

NEW-HARMONY, (IND.) December 2021

**PROBABLE CAUSE IN MT. VERNON
MURDER MOST FOUL!***By: Dan Barton*

What follows is a re-printed copy of an official "PROBABLE CAUSE AFFIDAVIT" with redactions, filed by Indiana State Police Officer Weston Kuykendall on November 15, 2021 regarding the results of his investigation into the alleged double murders of Mt. Vernon, Indiana residents John and Elizabeth Hall. Those implicated or arrested for the commission of this crime are all considered innocent until proven guilty by a court of law.

CASE NUMBER 65C01-2111-
MR-000670 FILED: 11/15/2021

STATE OF INDIANA
POSEY COUNTY CIRCUIT COURT
COUNTY OF POSEY
2021 ANNUAL TERM

STATE OF INDIANA
VS
AUSTIN KUSTURIN

PROBABLE CAUSE AFFIDAVIT

I, the undersigned, being duly sworn upon his oath, state the following:

On November 6th, 2021 at approximately 8:16 am, Posey County Dispatch received a 911 from XXXXXXXXXX, stating that she had discovered her parents deceased in their own home and that she believed they had been murdered. Officers with the Mt. Vernon Police Department (MVPD) were dispatched to 727 Mulberry Street in Mt. Vernon, Posey County. Upon arrival on scene, MVPD Officer Anthony Stallings observed a female, he later identified as XXXXXXXXXX, exiting the residence of 727 Mulberry Street where she stated her parents reside. Ofc. Stallings followed

XXXXXXXXXX into the residence wherein he observed an elderly woman that appeared to be deceased lying in a bed located in a downstairs bedroom with an apparent wound to her chest area. MVPD Officer Mike Collins arrived at the residence and officers then performed a protective sweep of the residence. During said protective sweep, officers located an elderly male that appeared to be deceased lying in a bed in an upstairs bedroom. The elderly male was covered by a blanket up to his head and neck area. Officers then exited the residence, secured the area and called dispatch for investigative assistance.

Detectives with the Indiana State Police (ISP) began assisting the MVPD at approximately 8:52 am on Saturday November 6th, 2021. XXXXXXXXXX, identified the deceased male and female located inside the residence as homeowners John Hall and Elizabeth Hall. The family of the deceased individuals advised law enforcement that the last personal contact with either John or Elizabeth was Thursday (11/4/21) evening at approximately 6:00 pm. The family provided cell phone numbers for John and Elizabeth Hall and once it was determined their cell phone devices were no longer in the residence, ISP initiated contact with the Verizon Wireless corporation in order to try and determine the current location of either device. It was also determined that the personal wallets of both John and Elizabeth Hall were missing, to include identification, debit and credit cards, ISP resources were tasked with attempting to identify the companies and banks associated, as the family was unsure.

During the course of the on-scene investigation on Saturday, November 6th, Posey County Deputy Tyler Ritzert developed information from neighbors about a confrontation they had with a

young man in the alley between their home and the residence of John and Elizabeth Hall. This encounter had occurred at approximately 11:30 pm on Friday, November 5, 2021. One of the neighbors, XXXXXXXXXX, drove into the alley from his driveway after noticing the stranger dressed in black clothing and asked him what he was doing. He also told him that he needed to leave the area. XXXXXXXXXX and his wife, XXXXXXXXXX, described the person as being a younger white male with brown hair, wearing a black hooded sweatshirt and black pants with white stripes down each leg. After the suspicious male left the area, XXXXXXXXXX, checked the area between his home and the Hall's and noticed a pin consistent with what was used to secure the back yard gate at the Hall residence as well as an ammunition magazine for a rifle, later determined to belong to a .22 lr caliber rifle. Both items were taken as evidence.

During the course of the investigation, ISP crime scene investigators discovered evidence of forced entry into one of the rear doors of the victims' residence, specifically a broken glass pane on an exterior door and broken glass located on the interior of the residence just inside said door. Crime scene investigators also determined that both victims suffered what appeared to be a fatal gunshot wound.

ISP applied for and were granted numerous search warrants by the Posey Circuit Court on November 6th, 2021. Based on information received from said warrant returns, it was discovered that the cellular phone belonging too Elizabeth Hall remained powered on and was currently located in the area of the intersection of Lower New Harmony Road and Base road in Mt. Vernon. The cellular phones belonging to John and Elizabeth Hall were physically recovered

in the early morning hours of November 7th, 2021, in a field northwest of Mt. Vernon on Lower Mt. Vernon Road. An iPad mini, later determined to be the property of John Hall's employer, Yates Engineering, was also located in the same wooded area.

