

**APPLICATION FOR SEARCH WARRANT**

NOV 12 2009

DEANA AVERISMAN  
LAFAYETTE CO. CIRCUIT CLERK

STATE OF MISSOURI )  
  ) ss.  
COUNTY OF LAFAYETTE )

I, Kellie Wingate Ritchie, Lafayette County Prosecuting Attorney, and Applicant herein, being duly sworn, appears now before the undersigned Judge authorized to issue Warrants in criminal cases and makes this Application in support of the issuance of a Search Warrant, to search the following described person, place or thing:

Property located at [redacted] Bates City, Missouri. This property was owned by Burrell E. Mohler Sr. until July 19, 1995 when it was sold to Burrell E. Mohler Jr. This property is currently owned by [redacted] who is not a suspect in this case. According to the Lafayette County Assessor's Office, the two sections formerly owned by Burrell E. Mohler Sr. are located at [redacted] and [redacted]. The former Mohler residence is an A-Frame wooden structure located on [redacted]. This residence is tan in color with a dark brown roof. There is a garage located west of the residence with two white in color aluminum door

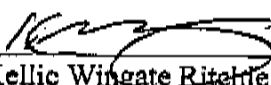
and to there search for and seize and make return thereof, according to law, the following person, place or thing, to wit:

1. Human remains, including but not limited to bones, hair, teeth, fibers, blood or any other trace evidence.
2. Any other evidence involved or connected with the allegation of a homicide.


Applicant being duly sworn deposes and states that the facts and circumstances stated to him as a prosecutorial official authorized to seek a search warrant as herein requested which constitute sufficient probable cause for the issuance of a search warrant under Section 542.271.1, R.S.Mo., are as follows:

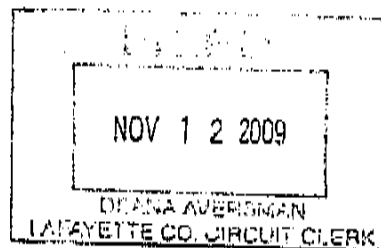
See affidavit of Investigator Cynthia L. Schroer, Lafayette County Sheriff's Department, attached hereto and incorporated herein in its entirety.

Wherefore this affiant prays that a search warrant for the search of the above described person, place or thing and the seizure of the above described property, things be issued by this court as herein requested.

  
Kellie Wingate Ritchie  
Prosecuting Attorney  
County of Lafayette

Subscribed and sworn to before me this 12<sup>th</sup> day of November, 2009, at 4:18  
a.m. (p.m.)

  
Notary Public



STATE OF MISSOURI            )  
   ) ss.  
 COUNTY OF LAFAYETTE        )

AFFIDAVIT

I, the undersigned affiant, Cynthia L. Schroer, after having been first duly sworn, do state and swear upon oath as follows:

Lafayette County Investigator Ray Burns received information of numerous criminal offenses having been perpetrated against six children with-in one family. An investigation into these allegations led to the arrests of five individuals who are currently charged with various felonies concerning the sexual assault and rape of these six children when they ranged from age six to twelve. Some of the witnesses described a girl who lived in the basement but they did not know her whereabouts or whether she was alive. They did not know her identity.

Following press coverage of the arrests, a witness came forward to say that she was held on the property at [REDACTED] Bates City, Missouri, 64011 in a basement area. She stated that she was abused by all five defendants. She recalls becoming pregnant twice while in captivity. Following her delivery of the first baby, she recounts that Burrell E. Mohler, Sr. and Burrell E. Mohler, Jr. buried the infant in the basement which at that time had a dirt floor. The infant was in a box. Within days of this event, the basement floor was covered with a layer of concrete.

