

File No.

STATE OF NORTH CAROLINA

DURHAM County

In The General Court Of Justice
District/Superior Court Division

SEARCH WARRANT

IN THE MATTER OF

Laurence Alvin Lovette

Date issued 03/24/2008 AM PM

Name Of Applicant Cpl. N.M. Cloninger

Name Of Additional Affiant

Name Of Additional Affiant

RETURN OF SERVICE

I certify that this Search Warrant was received and executed as follows:

Date Received 03/24/2008 AM PM

Date Executed 3-24-08 AM PM

I made a search of LAURENCE ALVIN LOVETTE

_____ as commanded.

- seized the items listed on the attached inventory.
- I did not seize any items.
- This Warrant WAS NOT executed within forty-eight (48) hours of the date of issuance and I hereby return it not executed.

Signature Of Officer Making Return: *[Signature]*
 Department Or Agency Of Officer: Durham Police Department
 Incident Number: 08-2129

To any officer with authority and jurisdiction to conduct the search authorized by this Search Warrant:
 I, the undersigned, find that there is probable cause to believe that the property and person described in the application on the reverse side and related to the commission of a crime is located as described in the application.
 You are commanded to search the premises, vehicle, person and other place or item described in the application for the property and person in question. If the property and/or person are found, make the seizure and keep the property subject to Court Order and process the person according to law.

You are directed to execute this Search Warrant within forty-eight (48) hours from the time indicated on this Warrant and make due return to the Clerk of the Issuing Court.

This Search Warrant is issued upon information furnished under oath by the person(s) shown.

Date: 3-24-08
 Signature: *[Signature]*
 Deputy CSC Assistant CSC CSC
 Magistrate District Ct. Judge Superior Ct. Judge

This Search Warrant was returned to me on the date and time shown below.
 Date: 3-24-08
 Time: 1:30 PM
 Signature: *[Signature]*
 Deputy CSC Assistant CSC
 Clerk Of Superior Court

APPLICATION FOR SEARCH WARRANT

I, Cpl. N.M. Cloringer, Durham Police Dept.

(insert name and address; or if law enforcement officer, name, rank and agency)

being duly sworn, request that the Court issue a warrant to search the person, place, vehicle, and other items described in this application and to find and seize the property and person described in this application. There is probable cause to believe that *(Describe property to be seized; or if search warrant is to be used for searching a place to serve an arrest warrant or other process, name person to be arrested)*

See attached

constitutes evidence of a crime and the identity of a person participating in a crime, *(Name crime)*

and is located *(Check appropriate box(es) and fill-in specified information)*

in the following premises *(Give address and, if useful, describe premises)*

(and)

on the following person(s) *(Give name(s) and, if useful, describe person(s))*

See attached

(and)

in the following vehicle(s) *(Describe vehicle(s))*

(and)

(Name and/or describe other places or items to be searched, if applicable)

The applicant swears to the following facts to establish probable cause for the issuance of a search warrant:

See attached

SWORN AND SUBSCRIBED TO BEFORE ME

Date

3-24-08

Signature

[Signature]

Signature of Applicant

Magistrate

Dep. CSC

Asst. CSC

Clerk of Superior Court

Judge

In addition to the affidavit included above, this application is supported by additional affidavits, attached, made by _____

In addition to the affidavit included above, this application is supported by sworn testimony, given by _____

This testimony has been *(check appropriate box)* reduced to writing

tape recorded and I have filed each with the clerk.

NOTE: *If more space is needed for any section, continue the statement on an attached sheet of paper with a notation saying "see attachment." Date the continuation and include on it the signatures of applicant and issuing official.*

STATE OF NORTH CAROLINA

File No.

DURHAM County

IN THE MATTER OF:

Name
Laurence Alvin Lovette

INVENTORY OF ITEMS SEIZED
PURSUANT TO SEARCH

I, the undersigned officer, executed a search of:

Person, Premises Or Vehicle Searched

Laurence Alvin Lovette

Date Of Search

03/24/2008

This search was made pursuant to

1. a search warrant issued by: Durham County Magistrate

2. consent to search given by:

3. other legal justification for the search:

The following items were seized:

1 - Photographs

2 - Fingerprints / Palm Prints

3 - Cheek Swabbing (to include saliva)

Date _____
Signature of Person Receiving Inventory _____

I, the undersigned, received a copy of this inventory.

ACKNOWLEDGMENT OF RECEIPT

Clerk Of Superior Court
 Deputy CSC
 Assistant CSC
 Magistrate

Durham Police Department
505 W. Chapel Hill Street
Durham, NC 27701

Name And Address Of Agency
Corporal _____
Signature _____
Date 3-24-08

Title Of Law Enforcement Officer
Signature Of Law Enforcement Officer _____
SWORN AND SUBSCRIBED TO BEFORE ME

The law enforcement agency identified below will hold the seized property subject to court order.