On the morning of Monday, November 8th, 2021, in response to search warrants issued by the Posey County Circuit Court, ISP received cellular phone data from Verizon Wireless related to the two cellular phone numbers belonging to John and Elizabeth Hall. The data showed, among other things, movement of the two above phones along a path east and south of the victim's residence on Friday, November 5th, at approximately 6:51 am.

During the morning hours of November 8th, 2021, law enforcement was able to download and view video and audio from a surveillance system at the personal residence of XXXXXXXX, XXX N. Walnut, Mt. Vernon, IN which depicted an alley to the south of Hall's residence along with other views of roads surrounding the Hall's property. The video/audio depicts a vehicle enter the alleyway to the south of the Hall's residence at approximately 6:49 am on November 5th, 2021. The vehicle appears to stop behind the residence at 727 Mulberry with the vehicle in the alleyway facing south. The vehicle is not visible as it departs the residence.

Additionally, ISP collected video from buildings belonging to the Metropolitan School District (MSD) of Mt. Vernon on November 8th. During a review of those videos, ISP identified a passenger car which moved east on 6th St. in the area Harriet Dr. on November 5th, 2021 at approximately 6:51 am. The vehicle turned south on Harriet and proceeded toward 4th St. The vehicle observed on the video was missing a right front passenger head light. During the afternoon of November 6th, ISP units at 727 Mulberry recalled seeing a small silver passenger vehicle with a damaged passenger front headlight drive by the scene at least twice. ISP F/Sgt Trevor

Helmer mentioned the vehicle to MVPD Officer Korben Sellers, who was familiar with the vehicle and identified it as belonging to Austin Kusturin. MVPD Officer Michael Collins also described recently working an accident in which a silver vehicle driven by Kusturin suffered a broken headlight. On the afternoon of November 9th, 2021, the ISP established, via BMV records, that Austin Kusturin owned a Silver 2006 Buick LaCrosse.

Further data from Verizon showed that the phones belonging to the victims listed above moved on or near the east side of Mt. Vernon near the Chuckles gas station at approximately 6:59 am on November 5th. MVPD officer Korben Sellers obtained video from Chuckles gas station at 418 E. Fourth Street, Mount Vernon, from November 5th, 2021 at 6:59 am which showed Austin Kusturin inside the store paying for gas and a Gatorade after emerging from the small silver passenger vehicle missing a right front headlight. While in Chuckles gas station, Austin Kusturin was viewed wearing a dark colored hooded sweatshirt, with a sock hat underneath, dark pants with a white stripe down the side, and dark athletic shoes.

Additional data from Verizon indicated that the phones moved north of Mt. Vernon and frequented an area commonly referred to as Lawrence Addition in Mt. Vernon during the day on Friday, November 5th 2021. ISP confirmed Austin Kusturin's listed BMV address as 501 Melody Lane, Mt. Vernon, which is in Lawrence Addition.

Additional data from Verizon indicated the phones moved again on November 6th, 2021 at approximately 11:44 am in a direction northwest of Mt. Vernon. ISP had additionally identified XXXXXXXX, Austin's mother, and her residence at XXXXXXXX, Mt. Vernon, also located near Lawrence Addition. XXXXXXXX owns a gray 2013 Chrysler 300 according to BMV records. During the late afternoon of November 9th, 2021, ISP obtained video from GAF, a business located on Lower Mt. Vernon road northwest of Mt. Vernon, which depicted

a gray Chrysler passenger vehicle consistent with a 300 traveling northwest on Lower Mt. Vernon road on November 6th, 2021 at approximately 11:44 am.

On November 9th, 2021, ISP analyst Mallory Webb identified a fingerprint taken from the recovered phone listed above XXXXXXXX, belonging to John Hall, as consistent with prints entered into Automated Fingerprint Identification System belonging to Austin Kusturin. Later that same day (November 9), ISP Trooper Justin Bean and other members of the US Marshal's Task Force from Evansville, IN, located Austin Kusturin outside of his apartment at 501 Melody Lane, Mount Vernon. They took him into police custody without incident and secured his apartment in anticipation of a search warrant.

ISP Detective Tobias Odom and I met with police at that residence and took Kusturin into our custody. He sat in the front seat of my police car and I drove him to the Posey County Sheriff's Office for a recorded interview. Once at the office, we removed his handcuffs and sat with him in an interview room with both audio and video recorders activated. I began by advising Kusturin of his rights under Miranda, using a standard form. Kusturin, indicating he understood his rights and wished to waive them, signed the same form at 6:52 pm.

