

THE COMMONWEALTH OF MASSACHUSETTS

HAMPSHIRE, SS.

BELCHERTOWN
DISTRICT COURT

AFFIDAVIT OF OFFICER ADAM J. BARTLETT IN SUPPORT OF
APPLICATION FOR SEARCH WARRANT.

Your Affiant is Officer Adam J. Bartlett, being duly sworn and I herby depose and state:

Your Affiant has been a sworn police officer with the Town of Hadley Police Department since June 2005. Previous to that, your Affiant was a sworn Auxiliary Officer for the City of Westfield Police Department for one year. My assignments during this time have been in the capacity of patrol officer and have been assigned to all shifts. Your Affiant is currently assigned to the evening patrol shift.

Your Affiant graduated from the Agawam Police Academy in December of 2006. During the course of training your Affiant was taught investigative techniques, search and seizure, search warrants and criminal law. Furthermore, your Affiant attends a yearly in-service training program. During the course of my career I have conducted or participated in several burglary and breaking and entry into motor vehicle related investigations. These investigations have resulted in the arrest of offenders, the recovery of stolen property and the recovery of evidence from scenes.

The assertions and information described herein are based on my personal belief and knowledge and the information of my fellow officers. The information is not all inclusive of the information known at this time to Law Enforcement but rather contains information that is necessary to satisfy the probable cause threshold required by the court in the application for the issuance of a search warrant.

Based on my personal knowledge, your Affiant believes that the crime of Breaking and Entering as well as Larceny from a Building, violations of Massachusetts General Laws

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have been committed at 425 River Drive Hadley, Massachusetts a non-occupied residential home.

1. On March 10, 2008 members of the Hadley Police Department responded to 425 River Road in Hadley Massachusetts for a report of a burglary in progress. Officer Mark Ruddock of the Hadley Police Department responded to the call and subsequently generated incident report #08-104 (ATTACHED APPENDIX 1). The reporting party was Thomas Tudryn of this town who is part owner of the house mentioned above. Tudryn stated that no one lives in the house and that members of the family store various items, and also there is merchandise left from his father who has passed away. Incident #08-104 listed additional victims as William Tudryn, and Mary Jane Tudryn. On March 12, 2008 your Affiant was assigned to investigate this case further.
2. On March 10, 2008 shortly after 1600 hours, Officers arrived on scene and found a blue colored Jeep Grand Cherokee with the Ma registration of 56LW61 parked in the garage of 425 River Drive. It was found through a registry of motor vehicles check that the registered owner was STEPHEN OPALENIK of 5 BACON Lane in South Hadley, Massachusetts. Thomas Tudryn had blocked the vehicle so it could not exit. Tudryn stated that a family member who drove by the house and saw the vehicle parked in the garage contacted him. Tudryn arrived on scene and hit his horn on his vehicle then he observed a female and a male come out of the house and walk down the stairs into the garage. The male was identified as the registered owner STEPHEN OPALENIK and the female was identified as his wife DIANE OPALENIK. The individuals stated that they are interested in real houses so they wanted to look but that they never entered the house. Officers did then enter the house and observed in the garage fresh footprints from the garage up the stairs into the door. When checking the door that the footprints lead up to officers noticed that the door had been forced open, and the home owners stated that it was not like that before. Officers observed wood splinters on the floor and

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the home owners stated that there was a piece of wood which covered the door that was nailed shut, the piece of wood was broken off the door frame and lying on the ground. Officers also did observe in the back of the above mentioned vehicle a sledgehammer along with other various tools that are known to us as burglarious tools.

3. In the kitchen officers did find a pile of various antiques that were located next to an open door that had also been locked previously by the owners. Officers did not make an arrest at the time and let the parties' involved leave. Your Affiant was informed the next day by Tudryn that various distinct items such as a set of Antique dishes, which had birds & floral rim and center, gold, trim, which a detailed description of the plates was obtained. Also a Beetle's figurine with initials of "kt" or "ket" is located on the bottom, which is a one of a kind item made by the victims' aunt. There are also various records with some of them having initials indicating the owners name on them.
4. Officers also received a broadcast from the Massachusetts State Police in Lee, Massachusetts later that evening investigating similar breaking & entering where antiques and old jewelry had been taken. There was also mention of a female suspect involved with the Lee case.
5. Your Affiant was able to drive by the 5 Bach Lane South Hadley, Massachusetts, (OPALENIK residence) and did obtain pictures of the house which is brown color, with a black roof, with a wood colored front door, that has a pineapple type display to the left of the door and has the number "5" plainly emblazoned next to it, also in the driveway at that address was a blue Jeep Grand Cherokee with a Massachusetts registration of 56LW61. This was the same motor vehicle involved in the B&E at 425 River Drive in Hadley, Massachusetts on March 10, 2008. On March 12, 2008 Officer Bertera of the Hadley Police Department learned from Detective Mellot of the South Hadley Police Department that Stephen Opalenik shows a local listing in their town as 5 Bach Lane. Officers of the South Hadley

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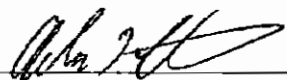
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Police Department have personally had involvement with Stephen and Diane Opalenik in the past and know they reside at 5 Bach Lane South Hadley Massachusetts. Your Affiant believes that the merchandise stolen from 425 River Drive in Hadley, Massachusetts could be located at 5 Bach Lane South Hadley, Massachusetts. Your Affiant believes that the stolen items are so distinctive that there is not an open market for these items to be easily traded or sold. Your Affiant knows through training and experience that items like that stolen from 425 River Drive Hadley Massachusetts, may be retained for days or weeks after the theft. Therefore it is probable that the stolen items will be in the possession of Stephen or Diane Opalenik at 5 Bach Lane South Hadley, Massachusetts.

6. Based on the previously stated, your Affiant believes that the following items: A set of 7 dishes including 5 pieces in each set, PEMBROKE-GOLD TRIM BIRDS AND FLORAL RIM & CENTER, GOLD TRIM. Various distinctive full records some with the owners initials on them such as Beach Boys, Iron Butterfly, Herman and Hermits, Rose Miller, Paul Revere and the Raider, Bee Gees and the Beatles, A one of a kind Beatles figurine all wearing blue jackets made by the aunt of the victim, it is probable that the aunts initials are located on the bottom.
7. Therefore you Affiant request that a search warrant be issued for the search and seizure of the above property that is believed to be at 5 Bach lane in South Hadley, Massachussts and in the possession of Stephen or Diane Opalenik.

Signed under the pains and penalties of perjury this 13th day of March, 2008


 Adam J. Bartlett
 Patrolman
 Hadley Police Department


 Witness of the Court
