

IN THE IOWA DISTRICT COURT FOR POWESHIEK COUNTY

STATE OF IOWA,	)	
Plaintiff,	)	
	)	
vs.	)	Case No. FECR010822
	)	
CRISTHIAN BAHENA RIVERA,	)	DEFENDANT'S SUPPLEMENTAL
	)	MOTION FOR NEW TRIAL
Defendant.	)	

COMES NOW Defendant and pursuant to Iowa Rule of Criminal Procedure 2.24(2) does hereby supplements his previously filed motion for new trial with the following:

1. On July 8, 2021, Defendant filed his motion for new trial. In said motion, Defendant cited newly discovered evidence as one of three bases for his motion.
2. Since the filing of the first motion for new trial, additional newly discovered evidence has come to light which provides additional bases to grant a new trial for this defendant. They include the following:
  - a. The State of Iowa has committed a Brady violation for failing to disclose exculpatory evidence.
    - i. Independent investigation conducted by the defense discovered on July 13, 2021 new evidence concerning a suspected sex trafficking operation in and near Poweshiek County, Iowa.
    - ii. The facts of this suspected sex trafficking operation are both disturbing and relevant to this case.
    - iii. On July 13, 2021, Defendant, though independent investigation, discovered a search warrant that was executed in late March 2019 at 405 East Market Street, New Sharon, Iowa. This was the home owned by an individual named Adam Maschmann and believed to be occupied or frequented by James Lowe. A copy of

the search warrant, search warrant affidavit and application and attachments are attached hereto as Exhibit A and by this reference incorporated herein. James Lowe is described as a man 50 years of age.

- iv. Exhibit A indicates that the state of Iowa was in possession of evidence of a possible sex trafficking operation in March of 2019 and it was never disclosed to the defense.
- v. Exhibit A's affidavit, authored by Deputy Ben Johnston of the Mahaska County Sheriff's Office, indicates that Agent Adam DeCamp of the Iowa Division of Criminal Investigation was involved in the questioning of an alleged sex trafficking victim. Said interview occurred on March 20, 2019 in the Mahaska County Law Center.
- vi. The victim of sex trafficking reported to Agent DeCamp that she was trafficked by James Lowe beginning in May 2018. This is two months before Mollie Tibbetts was abducted and killed.
- vii. The victim reported that James Lowe met her at the Brooklyn, Iowa Casey's General Store and convinced her to follow him to the residence described as 405 East Market Street, New Sharon, Iowa and was then held there against her will for several months by James Lowe. James Lowe drugged the victim by "shooting her up" causing her to black out and evidently permitted men to violate her without her consent at 405 East Market Street, New Sharon, Iowa.
- viii. The details of this disclosure by the victim were felt to obviously be credible as Deputy Johnston swore to the truth of the facts contained in the search warrant affidavit and convinced a judge to issue a search warrant for this location.
- ix. In the search warrant affidavit, the deputy also swears to the truth of an incident reported on March 5, 2019 that a different

younger female had reported that she was a subject of an attempted abduction. The victim described in the search warrant showed a photo of James Lowe to this younger female who said she was 90-100% sure that the person who attempted to abduct her was James Lowe.

- x. Independent investigation by the defense has learned that James Lowe, at or about the time of the sex trafficking report, was residing in the Montezuma trailer park in the same home with Xavier Harrelson who went missing on or about May 28, 2021 and remains missing to this day. According to records with the Poweshiek County Clerk, James Lowe lived with Xavier Harrelson's mother.
- xi. Independent investigation by the defense indicates that James Lowe may have been one of the last persons to be with Xavier Harrelson prior to his disappearance.
- xii. Records from [Iowacourtsonline.com](http://Iowacourtsonline.com) indicate that James Lowe was wanted by law enforcement for a pretrial release violation on a charge of Burglary, 3<sup>rd</sup> Degree out of Poweshiek County. The warrant was issued in April 2020. However, one day after Xavier Harrelson goes missing, law enforcement is out in force looking for James Lowe and he is located in Marengo, Iowa and arrested on the warrant. James Lowe is now in the Poweshiek County jail.
- xiii. In case number FECR064638, Adam Maschmann was charged with two counts of possession of a firearm as a prohibited person for the search warrant that was executed at 405 East Market, New Sharon, Iowa on March 21, 2021. A copy of the trial information in that case is attached hereto as exhibit B and by this reference incorporated herein.

- xiv. The Trial information was filed after complaints were filed with the district court on or about June 17, 2020. A copy of the complaint is attached hereto as Exhibit C and by this reference incorporated herein.
- xv. Exhibit C first clearly indicates that Adam Maschmann admitted to possessing the firearms.
- xvi. Attached hereto as Exhibit D is the Motion to Dismiss Adam Maschmann's charges in Mahaska County matter FECR064638. Said motion is a form motion where a box is checked stating there is insufficient evidence to proceed with the prosecution.
- xvii. Attached hereto as Exhibit E is the order granting the motion to dismiss.
- xviii. Both the motion and order were filed June 17 and 18, 2021 respectively. It is suspected this dismissal occurred not long after Mr. Maschmann was interviewed regarding the disappearance of Xavier Harrelson.
- xix. The search warrant at 405 East Market Street, New Sharon, Iowa indicate that several items were seized.

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MID IOWA NARCOTICS ENFORCEMENT TASK FORCE  
Notice of Seizure & Property Inventory

Page 2 of 2  
Property Sheet Number: 17501  
Case Number: \_\_\_\_\_  
Date: \_\_\_\_\_ Time: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_

SEIZED FROM: Address: \_\_\_\_\_  
Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Social Security Number: \_\_\_\_\_  
Make: \_\_\_\_\_ Model: \_\_\_\_\_ Year: \_\_\_\_\_ Color: \_\_\_\_\_ License: \_\_\_\_\_ State: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

Type of Seizure:		Type of Property:		
Consent	Custodial	Warrant	Plain View	
				Evidence Found Property Safekeeping
QTY	Location Found	Description of Property (make, model, color, #'s)	Seized by	
1	7	Living room north wall	Thumb drives + SIM cards	181
2	4	SAME	1 CAMERA, 3 hard drives, 2 tablets	0
3	1	Living room N.W. wall	DVR w/ remote night owl	0
4	multiple	Living room	VARIOUS DVD + DISCS	0
5	2	Living room N.W.	Sony + Sony cyber-shot	0
6	1	computer w/ 3 computers etc	N.W. corner room	5
7	multiple	up stairs Bedroom N.E. corner	Drug par. blue robe	0
8	multiple	Living room	Drug par.	0
9	1	Living room	NetCam white camera	181
10	multiple	Living room	computer/PS3/4 memory cards/Hard drive	0
11	2	Living room	silver Mac camera	181
12	1	Living room	sony sony black cell phone	0
13	1	Living room	Tel-Fax C-4 scale	181
14	multiple	"	#1 pen & mail	13
15	multiple	"	sim cards	181
16	1	"	olympus voice recorder	181
17	3	"	pink samurai / black vcr / black recorder	181
18	2	"	black monitor / black keyboard	181
19	1	"	black back cam	
20	1	Garage	Blue Honda Express	1
21	1	"	1/2 12 gauge Tupper audio sb	
22	multiple	"	Drug par.	

