

Film No.

Film No.

SEARCH WARRANT

In the Matter of **6037 Big Sandy Drive Raleigh, North Carolina**

STATE OF NORTH CAROLINA
Wake County

In the General Court of Justice
District Court Division

2000 NOV 26 AM 10:36
WAKE COUNTY, C.S.C.

Date Issued **10-24-08** Time Issued **1:35** AM PM

Name of Applicant **Det. K. M. Norman**

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 10-24-08	Time Received 1:35	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM
Date Executed 10-24-08	Date and Time of Return 11/26/08 10:36 am	

I made a search of **6037 Big Sandy Drive Raleigh North Carolina**
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
Department or Agency of Officer
Raleigh Police Department

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 or persons shown.

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

Date **11-26-08** Time **10:36** AM PM


Signature **[Signature]**
 Deputy CSC Asst. CSC Clerk of Superior Court

Date **10-24-08**

Signature **[Signature]**

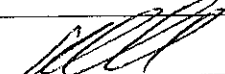
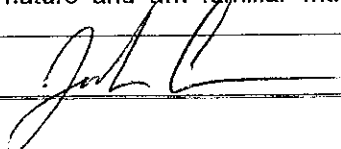
Deputy CSC Asst. CSC Clerk of Superior Court
 Magistrate District Ct. Judge Superior Ct. Judge

STATE OF NORTH CAROLINA WAKE COUNTY	IN THE GENERAL COURT OF JUSTICE DISTRICT COURT DIVISION
IN THE MATTER OF:	ATTACHMENT TO APPLICATION FOR SEARCH WARRANT BY:
6037 Big Sandy Drive Raleigh, North Carolina	Detective K.M. Norman Date: 10-24-08

<u>Description of Property to be Seized</u>
Property to be seized will include evidence and ownership, possession and/or occupancy of the residence located at 6037 Big Sandy Drive; documents that include names, addresses, phone numbers, etc., of friends, family and associates; trace evidence to include blood, latent prints, hairs, fibers, DNA, or similar evidence that could possibly lead to the identity of the suspect(s); clothing worn by the suspect(s); information maintained in any cellular telephone, pager, computer, or electronic data storage device that could possibly lead to the identity of the suspect(s); firearms, bullets, shell casings, projectiles, cutting weapons or any other possible weapons or trace evidence associated with or used in the commission of these crimes; any and all property identified as belonging to any of the victims; and any other evidence related to this crime of homicide.
<u>Description of Premises to be Searched</u>
The residence to be searched is a single family, two-story dwelling located at 6037 Big Sandy Drive in Raleigh, North Carolina. The structure is composed of red brick and is complimented with black window shutters. There is a mailbox posted on the lawn in front of the residence that is emblazoned with the numbers "6037."

<u>Description of Vehicle to be Searched</u>
White 2005 four-door Suzuki Forenza North Carolina registration WNA-5752
<u>Description of Other Places or Items to be Searched</u>
Armond Devega DOB: 10/11/1981 black male

Probable Cause Affidavit

I, Detective K. M. Norman of the Raleigh Police Department, have been employed as a law enforcement officer for more than 14 years. During that time I have been exposed to, investigated and successfully obtained convictions for numerous types of offenses and crimes that include rape, robbery, violent assaults, and homicides. I am currently assigned as a detective with the department's Major Crimes Task Force where I conduct death and homicide investigations. I have investigated numerous crimes of this nature and am familiar with the

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elements that constitute the crime of homicide, as well as evidence of both a physical and forensic nature that is often recovered at crimes scenes.

On 01/23/08 at approximately 2045 hours, the Subway Restaurant located at 10450 Durant Road in Raleigh, North Carolina, was robbed at gunpoint by a lone black male suspect armed with a long-barrel, dark-colored revolver with a brown grip. The store's surveillance system captured the suspect's image.

On 02/01/2008 and 02/13/2008, a lone black male committed two separate armed robberies at the Wilco Hess located at 7413 Louisburg Road in Raleigh, North Carolina. The victim clerk was ambushed by the suspect as the clerk arrived for work to open the store. The suspect forced the clerk to open the store's safe. In each case, the suspect was armed with a long-barrel, dark-colored revolver. The subsequent investigation into this case showed that those two events were most likely committed by the same suspect. The event was captured on the store's surveillance system.