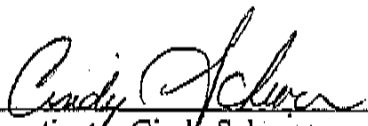
Acting on this report, on November 11, 2009, investigators contacted an employee of DNR-DER who is licensed to operate a ground-penetrating radar instrument to examine the location of the basement where the witness reported the infant was buried, specifically beneath the only window in the basement. The examination, which was conducted with the consent of the property owner, revealed a anomaly with 90 degree angles and flat sides buried approximately twelve inches below the concrete, consistent with the shape of a box. It is approximately 18-20 inches by 24-30 inches in size.

At the time this event was reported to have taken place, the property was owned by Burrell E. Mohler Sr. who is the father of Burrell E. Mohler Jr. Burrell E. Mohler Sr. purchased this property and the deed for the property was recorded on March 22, 1974. This property was owned by Burrell E. Mohler Sr. until July 19, 1995 when it was sold to Burrell E. Mohler Jr. This property is currently owned by [REDACTED] who is not a suspect in this case. According to the Lafayette County Assessor's Office, the two sections formerly owned by Burrell E. Mohler Sr. are located at [REDACTED] and [REDACTED].

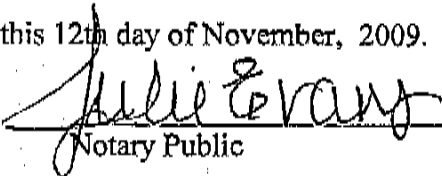
██████████. The former Mohler residence is an A-Frame wooden structure located on ██████████  
██████████. This residence is tan in color with a dark brown roof. There is a garage located west of  
the residence with two white in color aluminum door. There is a basketball goal located  
between the residence and the garage.

I am requesting that a search warrant be issued for the purpose of entering upon the  
property located at ██████████ Bates City, Missouri and for the purpose of  
cutting concrete in order to identify the box-shaped item beneath the basement floor of the  
property formerly owned by Burrell E. Mohler Sr. when this murder is said to have taken  
place.

AFFIANT FURTHER, affiant saith naught.

  
Investigator Cindy Schroer  
Lafayette County Sheriff's Department

Subscribed and sworn to before me this 12th day of November, 2009.

  
Notary Public



JULIE EVANS  
My Commission Expires  
March 18, 2011  
Lafayette County  
Commission #07541191

**SEARCH WARRANT AUTHORIZING SEARCH FOR  
PHYSICAL EVIDENCE  
(Affidavit Made On Information And Belief)  
(Sec. 542.271, 542.276 RSMo. 1994)**

STATE OF MISSOURI            )  
  ) ss.  
COUNTY OF LAFAYETTE        )

IN THE CIRCUIT COURT OF LAFAYETTE COUNTY, MISSOURI

THE STATE OF MISSOURI TO ANY PEACE OFFICER IN THE STATE OF MISSOURI:

WHEREAS an application in writing duly verified by oath has been filed with the undersigned Judge of this court stating upon information and belief that the following persons, places or things:

- 1. Human remains, including but not limited to bones, hair, teeth, fibers, blood or any other trace evidence.
- 2. Any other evidence involved or connected with the allegation of a homicide

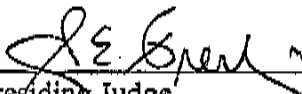
are believed to be present or located in the following described place in the County aforesaid to-wit:

Property located at [REDACTED] Bates City, Missouri, also described as [REDACTED] and [REDACTED]. The former Mohler residence is an A-Frame wooden structure located on [REDACTED]. This residence is tan in color with a dark brown roof. There is a garage located west of the residence with two white in color aluminum door

WHEREAS, the Judge of this Court from the sworn allegations of said complaint and from the supporting written affidavits filed therewith has found that there is probable cause to believe the allegations of the complaint to be true and probable cause for the issuance of a search warrant herein.