Reporting Officer: W. J. K. Officer ID #: 13 Date: 3/21/19  
Supervisor: \_\_\_\_\_ ID #: \_\_\_\_\_ Date: \_\_\_\_\_  
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xxi: On October 19, 2019, many of these items were turned over to the Iowa Crimes Against Children (ICAC) task force for analysis. As of June 15, 2020, no results had yet been given. However, in training and experience, the defense knows that these devices are being searched for items such as child pornography, illicit sex trafficking and other evidence of sex based crimes.

xxii: The Defendant's trial did not commence until May 2021.

xxiii: The evidence of sex trafficking and the warrant executed concerning James Lowe and Adam Maschmann is exculpatory in nature and considered Brady material. The fact that the Iowa Division of Criminal Investigation was investigating a sex trafficking operation after having investigated the abduction and murder of Mollie Tibbetts from the same town is clearly violative of Brady. It was very clear at the trial of Defendant that all resources from around the state as well the federal authorities were being marshalled to assist in the investigation of Mollie Tibbetts' death. How any agent with the Iowa Division of Criminal Investigation could not connect the dots that this information might be relevant to the defense of Cristhian Bahena Rivera is troubling. However, it is consistent with Defendant's defense throughout the trial that the investigation was incomplete and focused solely on Defendant. Further the dots continued to connect after Bahena Rivera testified:

On May 26, 2021, Cristhian Bahena Rivera testified in his own defense. He testified that two masked men kidnapped him and forced him to dispose of Mollie Tibbetts' body.

On May 26, 2021, at 1:15 p.m. an inmate from the Mount Pleasant Correctional Facility reported that the same man identified by L.V. had admitted to killing Mollie Tibbetts. There was further information found out about a trap house where Mollie Tibbetts was found.

On May 26, 2021, at 3:10 p.m., Mahaska County dispatch received notification L.V. reported that her boyfriend (Inmate 2) had confessed to killing Mollie Tibbetts.

On May 27, 2021, Xavior Harrelson is reported missing. His mother is refusing has ties to James Lowe who two people have accused him to sex trafficking.

*to talk to investigators and*

xxiv: Both under the Iowa Constitution and the United States Constitution, withholding this information denied Defendant his due

process rights. The evidence is both material to the Defendant's guilt or innocence and would certainly have swayed the jury.

xxv: Under Brady v. Maryland, 373 U.S. 83, 85 (1963), a prosecutor must disclose any evidence favorable to the accused and material either to guilt or punishment. "This duty extends not only to evidence of which a prosecutor is aware, but also to material "favorable evidence known to the others acting on the government's behalf in the case, including the police." United States v. Robinson, 809 F.3d 991, 996 (8th Cir. 2016). A prosecutor has a duty to disclose evidence known by police officers, even if not known by the prosecutor. Id. This attendant duty to learn of material and favorable exculpatory or impeachment evidence necessarily anticipates that a prosecutor will have an opportunity to discover such evidence through the exercise of reasonable diligence. Id.

xxvi: Brady is violated if three requirements are met: "The evidence at issue must be favorable to the accused, either because it is exculpatory, or because it is impeaching; that evidence must have been suppressed by the State, either willfully or inadvertently; and prejudice must have ensued." Morales v. Ault, 476 F.3d 545, 554 (8th Cir. 2007) (quoting Strickler v. Greene, 527 U.S. 263, 281-82 (1999)).

xxvii: In order to establish a *Brady* violation, the defendant must to prove "(1) the prosecution suppressed evidence; (2) the evidence was favorable to the defendant; and (3) the evidence was material to the issue of guilt." State v. Veal, 564 N.W.2d 797, 810 (Iowa 1997), *overruled in part on other grounds by* State v. Hallum, 585 N.W.2d 249, 253 (Iowa 1998). To prevail on his newly discovered evidence claim, Bahena must show: (1) that the evidence was discovered after the verdict; (2) that it could not have been discovered earlier in the exercise of due diligence; (3) that the evidence is material to the issues in the case and not merely cumulative or impeaching; and

(4) that the evidence probably would have changed the result of the trial. Jones v. State, 479 N.W.2d 265, 274 (Iowa 1991).

xxv: There can be no harmless error under the standards set forth by the United States Supreme Court if a Brady violation is established. Under Brady v. Maryland, 373 U.S. 83, 85 (1963), a prosecutor must disclose any evidence favorable to the accused and material either to guilt or punishment. “This duty extends not only to evidence of which a prosecutor is aware, but also to material “favorable evidence known to the others acting on the government's behalf in the case, including the police.” United States v. Robinson, 809 F.3d 991, 996 (8th Cir. 2016). A prosecutor has a duty to disclose evidence known by police officers, even if not known by the prosecutor. Id. This attendant duty to learn of material and favorable exculpatory or impeachment evidence necessarily anticipates that a prosecutor will have an opportunity to discover such evidence through the exercise of reasonable diligence. Id. Evidence is material only if there is a reasonable probability that, had the evidence been disclosed to the defense, the result of the proceeding would have been different. United States v. Ellefsen, 655 F.3d 769, 778 (8th Cir. 2011) A ‘reasonable probability’ is ‘a probability sufficient to undermine confidence in the outcome.’ Id. (quoting United States v. Bagley, 473 U.S. 667, 682 (1985)). The scope of exculpatory evidence under Brady incorporates information which may impeach a government witness. Giglio v. United States, 405 U.S. 150, 153-55 (1972). Put another way: “Under Brady and its progeny, prosecutors have a duty to disclose to the defense all material evidence favorable to the accused, including impeachment and exculpatory evidence.” Robinson, 809 F.3d at 996.

xxvi: The evidence regarding the investigation of James Lowe and Adam Maschmann and the residence in New Sharon corroborates



the newly discovered evidence regarding sex trafficking and “trap houses” discovered by Defendant post verdict.

xxvii: According to the Iowa Division of Criminal Investigation missing children website, there are at least ten children who have gone missing in the contiguous counties to Poweshiek County. Given this information regarding the investigation into the sex trafficking operation, it becomes clear that something is very troubling in that area of the state and involves young people and their disappearance. The list of young people missing from the contiguous counties as well as Poweshiek County is as follows:

**1. Keokuk County**

Alexis Bray 16 years old disappeared 12/15/2020

**2. Wapello County**

Kaylie Hargis 16 years old disappeared 6/29/2021

Jade Heckethorn Pearl 16 years old disappeared 7/2/2021

Aiden Rock 19 years old disappeared 12/15/2016

Elizabeth Rodriguez 18 years old disappeared 8/13/2020

Faith Rupe 15 years old disappeared 6/14/2021

Antonio Wilson 16 years old disappeared 6/14/2021

Demetrius Wilson 17 years old disappeared 7/10/2021

**3. Poweshiek County**

Xavior Harrelson 10 years old disappeared 5/27/2021

**4. Mahaska County**

Jaemon Hale disappeared on an unknown time.

**3. Based thereon a new trial should be ordered.**

WHEREFORE, Defendant prays the court grant Defendant a new trial for the reasons set forth herein.

CRISTHIAN BAHENA RIVERA,  
DEFENDANT

BY: /s/ Chad R. Frese  
Chad R. Frese AT0002704

/s/ Jennifer J. Frese  
Jennifer J. Frese, AT008317  
KAPLAN & FRESE, LLP  
111 East Church Street  
Marshalltown, Iowa 50158  
Phone: (641) 753-5549  
Fax: (641) 753-0962  
Email: [chad@kaplanfrese.com](mailto:chad@kaplanfrese.com)  
[jennifer@kaplanfrese.com](mailto:jennifer@kaplanfrese.com)

ATTORNEYS FOR DEFENDANT

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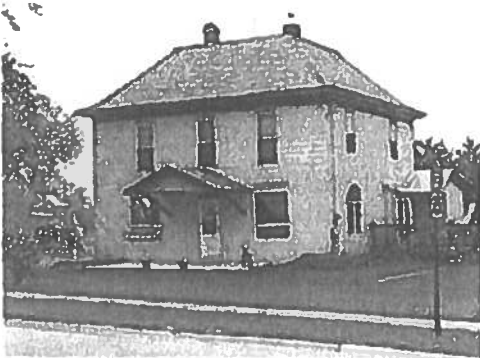
08621 SWSW000928 - 2019 APR 12 10:28 AM  
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Page 1 of 13**State of Iowa, County of Mahaska  
Application for Search Warrant**

Being duly sworn, I, the undersigned say that at the place (and on the person(s) and in vehicle(s)) described as follows:

The property of 405 East Market New Sharon IA 50207 which is the current residence of James Manuel Lowe and Adam Lynn Maschmann. This residence is described as a two story, single family dwelling built in 1905 with a full bath and full basement. The house is blue/gray in color with a white two car detached garage and has the house numbers 405 located on the south side of the residence mounted vertically on a white deck post.

