

ARSON Section Copy
Judge

SEARCH WARRANT

STATE OF TENNESSEE

COUNTY OF PUTNAM

TO THE SHERIFF OR ANY LAWFUL OFFICER OF SAID COUNTY:

Proof by Affidavit(s) having been made before me by S.A. Robert Krofalik, Tennessee Bureau of Investigation establishing probable cause that Allen Keith Herbstreith has in his possession the following described property:

A 1983 model Pontiac Sunbird, TN Tag #: [redacted] VIN #: [redacted] Registered to [redacted] containing carpet fibers, trace evidence of accelerant materials, hand tools, clothing, firearms and ammunition and components thereof, notes, letters, receipts, and documents related to accelerant materials, hand tools, firearms and ammunition and components thereof.

upon the following described premises/vehicle in Putnam County, Tennessee.

A mobile automobile, being operated in the State of Tennessee, and described as: A 1983 model Pontiac Sunbird, TN Tag #: [redacted] VIN #: [redacted] Registered to [redacted]

which items are instrumentalities, fruits or evidence of the crime described in the Affidavit(s), you are therefore commanded to make an immediate seizure and search of the premises/vehicle herein described and secure same until Special Agents of the Tennessee Bureau of Investigation Forensic Services Division have also completed a search of said premises/vehicle described for the property described and if you find the same or any part thereof to bring it forthwith before me in said County and State.

This 12th day of August, 1998

[Signature]
Judge/Magistrate

Title: General Session Judge

Issued this 12th day of August, 1998 at 6:00 o'clock pm. to S.A.

Robert Krofalik in (his)(their) official capacity as T.B.I.

for Putnam County, Tennessee.

STATE OF TENNESSEE AFFIDAVIT COUNTY OF PUTNAM

Personally appeared before me S. A. Robert Krofissik, Tennessee Bureau of Investigation, Affiant and made oath that he has good reason to believe, and does believe that Allen Keith Herbstreith has in his possession the following described property, namely:

A 1983 model Pontiac Sunbird, TN Tag #: [REDACTED] VIN #: [REDACTED] Registered to [REDACTED] containing carpet fibers, trace evidence of accelerant materials, hand tools, clothing, firearms and ammunition and components thereof, notes, letters, receipts, and documents related to accelerant materials, hand tools, firearms and ammunition and components thereof.

To be searched for in accordance with the laws of said state upon the following described premises/vehicle, being in Putnam County, Tennessee, and more particularly described as follows:

A mobile automobile, being operated in the State of Tennessee, and described as: A 1983 model Pontiac Sunbird, TN Tag #: [REDACTED] VIN #: [REDACTED] Registered to [REDACTED]

and that his reasons for such belief are:

1. On or about 08-05-98, Victor and Alla Kolesnikow were found shot to death at their residence, located at 6510 Poplar Grove Rd., Cookeville, TN, after firefighters extinguished a fire at said residence, in Putnam County, Tennessee. Eye witnesses, who are neighbors and therefore citizen informants, reported to the Affiant, that moments prior to the discovery of the fire, at said residence, they heard what they described as a sound similar to a large firecracker explosion. Said witnesses also reported to the Affiant, that they observed a small vehicle leaving the driveway of said residence at a high rate of speed. Witnesses further reported to the Affiant that said vehicle sounded to have a four cylinder engine with a very loud exhaust system. Said vehicle left the area on Poplar Grove Rd., in Putnam County, TN, and drove toward Cookeville, TN.
2. Investigation at said residence, by the Affiant and other state and county investigators, determined that the fire, at said residence, was incendiary in nature by the use of accelerants, including gasoline. Said investigation also revealed expended bullet casings and projectiles in and around the bodies of Victor and Alla Kolesnikow. Affiant and/or other state investigators located, in close proximity to said residence, a small hand tool, which may have been used to facilitate the homicide and arson.
3. Eye witnesses reported, to the Affiant, that they observed Victor and Alla Kolesnikow, in the company of Allen Keith Herbstreith, at the residence of Gregory Lance, less than twelve (12) hours prior to the discovery of the fire at said residence. Through investigation, the Affiant learned that Victor and Alla Kolesnikow and Gregory Lance and Allen Keith Herbstreith were involved in a property dispute which evolved into a civil litigation which was scheduled to be heard, in Federal Court, on August 07, 1998. Also, through investigation, the Affiant determined that Gregory Lance and Allen Keith Herbstreith are roommates at 1515 Ford Ave., Cookeville, TN.
4. During the course of the investigation, the Affiant interviewed Gregory Lance. During the interview the Affiant observed what appeared to be singed hair on Gregory Lance's right hand. The Affiant has submitted shoes and socks worn by Gregory Lance to the TBI crime laboratory. Laboratory analysis of said shoes and socks indicated the presence of gasoline and other accelerants. Also, Gregory Lance admitted, to the Affiant, handling a firearm the morning of August 05, 1998.
5. On August 06, 1998, at approximately 1:00 AM, the Affiant personally observed and heard the engine noise of the above described vehicle while it was being driven. The Affiant observed that the sound of this motor was consistent with the sound of the motor described by the aforementioned eyewitnesses leaving the residence of Victor and Alla Kolesnikow prior to the discovery of the fire. Also, the Affiant noted the size of said vehicle was consistent with descriptions, given by eyewitnesses, of the vehicle leaving the residence prior to the discovery of the fire. The Affiant checked the registration of said vehicle with the Tennessee Department of Safety. Said vehicle was

registered to a 1983 model Pontiac Sunbird, TN Tag # [REDACTED] VIN # [REDACTED].
Registered to [REDACTED]. The Affiant has also confirmed that the above described vehicle contains a four cylinder engine.

6. While conducting interviews at the residence of Gregory Lance and Allen Keith Herbstreith, the Affiant observed the above described vehicle parked at the residence. Putnam County Sheriff's Investigator Donald Pierce accompanied the Affiant to the residence. Investigator Pierce also observed said vehicle at the residence of Gregory Lance and Allen Keith Herbstreith. Investigator Pierce informed the Affiant he saw a hand tool kit, consistent with the hand tool found at the fire scene, in the above described vehicle.

He therefore asks that a warrant to search the premises/vehicle described above be issued.

Robert Kephart
Affiant

Sworn to and subscribed before me this 13th day of August, 1998.

[Signature]
Judge/Magistrate

Title: County Sheriff

For Putnam County, Tennessee