NOW THEREFORE, these are to command you that you search the said premises above described within ten days after the issuance of this warrant by day or night, and take with you, if need be, the power of your county, and, if said above described persons or items be found on said premises by you, that you seize the same and take same into your

possession, making a complete and accurate inventory of the persons so taken by you, if that be possible, and giving to such person a copy of this warrant, or, if no person be found, leaving said receipt and said copy upon the premises searched, and that you thereafter return the persons seized by you, together with a duly verified copy of the inventory thereof and with your return to this warrant to this court to be herein dealt with in accordance with law. Witness my hand and the seal of this court on this 12<sup>th</sup> day of Nov., 2009, 4:29 a.m./p.m.

  
\_\_\_\_\_  
Presiding Judge  
Lafayette County, Missouri

RETURN AND INVENTORY

I, Ray Burns, being a peace officer within and for the aforesaid County to-wit: Lafayette, do hereby make return to the above and within warrant as follows: that on 13 day of November, 2009, and within ten days after issuance of said warrant, I went to the location and premises described therein and searched the same for the articles described therein, and that upon said premises, I discovered the following articles described in the warrant which I then and there took into my possession (here inventory of property taken)

4 Jars of soil taken from basement

- (a) that I made this inventory in the presence of the person from whose possession I took said articles;
- (b) that there was no person present from whose possession said article were taken; I

- (a) I delivered to the person in possession of said articles a receipt for the articles taken, together with a copy of this warrant;
- (b) there being no person present on said premises in possession of said articles I left a copy of this warrant with a receipt for the articles taken, in a conspicuous place on said premises; I

that I have now placed said article so taken in the possession of this court.

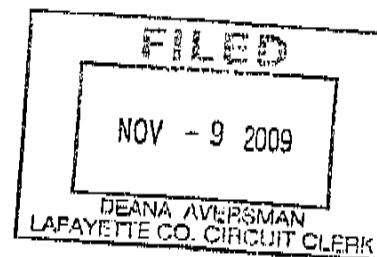
Ray Burns

Subscribed and sworn to before me this 16<sup>th</sup> day November, 2009, 1:50 a.m./(p.m)

Laura Rhoades  
Clerk Court

1 Strike out inapplicable alternatives

APPLICATION FOR SEARCH WARRANT



STATE OF MISSOURI )  
 ) ss.  
COUNTY OF LAFAYETTE )

I, Kellie Wingate Ritchie, Lafayette County Prosecuting Attorney, and Applicant herein, being duly sworn, appears now before the undersigned Judge authorized to issue Warrants in criminal cases and makes this Application in support of the issuance of a Search Warrant, to search the following described person, place or thing:

Property located at [REDACTED] Bates City, Missouri, 64011, including two sections located at [REDACTED] and [REDACTED]. An A-frame wooden residence is located on [REDACTED]. This residence is tan in color with a dark brown roof. There is a cellar attached to the residence by way of a crawl space between the cellar and the basement of the residence. A garage is located west of the residence with two white in color aluminum doors. There is a basketball goal located between the residence and the garage. West of the residence there is a pasture approximately 1/8 of a mile wide followed by a tree line which is also on the property. [REDACTED] is listed as being 31.25 acres. [REDACTED] is 19.87 acres. This area is currently owned by [REDACTED], who is not a suspect, but was owned by Burrell E. Mohler Sr. at the time a murder was said to have taken place.

and to there search for and seize and make return thereof, according to law, the following person, place or thing, to wit:

1. Human remains, including but not limited to bones, hair, teeth, fibers, blood or any other trace evidence.
2. Clothing, jewelry or other personal items found buried on the property or in the cellar and adjoining crawl space of the residence.
3. Any weapons, including knives and/or shovels, or any other evidence of a struggle
4. Blindfolds and/or materials that could have been used as blindfolds
5. Mason jars and any writings found in or around those jars
6. Any other evidence involved or connected with the allegation of a homicide

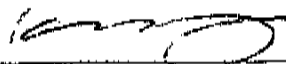
Applicant being duly sworn deposes and states that the facts and circumstances stated to him as a prosecutorial official authorized to seek a search warrant as herein requested which constitute sufficient probable cause for the issuance of a search warrant under Section,



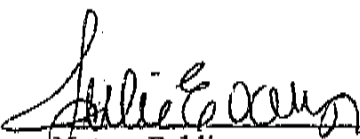
§42.271.1, R.S.Mo., are as follows:

See affidavit of Detective Ray Burns, Lafayette County Sheriff's Department, attached hereto and incorporated herein in its entirety.

