

Film No.

File No.

SEARCH WARRANT

STATE OF NORTH CAROLINA

In the General Court of Justice

Wake County

District Court Division

In the Matter of

Cary Police Department OCA 08-3863 regarding the homicide of Nancy Lynn Cooper

Date Issued

Time Issued

September 22, 2008

8:15

am

pm

Name of Applicant

Detective J.A. Young

Name of Additional Affiant

N/A

Name of Additional Affiant

N/A

RETURN OF SERVICE

I certify that this search WARRANT was received and executed as follows:

Date Received

9-22-08

Time Received

9:15

am

pm

Date Executed

09-24-08

Date and Time of Return

10-09-08 @ 1537

I made a search of ONE (1) CELL PHONE, A BLACKBERRY PEARL,

PIN 23FFDF58, AND TWO (2) ADDRESS BOOKS BELONGING

TO NAUCY COOPER -

as commanded.

I seized the items listed on the attached inventory

I did not seize any items

This warrant was not executed within 48 hours of the date of issuance and I hereby return it not executed

Signature of Officer Making Return

Deputy Sheriff

CARY POLICE

AOC-CR-119

Rev. 8/83

To any officer with authority and jurisdiction to conduct the search authorized by this Search Warrant:

2008 OCT -2 PM 3:44
WAKE COUNTY, C.S.C.

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.

WARRANT 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 or persons shown.

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

Date

Signature

9-22-08

Time

3:44

am

pm

Signature

Deputy CSC

Assl. CSC

Clerk of Superior Court

Date

9-22-08

Signature

[Signature]

Deputy CSC Asst CSC Clerk of Superior Court
 Magistrate District Ct Judge Superior Ct Judge

APPLICATION FOR SEARCH WARRANT

I, Detective J.A. Young

(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 See attachment

(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)

constitutes evidence of a crime and the identity of a person participating in a crime,
Murder, N.C.G.S. 14-17

(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 persons(s)

(Give name(s) and, if useful, describe person(s))

(and)

in the following vehicle(s)

(Describe vehicle(s))

within a black 'Blackberry Pearl' cell phone (PIN:23FFDF38), a rust in color address book, a multi-colored address book with 'Kindred' and 'addresses' printed on the cover and any and all loose paper documents contained within the address books

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

See Attachment

SWORN AND SUBSCRIBED TO BEFORE ME

Date

9-22-08

Signature

J.A. Young

Signature of Applicant

Deputy CSC Asst. CSC Clerk of Superior Court Mag. Judge

In addition to the affidavit included above, this application is supported by additional affidavit(s) 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.

*If a continuation is necessary, 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

PROBABLE CAUSE AFFIDAVIT

STATE OF NORTH CAROLINA

AFFIDAVIT

COUNTY OF WAKE

CONTINUATION OF SEARCH WARRANT APPLICATION IN THE MATTER OF: CARY POLICE DEPARTMENT OCA 08-3863 REGARDING THE HOMICIDE OF NANCY LYNN COOPER

SECTION I: DESCRIPTION OF PROPERTY TO BE SEIZED

1. Any and all writings and documents contained within two (2) address books belonging to Nancy Lynn Cooper.
2. Any and all files contained on storage media within a cellular phone identified as the personal property of Nancy Cooper to include, but not limited to, word documents, video clips, audio files, audio recordings, image files, e-mails, text messages, contact lists and other digital files

SECTION II: NAME OF CRIMES

- b. Murder, N.C.G.S. 14-17

SECTION III: DESCRIPTION OF ITEMS TO BE SEARCHED

1. A black 'Blackberry Pearl' cell phone (PIN:)
2. A rust in color address book, which contains loose paper documents and writings
3. A multi-colored address book with 'Kindred' and 'addresses' printed on the cover, which contains loose paper documents and writings

SECTION IV: DESCRIPTION OF PERSONS TO BE SEARCHED

None

SECTION V: DESCRIPTION OF VEHICLES TO BE SEARCHED

None

SECTION VI: FACTS THAT ESTABLISH PROBABLE CAUSE

A. I, J.A. Young (Affiant), am a law enforcement officer with the Cary Police Department holding the rank of Senior Police Officer. I have been employed as a law enforcement officer with the Cary Police Department since 1994 with the exception of the time period of 1997 to 2001 when I was employed as a law enforcement officer with the Greensboro Police Department. I received my Advanced Certificate from the North

1

 JAY
MAGISTRATE

 9.22.08
DATE

 J.A. Young
AFFIANT

 09-22-08
DATE

PROBABLE CAUSE AFFIDAVIT

STATE OF NORTH CAROLINA

AFFIDAVIT

COUNTY OF WAKE

CONTINUATION OF SEARCH WARRANT APPLICATION IN THE MATTER OF: CARY POLICE DEPARTMENT OCA 08-3863 REGARDING THE HOMICIDE OF NANCY LYNN COOPER