Also to be searched is the person of James Manuel Lowe DOB [REDACTED] who is described as a white male, approximately 215lbs, 6' 00" tall with brown eyes and brown hair.

Also to be searched is the person of Adam Lynn Maschmann DOB [REDACTED] who is described as a white male, approximately 144lbs, 5'09" with black hair and brown eyes.



405 East Market New Sharon IA 50207



James Manuel Lowe

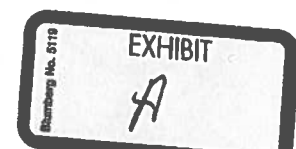


Adam Lynn Maschmann

Included in the described location are any and all rooms, attics, basements, crawl spaces, hidden or secret compartments, safes and or lock box/compartments and other parts therein, the surrounding grounds, any garages, storage rooms, trash containers, and outbuildings of any kind located thereon connected to occupants or permanent residents of: 405 East Market New Sharon IA 50207. Including but not limited to tool sheds, any common trash containers and storage areas, any vehicles parked directly on the property or in the street in front of or nearby or adjacent to the above identified location, provided that said vehicles can be specifically connected to occupants or permanent residents of the location to be searched, prior to searching said vehicle or vehicles.

In Mahaska County, there is now certain property, namely: Any and all items that could be linked as evidence to a reported sexual assault case where the victim was reportedly "drugged" and forced into sexual intercourse/sexual actions and kept against her will: including but not limited to: Computer records, magnetic storage or electronic storage, photographs or video storage, All weapons, firearms and ammunition. Cellular phones and tablet computers reflecting names, addresses, telephone numbers, pictures, picture messaging and other downloaded apps with communication capabilities, stored SMS text messages and instant messages which are evidence of the reported sex assault. Bed linens, clothing, condoms, sexual objects/toys, tape, rope, handcuffs or other restraint type items, DNA (sperm, blood and or other bodily fluids), DNA samples from both James Lowe and Adam Maschmann, pictures, recordings, computers, hard drives, flash drives and all other electronic storages devices, camera's, video cameras, cellular telephones along with internal/stored information on all items such as but not limited to:

- F. Computer Hardware including, but not limited to, all equipment which can collect, analyze, create, copy, display, convert, store, conceal, or transmit or receive electronic, magnetic, optical, or similar computer impulses, signals, or data. Hardware includes but is not limited to wireless/cellular telephones and any storage devices



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contained therein such as but not limited to hard drives; ROM drives, chips, or cards; flash memory cards/drives; micro memory cards; mini memory cards; and multimedia cards.

- G. Computer software, including, but not limited to, digital information which can be interpreted by a wireless/cellular telephone and any of its related components, which may be stored in electronic, magnetic, optical, or other digital form; including but not limited to programs to run operating systems, applications (such as word processing, graphics, or spreadsheet programs), utilities, compilers, interpreters, and communications programs; computer-related documentation, that is written, recorded, printed, or electronically-stored material which explains or illustrates how to configure or use hardware, software, or other related items.
- H. All stored data files, user files, graphic files, computer data images, visual image depictions, audio and video files, or any other data stored on the wireless/cellular telephone related to the offenses described in said affidavit including but not limited to any digitized address/contact entries, call history, e-mail messages, text messages, voice mail messages, calendar entries, notes, audio recordings, digital photographs, passwords, and digital videos.
- I. Examination that may include extracting and cloning data directly from any available SIM cards, SD cards or Micro SD cards associated with the mobile phone, smart phone or PDA, which may result in additional data including to but not limited to: integrated circuit card, identification (ICCID), international mobile subscriber identification (IMSI), authentication key (Ki), local area identity, (LAI) operator specific emergency number, SMSC (short message service center) number, service provider name (SPN), service dialing numbers (SDN), advice-of-charge parameters, value added services (VAS) applications, software and application software installation and operation media, internet history, browser history, letters, correspondence, memoranda, journals, electronic mail (e-mail), image (picture) files, database files, deleted items, partial files, or other types of files found in the media and deleted SMS/text messages.
- J. Extracted data may be copied from said mobile phone, smart phone or PDA and associated SIM cards, SD cards and micro SD cards and organized into a report. In a circumstance where the mobile phone, smart phone, PDA and/or associated SIM card, SD card or micro SD card seized may contain digital information, the peace officers are hereby authorized to make a bit by bit physical copy providing a digital image of said items. This will be done in order to facilitate a forensic examination of the image in a laboratory setting without altering the original data.

This property is believed to be:

- ☒ Property that was obtained in violation of the law.
- ☒ Property that is illegally possessed.
- ☒ Property that is/was used or possessed with the intent that such property will/would be used to commit or conceal a public offense.
- ☒ Property that is relevant and material as evidence in a criminal prosecution or investigation.
- ☐ A person for whom there is an outstanding arrest warrant.

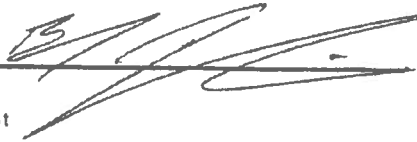
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The facts establishing the foregoing grounds(s) for issuance of a search warrant are as follows:

See Attachment(s): A, B, C, &D.

X  62.3  
Affiant

Subscribed and sworn to before me this \_\_\_\_ day of March, 2019.

X   
Judge or Magistrate 8th Judicial District

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Page 4 of 13**Attachment A****Affiant: Ben Johnston****Occupation: Certified Peace Officer (Deputy  
Sheriff Mahaska County Sheriff's Office)****Number of years: 8 years 9 months****Assignment: Drug Task Force Detective****Number of years: 9 months****Your affiant conducted an investigation and received the following information:**

See attached:

- ☒ INVESTIGATIVE AND POLICE REPORTS  
☒ AFFIDAVITS  
☐ STATEMENTS FROM WITNESS (ES)

Your affiant, Ben Johnston, a certified peace officer of The Mahaska County Sheriff's Office, being duly sworn, do hereby depose and state that:

I am Deputy Ben Johnston with the Mahaska County Sheriff's Office. I have been employed with the Mahaska County Sheriff's Office since August of 2016. Prior to working for the Mahaska County Sheriff's Office, I worked as a police officer for the Oskaloosa Police Department, hired June 21, 2010. Prior to being employed by the Oskaloosa Police Department I obtained a degree in criminal justice at Indian Hills Community College. Once hired by the Oskaloosa Police Department I completed a 12-week field training program and was then sent to the Iowa law enforcement academy. Upon graduating the Iowa Law Enforcement Academy in December of 2010, I have furthered my education and training in a wide area of topics pertaining to law enforcement. (Examples of some as follows)

- Interview and Interrogations/Detecting Deception
- High risk event planning
- Tactical warrant service/execution
- Narcotic interdiction
- Crime patrol tactics for rural Officers
- Highway interdiction/Drug interdiction
- Search warrant writing, planning and execution
- Drug Endangered Children conferences and training
- Clandestine laboratory Officer /Site Safety Officer
- Iowa Narcotics Officer Association conference-2012, 2013, and 2014
- Advanced Roadside Impaired Driving Enforcement (A.R.I.D.E)
- Defensive Tactics instructor school
- Multiple case law updates (Iowa Acts of Interests)
- Confidential Informant management