On 02/13/2008 at approximately 2340 hours, a home invasion robbery occurred at 508 Tartan Circle in Raleigh, North Carolina. During the course of the robbery, victim Anthony Scarborough was shot and killed. An analysis of the ballistic evidence determined the gun used to kill Scarborough was a revolver.

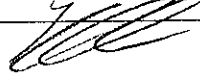
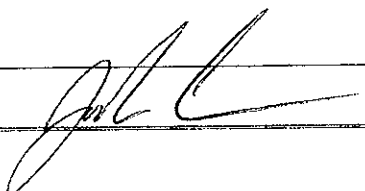
On 04/05/2008 at approximately 2045 hours, the Subway Restaurant located at 6320 Capital Boulevard in Raleigh, North Carolina, was robbed at gunpoint by a lone black male armed with a dark-colored handgun.

On 04/10/2008 at approximately 0500 hours, a lone black male suspect ambushed victim employee Stephanie Anderson as she arrived to open the Wilco Hess located at 1741 Trawick Road in Raleigh, North Carolina. When Anderson was unable to open the store's safe, the suspect shot and killed her. During the investigation it was learned the suspect used a long-barreled, black revolver with a brown handle. It was determined this suspect was most likely responsible for the 02/01/2008 and 02/13/2008 robberies of the Wilco Hess on Louisburg Road. Subsequent ballistic analysis showed the bullet that killed victim Stephanie Anderson was fired from the same weapon that was used in the Scarborough homicide on 02/13/2008. The incident was captured on the store's video surveillance system.

On 05/07/2008 at approximately 2055 hours, the Subway Restaurant located at 5410 Six Forks Road in Raleigh, North Carolina, was robbed by a lone black male suspect armed with a black revolver. During the course of the robbery, the suspect shot his firearm at one of the employees but missed. A ballistic analysis of the recovered projectile indicated it was fired from the same weapon used in the Scarborough and Anderson homicides.

On 05/24/2008 at approximately 0944 hours, the Capital Food Mart located at 2929 Capital Boulevard in Raleigh, North Carolina, was robbed by a lone black male suspect. During the robbery, the suspect threatened the victim clerk with a long-barrel, dark-colored revolver while he demanded that the clerk open the store's safe. Based on our analysis of surveillance images obtained from this robbery – as well as the images from the other convenience store and fast food restaurant robberies detailed within this warrant – we determined the same suspect was most likely responsible for those incidents as well.

On 06/05/2008 at approximately 0421 hours, the Bojangles Restaurant located at 10610 Durant Road in Raleigh, North Carolina, was robbed by a lone black male armed with a long-barrel, dark-colored revolver who ambushed an employee as he arrived to open the restaurant. The suspect forced the employee to open the restaurant safe. During our analysis of the surveillance video and the suspect's modus operandi, we believe this is the same suspect responsible for the above-detailed incidents.

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On 09/10/2008 at approximately 2015 hours, Mexico Lindo Check Cashing located at 4010 Wake Forest Road in Raleigh, North Carolina, was robbed by a lone black male armed with a long-barrel, dark-colored revolver. During the robbery, the suspect shot and seriously wounded employee Modesta Fernandez. The incident was captured on the store's video surveillance system. Recovered ballistic evidence from this crime was analyzed and it was determined the projectiles matched those fired from the gun used in the Anderson and Scarborough homicides, as well as the Subway Restaurant robbery on 05/07/2008.

