

1 observes that there were vehicle tracks that come down
2 this road right here and it comes to a stop and it
3 doesn't go any further, and it is like the tracks then
4 go back out. So the two of them, from there they park
5 and they walk down and access Fish Hook Lake. Both of
6 them get on Fish Hook Lake and walk onto it. They have
7 no trouble accessing it, and they --. Ken Swedberg will
8 say he crossed the lake, came back down to this point
9 (indicating) and met up with Captain Joe McArthur here.

10 Captain McArthur walked along the lake as
11 well. Captain McArthur will testify while walking on
12 the lake all the snow had been melted off and it was
13 ice, like many lakes are in the spring time, and noticed
14 while walking that he wasn't leaving any footprints
15 anywhere. He came off the lake at this point right over
16 here (indicating) and hit a trail that went back to and
17 came back to the maple syrup camp. Ken Swedberg was
18 wearing tennis shoes that day, and after entering the
19 lake, walking on the lake, coming off the lake and down
20 that trail, his feet did not get wet. Officer McArthur
21 had low boots on that day and after accessing the lake,
22 walking on the lake, coming off the lake, his feet were
23 not wet either.

24 Now, as part of their investigation law
25 enforcement officers questioned those who knew Chad had

1 been at his maple syrup camp that morning. They first
2 start with the folks at the Swedberg residence.
3 Officers learned through their investigation that Jesse
4 Fain, Leslie's son, had left for work at 7:30 that
5 morning. He works at White Earth RTC. Ken Swedberg
6 sees Jesse Fain leave for work at approximately 7:30
7 that morning. The co-workers of Jesse Fain confirm that
8 he arrived at work before 7:44 that morning and he
9 didn't leave until after 10 A.M. Ann Fain leaves home
10 at 8 o'clock to drop off her oldest child, Jsi, at
11 school in Ogema, and she leaves her other two children,
12 Maddy and Gwen, with her mother-in-law, Leslie Fain.
13 And she leaves before 8 clock. She says approximately
14 before 8 o'clock, at 7:35, around there, Chad Swedberg
15 was still there. She drops off her child. She turns
16 immediately and goes home. When she gets home she hears
17 hunting sounds. And Leslie talks to her about the shots
18 and she knew Leslie was worried. And after discovering
19 an ambulance in their yard, Ann Fain calls Leslie Fain.
20 Leslie is hysterical. Ann is having a difficult time
21 understanding her and she finds out, or at least
22 understands, that something has happened to Chad. She
23 can't really understand her completely. She hangs up on
24 her and calls her husband, Jesse, at work, at White
25 Earth.

1 Now, Morningstar Belcourt, who is also living
2 in the house, that is Leslie's sister, worked the night
3 before at the Shooting Star Casino. She is a security
4 guard. She got home after midnight and went to bed
5 shortly after that and awoke at 10 A.M. and calls her
6 son after she awakes and she hears from Ann that
7 something has happened to Chad and immediately goes out
8 to find her sister.

9 Now, Thomas Covington, Morningstar's son, was
10 in school at the time and boarded the school bus, it
11 comes down and picks them up, boarded the school bus at
12 approximately 7:35 to 7:40 A.M. Ken Swedberg say he
13 saw Covington get on the bus at 7:35. School bus
14 driver, Terry Doorman, says he picked up Thomas
15 Covington at 7:32 that morning and dropped him off at
16 Waubun school at 8:07. Videotape from the Waubun school
17 shows Covington entering the school that morning at
18 8:08 A.M.

19 Ken and Lisa Swedberg were home most of the
20 morning. They placed their kids on the bus the same
21 time with Thomas Covington and then they listened to
22 Swap and Shop in their house, a local radio show, while
23 they made pollen paddies for the bees they raised.

24 Law enforcement officers also learned that in
25 checking Chad Swedberg's cell phone there were two calls

1 he received that morning. One call was at 7:30 A.M.
2 That was from Al Baker. And the next call he received
3 that morning was at 7:45, and that was from the
4 Defendant, Ken Andersen. Now, Al Baker is a friend of
5 Chad's, and he helps him make maple syrup. He built the
6 stove that they were using. He had been out there the
7 previous two days to help him make maple syrup. He is
8 an older gentleman in his early 70's. He is a jack of
9 all trades. He helped them with their house, helped
10 them wire their house. He has helped a lot of people in
11 that area with different projects. Now he helped out,
12 as I said, the day before, the 12th, making maple syrup.
13 They were out there with Chad and Jesse Fain. And the
14 plan was for the next day, for the 13th, that Al was
15 going to come a bit later that morning, that Chad was
16 going to go out there, cut wood, gather wood for the
17 stove to get everything set up and start cooking their
18 maple syrup.

19 Al calls Chad that morning and tells him he
20 was going to the Waubun store to get food for lunch
21 before coming out to the maple syrup site. Chad had
22 told Al that he was waiting to see a story that morning
23 on the TV. Now, Al Baker lives just north of 113, which
24 is a road that is north of White Earth Lake on Snyder
25 Lake. Here (indicating) is 113, ladies and gentlemen,