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- Synthetic Drug and Drug testing
- Street Drug and Drug testing
- Indoor and outdoor marijuana grows
- Methamphetamine manufacturing

During my career with both the Oskaloosa Police Department and the Mahaska County Sheriff's Office I have been a part of and have conducted a large number of investigations pertaining to the subjects of alcohol, theft, narcotics, burglary, sexual assaults, homicide and more. In my career I have also been a part of the Mahaska County drug task force, the South East Iowa Inter Agency Drug Task Force and am now currently assigned to the Mid-Iowa Narcotics Enforcement Task Force. During my career as a drug task force officer I have been a part of multiple "plain clothes" operations including but not limited to buying narcotics and gathering information in reference to the distribution of narcotics. During my routine law enforcement work I have investigated many narcotic incidents and have completed many cases pertaining to the issue of drug possession, and distribution. During my career I worked many narcotic investigations alongside of Agents for the ATF, DCI, DEA, & DNE.

Your affiant conducted an investigation and knows the following:

On March 20, 2019 at approximately 8:45am I Detective Ben Johnston of the Mahaska County Sheriff's Office met with Senior Trooper Brad Cubit of the Iowa State Patrol who advised me that on the previous night (March 19, 2019) he encountered a young female identified a [REDACTED] who was walking alone along side of Highway 92. Trooper Cubit stated as he stopped and checked on [REDACTED] he offered her a ride to where she needed to go. Upon speaking with Schauf Trooper Cubit was informed about a situation pertaining to a kidnapping/sex assault incident of which he stated was very alarming. Trooper Cubit obtained additional information from [REDACTED] and arraigned for [REDACTED] to meet with DCI agent Adam DeCamp, myself along with Trooper Cubit on the morning of March 20, 2019.

This next morning, I met with Trooper Cubit and Agent DeCamp and was informed of the additional information obtained by Trooper Cubit on the previous night. At this time Trooper Cubit and Agent DeCamp conducted an interview of Schauf at the Mahaska County Law Center in interview room 1. At this time, I observed the interview being conducted through a live feed monitor. As the interview progressed Schauf made several disturbing statements in reference being sexually assaulted and held against her will.

[REDACTED] stated that in May of 2018 she was dating a male who she identified as Shawn Harris DOB [REDACTED] stated the while with Harris they met a male identified as James Manuel Lowe DOB: [REDACTED] at the Casey's gas station in Brooklynn IA. At this time [REDACTED] stated that Lowe put \$10.00 worth of gas in her car and instructed her to follow him to New Sharon IA (which is the town Lowe resides in). Lowe told Schauf that he would put more gas in her car once they arrived to New Sharon. At this time [REDACTED] followed Lowe to New Sharon where they arrived at another Casey's (located at 205 S Main St. New Sharon IA) where Lowe put an additional \$10.00 of gas in [REDACTED] car. At this time [REDACTED] stated that Lowe invited Harris and her back to his house (located at 405 East Market New Sharon IA 50207, which by a search on the Beacon Schneider web page shows the residence to be owned by Adam Maschmann bought date 1/27/2011 to current date). At this time Schauf stated they went.



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Upon arrival to Lowe's residence [REDACTED] reported they began talking and listening to music. Late [REDACTED] stated that they all began to "smoke". Late [REDACTED] stated that she occasionally smokes marijuana. As the time passed [REDACTED] stated she was "shot up" (injected with narcotics through a syringe). After being "shot up" [REDACTED] stated that she passed out. [REDACTED] stated she woke the next morning with no recollection of what occurred the previous night, after she was "shot up" [REDACTED] stated that when she woke, she was alone, and all her belongings were missing. [REDACTED] stated that her phone, keys, car, and everything else were gone. [REDACTED] stated that she was in an upstairs bedroom and when she attempted to go downstairs, she observed Lowe with a bunch of other guys. At this time [REDACTED] went back to the upstairs bedroom until everyone was gone except Lowe and his roommate (later identified as Adam Maschmann DOB: 9/2/1979). At this time [REDACTED] remained in the room for the day, until later in the night [REDACTED] stated that she was injected for the second time and again blacked out and woke the next morning unable to remember anything. [REDACTED] stated as she woke the next morning she overheard Lowe and Maschmann talking about what would happen to her if she tried to leave. [REDACTED] also spoke of how she was kept in the upstairs bedroom and was only allowed to leave the bedroom to use the restroom and or use the shower. [REDACTED] stated the shower and restroom were both located downstairs and that she would have to ask permission to be taken downstairs and use the facility. [REDACTED] would then be escorted downstairs and once finished, she would be taken back upstairs and would have to stay in the upstairs bedroom.

During this interview [REDACTED] also spoke about a computer in the room she was in, however Schauf stated any access to social media or any forms of outside communication were blocked. [REDACTED] stated how she was never directly threatened, however indirect threats were constant. [REDACTED] stated that during her time being held at Lowe's residence she would always see Lowe with a small black handgun and spoke of how he would never let her go anywhere alone. Later after the interview law enforcement was informed by [REDACTED] that there is a handgun that was buried in the backyard.

On few occasions [REDACTED] could leave the house to "run errands" with Lowe, however [REDACTED] would have to stay with Lowe and was not allowed to leave on her own. [REDACTED] stated that this mostly consisted of Lowe dealing drugs. [REDACTED] also stated that Lowe sold drugs (marijuana & methamphetamine) from his home. [REDACTED] stated how she would commonly see Lowe keep his "stuff" (drugs) in a backpack which he kept with him. [REDACTED] stated once they arrived back to the house she would go back to her room. Schauf stated every night she would be injected and every morning she would wake up feeling foggy, dazed and sexually violated. [REDACTED] described this as being sore in her vagina and would have bruises on her legs, arms and hips. Schauf also described some of the bruises as restraint marks.

[REDACTED] stated sometimes she would hear other women voices in the house. Schauf wondered if the other women were in the same situation as she, however she didn't know for sure. Schauf stated that some mornings when she woke, she would hear other male voices talking with Lowe. Schauf reports that Lowe would ask the other males "how was it?" "was it worth it?" and "did you have a good time?".

[REDACTED] again spoke of how she was not allowed to walk around the house freely and spoke how she would have to ask for permission to do anything. [REDACTED] spoke that throughout the house there were many monitors of various cameras throughout the home both inside and out. [REDACTED] also spoke of about specific cameras, one that was inside of her room that was mounted on a homemade tripod that monitored the inside of her room and another that was placed on the outside of the residence so that she could be monitored from the outside looking in. Schauf stated she felt this was in attempts to keep her in the residence. On March 20, 2019 at approximately 12:45pm I drove by the reported residence and from the public roadway witnessed a camera on the outside of the house near the north west corner of the home located directly next to an upstairs bedroom window as described by [REDACTED]



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also spoke how at times she would ask to make phone calls to her grandma and was always given false promises but never allowed. stated how she didn't as much because she was scared.

stated that these unfortunate events occurred every day and every night until she was to get away in August of 2018. reported that in August of 2018 her former boyfriend Shawn Harris and his sister came to Lowe's residence. stated that Harris and Lowe were staring each other down and she noticed Lowe still had his gun. Harris then asked to take a walk with him and when they did Harris's sister drove up in a car and Schauf and Harris jumped in and they took off. stated that she hasn't seen Lowe since.