Wherefore this affiant prays that a search warrant for the search of the above described person, place or thing and the seizure of the above described property, things be issued by this court as herein requested.

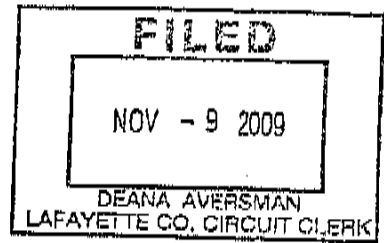
  
Kellie Wingate Ritchie  
Prosecuting Attorney  
County of Lafayette

Subscribed and sworn to before me this 9th day of November, 2009, at 2:35  
a.m. (p.m.)

  
Notary Public



JULIE EVANS  
My Commission Expires  
March 18, 2011  
Lafayette County  
Commission #0224124



STATE OF MISSOURI            )  
   ) ss.  
 COUNTY OF LAFAYETTE        )

AFFIDAVIT

I, the undersigned affiant, Cynthia L. Schroer, after having been first duly sworn, do state and swear upon oath as follows:

1. On the date of October 7, 2009, I received a 36 page report from three witnesses who stated that they had observed several murders that took place in Lafayette County and Jackson County in the state of Missouri. The three witnesses are identified as [REDACTED] and [REDACTED]. All of these witnesses are biological sisters. This search warrant request pertains to a murder that took place in Lafayette County Missouri on the property located at [REDACTED], Bates City, Missouri, 64011, that occurred on or about April 1988.
  
2. According to [REDACTED], she, her sisters [REDACTED] and [REDACTED] were driven to the Independence Shopping Center located in Independence Missouri where they observed a man get into his vehicle after leaving the Independence Shopping Center. Their father, Burrell E. Mohler Jr., was driving the vehicle. [REDACTED] stated that her father followed the victim to his residence which was an older residence with the driveway on the left side of the residence. Burrell Mohler Jr. instructed his daughters to get out of their car and [REDACTED] told the victim that her father was having a heart attack and they needed his help. The victim went to the passenger seat to take a look at Burrell Mohler Jr. The victim got on his knees to lean toward their father inside the vehicle. Their father was leaning back in the seat holding his heart and making groaning sounds. When the victim leaned in close enough their father wrapped his arm around the victim's neck and subdued him very quickly. Burrell Mohler Jr. told his daughters to get into the back seat of their vehicle. In a statement written by [REDACTED] [REDACTED] described the victim as being 6'2" and weighed about 300 pounds and the man looked to be in poor health.
  
3. [REDACTED] stated that their father made them place blindfolds over their eyes so they would not know where they were going. After they had driven for an undetermined period of time, Burrell Mohler Jr. stopped the vehicle and had his daughters get out of the vehicle telling them to hold each other's hands and walk

until they reached a stopping point. ██████████ stated that her blindfold was very tight however she raised her blindfold and observed their grandfather's A-frame house and realized they were on their grandfather's farm in a wooded area. In a statement written by ██████████ she stated that this event took place in the woods behind Burrell Mohler Seniors farm which is located at ██████████ ██████████, Bates City, Missouri.

