in the 500 block. The residence has a white wood-framed front porch with gray steps and landing. The front door to this residence faces north and is a wood door, white in color. The door has a window centered on the door approximately 6 inches wide by 24 inches high. There is a for rent sign affixed to the residence immediately adjacent to the west side of the front door indicating the premises for rent through the Wisconsin Management Company. The numerals 517 are affixed to the eastern-most upright post for the front porch and are black in color and each numeral is approximately 3 inches in height.

Apt. 1 is located on the ground level of this residence and the front door to this apartment faces west. Apt. 1 is the only apartment located on the first floor of 517 West Doty Street. The numeral "1" is affixed approximately 6 feet from ground level and is dark in color, centered on the door. The front door of Apt. 1 is dark-stained wood.

A 1999 Volkswagen Golf GLS 4-door hatchback, black in color, bearing Wisconsin registration SFS-219, with Vehicle Identification No. WVWGA31J4XW493970. The aforesaid vehicle is registered to Dennis E. Gonnering, S625 Karau Avenue, Marshfield, WI, 54449. Dennis Gonnering is the father of Jordan Gonnering who resides at 517 West Doty Street, Apt. 1, with the decedent Brittany S. Zimmermann. The aforesaid vehicle is parked on the street in front of 517 West Doty Street in the city of Madison, Dane County, WI.

certain things, to-wit:

Any and all firearms, firearm ammunition and casings, paraphernalia or documents associated with firearms, including but not limited to magazines and storage devices. Any and all edged weapons, including knives, razor blades, etc. Any and all items that appear to have been used or fashioned to cause injury to a human body.

Any documents tending to identify the occupant(s) of 517 West Doty Street, Apt. 1, including but not limited to utility bills, telephone bills, lease, keys, etc.

Any and all clothing items or fabric, bedding, etc., with blood and/or any other biological substances or other potential trace evidence present on them.

Any and all cell phones, PDAs, telephones, answering machines, and other electronic data devices, including but not limited to data contained within the device, including phone information, carrier information, assigned phone number, contact lists and address books; logs of recent incoming, outgoing, and missed calls; photographs or other digital images; voicemail messages, incoming or outgoing text messages; passwords; calendars or date books; and any information stored in memo or note pad format,

Any and all computers and computer hardware consisting of all such equipment that can collect, analyze, create, display, convert, conceal, or transmit electronic, magnetic, optical, or similar computer impulses or data, to include but not limited to desktop, laptop, and handheld computers; Internal and peripheral storage devices, such as hard drives, floppy disks, zip disks, CD ROM and CD-RW disks, DVD and DVD-RW, data cartridges, compact flash memory cards, memory sticks, thumb drives and other magnetic or optical memory storage devices; peripheral input/output devices, such as keyboards, printers, fax machines, digital cameras, scanners, video display monitors, and optical readers; reproducing devices capable of interfacing with computers and related communications devices, that can be used to transmit or receive information to or from a computer; also, to view and examine all written and electronic storage media devices including, but not limited to data contained on hard drives, computer disks, zip disks, CD ROMS, DVDs and written records and notes regarding computer usage.

Which things may constitute evidence of a crime, to-wit: **First Degree Intentional Homicide**, committed in violation of Section(s) 940.01 of the Wisconsin Statutes. That the facts tending to establish grounds for issuing a Search Warrant are as follows:

FACTS:

Your complainant, Detective Marion Morgan, is a Detective with the City of Madison Police Department, currently assigned to the Central District Investigative Services Bureau of the Madison Police Department and states she has 27 years experience in law enforcement.

On Wednesday, April 2, 2008, at 1:08 pm, your complainant responded with many other detectives and officers to 517 West Doty Street, Apt. 1, based on information provided by Dispatch that a caller was on the phone indicating that his girlfriend had been shot, she was unconscious, and was not breathing. Dispatch further advised that the caller stated that the female had been shot to the chest.

