



FILED
01-19-2022
Clerk of Circuit Court
Kenosha County
2020CF000983

STATE OF WISCONSIN, CIRCUIT COURT, KENOSHA COUNTY

State of Wisconsin, Plaintiff

**MOTION FOR ORDER
TO RELEASE
PROPERTY**

-vs-

Case Nos. 2020CF983

Kyle H. Rittenhouse, Defendant

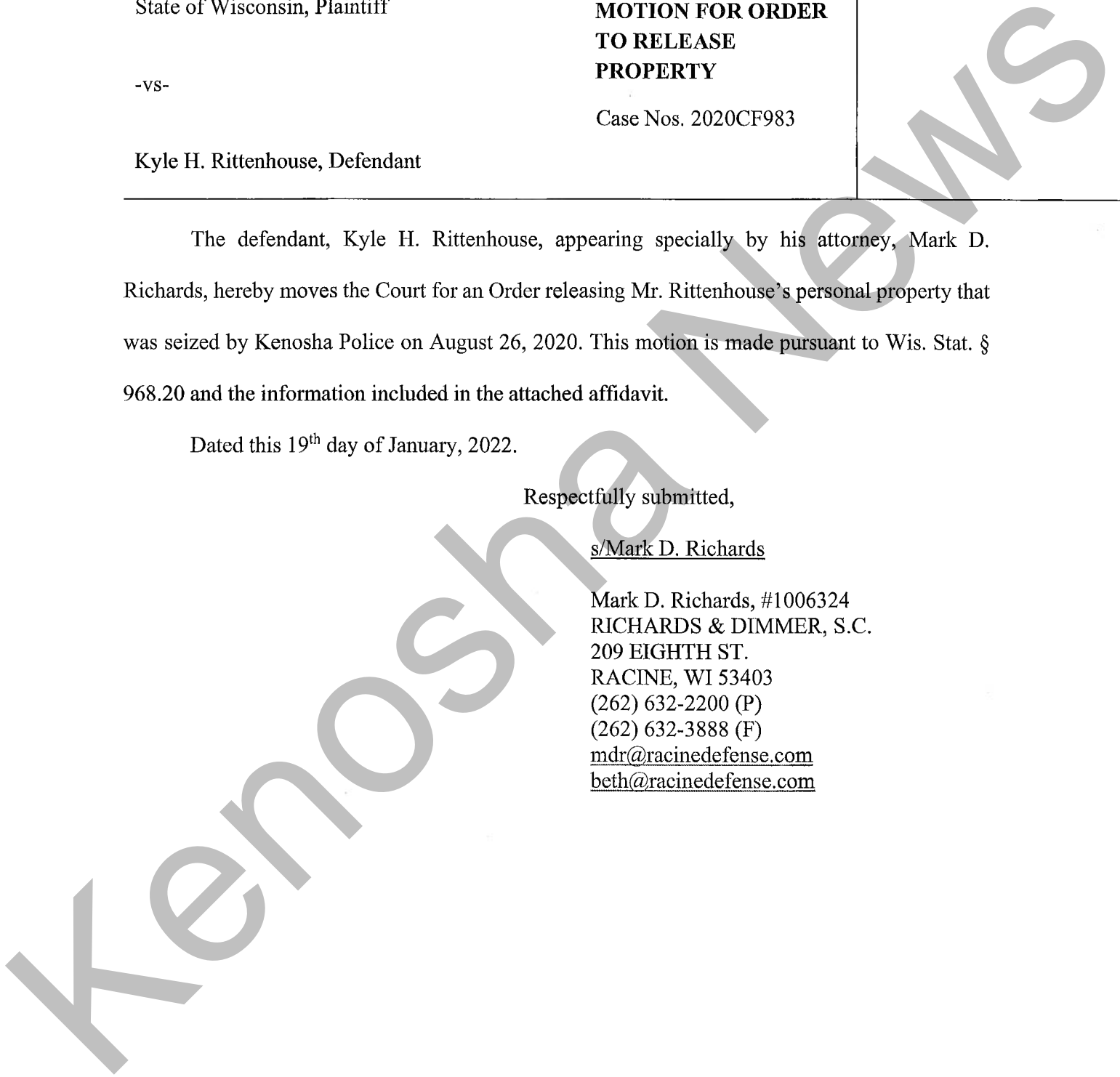
The defendant, Kyle H. Rittenhouse, appearing specially by his attorney, Mark D. Richards, hereby moves the Court for an Order releasing Mr. Rittenhouse's personal property that was seized by Kenosha Police on August 26, 2020. This motion is made pursuant to Wis. Stat. § 968.20 and the information included in the attached affidavit.