At this time was asked if she had any additional information in regarding to this incident in which she reported that she has a friend (identified as who has a daughter that was followed one night where a male was attempting to take her. When looking further into this report it was discovered that on March 5, 2019 at approximately 8:10pm Officer Ian Barnhart took a report of the incident described by. See attached incident report plus calls for service number 19005858. stated that on the night was followed she described the person who was following her. then described the male to be driving a tan Buick with a spoiler. At this time stated that she looked up a picture of Lowe from Facebook and asked if that was him. stated that she was almost 90-100% sure that it was. At this time this ended the interview with.

Also noted that this affiant has been told by various concerned neighbors of 405 East Main that there is a common flow of traffic coming to and from the residence along with multiple vehicles at all hours of the day and night. Reports of many different vehicles, foot traffic and people staying for various periods of time. This affiant knows this to be consistent with what is commonly referred to as "drug traffic". At this time this affiant believes that a reasonable person would know that it is common practice for people to keep/save/store digital recordings for a long period of time and that individuals wouldn't commonly delete a video if it was originally worth recording. It is also believed by this affiant that recording equipment in Schauf's room would likely capture a sex assault act that was possibly committed within the room.

→ most recent information on March 20, 2019.

It is also understood by this affiant that victims of sex crimes often do not report the crime immediately after it occurred. This affiant also understands that the length of time it takes for a victim to report a crime of such nature could be weeks, months or years from the originally occurrence date.

At this time your affiant believes probable cause exists to execute a search warrant in search of evidence related to a reported sexual assault, kidnapping, drug use and drug distribution.

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### INFORMANT ATTACHMENT B

Law Enforcement, received information from informant(s) who are identified as: Detective Ben Johnston (Mahaska County Sheriff's Office/Mid Iowa Narcotic Enforcement) Brad Cubit (Iowa State Patrol) Brianna Lee Schauf (victim)

**The confidential informants should remain confidential for the following reason(s):**

- ☐ Disclosure of his/her identity would endanger his/her safety, as to:
- ☐ Disclosure of his/her identity would impair his/her future usefulness to law enforcement, as to:

**The Informants are viewed reliable for the following reasons(s):**

- ☐ The informant has supplied information in the past on occasions that has proven reliable, as to
- ☐ The informant's past information has helped supply the basis for search warrant(s), as to
- ☐ The informant's past information has led to the making of arrests, as to
- ☐ Past information from the informant has led to the filing of the following charges:
- ☐ Past information from the informant has led to the discovery and seizure of drugs or other contraband, as to
- ☒ The informants have not given false information in the past, as to all named informants.
- ☒ The information supplied by the informants in this investigation, has been corroborated by law enforcement personnel, as to all informants mentioned.
- ☒ The informant is a citizen informant and acting in the interest of public safety with no personal gain to be received through his/her cooperation with law enforcement agencies.
- ☒ The informants are Police Officers, as to Detective Ben Johnston (Mahaska County Sheriff's Office/Mid Iowa Narcotic Enforcement) Brad Cubit (Iowa State Patrol).
- ☒ The informants are named, as to Detective Ben Johnston (Mahaska County Sheriff's Office/Mid Iowa Narcotic Enforcement) Brad Cubit (Iowa State Patrol) Brianna Lee Schauf (victim)

**The informants have provided the following information:**

See Attachment A, B, C, &D.

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CLERK OF DISTRICT COURTMAHASKA  
Page 9 of 13**ENDORSEMENT ON SEARCH WARRANT APPLICATION**

1. In issuing this search warrant, the undersigned, relied upon the sworn testimony of the following persons together with the affidavit contained in the application and any other attached affidavit or abstract or testimony for a witness: as to Detective Ben Johnston (Mahaska County Sheriff's Office/Mid Iowa Narcotic Enforcement) Brad Cubit (Iowa State Patrol) Brianna Lee Schauf (victim) set forth in Attachments A, B, C, &D.
2. The undersigned has relied, at least in part, on information supplied by informants as shown in attachment(s): A, B, C, &D
3. The informant or the informants' information appears credible for the following reasons:
  - ☐ The informant has supplied information in the past on \_\_\_\_ occasions that has proven reliable, as to.
  - ☐ The informant's past information has helped supply the basis for \_\_ search warrant, as to \_\_\_\_.
  - ☐ The informant's past information has led to the making of \_\_\_\_ arrests, as to \_\_\_\_.
  - ☐ Past information from the informant has led to the filing of the following charges:
  - ☐ Past information from the informant has led to the discovery and seizure of drugs or other contraband, as to.
  - ☒ The informants have not given false information in the past, as to all named informants.
  - ☒ The information supplied by the informants in this investigation, has been corroborated by law enforcement personnel, as to all informants mentioned.
  - ☒ The informant is a citizen informant and acting in the interest of public safety with no personal gain to be received through his/her cooperation with law enforcement agencies.
  - ☒ The informants are Police Officers, as to Detective Ben Johnston (Mahaska County Sheriff's Office/Mid Iowa Narcotic Enforcement) Brad Cubit (Iowa State Patrol).
  - ☒ The informants are named, as to Detective Ben Johnston (Mahaska County Sheriff's Office/Mid Iowa Narcotic Enforcement) Brad Cubit (Iowa State Patrol) Brianna Lee Schauf (victim).

**I FIND THE INFORMATION CONTAINED IN THE APPLICATION AND ATTACHMENTS ESTABLISHES PROBABLE CAUSE TO BELIEVE THE ITEMS LISTED ARE LOCATED IN THE PLACES INDICATED AND THAT THE INFORMATION JUSTIFIES THE ISSUANCE OF A SEARCH WARRANT AND, THEREFORE, I DO ISSUE A SEARCH WARRANT.**

Dated this 21<sup>st</sup> day of March, 2019.

X 

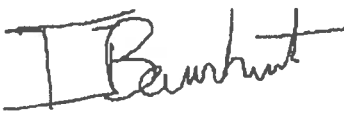
Judge or Magistrate 8th Judicial District



**IOWA INCIDENT REPORT SUPPLEMENTAL**  
 CLERK OF DISTRICT COURT  
 OSKALOOSA POLICE DEPARTMENT  
 214 HIGH AVENUE EAST  
 OSKALOOSA, IA 52577  
 (641) 872-2559

*Attachment C*  
 MAHASKA  
 Page 10 of 13

ric030102

<b>C A S E  I N F O</b>	Case Number <b>19005858</b>	Date of This Report <b>3/20/2019</b>	County in which Incident Occurred <b>MAHASKA - 62</b>	
	ORI Number <b>OSKALOOSA POLICE DEPARTMENT - IA0620100</b>			
	Date of Original Occurrence <b>3/5/2019</b>		Type of Offense <b>POSSIBLE TRAFFICKING</b>	
	Name - Last <b>VANRENTERGHEM</b>	First <b>RUSS</b>	Middle	Suffix
	Clearance Classification <input checked="" type="checkbox"/> Unfounded <input type="checkbox"/> Exceptionally Cleared <input type="checkbox"/> Cleared by Arrest		Investigative Status <input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Suspended	
<b>Narrative</b>				
<p>On March 5th, 2019 at approximately 8:10pm [REDACTED] (1211 Santa Clara St. Apt 1) called into the Mahaska County Dispatch Center in reference to her child being followed while walking home. Miller stated that her daughter was walking home on Pella Avenue near Mauer Supply. Miller stated that her daughter had texted her around 4:30, telling her when she was walking home. The daughter said when she was walking home, there was a tan/brown vehicle with a potential spoiler was following her and pulling into driveways while following her. Miller stated that her daughter walks home quite frequently and doesn't have a cell phone to call in if anything happens. The daughter explained the guy to her mother and they looked him up on facebook. They both identified and said that they are 90% sure the person in the vehicle was James Lowe from New Sharon. The mother stated another female in the residence had something happen to her previously. The mother stated that the other female was scared when she saw the picture of James Lowe. The other female stated that she had been taken previously and there were 3 other females in the room with her when she was taken previously. She said she was able to escape.</p> <p>I was wearing body cam 15 and around 20:24:50, the other female in the room speaks and talks about when she was taken previously.</p>				
<b>O F F I C E R</b>	Complainant/Reporting Party (Signature) 			
	Reporting Officer <b>BARNHART IAN</b>		Badge Number <b>171</b>	
	Assisting Officer / Administrative Reviewer		Badge Number	
	Supervisor <b>BOEKE BENJAMIN</b>		Badge Number <b>170</b>	
	Incident Assigned to: <b>RUSS VANRENTERGHEM</b>			