Your complainant responded to the scene with Det. Dave Miller at approximately 1:15 pm. Upon arrival at the scene, your complainant contacted two uniformed officers who

were standing by with a white male who verbally identified himself as Jordan C. Gonnering, DOB 12/19/85, address of 517 West Doty Street, apt. 1. Your complainant observed that Gonnering was visibly upset, he was crying, trembling, and appeared to be in shock. His face was blanched and his eyes were fixed and forward. Your complainant observed that Gonnering was wearing a gray sweatshirt, dark pants, and white socks.

Your complainant asked Gonnering if he could advise her what had happened. Gonnering became even more upset and started sobbing. He stated, "She was the nicest person ever. Who would do this?" Your complainant asked Gonnering to whom he was referring. Gonnering advised your complainant that his girlfriend, Brittany S. Zimmermann, was hurt in their apartment.

Your complainant asked Gonnering when he had found Zimmermann "hurt" in their apartment at 517 West Doty Street, Apt. 1. He stated, "Less than a minute before I called 911. I walked into the apartment and I saw her. I noticed she was laying there. I called 911, talked to the Dispatcher. The Dispatcher told me to look for something in her mouth to see if something was blocking her breathing. I touched her mouth, I touched her stomach, she was unconscious. She was cold, her fingers were stiff. I couldn't open her mouth. There was blood on her face. The police came, and they brought me outside."

In response to your complainant's questions, Gonnering advised your complainant that he had last spoken with and seen Zimmermann at approximately 11:30 am on 4/2/08. Gonnering advised your complainant that he had phoned Zimmermann from his cell phone to her cell phone at 11:30 am and that while talking to her on the cell phone, he was on a balcony adjacent to the Van Hise building on the UW Madison campus and saw Zimmermann standing outside of the Van Hise building on the ground floor.

Gonnering further advised your complainant that shortly after entering his apartment, he observed Zimmermann's body in the residence. He advised your complainant that he did not have time to notice if any items had been taken from their apartment. He advised that when he left their apartment in the morning on 4/2/08, both his computer and Zimmermann's desktop computers were in the apartment.

Your complainant asked Gonnering if he and/or Zimmermann have a vehicle. Gonnering advised your complainant that they operate a 1999 Volkswagen Golf bearing Wisconsin registration SFS-219 registered to Gonnering's father Dennis E. Gonnering. Gonnering advised your complainant that the car is parked out in front of the residence at 517 West Doty Street.

On Wednesday, April 2, 2008, at 5:02 pm, your complainant spoke by phone with Dane County Deputy Coroner Jeff Sholtz. Deputy Coroner Sholtz advised your complainant that he had been at the scene at 517 West Doty Street, Apt. 1, and had viewed the body of Brittany S. Zimmermann. Deputy Coroner Sholtz advised your complainant that based on his training and experience and his direct observations of Zimmermann's body, he pronounced her deceased at 1:34 pm on April 2, 2008. Deputy Coroner Sholtz then based his pronouncement on signs of injuries visible to his eye, carotid pulse check was negative, paramedic cardiac monitor showed no cardiac rhythm. Her death appeared to be inconsistent with natural causes or an accident.

Your complainant knows from responding to the scene that from the time she and other Madison Police Department officers and detectives arrived and made entry to 517 West

Doty Street, Apt. 1, to respond to the 911 call that Madison Police Department staff has maintained standing and control at 517 West Doty Street, Apt. 1.

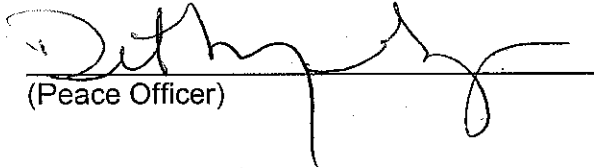
Your complainant is requesting a search warrant be issued to allow the Madison Police Department staff to investigate and collect any and all evidence to assist in determining the exact manner of Zimmermann's death and the person or persons responsible for her death. Your complainant believes that all of the items listed as the items for which we are searching will assist us in determining the manner of her death, the time of her death, and the person or persons responsible for causing her death.