Dated this 19th day of January, 2022.

Respectfully submitted,

s/Mark D. Richards

Mark D. Richards, #1006324
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STATE OF WISCONSIN, CIRCUIT COURT, KENOSHA COUNTY

State of Wisconsin, Plaintiff

AFFIDAVIT

-vs-

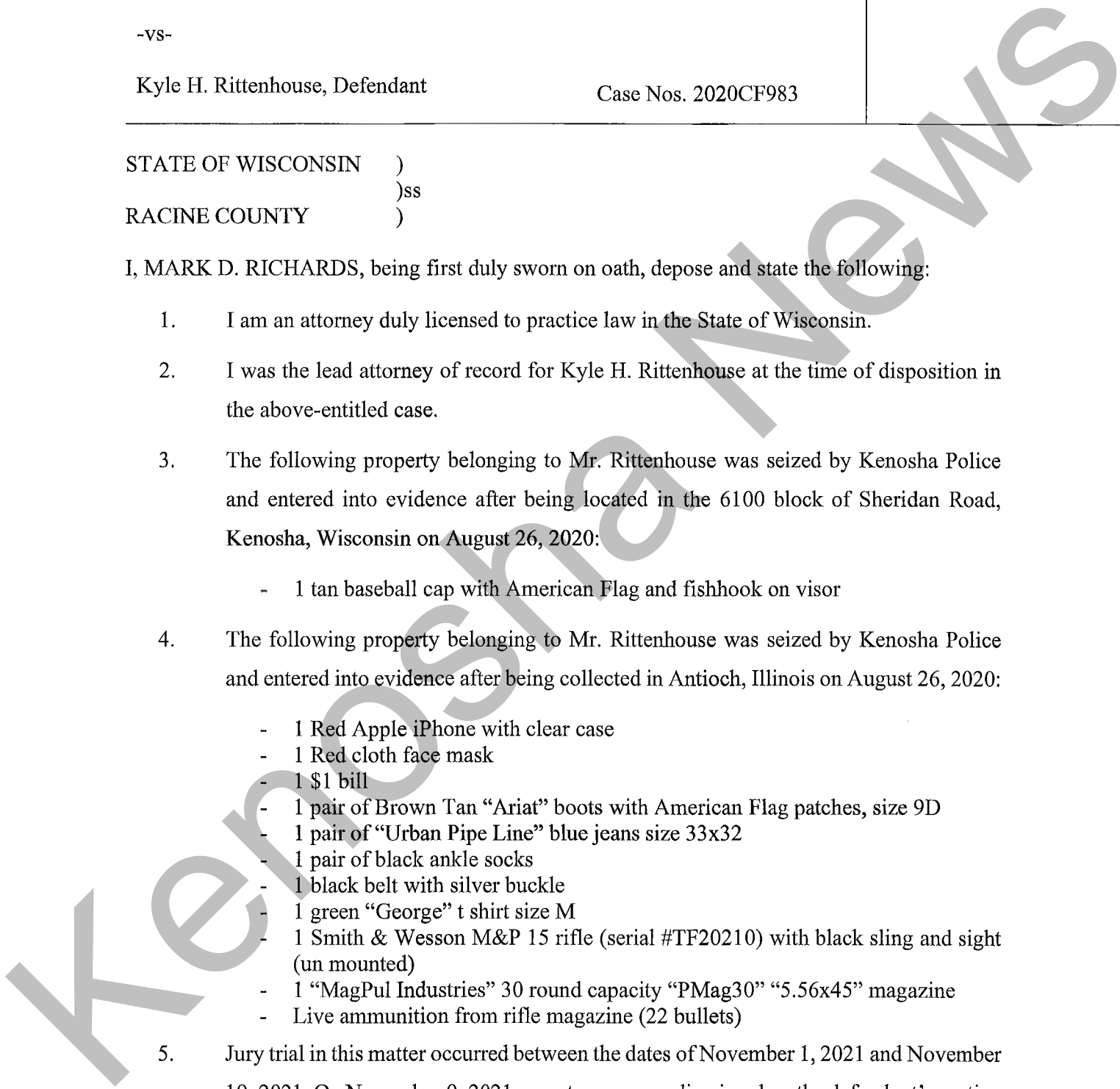
Kyle H. Rittenhouse, Defendant

Case Nos. 2020CF983

STATE OF WISCONSIN)
)ss
RACINE COUNTY)

I, MARK D. RICHARDS, being first duly sworn on oath, depose and state the following:

1. I am an attorney duly licensed to practice law in the State of Wisconsin.
2. I was the lead attorney of record for Kyle H. Rittenhouse at the time of disposition in the above-entitled case.
3. The following property belonging to Mr. Rittenhouse was seized by Kenosha Police and entered into evidence after being located in the 6100 block of Sheridan Road, Kenosha, Wisconsin on August 26, 2020:
 - 1 tan baseball cap with American Flag and fishhook on visor
4. The following property belonging to Mr. Rittenhouse was seized by Kenosha Police and entered into evidence after being collected in Antioch, Illinois on August 26, 2020:
 - 1 Red Apple iPhone with clear case
 - 1 Red cloth face mask
 - 1 \$1 bill
 - 1 pair of Brown Tan "Ariat" boots with American Flag patches, size 9D
 - 1 pair of "Urban Pipe Line" blue jeans size 33x32
 - 1 pair of black ankle socks
 - 1 black belt with silver buckle
 - 1 green "George" t shirt size M
 - 1 Smith & Wesson M&P 15 rifle (serial #TF20210) with black sling and sight (un mounted)
 - 1 "MagPul Industries" 30 round capacity "PMag30" "5.56x45" magazine
 - Live ammunition from rifle magazine (22 bullets)
5. Jury trial in this matter occurred between the dates of November 1, 2021 and November 19, 2021. On November 9, 2021, count seven was dismissed on the defendant's motion





