

**CALDWELL COUNTY SHERIFF'S OFFICE  
AFFIDAVIT OF PROBABLE CAUSE**

**Case # 2019-0276**

**Suspect: Nelson, Garland Joseph W/M**

**DOB: 04/30/1994**

**Address: 3321 SE Catawba Rd, Braymer, Missouri, 64624**

**OCN:**

**Victim: Diemel, Nicholas J. W/M**

**DOB: 09/25/1984**

**Address: N 268 Evergreen, Bouduel WI 54107**

**Victim: Diemel, Justin M. W/M**

**DOB: 05/09/1995 SSN:**

**Address: W3567 State Highway 156, Pulaski WI 54162**

**Victim: State of Missouri/ Caldwell County**

**Address: 54 North Franklin, Kingston Missouri 64650**

**Location of Occurrence: 3321 SE Catawba Rd, Braymer Missouri 64624**

I, Maj. Mitchell Allen , upon my oath, and under penalties of perjury, state as follows.

1. I have probable cause to Garland Joseph Nelson believe committed one or more criminal offense(s):

- A. Murder 1st Degree RSMo 565.020 -001y19840999.0 Felony Class A
- B. Murder 1st Degree RSMo 565.020 -001y19840999.0 Felony Class A
- C. Abandonment of a corpse RSMO 194.425-001y20175599.0 Felony Class E
- D. Abandonment of a corpse RSMO 194.425-001y20175599.0 Felony Class E
- E. Tampering with Physical evidence RSMo 575.100-001y20175099.0 Felony Class E
- F. Felon in possession of a firearm RSMo 571.070-001y20175212.0 Felony Class D
- G. Armed criminal acton RSMo 571.015- 001y19755213.0 Felony/ Unclassified
- H. Tampering with Motor Vehicle- 1st Degree RSMo 569.080 State Charge Code 569.080-002Y20172904.0 Felony D

2. The facts supporting this belief are as follows:

A. On 07/21/2019 at approximately 2025 hours, an individual identified as Jack Diemel called Caldwell County Dispatch and reported his two sons flew to Missouri from Wisconsin and were supposed to be home on 07/21/2019 . He had checked the flights and they never got on the plane. They have not answered their phones and this was unlike them. Jack Diemel said his sons

were coming to Missouri to retrieve a \$250,000 check from Joey Nelson for cattle. The son's name were Nicholas and Justin Diemel. The Caldwell County Sheriff's Department began an investigation and discovered the following events occurred.

B. Garland Nelson was contacted and throughout the investigation provided hours of interviews with investigators and gave many misleading explanations and recollections of events in attempts to mislead law enforcement in locating Nicholas and Justin Diemel.

C. Based on admissions of Garland Joseph Nelson following waiving of his Miranda rights, the below described events are found factual and are believed to have occurred.

D. On 07/21/2019 at approximately **09:30 am** Nicholas and Justin Diemel drove to the address of 3321 SE Catawba Rd., Braymer, Caldwell County, Missouri. Nicholas and Justin Diemel arrived and contacted Garland Joseph Nelson. The address of 3321 SE Catawba Rd. is where Nelson operates his cattle business from that is known as J4S Farms. Garland Nelson admitted he and the Diemels were in a business venture together where Nelson was paid to feed and then sell the cattle for Diemels. Nicholas and Justin Diemel were driving a 2019 Ford F-250 4 door Pick Up VIN# 1FTW2B66KEE06526 Bearing Missouri License Plates 6FB W77 that was rented from Budget Rental in Kansas City. They had rented on 07/20/2019 after flying from Wisconsin to Kansas City, Missouri with the intention to meet with Garland Nelson regarding a financial issue.

E. On 07/21/2018 at approximately **11:44 am**, Garland Joseph Nelson said he acted alone and drove the above described vehicle from 3321 SE Catawba RD in Braymer Missouri to a location in Clinton County Missouri where the vehicle was left with the keys in the ignition at a commuter parking lot on the east side of I-35 in Holt, Missouri. Garland Nelson said he removed the cell phones belonging to Nicholas and Justin Diemel from the rental vehicle and disposed of them along the roadway while walking back to Holt, Missouri where he arranged for someone to give him a ride to another location.