4. Burrell Mohler Jr. told his daughters that once he let the victim go, he would kill them unless they killed him first. Mr. Mohler gave his daughters knives to stab the victim with. When their father let the victim go, Mr. Mohler counted to three and then all of his daughters were required to attack the victim. Once the victim was free, ██████████ stated that she jumped on his back and tried to choke him with her arm. The victim stood up very fast and knocked ██████████ to the ground. Ms. ██████████ stated that she was mad that the victim had hurt her and she was scared that the victim would kill her or her sisters. ██████████ stated that she jumped on the victim's back and stabbed him repeatedly in the back. ██████████ stated that her father stabbed the victim on the front part of his body which resulted in the death of the victim. Once the victim was dead, their father propped the victim's body up against possibly a tree and asked ██████████ and her sisters if they wanted to stab the victim's face. Burrell Mohler Jr. had ██████████ stab the victim in his face after he had already died. After the victim was killed, Burrell Mohler Jr. told his daughters that they had to bury the victim and he forced his daughters to help him dig a grave and the victim's body was then placed in the grave. In separate statements, ██████████ and ██████████ state that this event took place in April 1988.

5. In an interview on 10/29/09, ██████████ stated that while digging on the property of the Mohler farm in Bates City, he found jars containing hand written letters that had been written by his sisters. According to ██████████, the idea as told to him by his sisters was that if something bad or unpleasant happened to them, they could write the event down and place the paper in a jar and then bury the jar in the ground and the bad thing would go away. ██████████ stated that he buried the jars back into the ground as he had found them and the jars and their contents should still be on the property.

6. At the time this murder was reported to have taken place, the property was owned by Burrell E. Mohler Sr. who is the father of Burrell E. Mohler Jr. Burrell E. Mohler Sr. purchased this property and the deed for the property was recorded on March 22, 1974. This property was owned by Burrell E. Mohler Sr. until July 19, 1995 when it was sold to Burrell E. Mohler Jr. This property is currently owned by ██████████. According to the Lafayette County

Assessor's Office, the two sections formerly owned by Burrell E. Mohler Sr. are located at [REDACTED], [REDACTED] and [REDACTED], [REDACTED]. The former Mohler residence is an A-Frame wooden structure located on [REDACTED]. This residence is tan in color with a dark brown roof. There is a garage located west of the residence with two white in color aluminum door. There is a basketball goal located between the residence and the garage. West of the residence there is a pasture approximately 1/8 of a mile wide followed by a tree line which is also on the property. [REDACTED] is listed as being 31.25 acres. [REDACTED] is 19.87 acres. This search warrant request includes all of the area currently owned by [REDACTED] and formerly owned by Burrell E. Mohler Sr. at the time this murder was said to have taken place.

7. I interviewed [REDACTED] in Provo Utah on October 29, 2009. During this interview, Ms. [REDACTED] stated that as a child, she remembered seeing another child that was confined to the cellar of the Mohler farm located at [REDACTED] Bates City, Missouri. Ms. [REDACTED] remembered seeing a female in a crawl space between the cellar and the basement of the residence. IN an interview on November 4, 2009, Ms. [REDACTED] stated that she recalled her daughters asking her if they had another sister that did not reside with the rest of the family. Ms. [REDACTED] provided a photograph of the crawl space inside the former Mohler residence.

8. I am requesting that a search warrant be issued for the property formerly owned by Burrell E. Mohler Sr. when this murder is said to have taken place. The search warrant is requested to include all of the property currently owned by Mr. Russell Schmoeger including the grounds around the residence, the cellar and adjoining crawl space, pasture and wooded area on the property at the address located at [REDACTED] Bates City, Missouri.

AL FIANT FURTHER, affiant saith naught.

*Cindy Schroer*  
 Investigator Cindy Schroer  
 Lafayette County Sheriff's Department

Subscribed and sworn to before me this 9th day of November, 2009.

