

18-104

SEARCH WARRANT

DATE FILED: December 5, 2018

IN THE (DISTRICT) (COUNTY) COURT, TELLER COUNTY, STATE OF COLORADO
CRIMINAL ACTION NUMBER _____

Whereas Commander Christopher Adams #1220 has made an Application and Affidavit to the Court for the issuance of a Search Warrant, and;

Whereas the application is in proper form and probable cause is found for the issuance of a Search Warrant to search the person(s) and or premises specified in the application.

THEREFORE, the applicant, and any other peace officer into whose hands this Search Warrant shall come, is hereby ordered, with the necessary and proper assistance, to enter and search within the next ten (10) days the person, premises, location and any appurtenances thereto, description of which is: Dark Colored 2006 Toyota Corolla bearing Colorado License plate DIV493, VIN 1NXBR32E86Z744323 currently located at 269 E Lake Ave, City of Woodland Park, County of Teller and State of Colorado.

The following person(s), property or thing(s) will be searched for, and if found seized:
See Attachment "B"

as probable cause has been found to believe that it:

- (X) Is stolen or embezzled, or
- (X) Is designed or intended for use in committing a criminal offense, or
- (X) Is or has been used as a means of committing a criminal offense, or
- (X) Is illegal to possess, or
- (X) Would be material evidence in a subsequent criminal prosecution, or required, authorized or permitted by a statute of the State of Colorado, or
- (x) Is a person, property or thing the seizure of which is expressly required, authorized or permitted by a statute of the State of Colorado, or
- (x) Is kept, stored, transported, sold, dispensed, or possessed in violation of a statute of the State of Colorado under circumstances involving a serious threat to the public safety, or order, or to the public health.

(Mark "X" according to fact)

Furthermore, a copy of this warrant is to be left with the person whose premises or person is searched along with a list of any and all items seized at the time of its execution. If said person cannot be located or identified, a copy of the search Warrant and the list of property seized shall be left at the place from which the property was taken.

Further, a return shall be promptly made to this Court upon the execution of this Search Warrant along with an inventory of any property taken. The property seized shall be held in some safe place until the Court shall further order.

Done by the Court this 4th day of December, 2018.

Judge: [Signature]

(DISTRICT) (COUNTY) COURT, TELLER COUNTY, STATE OF COLORADO
CRIMINAL ACTION NUMBER _____

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

The undersigned, a peace officer as defined in 18-1-901 (3) (1), C.R.S. 1973 as amended, being first duly sworn on oath moves the Court to issue a Warrant to search those person(s) and/or premises known as: Dark Colored 2006 Toyota Corolla bearing Colorado License plate DIV493, VIN INXBR32E86Z744323 currently located at 269 E Lake Ave, City of Woodland Park, County of Teller and State of Colorado.

The undersigned states that there exists probable cause to believe that the following person, property or thing(s) to be searched for, and if found, seized will be found on the aforementioned person(s) and or premises and are described as follows:

See Attachment "B"

The grounds for the seizure of said person(s), property or thing(s) are that probable cause exists to believe that it: (X) Is stolen or embezzled, or () Is designed or intended for use as a means of committing a criminal offense, or () Is or has been used as a means of committing a criminal offense, or (X) Is illegal to possess, or (X) would be material evidence in a subsequent criminal prosecution, or (X) Is a person, property or thing the seizure of which is expressly required, authorized, or permitted by a statute of the State of Colorado, or (X) Is kept, stored, transported, sold, dispensed, or possessed in violation of the statute of the State of Colorado under circumstances involving a serious threat to the public safety, or order, or to the public health, (mark X according to the fact);

The facts submitted in support of this application are set for in the accompanying attachment designated as Attachment "A" which is attached hereto and made a part hereof.