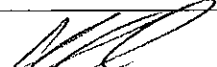
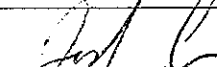
As this investigation progressed, digital images recovered from the surveillance systems at some of these crime scenes were released to the public through various local media outlets. We solicited assistance from the public in identifying the suspect. On Monday 10/20/2008, we began an investigation into a tip we received regarding Armond Devega. According to the anonymous and concerned citizen of Wake County, he/she stated Devega was the suspect captured on the surveillance images of the Capital Food Mart robbery of 05/24/2008. Background information was collected on Devega. It was learned Devega was previously arrested and convicted of two armed robberies of the same business that occurred on 12/20/1999 and 12/23/1999 in Wilmington, North Carolina. During the robberies, Devega was armed with a .357 revolver. He was sentenced to serve at least five years 10 months in the North Carolina Department of Corrections (NCDOC). He was paroled in October 2005. Like those robberies committed in Wilmington in December 1999, our suspect uses a revolver in the commission of his crimes and has shown a propensity to rob the same store twice in rapid succession (Louisburg Road Wilco Hess on 02/01/2008 and 02/13/2008).

A search of North Carolina Department of Motor Vehicle databases shows Devega has a 2005 Suzuki Forenza registered in his name. The address on the registration is listed as 6037 Big Sandy Drive Raleigh, North Carolina. Devega also has a North Carolina Operator's License that was issued on 10/20/2006. The address on that license shows 6037 Big Sandy Drive Raleigh, North Carolina. On 10/20/2008 and 10/21/2008, covert police surveillance was established at the residence. Devega was observed coming and going from the residence in a routine manner that indicates he resides at the home. Devega's residence is in close proximity to many of these crime scenes. For example, the Wilco Hess on Louisburg Road is less than 2.5 miles from his home, while the Bojangles and Subway on Durant Road are approximately three miles away. They are also located on the main thoroughfares leading from the subdivision in which Devega lives - Perry Creek and Durant Roads, respectively.

According to a check of employment records, Devega has been employed with Pike Electric at 1050 N. New Hope Road since 2006. On 10/21/2008, covert police surveillance also established that Devega's registered vehicle was parked in a parking lot routinely used by Pike Electric employees. The Wilco Hess at which Stephanie Anderson was murdered is less than two miles from Devega's employer.

During follow-up interviews with the tipster, he/she mentioned Devega knew murder victim Anthony Scarborough. The two had become acquainted during their imprisonment in the NCDOC. Devega had apparently developed a grudge against Scarborough and had threatened to exact revenge. To date, the connection between the Scarborough murder and the other crimes had not been made public. The tipster now indicated Devega was not only responsible for this string of publicized crimes but was also acquainted with victim Scarborough. We obtained confirmation from representatives with the NCDOC that Scarborough and Devega were both housed at the Johnston Correctional Institute between 03/15/2005 and 05/03/2005.

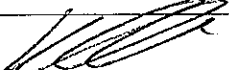
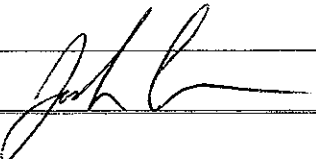
A meeting with the tipster was arranged on 10/20/2008. During that meeting, the tipster was asked about the types of clothing worn by Devega. He/she stated Devega regularly wore Gore-Tex boots. We know from crime scene evidence analysis that our suspect wore Vasque brand hiking boots during the commission of several of these crimes. The boots are constructed with Gore-Tex material and have the Gore-Tex emblem on the side of the boot. The tipster also indicated Devega wore some type of blue gloves during his work with Pike Electric. In the

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Stephanie Anderson homicide, Bojangles robbery and Mexico Lindo robbery, the suspect wore work gloves with blue, latex palms and fingers. These gloves are commonly worn by employees in the construction/electrical fields. The tipster was shown a surveillance image captured from the Mexico Lindo robbery. He/she indicated he/she has seen Devega with the type of glove in the surveillance images that were captured during the crime. In addition, the tipster also stated he/she has seen Devega with the same type of red sunglasses worn during the Capital Food Mart robbery. The tipster looked at several of the other surveillance images associated with these cases and identified Devega as being the person in all of them. He/she also named specific name brands and types of clothing Devega wore and/or possessed. That clothing was later identified by the tipster in the surveillance images captured from the crime scenes.

The tipster also described a speech impediment from which Devega suffers. That speech impediment was captured on the surveillance audio of the Stephanie Anderson homicide.