When asked about his whereabouts for the previous Thursday, Friday and Saturday (November 4th- 6th), Kusturin was vague but indicated he was in the Mount Vernon area during that time. I attempted to obtain specifics about when he was asleep and awake and if he interacted with anyone during that time. He indicated he only spoke to his mother and the mother of his only child during that time and led me to understand he was up late each night. Kusturin indicated he was aware of the death of both John and Elizabeth Hall, as well as the current homicide investigation underway, through news reports. When asked, Kusturin indicated he knew the location of the crime scene and when later pressed, corroborated the observations of

officers on the scene that he had driven by the scene, although he wasn't sure which day. He described the scene as being near "Hedges" known locally as a previous elementary school, now converted for other uses, but still owned by the MSD of Mount Vernon. He also described seeing yellow "tape" around a house in that area. It should be noted that the Hedges building is situated two blocks east of the scene of the crime. After an hour in the interview room, Kusturin was offered a break. At his request, he was given a cup of water and a small bag of Cheetos while other investigators and I conferred. The audio and video recording did not stop.

Later in the interview, Kusturin was confronted with the fact that his fingerprint, specifically his right thumb print, had been matched to one recovered from a black iPhone belonging to one of the deceased. Kusturin offered that he had been in possession of the phone after buying it from another local person, XXXXXXXX, who indicated the phone was stolen. We asked what he had done with the phones, to which he replied he had gotten rid of them. When confronted with evidence that the phones were recovered from a wooded area near Mount Vernon, specifically out Lower New Harmony Road, near his home, he confirmed that he had thrown them in the woods out that way.

Sometime around 9:30 pm that same night (November 9th), Kusturin began to indicate that his chest hurt and he was having trouble breathing. At 9:43 pm, I called Posey County Dispatch and requested an ambulance. Paramedic Chris Neaveill examined Kusturin and at his request elected to transport him by ambulance to Deaconess hospital in Evansville. I rode in the ambulance and activated my audio recording. ISP Trp. Bean followed the ambulance to the hospital. During the trip to and during the initial evaluation at Deaconess, I asked Kusturin nothing and he said nothing to me. I shut off my recorder during Kusturin's initial contact with medical staff and remained outside of his care room.

While at the hospital, I was informed that law enforcement executed a search warrant at Tile Factory Mini Storage located at the intersection of E. Sherman Street and Tile Factory Road. During the course of the investigation, it was discovered Kusturin shared storage unit 10 at that facility with his mother, XXXXXXXX. During a search of said storage unit, officers located an AR-15 style rifle in its original packaging. An ATF trace was later performed and revealed the purchaser of this firearm to be the victim, John Hall.

Once hospital staff had finished registering and evaluating Kusturin, ISP Trp. Bean and I were left in his room with him alone. I started my audio recorder and resumed my conversation with Kusturin. Kusturin continued to implicate XXXXXXXX as well as another local individual, XXXXXXXX. When I explained the evidence collected and indicated there was more to place him in the home, Kusturin denied involvement and continued to blame others. Many times both at the Sheriff's Office and at the hospital, Kusturin told me that when he was with XXXXXXXX over the weekend, he told Kusturin that he was "on one" and did "some stuff" at a place over "by Hedges." When I asked him to be specific, he was unable. Even after I reminded him of the serious legal implications associated with his proposed charge of murder, he continued to vaguely implicate XXXXXXXX. I implored him to try and remember something specific about why he believed XXXXXXXX to be involved, and he was unable.

Kusturin was asked about the rifle that was discovered in his storage unit. He originally stated that was not his storage unit, but when questioned further, he accused law enforcement of placing the rifle in his storage unit. Later, Kusturin stated that he had provided XXXXXXXX with a key to his storage unit several months prior and indicated that XXXXXXXX may have put the rifle there.

At approximately 2:30 am (November 10th), Kusturin was released from

Deaconess Midtown Hospital. Just after 3:15 am, Kusturin was booked into the Posey County Jail without incident.

Charge: Murder, a Felony; IC 35-42-1-1
Murder, a Felony; IC 35-42-1-1

I AFFIRM UNDER THE
PENALTIES FOR PERJURY THAT
THE FORGOING ACTS AND
INFORMATION ARE TRUE TO THE
BEST OF MY ABILITIES AND BELIEF.

/s/ Weston L. Kuykendall, ISP #8198
Weston Kuykendall, Affiant

**SHANE WRIGHT, CONVICTED
DRUG DEALER GETS 10 YEARS
(WITH A DEAL)!**
By: Dan Barton

Shane Wright will serve "prison time" for dealing drugs in Posey County.

On November 17th, Shane Wright, age 32, appeared in Posey County Circuit Court and was sentenced to ten (10) years in prison, with a deal to get out early if he successfully completes an in-prison rehabilitation therapy program assigned to him by Judge Craig Goedde. Wright was convicted of multiple drug-related charges, including dealing in methamphetamine and conspiracy to commit dealing in methamphetamine.