Name And Address Of Person To Whom A Copy Of This Inventory Was Delivered, If Any
Laurence Alvin Lovette - Durham County Jail

- 1. I left a copy of this inventory with the person named below, who is:
 - a. the owner of the premises searched.
 - b. the owner of the vehicle searched.
 - c. the person in apparent control of the premises searched.
 - d. the person in apparent control of the vehicle searched.
 - e. the person from whom the items were taken.
- 2. As no person was present, I left a copy of this inventory:
 - a. in the premises searched, identified on the reverse.
 - b. in the vehicle searched, identified on the reverse.

File No.

STATE OF NORTH CAROLINA

In The General Court Of Justice
District/Superior Court Division

DURHAM County

SEARCH WARRANT

IN THE MATTER OF

Laurence Alvin Lovette

Date Issued 03/24/2008 AM PM

Name Of Applicant Cpl. N.M. Cloninger

Name Of Additional Affiant

Name Of Additional Affiant

RETURN OF SERVICE

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_____ as commanded.

- I seized the items listed on the attached inventory.
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Signature Of Officer Making Return

Department Or Agency Of Officer
Durham Police Department

Incident Number
08-2129

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Date 3/24/08 Signature *[Signature]*

Deputy CSC Assistant CSC CSC
 Magistrate District Ct. Judge Superior Ct. Judge

This Search Warrant was returned to me on the date and time shown below.

Date _____ Time AM PM
Signature _____

Deputy CSC Assistant CSC
 Clerk Of Superior Court

(Over)

APPLICATION FOR SEARCH WARRANT

I, Cpl. N.M. Cloninger, Durham Police Dept.
(insert name and address: or if law enforcement officer, name, rank and agency)

being duly sworn, request that the Court issue a warrant to search the person, place, vehicle, and other items described in this application and to find and seize the property and person described in this application. There is probable cause to believe that (Describe property to be seized; or if search warrant is to be used for searching a place to serve an arrest warrant or other process, name person to be arrested)

See attached

constitutes evidence of a crime and the identity of a person participating in a crime, (Name crime)

and is located (Check appropriate box(es) and fill-in specified information)

in the following premises (Give address and, if useful, describe premises)

(and)

on the following person(s) (Give name(s) and, if useful, describe person(s))

See attached

(and)

in the following vehicle(s) (Describe vehicle(s))

(and)

(Name and/or describe other places or items to be searched, if applicable)

The applicant swears to the following facts to establish probable cause for the issuance of a search warrant:

See attached

SWORN AND SUBSCRIBED TO BEFORE ME

Date

Date 3-24-08

Signature

Signature of Applicant

Magistrate

Dep. CSC

Asst. CSC

Clerk of Superior Court

Judge

In addition to the affidavit included above, this application is supported by additional affidavits, attached, made by _____

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ATTACHMENT FOR APPLICATION FOR SEARCH WARRANT

IN THE MATTER OF:

Laurence Alvin Lovette

Description of Items to be Seized

1. Photographs (Digital and/or 35mm and/or Polaroid)
2. Fingerprints / Palm Prints
3. Cheek swabbings (to include saliva)

Description of Person to be Searched

Laurence Alvin Lovette is a Black Male with a date of birth of 11-17-90. He is currently in custody at the Durham County Jail.

Probable Cause

1. I, Nicholas M. Cloninger, hereinafter designated as Affiant, having been duly sworn according to law, deposes and says that: Affiant is a Durham Police Corporal (Cpl.), who is currently assigned to the Durham Police Department's Homicide Unit. The Affiant has been a sworn law enforcement officer with the State of North Carolina for over 7 years. The Affiant has participated in and/or conducted numerous investigations involving crimes of violence to include but not limited to: aggravated assaults involving firearms, robberies, homicides and the unlawful possession and distribution of firearms. Additionally, the Affiant has attended numerous schools throughout his tenure as a law enforcement officer.
 2. On January 18th, 2008 Durham Police Officers responded to 1600 Anderson Street, Apt. C-2 in reference to a death investigation. Upon arrival, officers found the body of Abhijit Mahato inside the apartment. Investigation revealed that Mahato had been fatally shot.
 3. Investigation of this homicide led to warrants being obtained for Laurence Alvin Lovette for the murder of Abhijit Mahato
 4. A search of the crime scene by Forensics personnel yielded several DNA samples. These samples were presumably left on the scene by subjects other than the victim.
- The applicant respectfully request that a search warrant be issued for the previously listed items. These items will be obtained directly from Laurence Alvin Lovette.

DATE: 3-24-08
MAGISTRATE/JUDGE
[Signature]

DATE: 3/24/08
APPLICANT
[Signature]
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