E-FILED 08621-SWSW000928-2019 APR 12 10:28 AM Attachment 6  
 CLERK OF DISTRICT COURT Page 11 of 13  
 S W C A D C A L L S U M M A R Y R E P O R T  
 As of 03/20/19 at 14:52

Call: 19-005858  
 Loc: 407 L ST N  
 MAUER WELDING SUPPLY  
 OSKALOOSA, IA 52577  
 C AVE W / D AVE W  
 Type: SUSPICIOUS PERSON  
 Name: MILLER, NICOLE  
 Addr: 1211-1 SANTA CLARA ST  
 OSKALOOSA, IA 52577  
 Home:  
 Cell: (641) 660-4280  
 Work:

Police Fire Amb Other  
 Grids: O352NW O352NW O352NW O352NW  
 District: OPDW OSKF MHA  
 Agency: OPD OSKF MHA  
 Cmd Area: A A A  
 Priority: 1  
 Disposition: A  
 Call Date/Time: 03/05/2019 20:10  
 Call Source: P  
 Received By: K6756  
 Actual Type: 37P

----- Call Remarks -----

(K6756 03/05/2019 20:10:47)  
 VEH FOLLOWING RP'S DAUGH. DAUGH FLAGGED SOMEONE DOWN TO GIVE HER A RIDE.  
 TAN/BROWN OLDER 4 DOOR CAR LIKE A BUICK CENTURY. MALE DRIVER. HAPPENED AROUND  
 5PM.

(K6756 03/05/2019 20:13:18)  
 INFO TO 62-59

(K6756 03/05/2019 20:33:39)  
 62-59 ADV THAT POSSIBLY JAMES LOWE. ANOTHER DAUGH HAD PREVIOUSLY BEEN  
 KIDNAPPED BY SAME MALE

----- Responding Units -----

Unit	Personnel Dispatch	Enroute	Arrive	Clear	Qtrs
59	171 B19 BARNH	03/05/2019 20:21:39	20:25:37	20:37:19	

----- END OF REPORT -----

E-FILED 08621 SWSW000928 - 2019 APR 01 10:25 AM - MAHASKA  
 S W C A D C A L L S U M M A R Y R E P O R T Page 12 of 13  
 CLERK OF DISTRICT COURT  
 As of 03/20/19 at 09:01

Call: 19-007428	Police	Fire	Amb	Other
Loc: CARBON TRL/ HIGHWAY 92	Grids: S347	S347	S347	S347
	District: MCSO	OSKF	MHA	
LEIGHTON , IA 50143	Agency: MCSO	OSKF	MHA	
	Cmd Area: A	A	A	
Type: WELFARE CHECK	Priority: 2			
	Disposition: A			
Name: ALANDAS, CARLIN	Call Date/Time: 03/19/2019	16:44		
Addr: 111 E ELM ST	Call Source: P			
RED OAK, IA	Received By: L3225			
Home:	Actual Type: 83			
Cell: (712) 789-1643				
Work:				

## ----- Call Remarks -----

(L3225 03/19/2019 16:44:41) Updated By L3225 03/19/2019 16:45:09  
 2 MILES EAST OF DES MOINE RIVER BRIDGE. FEMALE WITH SEVERAL BAGS WALKING.  
 DOESN'T LOOK VERY HEALTHY. WHI FEMALE WITH BRO HAIR. ADV FEMALE DIDN'T LOOK  
 VERY HEALTHY.

(L3225 03/19/2019 16:44:54)  
 RP IS PASSER BY. DID NOT STOP.

(L3225 03/19/2019 16:50:41) Updated By L3225 03/19/2019 16:54:01  
 ADV 62-6

(C1447 03/19/2019 17:19:07)  
 15 Location updated to WITH PERSON CORDOVA/HWY 92

(C1447 03/19/2019 17:25:44) for Unit 15  
 15 Timer Reset to 0

## ----- Responding Units -----

Unit	Personnel Dispatch	Enroute	Arrive	Clear	Qtrs
15	P20 BOENDER K 03/19/2019 17:09:01	17:09:01	17:18:50	17:31:01	

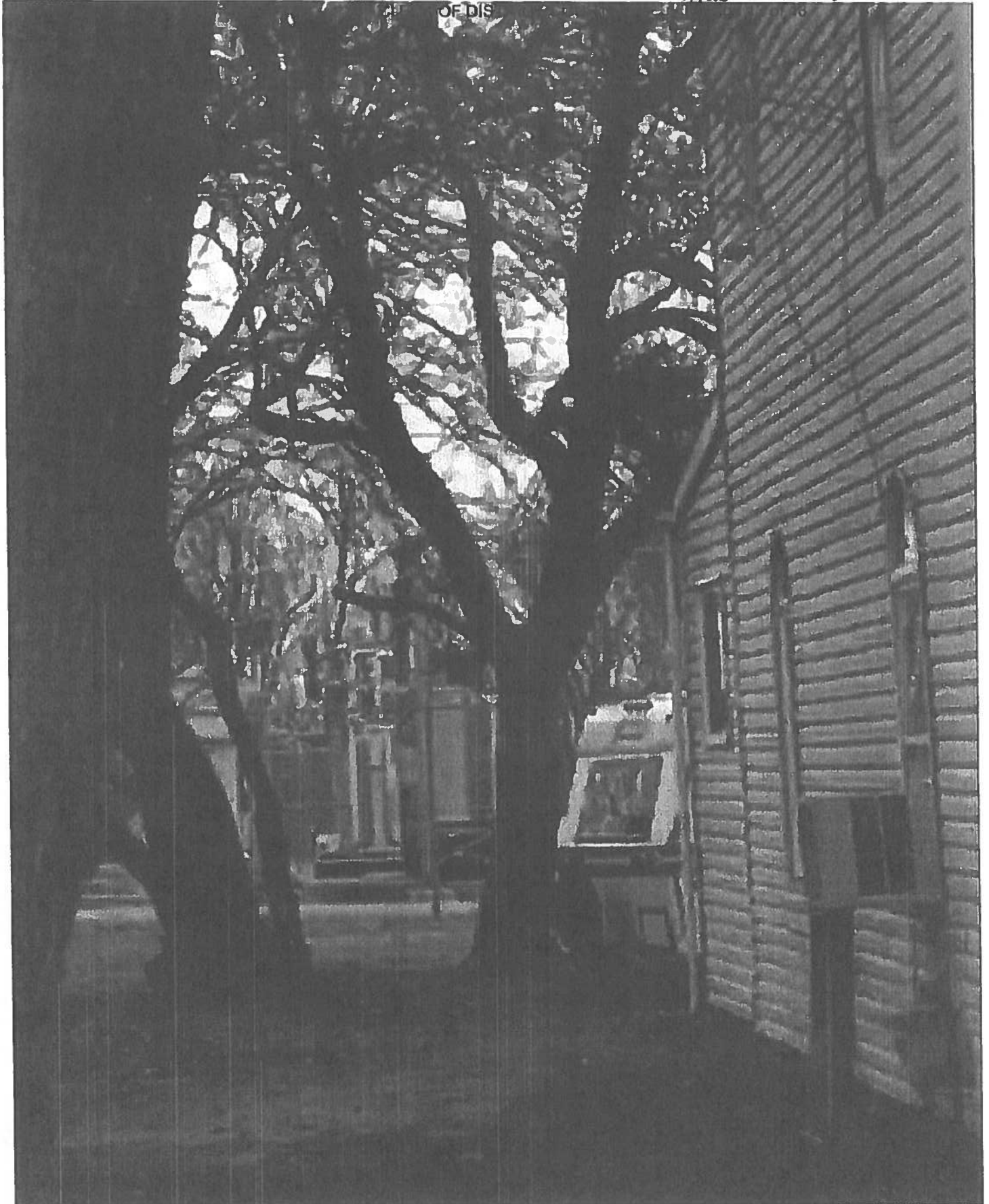
----- END OF REPORT -----



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08621 SWSW000928 - 2019 APR 12 10:28 AM