Applicant: _____

Law enforcement agency: Woodland Park Police Department

Position: Commander

Sworn and subscribed before me this

4th

day of

December

20

14

Judge: _____

Wanda Edy Veb

ATTACHMENT "A"

The following Affidavit is made in support of a request for a Search Warrant to be issued a residence located Dark Colored 2006 Toyota Corolla bearing Colorado License plate DIV493, VIN INXBR32E86Z744323 currently located at 269 E Lake Ave, City of Woodland Park, County of Teller and State of Colorado.

Your Affiant is Commander Christopher Adams #1220, is a duly sworn and state certified police officer with the Woodland Park Police Department and has been employed as such since 2004 and is currently assigned to the Investigations Division.

All information contained in this affidavit can be found in Woodland Park Police Department Case Report No. 18-1530.

On 12-02-18, at On December 2, 2018, Corporal Currin was dispatched to 269 E. Lake Avenue in Woodland Park, Colorado for a welfare check. Cheryl Berreth called the Woodland Park Police Department, she has not heard from her daughter Kelsey Marie Berreth (DOB: 09/15/89).

Cheryl told Cpl. Currin she has contacted her daughter's boyfriend Patrick Frazee and Patrick told her he has not heard from her since last Sunday 11/25. Cheryl told me Patrick and Kelsey have a one year old daughter together named she is currently with Patrick. Cpl. Currin wrote that there were:

- No known planned vacations
- Both vehicles parked at the residence
- Package at the residence in the doorway along with a notice from Black hills energy
- Unusual for daughter

Cpl. Currin called Patrick at 1315 hours with the telephone number (719) 440-5759 provided to Cpl. Currin by Cheryl. Patrick told Cpl. Currin the last time he had any contact with Kelsey was a text message on the 25th. He told Cpl. Currin she was an employee at Doss Aviation in Pueblo, Colorado as a flight instructor. Patrick told Cpl. Currin that recently he returned all of Kelsey's belongings such as the spare key to her apartment, extra car key, a hand gun, and other belongings. He told Cpl. Currin they have grown apart and the extent of their relationship was their daughter. Cpl. Currin asked Patrick about depression and he denied any

At 1415 hours, Cpl. Currin, contacted Doss Aviation located at 1 William White Blvd. in Pueblo, Colorado (719) 423-8600. Cpl. Currin spoke to the security officer on duty, he advised he would return Cpl. Currin's call after he obtained any information. At approximately 1600 hours the security officer called and spoke with the dispatcher. The information obtained, Merle Merriak (719) 289-4514 is Kelsey's direct supervisor. He received a texted message from Kelsey last Sunday 11/25 stating she was going out of state to check on grandma.

Cpl. Currin called Cheryl and she was not aware of her daughter traveling to see her grandmother. Cheryl told Cpl. Currin her mother has Parkinson and Alzheimer, does not communicate on the telephone. Cheryl told Cpl. Currin she was going to call her dad. Cheryl later told Cpl. Currin she contacted her father and he has not heard from Kelsey.

MSU

At 1636 hours Cpl. Currin called (719) 289-4514 with negative result. Cpl. Currin was unable to leave a message.

On 12-03-18, MPO Beth Huber conducted follow up related to this case. MPO Huber wrote in her report "On December 3, 2018 I, Officer B. Huber #3601 of Woodland Park Police Department, contacted Cheryl Berreth to see if she had heard from Kelsey. Cheryl informed me she had contacted Kelsey's direct supervisor this morning. Kelsey again did not show up to work. Kelsey's direct supervisor attempted to contact Kelsey with no success. Cheryl said Patrick was attempting to work with Verizon to get text message transcripts in an attempt to determine if Kelsey was texting and to see if the texts would provide clues as to Kelsey's location.

I asked Cheryl if she would like to list Kelsey as missing. Cheryl said she would. Kelsey was entered into CCIC as a mission person, CIC: 124629897, NIC: M014878747 at 0944 hours.

