

Film No. _____ File No. _____

SEARCH WARRANT

In the Matter of _____

Yahool Inc. @yahoo.com

Date Issued 7-5-2007 Time Issued 5:25 PM AM PM

Name of Applicant Inv A. M. Sternberg WCSCO

Name of Additional Affiant _____

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 7-5-2007 Time Received 5:25 PM AM PM

Date Executed 7-5-2007 Date and Time of Return 12-12-07 11:50

I made a search of Yahool Inc.

_____ 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 _____

Wake County Sheriff's Office

STATE OF NORTH CAROLINA
Wake County

In the General Court of Justice
District Court Division

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 12-12-07 Time 11:50 AM PM

Signature _____
Deputy CSC Asst. CSC Clerk of Superior Court

Date July 5, 2007
Signature [Signature]
 Deputy CSC Asst. CSC Clerk of Superior Court
 Magistrate District Ct. Judge Superior Ct. Judge

APPLICATION FOR SEARCH WARRANT

I, Investigator A. M. Sternberg Wake County Sheriff's Office Criminal Investigations Division
(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 the 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 NCGS 14-17

, and is located:

(Name Crime)

(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))

(and)

in the following vehicle(s) _____

(Describe vehicle(s))

(and)

see the attachment

(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 the attachment

SWORN AND SUBSCRIBED TO BEFORE ME

Date

July 5, 2007

Signature

A. M. Sternberg

Signature of Applicant

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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.

H 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 the applicant and issuing official.

In the Matter of: Yahoo account @yahoo.com

Continuation of: Constitutes evidence of a crime and the identity of a person participating in a crime;

Murder NCGS § 14-17

Continuation of: Description of Property to be Seized;

Exact copies of any and all emails and email message content to and from the above account from February 22, 2007 through the date of this search warrant for *Yahoo! Inc.* email account: @yahoo.com.

Continuation of: Description of Items to be Searched;

Yahoo! Inc. record keeping and electronic storage systems as may contain the @yahoo.com emails.

Continuation of: Probable Cause;

This affiant, Investigator Alfred Sternberg, has been in law enforcement for 19 years. I am currently assigned to the Wake County Sheriff's Office Investigations Division. This unit investigates murders, rapes, frauds, computer crimes, arsons and violent crimes. During the course of my employment as a law enforcement officer, I have been trained in these areas of investigation, crime scene searches and arrest of criminals that are involved in such crimes. *Michelle Marie Fisher Young* was found brutally murdered on November 3, 2006 in her home at 5108 Birchleaf Drive Raleigh, NC in Wake County. Wake County Sheriff's Office is engaged in an ongoing process of investigative reconstruction of events and identification of witnesses leading up to the murder, the time period of the murder itself, and the events in the aftermath. *Jason Young* is the victim's husband. *Jason Young* has been uncooperative in the murder of his own wife other than responding to service of a Non-Testimonial Identification Order and the briefest conversation where he referred law enforcement investigators to his attorney. Investigation revealed the existence of *Jason Young's* email account @yahoo.com. I previously obtained a search warrant and served it upon *Yahoo! Inc.* to investigate the content of undeleted email communications in the account. *Yahoo! Inc.* has provided email through February 21, 2007 which show *Jason Young* engaged in detailed email discussions with case witnesses about the investigation of the murder of his wife. WCSO Investigator McCormack told me on June 29, 2007 of information obtained under court order of *Jason Young* being in recent June 2007 phone contact with key case witnesses who were among those he had history of also being in email contact. The contact included renewed communications with at least one witness he had last been known to contact on the date the murder victim was found. It is unknown how *Jason Young* had obtained this witness' new phone number.

Continuation of: Conclusion;

Based upon my training and experience, it is believed the preceding facts establish probable cause to believe the above-described items in possession of *Yahoo! Inc.* will be found and will aid in identifications that will assist in identifying the person or persons responsible for the crime of Murder NCGS 14-17 for the death of the victim. For these reasons, your affiant respectfully requests this warrant.

SWORN AND SUBSCRIBED TO BEFORE ME

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DATE July 5, 2007

[Signature]
Superior Court Judge

[Signature]
Signature of Applicant

STATE OF NORTH CAROLINA

Wake County

File No.

In The General Court Of Justice
District Superior Court Division

IN THE MATTER OF:

Name

Yahoo! Inc. yahoo.com

INVENTORY OF SEIZED PROPERTY

Date Of Search

7-5-2007

G.S. 15A-254, -257

I, the undersigned officer, executed a search of:

Person, Place Or Vehicle Searched

Yahoo! Inc. @yahoo.com

This search was made pursuant to

[X] a search warrant issued by: Superior Ct. Judge Donald Stephens

[] a consent to search given by:

[] other legal justification for the search:

The following items were seized:

packet of material relating to above account

Seized Items Continued:

- 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: *sent via US mail*
- 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

*Tracy Jones Compliance Team Yahoo! Inc. 701 First Avenue
Sunnyvale CA 94089*

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 <i>12-12-07</i>	Title Of Law Enforcement Officer <i>Deputy Sheriff: Sr. Investigator</i>	
Signature <i>[Signature]</i>	Name And Address Of Agency <i>Wake County Sheriff's Office POB 550 Raleigh NC 27602</i>	
<input 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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