

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
07 SP 674

In Re: Kimball Jane Sargent

)
)
)
)
)

ORDER

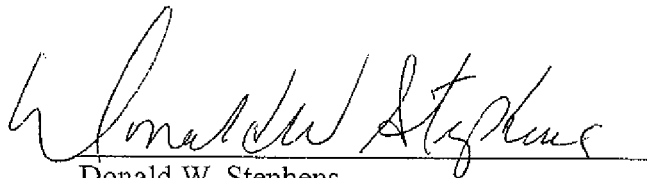
This Court having conducted an in camera examination of documents and information provided by Kimball Jane Sargent, this Court finds as follows:

1. That Kimball Jane Sargent has information to which is relevant to the investigation of Michelle Fisher Young's homicide.
2. That such information constitutes privileged communications under N.C.G.S. § 8-53.3 and N.C.G.S. § 8-53.8.
3. That disclosure of such information to the State is necessary to a proper administration of justice and that such disclosure is not prohibited by other statute or regulation.

Therefore, this Court orders that Kimball Jane Sargent disclose any records related to Michelle Fisher Young to William F. Dowdy, an investigator with the Wake County District Attorney's Office. Such disclosure must be made within seven days of today's date.

The Court finds that the information provided to the Court in chambers by Kimball Jane Sargent shall be transcribed by the court reporter and turned over to William F. Dowdy and that Ms. Sargent shall answer any other questions of Mr. Dowdy regarding this matter. The Court specifically finds that the interest of justice clearly outweighs the privileges created by statute and that the information must be disclosed.

This the 16 day of February, 2007.



Donald W. Stephens
Superior Court Judge Presiding

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
07 SP 674

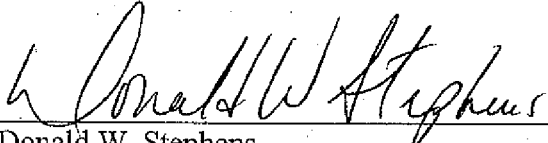
In Re: Kimball Jane Sargent

)
)
)
)
)
ORDER

This cause having come before the Court on the State's petition, for an in camera examination of Kimball Jane Sargent and information she may possess related to the investigation of Michelle Fisher Young's homicide, this Court finds that such an examination should be considered in the interest of justice.

It is therefore, ORDERED, that Kimball Jane Sargent produce for the Court any records, writings or documents related to Michelle Fisher Young and that she submit to an in camera examination regarding information.

This the 16 day of February, 2007.



Donald W. Stephens
Superior Court Judge Presiding

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

07SP 674

In Re: Kimball Jane Sargent

Petition in the nature of a Special
Proceeding

FILED
2007 FEB 15 PM 1:21
WAKE COUNTY C.S.C.

Now comes the State of North Carolina by and through Assistant District Attorney Rebecca W. Holt, and petitions this Court pursuant to N.C.G.S. § 8-53.3 and 8-53.8 and pursuant to the rule of law and procedure as established in re: Albemarle Mental Health Center, 42 N.C. App. 292 (1979), to order Kimball Jane Sargent to appear before the Court and produce and records, writings, or other documents she has relating to Michelle Fisher Young. The State further petitions the Court to conduct a confidential in camera examination of these documents and of Kimball Jane Sargent to determine whether she has information relevant to the investigation of Michelle Fisher Young's homicide and if so, whether disclosure of that information to the State is necessary to a proper administration of justice.

In support of this petition, the State respectfully shows to the Court the following:

1. Michelle Fisher Young was found deceased in her Wake County home on November 3, 2006.
2. That there is an ongoing homicide investigation relating to her death being conducted by the Wake County Sheriff's Office.
3. That during the course of the investigation, detectives have learned that Kimball Jane Sargent may have information relevant to the investigation but that she is not at liberty to disclose any details of the information on advice from counsel.
4. Counsel for Kimball Jane Sargent has disclosed that the information sought constitutes privileged communications under N.C.G.S. § 8-53.3 and 8-53.8.
5. That the State has reason to believe that Kimball Jane Sargent has information relevant to an ongoing homicide investigation, the State has no other means to obtain this information, and it is necessary for a proper administration of justice for the Court to entertain this petition and make these inquiries.

Now, therefore the State prays the Court require Kimball Jane Sargent to appear before the Court and present information to the Court and submit to an in camera examination that would allow the Court to determine whether Kimball Jane Sargent has information relevant to Michelle Fisher Young's homicide investigation and whether its disclosure is necessary to provide for proper administration of justice.

This the 15th day of February, 2007.



Rebecca W. Holt
Assistant District Attorney
Tenth Prosecutorial District
P.O. Box 31
Raleigh, NC 27602
919-835-3330

Served: 10:00 AM 02/16/07
By: Deputy J. Tilton