Your complainant knows from previous experience that Deputy Coroner Jeff Sholtz is truthful and reliable in that she has worked with him in the past and relied upon his professional expertise during the course of death investigations and found him to be truthful and reliable.

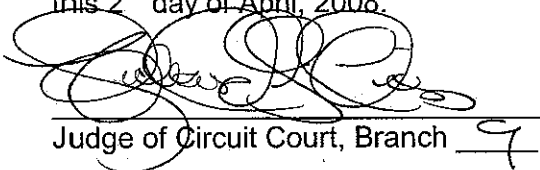
Your complainant believes that citizen Jordan C. Gonnering is truthful and reliable and that the information he provided to her is information to which he has personal knowledge based on his history and experience with the decedent, Brittany S. Zimmermann, and the scene.

Your complainant has personally viewed 517 West Doty Street which is in the city of Madison, Dane County, Wisconsin.

WHEREFORE, complainant prays that a Search Warrant be issued to search said premises and vehicle for the property aforesaid.


(Peace Officer)

Subscribed and sworn to before me
this 2nd day of April, 2008.


Judge of Circuit Court, Branch 9

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH

DANE COUNTY

In the matter of a request to seal
Search Warrant 1

MOTION

COMES NOW the State of Wisconsin, by Assistant District Attorney Mary Ellen Karst, and hereby moves this court for an Order sealing the Complaint for Search Warrant 1, Search Warrant 1, Return of Search Warrant 1 and all documents related to the sealing of Search Warrant 1. Grounds for this Motion are set forth in the attached Affidavits of Detective David Miller pursuant to State v. Cummings, 199 Wis. 2d 721 (1996).

DATED at Madison, Wisconsin this 27th day of August, 2008.

Respectfully submitted:



Mary Ellen Karst
Assistant District Attorney
Dane County, Wisconsin
State Bar No. 1001844

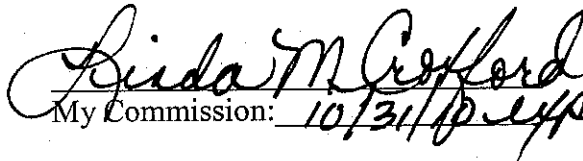
AFFIDAVIT

1. That your affiant is a detective employed by the City of Madison Police Department assigned as the lead investigator in the investigation of the homicide of Brittany Zimmerman on April 2, 2008, and is familiar with all search warrants previously returned and ordered sealed by Judges Colas and Niess in connection with that investigation.
2. That the orders sealing said search warrants expire on or about September 6, 2008.
3. That the facts set forth in the Affidavits your affiant previously executed in connection with each of these search warrants (and copies of which are attached hereto and incorporated herein) are still true and applicable as of the date this document is subscribed and sworn to by your affiant below.
4. That your affiant requests that each of these search warrants, identified as Search Warrants 1-7, inclusive, be sealed for an additional 90 days.
5. That should criminal charges be issued as against anyone for this crime prior to the expiration of that 90 day period, your affiant will notify this court of same and agree that the search warrants no longer should remain sealed.



David Miller
Detective, Madison Police Department

Subscribed and sworn to before me
This 28th day of August, 2008.


