

STATE OF MINNESOTA  
COUNTY OF WINONA

DISTRICT COURT  
THIRD JUDICIAL DISTRICT

In the Matter of the Children of:

Madeline Jane Kingsbury, Mother

**PETITION FOR  
CHILDREN IN NEED OF  
PROTECTION OR SERVICES**

Court File No. \_\_\_\_\_

Petitioner, Winona County Health and Human Services, by and through the undersigned agent, states and alleges the following:

1. The **children** who are the subject of this petition are:

Name / address	DOB and age	Gender	Race	Tribal Affiliation
Elliana Jane Fravel See Form 11.4	3/26/2018 (5 years old)	Female	Caucasian	None known
Noah Lewis Fravel See Form 11.4	12/24/2020 (2 years old)	Male	Caucasian	None known

2. The **parents** are as follows:

A. <b>Mother</b> <i>Custodial</i>	Name / Address	DOB	Race	Tribal Affiliation
	Madeline Jane Kingsbury Currently unknown	6/1/1996	Caucasian	None Known
B. <b>Father</b> <i>Adjudicated</i>	Name / Address	DOB	Race	Tribal Affiliation
	Adam Taylor Fravel 42227 County Rd 18 Mabel, MN 55954	1/29/1994	Caucasian	None Known

3. The **Parties** and their addresses include the following:

Mother  
Winona County Health and Human Services, 202 West Third Street, Winona  
Guardian Ad Litem

4. The **Participants** and their addresses include the following:

Father, address above  
Children

5. Based upon information now known, the Indian Child Welfare Act does not apply.
6. The following information constitutes grounds to believe that the children are in need of protection or services:

On April 4, 2023, Winona County Health and Human Services was notified by Winona Police Department that a 72-hour hold was going to be placed on the children due to Mother being an endangered missing person since March 31, 2023.

It was learned that Father does not have custodial rights to children, therefore the children are left without a legal decision maker. There were no known arrangements made for the care of the children.

There is an ongoing investigation to locate Mother and/or determine her whereabouts. Law enforcement stated that Mother's disappearance may have been involuntary and suspicious. Mother is currently considered an endangered missing person.

The children were located with Father at Paternal Grandparent's residence.

Social Workers assisted law enforcement with executing the 72-hour hold. Once at the residence, Father and his family became non-cooperative with officials and would not allow Social Workers access to the children. At one point, Father took the younger child into the residence and locked the door despite being told that the children were in the care and custody of Winona County. While Father was in the home with the younger child, Social Worker could hear Father shouting expletives.

Social Workers attempted to explain to Father and his family what the 72-hour hold meant and attempted to encourage the family to be cooperative in order the aide in the transition for the children. These attempts were unsuccessful. Father and his family made multiple calls to Father's attorney and at one point stated that the attorney advised them to take the children in the home so that they could not be removed. Officials on scene informed the family that they cannot obstruct this process. At one point, Father's father mentioned that Winona County should prepare for a big lawsuit regarding this.

Eventually, Father placed the children in the vehicle. One of the social workers attempted to assist Father with securing the children in their car seats but Father was not willing to accept assistance. Father ended up placing the children in the wrong car seats. Additionally, Father was unwilling to gather belongings for the children therefore the children left the home with only the clothes they were wearing.

7. Relevant criminal, child protection, social services, and/or treatment history.

There is no known relevant criminal or child protection history.

- 8. The following services offers and recommendations were made: Given the situation, there were no services offered as the custodial parent is not available for services.
- 9. There is prima facie evidence to believe that a juvenile protection matter exists and that said children are subject to the jurisdiction of this Court.
- 10. The above-named children are in need of protection or services, pursuant to the following subparagraphs of Minn. Stat. §260C.007, Subd. 6:
  - a. That the children, Elliana Fravel and Noah Fravel, are in need of protection or services within the meaning of Minn. Stat. 260C.007, Subd. 6 (1) in that they are abandoned or without parent, guardian, or custodian.
  - b. That the children, Elliana Fravel and Noah Fravel, are in need of protection or services within the meaning of Minn. Stat. 260C.007, Subd. 6 (3) in that they are without necessary food, clothing, shelter, education, or other required care for the children's physical or mental health or morals because the children's parent, guardian, or custodian is unable or unwilling to provide that care.
  - c. That the children Elliana Fravel and Noah Fravel, are in need of protection or services within the meaning of Minn. Stat. 260C.007, Subd. 6 (9) in that the behavior, condition, or environment is such as to be injurious or dangerous to the children or others. An injurious or dangerous environment may include, but is not limited to, the exposure of the children to criminal activity in the children's home.

**WHEREFORE**, based upon the foregoing, Petitioner requests adjudication that these children are in need of protection or services and a disposition pursuant to Minn. Stat. §260C.201, Subd. 1.

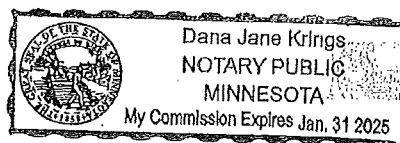
Petitioner, by and through its undersigned agent, being duly sworn hereby verifies that the contents of this petition are true to the best of Petitioner's knowledge, information and belief.

STATE OF MINNESOTA     )  
  ) ss.  
WINONA COUNTY         )

*Alyssa Passehl*  
\_\_\_\_\_  
Alyssa Passehl, Supervisor  
For the Winona County Health and Human Services  
Petitioner

Subscribed and sworn to before me  
this 6<sup>th</sup> day of April, 2023.

*Dana Krings*  
\_\_\_\_\_  
Notary Public



### County Attorney Certification

This Petition has been read and approved by the undersigned, who certifies that to the best of the undersigned's knowledge, reasonable grounds exist to support the allegations in this petition.

*Rebecca Church*

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