Based upon the information freely provided by the tipster that was independently corroborated by the investigation; the similarity to previous crimes committed by Armond Devega; the connection to homicide victim Anthony Scarborough and the previously undisclosed connection between his murder and the other robberies and murder; the proximity of Devega to these crime scenes; the description by the tipster of clothing worn by Devega that matched those of the suspect; and the positive identification of Devega by the tipster, I believe probable cause exists to conduct a search at 6037 Big Sandy Drive Raleigh, North Carolina. It is requested this search warrant be issued in order to seize any and all evidence related to these homicides and robberies.

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STATE OF NORTH CAROLINA

WAKE

County

File No.

In The General Court Of Justice
District Superior Court Division

IN THE MATTER OF:

Name

ARMOND DEVEGA
6037 BIG SANDY DR.
RALEIGH, NC 27616

INVENTORY OF SEIZED PROPERTY

Date Of Search

10-24-08

G.S. 15A-254, -257

I, the undersigned officer, executed a search of:

Person, Place Or Vehicle Searched

6037 BIG SANDY DR.
RALEIGH, NC 27616

This search was made pursuant to

- [X] a search warrant issued by: MAGISTRATE (WAKE CO.)
[a consent to search given by:
[other legal justification for the search:

The following items were seized:

- 1. VASQUE SHOE BOX w/ ASSORTED PAPERWORK
2. TRIPLE CROWN SIZE 10 VASQUE SHOES
3. LRG HOODED GREEN COAT
4. NIKE SHOE BOX w/ CHECK BOOK, Letters + Misc. Doc.
5. VASQUE SHOE BOX w/ PHOTOS, PAPERS, + MISC. DOCUMENTS
6. POWER GRAB GLOVES BLUE + WHITE
7. TIN CAN w/ MISC. DOCUMENTS + PAPERS
8. NIKE BOX w/ MISC. PAPERS + DOCUMENTS
9. RED ALTEL PHONE 545-1508 + BIK. SPRINT UNK. #
10. BLUE STERILITE PLASTIC CONTAINER w/ ASSORTED SHOES
11. Acer COMPUTER + CORDS
12. EBD GRAY JEANS
13. (1) BIK. VINYL BAG w/ (2) Thermal shirts
14. (3) Cell Phone chargers
15. Misc PAPERS VASQUE BOX
16. KEY RING w/ (5) KEYS
17. WHT. SUSUKI NC REG.
WNA-5752
18. BIK. Wallet w/ \$590.00 ID
+ Misc. CREDIT CARDS
19. SIZE 10 BIK. VASQUE SHOES
20. Blue Altel Phone w/ receipt

Seized Items Continued:

- 21. WHITE Hanes 3XL SHIRT 31. Arminius Titan Tiger .38 revolver
- 22. FOLDING KNIFE
- 23. Blue & WHITE Tn Air 9.5
- 24. BRN. & BIK. CASIO WATCH (digital)
- 25. SILVER Duct TAPE 3M
- 26. BRN. Lehigh Work Boot
- 27. BIK. "Police Air Weave" Trench COAT (L)
- 28. BIK. "Air Weave" Trench COAT (XL)
- 29. BIK. ELERT mid length coat (XL)
- 30. BRN. VASQUE BOOTS 9.5

I am leaving a copy of this inventory with the person named below, who is:

- the owner of the place searched.
- the owner of the vehicle searched.
- the person in apparent control of the place searched.
- the person in apparent control of the vehicle searched.
- the person from whom the items were taken.

As no person was present, I am leaving a copy of this inventory:

- in the place searched, identified on the reverse.
- in the vehicle searched, identified on the reverse.

Name And Address Of Person To Whom A Copy Of This Inventory Was Delivered

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

SWORN AND SUBSCRIBED TO BEFORE ME	Signature Of Law Enforcement Officer <i>[Signature]</i>
Date 11-26-08	Title Of Law Enforcement Officer Detective
Signature <i>[Signature]</i>	Name And Address Of Agency Raleigh PD 110 S.M. Howell Raleigh NC 27602
<input checked="" type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> Magistrate	

ACKNOWLEDGMENT OF RECEIPT

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

Date	Signature Of Person Receiving Inventory
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