My Commission: 10/31/08 expiration

AFFIDAVIT

YOUR AFFIANT, being duly sworn under oath, states as follows:

1. That your Affiant is a detective employed by the Madison Police Department and is the lead investigator involved in the investigation of the death of Brittany Zimmerman in her home at 517 W. Doty Street, Madison, Wisconsin, on April 2, 2008.
2. That a warrant was signed by the Honorable Richard Niess, Dane County Circuit Court, Branch 9, authorizing the search of this residence on April 2, 2008, for evidence of the homicide of Ms. Zimmerman.
3. That your Affiant participated in the execution of this search warrant and has become aware of the return of the same by Detective Al Rickey, MAPD.
4. That on April 7, 2008, Judge Niess entered on Order upon application by the State of Wisconsin sealing all documents related to this warrant for a period not exceeding 60 days.
5. That this is an ongoing investigation and no one yet has been charged with this crime.
6. That your Affiant requests this warrant and attending documents be sealed to prevent witnesses from conforming their testimony to media reports and to prevent future suspects from knowing what information the investigative agencies already possess when interviewing them. Specifically, your Affiant has already encountered the following in this investigation:
 - a minimum of four independent individuals who have made incriminating statements inculcating themselves in this homicide all of whom your Affiant has excluded as suspects;
 - multiple persons interviewed who have not been able to distinguish what they know from their own knowledge with what has been reported in the media.
7. Your Affiant states that additional time is needed due to the complexity of this investigation. As this appears to be a stranger homicide, the pool of potential suspects and witnesses is extremely large, resulting in a much more time-consuming investigation. Despite due diligence, given this enormous number of people, these interviews are not yet complete.
8. That because this homicide is of not only local, but national, interest, every release of information is dispersed more widely, becoming known to more people, than is ordinary, and would tend to affect the integrity of the investigation, as it has already done. as demonstrated above.

9. Your Affiant also requests these documents be sealed to prevent knowledge of forensic evidence possessed by the MAPD from becoming public knowledge. If this information is released, it would give the killer greater incentive to flee.

10. Your Affiant also requests these documents be sealed to allow the Wisconsin State Crime Laboratory additional time to complete their analysis of the physical evidence and further for the police to receive the results of their analysis and apply those results accordingly and meaningfully to the investigation.

11. Your Affiant wishes to protect the reputation of persons being investigated by preventing disclosure of untrue and irrelevant statements.


12. Your Affiant states that although the original sealing was for not more than 60 days, now that your Affiant has been involved nonstop in this investigation since its inception, it has become apparent that this investigation is likely to take considerably more time and therefore requests sealing for a period not to exceed ninety days.

13. Your Affiant states that should a person or persons be charged with this crime prior to the expiration of the 90 days, your Affiant will return to court and ask that the seal be lifted.



David J. Miller, Detective
Madison Police Department

Subscribed and sworn to before me
This 30th day of May, 2008.


My commission: expires 10/31/10

August 29, 2008

In response to a request by Detective Dave Miller, MPD, to extend the secrecy orders on 7 search warrants for an additional 90 days, I considered the following information:

1. I reviewed all 7 search warrant applications, warrants and returns.
2. I had an in depth discussion with Det. Miller regarding each of the 7 warrants.
3. I considered that the public has a keen interest in this homicide investigation, because of the fact that the perpetrator(s) have not been apprehended and because of the controversy surrounding the 911 call.
4. Several of the warrants reveal the manner of death. This information has not been made public and it is important to keep it confidential to assist the police in determining whether particular suspect(s) have information that could only be known if they were involved in the crime.
5. Several of the warrants reveal that the perpetrator(s) left DNA at the scene. Det. Miller assured me that given the nature of the evidence, the perpetrator(s) would not assume that he/she had left DNA evidence at the scene. For example, there is no blood at the scene from the perpetrator(s).
6. If the fact that DNA evidence is available was made public, the perpetrator(s) would have increased motivation to flee.
7. Several warrants reveal the identity of suspects who have been questioned. Police conducted extensive questioning of these suspects, including questions about various details of the crime which have not been made public. If the identity of these suspects was made public, they could be questioned and as a result previously confidential information about the crime and the crime scene would become public. This would hamper the investigation for reasons described in #4, above.

Weighing all of these factors, I believe it is in the public's interest for the search warrants to be sealed for an additional 90 days and that was ordered.