F. Based on the investigation, it is believed Nicholas and Justin Diemel never left the property after they arrived and were intentionally killed. It is believed Garland Joseph Nelson acted alone or in concert with others in committing the act of Murder against both Nicholas and Justin Diemel.

G. After Garland Nelson abandoned the rental vehicle at the commuter parking lot in Holt, Missouri, he said he used a series of different persons who provided him transportation and then he was delivered back to the address of 3321 SE Catawba Rd. in Braymer Missouri.

H. Upon his arrival back at the 3321 SE Catawba Rd, Nelson said he found and observed two bodies he believed were Nicholas and Justin Diemel dead, each inside of a 55 gallon metal barrel located in the Pole Barn south of the residence at 3321 SE Catawba Rd. The bodies were then each moved through the pasture by carrying them one at a time in a skid loader bucket to a

adjacent pasture located to the northwest of the residence where the bodies were burnt by an unknown liquid and diesel fuel being poured over them and ignited.

I. After the bodies were burnt, Nelson said one or both of the bodies were placed into a manure pile located by a metal barn and Nelson said he used the skid loader to crush the barrels the bodies were burnt in and he disposed of them by placing them on the property. Nelson said he then at some point returned to the pole barn located south of the 3321 Catawba residence and used a shovel to remove what he believed to be blood from the floor where it is believed the Diemel's were killed.

J. Garland Joseph Nelson additionally admitted to having access to and used a 30-30 Caliber rifle to kill two small animals on 07/20/2019. He is a convicted felon on Federal probation for a previous unrelated charge.

Based on evidence collected upon service of multiple search warrants regarding this investigation the following important evidence was collected:

A. Burnt human remains were found and collected by Law enforcement that were concealed in the manure pile on the property at 3321 SECatawba Rd. in Braymer Missouri.

B. Based on DNA comparisons it is believed they are the remains of Nicholas and Justin Diemel.

C. A blood stain found on clothing belonging to Garland Joseph Nelson has been confirmed by DNA to be Nicholas Diemel.

D. Two metal barrels were found near the location where the remains were discovered and were crushed as described by Nelson.

E. A neighbor to 3321 SE Catawba Rd heard what was described as the sound of multiple gunshots coming from the direction of 3321 SE Catawba Rd. in Braymer on 07/21/2019 in the approximate time frame of 11:15am to 11:30am. This being the time when Garland Nelson admitted he, Nicholas and Justin Diemel were present in the close proximity of one another on the property prior to Nelson leaving at approximately 11:45am with the Diemel's rental vehicle to abandon it in Holt Missouri.

F. A fired 30-30 caliber cartridge was located in the clothing belonging to Nelson. the clothing also had blood stain on it that contains Nicholas Diemel's DNA evidence.

G. 30-30 caliber ammunition was found in the vehicle belonging to Garland Joseph Nelson.

H. The shovel as stated as being used by Nelson to clean the dirt floor where it is believed blood was located was discovered.

I. Nelson admitted to having access to firearms that were kept inside of a safe at 3321 SE Catawba Rd, one of those weapons being a 30-30 caliber rifle in addition to numerous other firearms. These firearms were confiscated.

Based on the totality of events that occurred and evidence collected, I believe Garland Joseph Nelson took actions that led to the intentional death of Nicholas and Justin Diemel on 07/21/2019. He also knowingly removed evidence from the property and concealed evidence of the crime. Garland Joseph Nelson also admitted to being in possession of a firearm and ammunition in addition to using the firearm knowingly he was a convicted felon and he did not have a right to possess said firearm.

Garland Joseph Nelson is currently on Federal probation following a conviction and sentence in the Federal prison system. He currently has a federal warrant issued at this time for his incarceration for federal probation violation.

Garland Joseph Nelson is also currently held in custody on a Tampering with a motor vehicle charge in the State of Missouri , Caldwell County on a related charge to this investigation.

The above information is true and correct and to the best of my knowledge and belief.

  
Affiant