

STATE OF MINNESOTA
COUNTY OF WINONA

DISTRICT COURT
THIRD JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

-vs-

Adam Taylor Fravel,

Defendant.

**NOTICE BY PROSECUTING
ATTORNEY OF INTENT TO SEEK
AN AGGRAVATED SENTENCE
PURSUANT TO RULE 7.03 (#1)**

District Court File No. 85-CR-23-937
County Attorney File Number 65187

TO: The District Court of the Third Judicial District, and Adam Taylor Fravel, the defendant, through Zach Bauer, the defendant's attorney:

PLEASE TAKE NOTICE pursuant to Rule 7.03 of the Minnesota Rules of Criminal Procedure that the prosecuting attorney intends to seek an aggravated sentence in this matter.

The State relies upon the following grounds and/or statutes as support for the aggravated sentence, without limitation:

"[T]he victim was treated with particular cruelty for which the offender should be held responsible." Minn. Stat. 244.10, subd. 5a(2); Minn. Sent. Guidelines II.D.3(b)(2).

The Defendant concealed the deceased's body. State v. Hicks, 864 N.W.2d 153, 159 (Minn. 2015) (The "concealment of a homicide victim's body, in and of itself, may be an aggravating factor under the sentencing guidelines that supports an upward durational departure."); State v. Griller, 583 N.W.2d 736 (Minn. 1998); State v. Folkers, 581 N.W.2d 321 (Minn. 1998).

These theories are based, without limitation, on the following factual grounds. The Defendant concealed the deceased's body. The deceased's body was left in an isolated area off a road with signs reading "Dead End" and "Minimum Maintenance Road" in rural Minnesota. The body was wrapped in a sheet, partially encapsulated by a culvert, and appeared to have been covered by wooden debris.

Madeline Kingsbury was reported missing on March 31, 2023. Her body was located June 7, 2023. Her loved ones, including family and friends, spent 69 days not knowing whether she was alive or dead. They were deprived of saying their final goodbyes in a timely manner before her body started decomposing after spending 69 days concealed in the woods. Moreover, Ms. Kingsbury's children, both under the age of 7, were left in a state of confusion and uncertainty as they did not know where their mother was, what happened to their mother, or why they could not spend time with her for 69 days before someone could attempt the heart wrenching task of explaining to them that their mother was dead.

This notice also incorporates the facts included in the criminal complaint for 85-CR-23-937.

The State is not limited to the factors expressly stated in the Sentencing Guidelines when providing reasonable notice of intent to seek an aggravated sentence. Minn. Stat. 244.10, subd. 4.

Dated: June30, 2023

Respectfully submitted,



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