Dated: August 29, 2008

By the Court:



Sarah B. O'Brien
Circuit Court Judge

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH

DANE COUNTY

In the matter of a request to seal
Search Warrant 1

MOTION

COMES NOW The State of Wisconsin, by Assistant District Mary Ellen Karst, and hereby moves this court for an Order sealing the Complaint for Search Warrant, Search Warrant, Return of Search Warrant and Affidavits in support of sealing the Search Warrant for the residence located at 517 West Doty Street, Madison, Wisconsin, herein designated as "Search Warrant 1". Grounds for this Motion are set forth in the attached Affidavit of Detective David Miller pursuant to State v. Cummings, 199 Wis. 2d 721 (1996).

DATED at Madison, Wisconsin this 29th day of May, 2008.

Respectfully submitted:



Mary Ellen Karst
Assistant District Attorney
Dane County, Wisconsin
State Bar No. 1001844

AFFIDAVIT

YOUR AFFLIANT, being duly sworn under oath, states as follows:

1. That your Affiant is a detective employed by the Madison Police Department and is the lead investigator involved in the investigation of the death of Brittany Zimmerman in her home at 517 W. Doty Street, Madison, Wisconsin, on April 2, 2008.
2. That a warrant was signed by the Honorable Richard Niess, Dane County Circuit Court, Branch 9, authorizing the search of this residence on April 2, 2008, for evidence of the homicide of Ms. Zimmerman.
3. That your Affiant participated in the execution of this search warrant and has become aware of the return of the same by Detective Al Rickey, MAPD.
4. That on April 7, 2008, Judge Niess entered an Order upon application by the State of Wisconsin sealing all documents related to this warrant for a period not exceeding 60 days.
5. That this is an ongoing investigation and no one yet has been charged with this crime.
6. That your Affiant requests this warrant and attending documents be sealed to prevent witnesses from conforming their testimony to media reports and to prevent future suspects from knowing what information the investigative agencies already possess when interviewing them. Specifically, your Affiant has already encountered the following in this investigation:
 - a minimum of four independent individuals who have made incriminating statements inculcating themselves in this homicide all of whom your Affiant has excluded as suspects;
 - multiple persons interviewed who have not been able to distinguish what they know from their own knowledge with what has been reported in the media.
7. Your Affiant states that additional time is needed due to the complexity of this investigation. As this appears to be a stranger homicide, the pool of potential suspects and witnesses is extremely large, resulting in a much more time-consuming investigation. Despite due diligence, given this enormous number of people, these interviews are not yet complete.
8. That because this homicide is of not only local, but national, interest, every release of information is dispersed more widely, becoming known to more people, than is ordinary, and would tend to affect the integrity of the investigation, as it has already done, as demonstrated above.

9. Your Affiant also requests these documents be sealed to prevent knowledge of forensic evidence possessed by the MAPD from becoming public knowledge. If this information is released, it would give the killer greater incentive to flee.

10. Your Affiant also requests these documents be sealed to allow the Wisconsin State Crime Laboratory additional time to complete their analysis of the physical evidence and further for the police to receive the results of their analysis and apply those results accordingly and meaningfully to the investigation.

11. Your Affiant wishes to protect the reputation of persons being investigated by preventing disclosure of untrue and irrelevant statements.

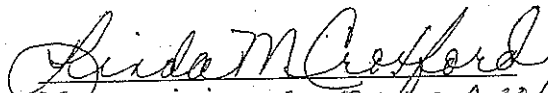
12. Your Affiant states that although the original sealing was for not more than 60 days, now that your Affiant has been involved nonstop in this investigation since its inception, it has become apparent that this investigation is likely to take considerably more time and therefore requests sealing for a period not to exceed ninety days.

13. Your Affiant states that should a person or persons be charged with this crime prior to the expiration of the 90 days, your Affiant will return to court and ask that the seal be lifted.



David J. Miller, Detective
Madison Police Department

Subscribed and sworn to before me
This 30th day of May, 2008.


My commission: expires 10/31/10