Alachua County, FL  
CLERK OF DISTRICT COURT



E-FILED 2020 JUL 27 11:34 AM MAHASKA - CLERK OF DISTRICT COURT

THE IOWA DISTRICT COURT FOR MAHASKA COUNTY

STATE OF IOWA,	CRIMINAL NO. FECR064638
vs.	<b>TRIAL INFORMATION</b>
<b>ADAM LYNN MASCHMANN,</b> Defendant	

**COUNT I**

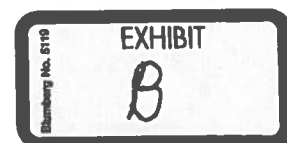
COMES NOW Cami Eslick, as Prosecuting Attorney of Mahaska County, Iowa, and in the name and by the authority of the State of Iowa, accuses **ADAM LYNN MASCHMANN**, of the crime of **Possession of Firearm or Offensive Weapon by Domestic Violence Offender**, committed as follows:

The said Adam Lynn Maschmann, on or about March 21, 2019, in the County of Mahaska and State of Iowa, did being a subject of a protective order or having been convicted of a misdemeanor crime of domestic violence, knowingly have under his/her dominion and control or possession, receive, transport or cause to be transported, a firearm or offensive weapon, to-wit: a short-barreled shotgun, in violation of Iowa Code Section 724.26(2)(a), a Class D Felony.

**COUNT II**

COMES NOW Cami Eslick, as Prosecuting Attorney of Mahaska County, Iowa, and in the name and by the authority of the State of Iowa, accuses **ADAM LYNN MASCHMANN**, of the crime of **Possession of Short-Barreled Rifle or Short-Barreled Shotgun**, committed as follows:

The said Adam Lynn Maschmann, on or about March 21, 2019, in the County of Mahaska and State of Iowa, did knowingly possess a short-barreled rifle or short-barreled shotgun in violation of federal law in violation of Iowa Code Section 724.1A, 724.1C, a Class D Felony.





E-FILED 2020 JUL 27 11:34 AM MAHASKA - CLERK OF DISTRICT COURT

**A TRUE INFORMATION**

/s/ Cami Eslick

Cami Eslick  
Assistant Mahaska County Attorney  
Mahaska County Courthouse  
106 S 1st St  
Oskaloosa IA 52577  
Phone: (641) 673-9819  
Fax: (641) 672-1276  
eslick@mahaskacounty.org

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State of Iowa Courts

**Type:** Approval of Trial Information

<b>Case Number</b>	<b>Case Title</b>
FECR064638	STATE OF IOWA VS MASCHMANN, ADAM LYNN

On this date, I have reviewed the attached Trial Information and the accompanying Minutes of Testimony and find that they contain evidence which, if unexplained, is sufficient to warrant a conviction by a trial jury. Being satisfied from the showing made that the case should be prosecuted, I approve the Trial Information.

Release conditions are set by separate Order of the Court.

So Ordered

A handwritten signature in cursive script, appearing to read "Shawn Showers".

---

Shawn Showers  
Judge

**E-FILED 2020 JUN 17 8:29 AM MAHASKA - CLERK OF DISTRICT COURT  
IN THE IOWA DISTRICT COURT IN AND FOR  
MAHASKA COUNTY**

This Complaint and Affidavit is to be:

- ☒ Filed with Court Clerk (cc: CA)  
☐ Submitted to County Attorney  
☐ Filed with JCO - Defendant is a Juvenile

Agency Case Number: **19007428**Arrest Date: **06/16/2020****THE STATE OF IOWA**

VS.

**OFFENDER**

Last <b>MASCHMANN</b>		First <b>ADAM</b>		Middle <b>LYNN</b>	Suffix
Address <b>405 EAST MARKET</b>			City <b>NEW SHARON</b>		State <b>IA</b> Zip Code <b>50207</b>
DL# <b>831ZZ5132</b>	State <b>IA</b>	DL Class	DL Endorsements	DL Restrictions	
Date of Birth <b>09/02/1979</b>	Gender <b>MALE</b>	Race <b>WHITE - W</b>		Ethnicity <b>UNKNOWN - U</b>	
Height <b>5' 09"</b>	Weight <b>144 LBS</b>	Eye Color <b>BROWN - BRO</b>		Hair Color <b>BROWN - BRO</b>	

**OFFENSE**

State <input checked="" type="checkbox"/>	County <input type="checkbox"/>	Local <input type="checkbox"/>	Code Section <b>724.26(2)(A)</b>	Crime Description <b>DOMINION/CONTROL OF FIREARM/OFF WEAPON BY DOM ABUS</b>		Speed	in	Zone
Class <b>FELD</b>			Serious P.I. <input type="checkbox"/>	Fatal Accident <input type="checkbox"/>	Civil Damage Assessment <input type="checkbox"/>	Other <input checked="" type="checkbox"/>		
Location Type <b>20 - RESIDENCE/HOME</b>								
Literal Description <b>US 63/MARKET ST</b>								
Address <b>405 EAST MARKET</b>			City <b>NEW SHARON</b>			State <b>IA</b>	Zip Code <b>50207</b>	
Is Date and Time of Incident Known? <b>YES</b>		Incident Date or Low Range <b>03/21/2019</b>		Upper Date Range	Incident Time or Low Range <b>16:15</b>		Upper Time Range	

**STATUS OF OFFENDER/JUVENILE**

<input type="checkbox"/> TAKEN INTO CUSTODY	CUSTODY	<input type="checkbox"/> SUMMONS TO APPEAR (Citation Issued)
<input checked="" type="checkbox"/> WARRANT REQUESTED	<input type="checkbox"/> NO CONTACT ORDER REQUESTED	<input type="checkbox"/> RELEASED TO PARENT/GUARDIAN

**NARRATIVE**

## Narrative of Offense Committed

On or about the above stated date and time, the Defendant did

being a subject of a protective order or having been convicted of a misdemeanor crime of domestic violence, knowingly have under his/her dominion and control or possession, receive, transport or cause to be transported, a firearm or offensive weapon, to-wit: a short barreled shotgun.



## E-FILED 2020 JUN 17 8:29 AM MAHASKA - CLERK OF DISTRICT COURT

AFFIDAVIT

STATE OF IOWA, MAHASKA COUNTY

I, the undersigned, being duly sworn, state that all facts contained in this Complaint and Affidavit, known by me or told to me by other reliable persons form the basis for my belief that the defendant committed this crime

State all facts and persons relied upon supporting elements of alleged crime

On March 21, 2019 at approximately 4:15pm Members of the Mahaska County Sheriff's Office executed a search warrant at the residence of Adam Lynn Maschmann DOB: 09/02/1979 located at 405 East Market New Sharon IA 50207. Prior to executing this warrant I had received information regarding Maschmann in reference drug use and possible sex assault occurring with in his residence. Upon receiving this information and developing probable cause, applying for and receiving a search warrant for Maschmann residence members of the Mahaska County Sheriffs Office arrived to his home and began knocking and announcing "sheriffs office, search warrant". Upon making entry to Maschmann's residence Deputies cleared the residence for people while announcing our presence. After the residence was clear Maschmann and a female (Tisha Colbert DOB: 11/16/1979) were found to be the only persons present during the time of the execution of the warrant.

