

OCT 6 2008

IN THE DISTRICT COURT OF MAJOR COUNTY

STATE OF OKLAHOMA )  
                          ) *File in* CF-08-53  
                          ) SS.      CF-08-54  
COUNTY OF MAJOR )      CF-08-55  
                          )          CM-08-250

BY *[Signature]* SHAUNA HOFFMAN, COURT CLERK  
DEPUTY

SW-2008- 10

AFFIDAVIT FOR SEARCH WARRANT

Comes now Steve Tanio, Investigator for the District #26 District Attorney's Office, who on oath deposes and says that the following property constitutes evidence of the commission of a crime:

OCT 8 2008

1. Crime Scene photographs of the exterior and interior of Ardee and Penny Tyler's residence and property located in the County of Major, State of Oklahoma. *[Signature]*

Further affiant says that the above described property is now at the following location:

The residence and property of Ardee and Penny Tyler, located in the County of Major, State of Oklahoma, further described as a two-story home, with a basement. The residence is further described as a wood frame log house with a green metal roof. The residence and property can be reached by travelling west from the intersection of State Highway 58 and State Highway 60, Fairview, Oklahoma. The residence and property is located approximately 15.2 miles west on Highway 60 on the south side of the road.

Based upon the following facts:

1. On September 9, 2008, Barbara Louise Thomas-Johnson told me she was in the process of adopting J.E.J AKA J.S.T., female child, age 12. Thomas-Johnson told me J.E.J. told her she had previously lived with Ardee Tyler, Penny Tyler, Ashton Tyler, at the Tyler's residence, located west of the City of Fairview, County of Major, State of Oklahoma. Thomas-Johnson told me J.E.J. had stated she had been physically abused by Ardee and Penny Tyler, while at their residence in 2007. J.E.J. stated she had been tied with rope and restrained to a bed in the basement of the Tyler residence within the past year for two consecutive nights. J.E.J. indicated she had been tied with a rope, to a chair during the daylight hours, during this same time period. J.E.J. had also been forced to sleep outside of the residence by Ardee and Penny Tyler, when the outside temperature was very cold. J.E.J. indicated to Thomas-Johnson, in early 2007 she had been sexually assaulted by Ashton Tyler, in Ashton's bed in the basement of the residence.
2. On September 9, 2008, Whitney Reuss, Child Welfare Specialist, Oklahoma Department of Human Services(DHS) told me in February 2008, DHS had received allegations of J.S.T., being physically abused by Ardee and Penny Tyler, at Tyler's residence in Major County, State of Oklahoma. Reuss told me on February 15, 2008, she had interviewed J.S.T., who told Reuss she had been tied by her hands to a bed post and kept there for two nights. On February 19, 2008, Reuss interviewed Penny and Ardee Tyler. Ardee admitted to Reuss he had tied J.S.T. hands to a bed, during the evening hours.
3. On September 24, 2008, Janice Wichert told me she had known Ardee and Penny Tyler, along with J.S.T. Wichert stated in April 2007, she was informed Ardee and Penny had forced J.S.T. to stay outside all night long, when the temperature was cold, as punishment for stealing some food from within the residence. Wichert told me she also became aware J.S.T. had been tied to a bed for two consecutive nights in the residence as punishment, as well as being tied to a chair during the daytime hours.
4. Wichert told me on May 4, 2007, she accompanied Bev

Heinrichs and Scott Neufeld to Ardee and Penny's residence and met with Ardee and Penny regarding the allegations. Ardee admitted they had forced J.S.T. to stay outside, all night long, as punishment for stealing a cookie.

5. On September 24, 2008, Beverly Heinrichs aka Bev, told me on May 4, 2007, she had accompanied Janice Wichert and Scott Neufeld to Ardee and Penny's residence. Heinrichs was present and heard Ardee admit he had forced J.S.T. to stay outside, all night long, as punishment for stealing a cookie.
6. On September 24, 2008, Scott Neufeld told me on May 4, 2007, he had accompanied Wichert and Heinrichs to Ardee and Penny's residence. Ardee told Neufeld he had forced J.S.T. to stay outside all night long as punishment for stealing a cookie. When Neufeld told Ardee, Neufeld could turn Ardee into DHS for this abuse, Ardee responded, "Maybe you should."
7. I have been a law enforcement officer in the State of Oklahoma since 1980 and have investigated numerous criminal offenses, to include but not limited to child physical abuse.

Further Affiant Saith Not.

  
\_\_\_\_\_  
STEVE TANIO, Affiant

Subscribed and sworn to before me this 24th day of September, 2008.

  
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JUDGE OF THE DISTRICT COURT  
Major County, Oklahoma