and on November 15, 2021, count six was dismissed on the defendant's motion. On November 19, 2021 the jury returned a verdict of Not Guilty on all remaining counts.

6. As established through the trial testimony of both Dominick Black and Mr. Rittenhouse, the Smith & Wesson M&P 15 rifle (serial #TF20210) with black sling and sight was purchased by Dominick Black but was to become the legal property of Kyle Rittenhouse upon his 18th birthday.
7. Mr. Rittenhouse was born on January 3, 2003 and is now 19 years old. Accordingly, he is the lawful owner of the Smith & Wesson M&P 15 rifle (serial #TF20210) with black sling and sight, per the verbal contract enacted with Dominick Black.
8. I have previously requested that ADA Thomas Binger and ADA Kraus authorize release of Mr. Rittenhouse's personal property, however, this has not yet occurred.
9. Under Wis. Stat. § 968.20(1), "Any person claiming the right to possession of property...seized pursuant to a search warrant or seized without a search warrant...may apply for its return to the circuit court..."
10. All proceedings and investigations in which Mr. Rittenhouse's property might be required have been completed, including the prosecution of Dominick Black in Kenosha County case 2020CF1275.
11. Mr. Rittenhouse wishes to have all his property released and returned to him.
12. Mr. Rittenhouse further wishes to ensure that the firearm in question is properly destroyed.
13. All other property identified above should be released forthwith to the legal owner, Kyle H. Rittenhouse or his representative, Mark D. Richards.

Dated this 19th day of January, 2022.

Mark D. Richards, #1006324



Subscribed and sworn to before me

This 19th day of January, 2022

Natalie L. Wisco

Notary Public, State of Wisconsin

My commission expires: Perm.



Kenosha News