I contacted Patrick to determine the last time he physically saw Kelsey. Patrick said the evening of 11/21 they spoke on the phone. Kelsey informed Patrick she wanted them to 'go their separate ways'. Kelsey said they had been growing apart. Patrick gave Kelsey all of her things back. Patrick said he and Kelsey talked about the custody of their daughter. Patrick said they both agreed they were both good parents and they would split custody 50/50. Patrick said Kelsey was not able to keep enough hours at work to maintain insurance for Kelsey. Kelsey asked for Patrick to pick up in 11/22. Patrick went to Kelsey's residence to pick up. No one was home. Patrick ran some errands in town then returned to Kelsey's residence. Patrick saw Kelsey in the alley way leading to the residence. They spoke in the alley way where Kelsey gave to Patrick. Patrick said he and Kelsey talked on the phone on both Friday, Saturday, and Sunday. The last time Patrick talked with Kelsey she told him she was going to study. She did not tell Patrick where she was physically located that day. Patrick said on Sunday 11/25 Kelsey texted "Do you even love me?" to Patrick. Patrick texted her back telling her he did. Days later he received notice his reply did not go through. Patrick said if he had any further information regarding Kelsey. Patrick said she is a 7th Day Adventist and does attend church, but does not know where (maybe one in Colorado Springs). Patrick said Kelsey does have PO Box 811 in Florissant.

At approximately 1105 hours, I attempted to call Kelsey's phone number. It went straight to voice mail. Being concerned Kelsey may be suicidal due to the depression and rehabilitation mentioned by Patrick to Corporal Currin and the fact Patrick informed Corporal Currin he returned Kelsey's gun to her, I contacted Verizon in an attempt to determine Kelsey's last known location. I spoke with Jinny at Verizon. Kelsey's phone was last operational in Gooding, Idaho approximately 6.30 miles from the tower heading in a west/southwest direction on 11/25 at approximately 1713 hours. Dispatch contacted Gooding dispatch. Gooding dispatch said there has been no contact with Kelsey in Gooding or the surrounding four counties searching back to November 1, 2018."

Based on this information, I applied for a search warrant on 12-03-18 for 269 E. Lake Ave, City of Woodland Park, County of Teller and State of Colorado. The warrant was signed by the Honorable Judge Kilgore. While searching the residence we recovered an IPAD, Notebook with passwords and Safeway receipt dated 11-22-18. While searching the residence, I observed the 2006 Toyota Corolla parked outside of the residence.


Today I met with Agents with Colorado Bureau of Investigation (CBI). Because of the suspicious circumstances surrounding Kelsey's disappearance CBI agreed to assist with the investigation. CBI Agent Gregg Slater requested another search of Kelsey's residence, curtilage, and vehicles be thoroughly searched. Agent Slater also arranged for a human decomposition K9 to respond to

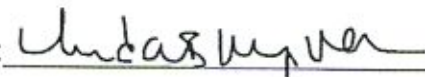
UNV

Kelsey's residence to assist with searching her residence and vehicles for the presence of human decomposition.

The vehicle is currently located at 269 E. Lake Ave, Woodland Park, Colorado. The vehicle will be towed back to the Woodland Park Police Department for the search.

Based on the aforementioned information, your Affiant respectfully requests that a Search Warrant be issued for a residence located at Dark Colored 2006 Toyota Corolla bearing Colorado License plate DIV493, VIN 1NXBR32E86Z744323 currently located at 269 E Lake Ave, City of Woodland Park, County of Teller and State of Colorado.

AFFIANT: 
Commander Christopher Adams #1220
Woodland Park Police Department

JUDGE: 

DATE: 12/4/18 TIME: 3:11 pm

ATTACHMENT "B"

The following items, if located during the search will be recovered as evidence.

1. Electronic devices to include cellular phones and computers,
2. Biological evidence including blood, saliva, semen, and or touch DNA, and/or items that may contain biological evidence,
3. Documents including receipts, bank records, child custody documents, and notebooks,
4. Latent prints,
5. Indicia of ownership
6. GPS or mapping devices
7. Clothing similar to the type victim was last known to be wearing
8. Bag, backpacks, and/or purses