*Julie Evans*  
 Notary Public



JULIE EVANS  
 My Commission Expires  
 March 18, 2011  
 Lafayette County  
 Commission #07541191

**SEARCH WARRANT AUTHORIZING SEARCH FOR  
PHYSICAL EVIDENCE**

**(Affidavit Made On Information And Belief)**

**(Sec. 542.271, 542.276 RSMo. 1994)**

STATE OF MISSOURI            )  
  ) ss.  
COUNTY OF LAFAYETTE        )

IN THE CIRCUIT COURT OF LAFAYETTE COUNTY, MISSOURI

THE STATE OF MISSOURI TO ANY PEACE OFFICER IN THE STATE OF MISSOURI:

WHEREAS an application in writing duly verified by oath has been filed with the undersigned Judge of this court stating upon information and belief that the following persons, places or things:

- 1. Human remains, including but not limited to bones, hair, teeth, fibers, blood or any other trace evidence.
- 2. Clothing, jewelry or other personal items found buried on the property or in the cellar and adjoining crawl space of the residence.
- 3. Any weapons, including knives and/or shovels, or any other evidence of a struggle
- 4. Blindfolds and/or materials that could have been used as blindfolds
- 5. Mason jars and any writings found in or around those jars
- 6. Any other evidence involved or connected with the allegation of a homicide

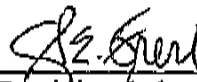
are believed to be present or located in the following described place in the County aforesaid to-wit:

Property located at [REDACTED], Bates City, Missouri, 64011, including two sections located at [REDACTED], [REDACTED] and [REDACTED]. An A-frame wooden residence is located on Partial 13. This residence is tan in color with a dark brown roof. There is a cellar attached to the residence by way of a crawl space between the cellar and the basement of the residence. A garage is located west of the residence with two white in color aluminum doors. There is a basketball goal located between the residence and the

garage. West of the residence there is a pasture approximately 1/8 of a mile wide followed by a tree line which is also on the property. [REDACTED] is listed as being 31.25 acres. [REDACTED] is 19.87 acres. This area is currently owned by [REDACTED], who is not a suspect, but was owned by Burrell E. Mohler Sr. at the time criminal acts were said to have taken place.

WHEREAS, the Judge of this Court from the sworn allegations of said complaint and from the supporting written affidavits filed therewith has found that there is probable cause to believe the allegations of the complaint to be true and probable cause for the issuance of a search warrant herein.

NOW THEREFORE, these are to command you that you search the said premises above described within ten days after the issuance of this warrant by day or night, and take with you, if need be, the power of your county, and, if said above described persons or items be found on said premises by you, that you seize the same and take same into your possession, making a complete and accurate inventory of the persons so taken by you, if that be possible, and giving to such person a copy of this warrant, or, if no person be found, leaving said receipt and said copy upon the premises searched, and that you thereafter return the persons seized by you, together with a duly verified copy of the inventory thereof and with your return to this warrant to this court to be herein dealt with in accordance with law. Witness my hand and the seal of this court on this 5<sup>th</sup> day of Nov. 2009, 4:55 a.m./p.m.

  
\_\_\_\_\_  
Presiding Judge  
Lafayette County, Missouri

## RETURN AND INVENTORY

I, Det Ray Burns, being a peace officer within and for the aforesaid County to-wit: Lafayette, do hereby make return to the above and within warrant as follows: that on 10 day of November, 2009, and within ten days after issuance of said warrant, I went to the location and premises described therein and searched the same for the articles described therein, and that upon said premises, I discovered the following articles described in the warrant which I then and there took into my possession (here inventory of property taken)

- 1 Glass fragment
- 2 Bone - unknown type
- 3 hair credit card
- 4 eye glasses
- 5 shoe/Boot sole
- 6 Broken glass var

(a) that I made this inventory in the presence of the person from whose possession I took said articles;

(b) that there was no person present from whose possession said article were taken; 1

(a) I delivered to the person in possession of said articles a receipt for the articles taken, together with a copy of this warrant;

(b) there being no person present on said premises in possession of said articles I left a copy of this warrant with a receipt for the articles taken, in a conspicuous place on said premises; 1

that I have now placed said article so taken in the possession of this court.

Ray Burns

Subscribed and sworn to before me this 10<sup>th</sup> day November, 2009,  
1:53 a.m./p.m.

Laure Rhoads  
Clerk Court

1 Strike out inapplicable alternatives