As part of his guilty plea, Wright admitted to delivering methamphetamine to a confidential informant in Posey County on April 15, 2021. Wright further admitted to conspiracy to commit dealing in methamphetamine in Posey County on April 19, 2021.

Wright was arrested on May 14, 2021 as a result of Operation Lockdown, an undercover drug operation led by the Posey County Drug Task Force, beginning in August 2020. Wright has remained in the Posey County Jail since the date of his arrest.

Court records show Wright sold a total of approximately 6.4 grams of methamphetamine to a confidential

informant in Mt. Vernon on April 15, 2021. Court records further show that Wright agreed to sell a half an ounce of methamphetamine to an undercover informant on April 19, 2021. However, Wright instead sold the undercover informant a large amount of a substance that did not test positive for methamphetamine.

Posey County Prosecutor Thomas Clowers commented: "Mr. Wright made the decision to come to Posey County and sell drugs. I have no doubt that his efforts to profit from the addiction of others further contributed to the destruction of lives and families within our community. I am grateful that he has been held accountable for his actions."

Wright will be transported to the Indiana Department of Correction to serve his sentence.

*The sentencing guidelines in the public records indicate that, though Wright was sentenced to ten years, it also stipulated that, "The parties (Judge Goedde, Prosecutor Thomas Clowers and the Publicly Paid Defense Attorney) recommend and request the Indiana Department of Corrections place the Defendant in Recovery While Incarcerated (RWI) as early as possible. Should the Defendant (Wright) successfully complete the clinically appropriate substance abuse program as determined by IDOC, the Court will consider modification of the Defendant's sentence. It is the expressed intent of the parties that the sentence imposed herein qualify as Purposeful Incarceration."

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**JULIE KUBERSKI
ONE OF THE 16
GETS EIGHT YEARS
FOR DEALING METH!**

*From Office of
Posey County Prosecutor Thomas
Clowers*

A Mount Vernon woman originally arrested in the Posey County Drug Task Force's Operation Lockdown has been sentenced to prison.

Julie Kuberski, age 57, appeared in the Posey County Circuit Court on the afternoon of Wednesday, November 3rd, where she was sentenced by Judge Craig Goedde to eight (8) years in prison after pleading guilty to multiple drug-related charges, including dealing in methamphetamine.

As part of her guilty plea, Kuberski admitted to selling Methamphetamine and Hydrocodone to an undercover police informant in January 2021. Kuberski further admitted to the charges of maintaining a common nuisance, possession of methamphetamine and possession of paraphernalia.

Kuberski was apprehended in Operation Lockdown in May 2021 as part of an undercover drug investigation that began in August 2020. Operation Lockdown was a multi-agency operation led by the Posey County Drug Task Force, with assistance from the Posey County Prosecutor's Office, Posey County Sheriff's Office, Mt. Vernon Police Department, Indiana State Police, Evansville Police Department, Evansville-Vanderburgh County Joint Drug Task Force, Federal Bureau of Investigation-Safe Streets Task Force, Vincennes Police Department, New Harmony Police Department, and DNR's Law Enforcement Division.

"I'm grateful to law enforcement officers that work tirelessly and put their own safety at risk in order to identify and apprehend those responsible for dealing drugs in our community," said Posey County Prosecutor Thomas Clowers. "In this case, the investigation conducted by the Posey County Sheriff's Office

Detective Dustin Seitz and Mt. Vernon Police Department Detective Korben Sellers - provided my office with overwhelming evidence to support a conviction against Ms. Kuberski."

Kuberski will be transported to the Indiana Department of Correction to serve her sentence.

**NOVEMBER GAZETTE RECIPE
FRENCH QUARTER
CHEESE SPREAD
by: Denise Rapp**

Boy do I have the perfect holiday appetizer for you. This French Quarter cheese spread is uniquely delicious. The sweet and savory components of this cheese spread is very addicting. Offer this treat to your guests this holiday season and enjoy the smiles on everyone's faces.

Ingredients

8 oz. cream cheese soft
2 Tbs. grated onion
1 clove garlic, finely Minced
1/4 c. Butter
1/4 c. Brown sugar
1 tsp. Worcestershire sauce
1/2 tsp. Spicy brown mustard
3/4 c. Chopped toasted pecans
Assorted crackers for serving

Directions

*In a small bowl, combine the cream cheese, onion & garlic
*Transfer to a serving plate, shape into a 6" disc. Set aside.
*In a small sauce pan, combine the butter, brown sugar, Worcestershire and mustard.
*Cook and stir over medium heat for 2-3 minutes or until sugar has dissolved.
*Remove from heat and stir in the pecans
*Cool slightly. Spoon over the cheese mixture.
*Serve with crackers.
Enjoy!

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CONSIGNMENTS & BOOTH SPACE

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