Carolina Criminal Justice Training and Standards Commission in November, 2000. I am currently assigned as a Detective with the Criminal Investigations Division of the Cary Police Department. Prior to my assignment as a Detective, I investigated and arrested individuals regarding numerous incidents of breaking and entering to businesses and residences, larceny offenses, possession of stolen property and traffic offenses as an officer assigned to the Field Operations Bureau of both the Cary Police Department and the Greensboro Police Department. Since my assignment as a Detective in January, 2005, I have investigated and arrested individuals regarding the criminal offenses of attempted murder, assault with a deadly weapon with the intent to kill, armed robbery, rape, sex offenses, financial crimes and drug crimes. I have more than 1,400 hours of law enforcement training which includes advanced training in the investigation of natural deaths, suicides and homicides.

B. On Saturday, July 12, 2008, the Cary Police Department initiated an investigation regarding a 'missing person', Nancy Lynn Cooper, who was last seen at the residence of 104 Wallsburg Court, Cary, N.C. which she shared with her husband, Bradley (Brad) Graham Cooper and their two (2) children.

On Monday, July 14, 2008, a body was located by a resident of Wake County, North Carolina lying face down in a 'drainage pond' in an undeveloped phase within 'The Oaks at Meadowridge' subdivision, which is located in close proximity to the 4700 Block of Fielding Drive, Raleigh, North Carolina in Wake County and reported to the Wake County Sheriff's Office. The body was determined to be that of a white female, who was deceased. The deceased white female had died as a result of 'suspicious circumstances' based upon a joint investigation by the Wake County Sheriff's Office, the Cary Police Department, the City-County Bureau of Identification (Wake County) and the Office of the Chief Medical Examiner.

On Tuesday, July 15, 2008, the deceased white female was identified as Nancy Lynn Cooper by Dr. John Butts, the Chief Medical Examiner for the State of North Carolina. The manner of death was determined to be a homicide based upon the autopsy by Dr. Butts.

During interviews with numerous friends, to include Jessica Adam and Diana Duncan, Cary Police Detective G. Daniels, Cary Police Detective A. Dismukes and affiant learned

PPM
MAGISTRATE

9/22/08
DATE

[Signature]
AFFIANT

09-22-08
DATE

PROBABLE CAUSE AFFIDAVIT

STATE OF NORTH CAROLINA

AFFIDAVIT

COUNTY OF WAKE

CONTINUATION OF SEARCH WARRANT APPLICATION IN THE MATTER OF: CARY POLICE DEPARTMENT OCA 08-3863 REGARDING THE HOMICIDE OF NANCY LYNN COOPER

that Nancy Cooper was seeking a divorce from Brad Cooper due to an admission of an extramarital affair with another female.

During contact with Cary Police Officer D. Hayes on July 12, 2008, Brad Cooper provided Officer Hayes with two (2) address books and a cell phone, all of which Brad Cooper identified as being the property of Nancy Cooper, to assist regarding the 'missing person' investigation pertaining to Nancy Cooper. These items were retained and reviewed by Detective Dismukes, Detective Daniels and affiant to gain information pertinent to the 'missing person' investigation. On July 15, 2008, these items were deemed to be evidence regarding the homicide investigation pertaining to Nancy Cooper.

During the initial review and examination of the two (2) address books, it was noted that Nancy Cooper had entered information in both of these items and there were numerous pieces of loose paper documents and writings which appeared to have been placed within the address books by Nancy Cooper. This affiant believes that this information may be relevant to the homicide investigation since all entries and writings appear to be completed solely by Nancy Cooper based upon the handwriting style and characteristics being consistent with known writings by Nancy Cooper.

The cell phone belonging to Nancy Cooper was 'locked' when it was provided to Officer Hayes by Brad Cooper. During the course of the investigation, Detective Dismukes, Detective Daniels and affiant have learned that Nancy Cooper kept her cell phone 'locked' to keep information confidential due to the separation/divorce of Nancy and Brad Cooper. In addition, it was learned that Nancy Cooper kept her cell phone with her at all times.

Based on the above information provided in this affidavit, the affiant requests that a search warrant be issued to search the property items detailed under 'Section III: Description of Items to be Searched' for the property items listed under 'Section I: Description of Property to be Seized' to seek evidence regarding the homicide of Nancy Lynn Cooper.

3

 P. Lee
MAGISTRATE

 9-22-08
DATE

 [Signature]
AFFIANT

 09-22-08
DATE