At this time a search of the residence was conducted. During a search of Maschmann's residence law enforcement discovered multiple illegally possessed items:

1. Thumb drives and SIM cards - found in living room by ISP Brad Cubit 181
2. 1 camera and 3 hard drives - found in living room by Deputy David Wilke 62-13
3. DVR with remote - found in living room by Deputy Wilke
4. various DVD's and discs - found in living room by Deputy Wilke
5. Sony cyber shot - found in living room by Deputy Wilke
6. Computer bag with 3 computers - found in Northwest corner room by Chief Deputy Scott Miller
7. Drug paraphernalia (pipes with residue) - found upstairs in Northeast room in blue table by Deputy Wilke
8. Drug paraphernalia found in living room by Deputy Wilke
9. Netgear camera found in living room by ISP Cubit
10. Computer/PS3/4 memory cards and hard drive found in living room by Deputy Wilke
11. silver camera found in living room by ISP Cubit
12. samsung cell phone found in living room by Deputy Wilke
13. scale found in living room by ISP Cubit
14. iPad and mail found in living room by Deputy Wilke
15. Sim Cards found in living room by Deputy Wilke
16. Olympus voice recorder found in living room by ISP Cubit
17. pink samsung/ black vera phone/ black recorder found in living room by ISP Cubit
18. black motorola and black Kyocera phone found in living room by ISP Cubit
19. Black dash cam found in living room by ISP Cubit
20. Blue honda express (reported stolen from Jason Allsup) found in garage by Chief Deputy Miller
21. 12 gage (shortened barrel shotgun) found in garage by Chief Deputy Miller
22. Drug paraphernalia found in garage by Chief Deputy Miller

Upon a post miranda interview of Maschmann he admitted to knowingly possessing the short barreled shotgun. Maschmann also stated that he had a "friend" bring him the shotgun so that he could put down a dog. Maschmann also stated that he knew he had multiple items of drug paraphernalia in the home. Maschmann stated that he kept the drug items to keep it off the streets.

On 3/29/2019 item 20 was given back to owner Jason Allsup who reported this item as stolen.

On 5/2/2019 part of item 17 (pink samsung cell phone) was given back to Maschmann.

On 10/19/2019 items 1,2,3,4,5,6,9,10,11,12,14,15,16,part of item 17,18,19 were turned over to Deputy Matt McCain who delivered these items to the Iowa crimes against children center (ICAC) for a search of the materials. As of this date 6/15/2020 the Mahaska County Sheriffs office is currently waiting for the result and return of these items.

As of this date and after speaking with the Mahaska County attorney's office charges have been filed on Maschmann for the unlawful possession of a short barreled shotgun (sawed off shotgun) under Iowa Code 724.1C, unlawful possession of a firearm as convicted of domestic abuse (708.2A) dated 02/25/2015 in violation of Iowa Code 724.26(2)(a) and possession of drug paraphernalia under Iowa Code 124.414.

At this time this will conclude my involvement with this incident. This investigation has been turned over to Deputy Matt McCain for further investigative work in regards to the reported sex assault.



JOHNSTON, BEN

62-3

Signature of Complainant or Officer, Officer Name &amp; Number

**GENERAL PROBABLE CAUSE**

Defendant Implicated



**01 - POSSESSED DRUGS/PARAPHERNALIA, 02 - CAUGHT IN ACT, 03 - ADMISSION/STATEMENTS**

Operating Motor Vehicle in County

Other Physical Evidence

Attempted To Inflict Injury

E-FILED 2020 JUN 17 8:29 AM MAHASKA - CLERK OF DISTRICT COURT  
STATE OF IOWA, MAHASKA COUNTY

	Subscribed and sworn to before me by the person(s) signing the Complaint and Affidavit(s) on 06/16/2020		
	Notary Name	JANEL LEGVOLD	Signature of Verifying Party
	Commission Number	793795	
	My Commission Expires	12/29/2021	<input type="checkbox"/> Peace Officer <input checked="" type="checkbox"/> Notary <input type="checkbox"/> Prosecuting Attorney

THE IOWA DISTRICT COURT FOR MAHASKA COUNTY

STATE OF IOWA,	CRIMINAL NO. FECR064638
vs.	<b>MOTION TO DISMISS</b>
<b>ADAM LYNN MASCHMANN,,</b> Defendant	

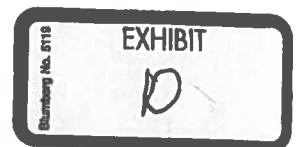
COMES NOW the State of Iowa by and through Assistant Mahaska County Attorney, Cami Eslick, and states that in the furtherance of justice, this cause should be dismissed.

- ☒ There is insufficient evidence to proceed with the prosecution of this matter and costs should be assessed to the State.
- ☐ This case has been consolidated into criminal cause no. \_\_\_\_\_ and costs should be assessed to the State.
- ☐ Pursuant to plea agreement, the parties agree to dismiss this matter and the costs be assessed to the defendant.
- ☐ Other:

WHEREFORE, for the reasons set out in this motion, the State of Iowa respectfully requests that all charges pending against the defendant in the above-entitled matter be dismissed in the interests of justice with any associated court costs and court-appointed attorney fees being assessed to party specified above.

/s/ Cami Eslick

Cami Eslick  
Assistant Mahaska County Attorney  
Mahaska County Courthouse  
106 S 1st St  
Oskaloosa IA 52577  
Phone: (641) 673-9819  
Fax: (641) 672-1276  
eslick@mahaskacounty.org



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FECR064638 - 2021 JUN 18 11:47 AM  
CLERK OF DISTRICT COURT

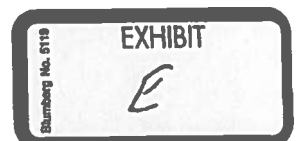
MAHASKA  
Page 1 of 2

THE IOWA DISTRICT COURT FOR MAHASKA COUNTY

STATE OF IOWA,	CRIMINAL NO. FECR064638
vs.	<b>ORDER TO DISMISS</b>
<b>ADAM LYNN MASCHMANN,</b> Defendant	

For the reasons set out in the State's Motion to Dismiss, the pending charges against the defendant in the above-entitled matters are dismissed.

IT IS THEREFORE ORDERED the charges previously filed against the defendants in the above-entitled matters are hereby and herein dismissed without prejudice and in the interests of justice. The Defendant's appearance bond and/or arrest warrant, if any, are cancelled. Any court-appointed attorney fees and associated court costs are assessed to the party requested in the State's motion.



E-FILED

FECR064638 - 2021 JUN 18 11:47 AM  
CLERK OF DISTRICT COURT

MAHASKA  
Page 2 of 2



State of Iowa Courts

**Case Number**  
FECR064638  
**Type:**

**Case Title**  
STATE OF IOWA VS MASCHMANN, ADAM LYNN  
DISMISSED PER COURT

So Ordered

A handwritten signature in cursive script, reading "Lucy J. Gamon". The signature is written in dark ink and is positioned above a horizontal line.

Lucy J. Gamon, District Court Judge,  
Eighth Judicial District of Iowa

Electronically signed on 2021-06-18 11:47:08