

ORIGINAL

File No.

2009-00955

SEARCH WARRANT

IN THE MATTER OF

2809 Green Clover Drive Willow Spring, NC, 27592

Date Issued 04/08/2009 Time Issued 11:43 AM AM PM

Name Of Applicant Special Agent T. S. Cohn

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 4/8/09 Time Received 11:43 AM AM PM

Date Executed 4/8/09 Time Executed 12:35 AM AM PM

I made a search of 2809 Green Clover Drive, Willow Spring NC 27592

_____ as commanded.

I 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

Department Of Agency Of Officer

Incident Number

AOC-CR-119, Rev. 9/02

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STATE OF NORTH CAROLINA

Wake County

In The General Court Of Justice
District/Superior 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(s) shown.

Date 4-8-09 Signature  Deputy CSC Assistant CSC District Ct. Judge CSC Magistrate Superior Ct. Judge

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

Date 4-14-09 Time 1:53 AM AM PM Signature  Deputy CSC Assistant CSC

(Over)

APPLICATION FOR SEARCH WARRANT

1. Special Agent T. S. Cohn of the North Carolina State Bureau of Investigation

(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 attachment pages

constitutes evidence of a crime and the identity of a person participating in a crime. *(Name crime)* AWDWIKISI NCGS 14-32(a)

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

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

See attachment pages

(and)

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

See attachment pages

(and)

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

See attachment pages

(and)

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

See attachment pages

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

See attachment pages

SWORN AND SUBSCRIBED TO BEFORE ME

Date

4-8-09

Date

4/8/09

Signature

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.

**CONTINUATION OF SEARCH WARRANT APPLICATION
IN THE MATTER OF:**

2809 Green Clover Drive
Willow Spring, North Carolina, 27592

ATTACHMENT I- PROPERTY/EVIDENCE TO BE SEIZED:

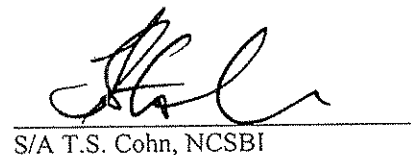
The facts and circumstances outlined in this affidavit suggest that the following items of evidentiary value are contained within the property to be searched:

Hair, Fibers, Blood, Bodily Fluids, Shoe Track Impressions, Latent and/or Patent Evidence, Clothing, Firearms, Fired and Unfired Bullets, Shell Casings and Projectiles, Edged Weapons, ammunition, prescription medication or any other drugs, and any other weapons which may cause bodily harm, cellular telephones, documentation which may show ownership or occupancy of the vehicles, residence and outbuildings to be searched, wallet or identification for Michael Harrison Andrews or any other items that would be related to an officer involved shooting.

SWORN AND SUBSCRIBED BEFORE ME


Magistrate/Judge

Date: 4-8-09


S/A T.S. Cohn, NCSBI

**CONTINUATION OF SEARCH WARRANT APPLICATION
IN THE MATTER OF:**

2809 Green Clover Drive
Willow Spring, North Carolina, 27592


ATTACHMENT II- PLACES TO BE SEARCHED:

The premise to be searched is described as a single wide mobile home, light blue in color with dark brown trimming and white underpinning. There is a small wooden stoop area with five steps leading to the front door and a small platform. The numbers 2809 are located on the end of the trailer facing the street. Two vehicles are located on the premises, one blue four door Isuzu Rodeo Maine tag: 7117PY, VIN: [redacted] and a burgundy Jeep Cherokee Virginia tag: XXJ-3897, VIN: [redacted]. Your applicant requests the residence and all outbuildings and vehicles located on the curtilage to be included in premises to be searched.

This property can be reached from the intersection of US 401 South and Highway 55 East, travel east on Highway 55 for approximately 3.5 miles until the intersection of Highway 55 East and Green Clover Drive, there is a sign for Clover Brook Estates on the right. Take a right on Green Clover Drive, the mobile home is the fourth on the right.

ATTACHMENT III- PROBABLE CAUSE AFFIDAVIT:

SWORN AND SUBSCRIBED BEFORE ME


Magistrate/Judge

Date: 4.8.09


S/A T.S. Cohn, NCSBI

CONTINUATION OF SEARCH WARRANT APPLICATION
IN THE MATTER OF:

2809 Green Clover Drive
Willow Spring, North Carolina, 27592

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

Applicant, Special Agent Tiffany S. Cohn is a Special Agent with the North Carolina State Bureau of Investigation assigned to Crime Scene for the Capital District. Applicant has been employed with the North Carolina State Bureau of Investigation as a Special Agent since 2002. Applicant has been a sworn law enforcement officer in the State of North Carolina since 2003. Applicant holds a Bachelors of Science in Criminal Justice degree from Appalachian State University. Applicant has also holds a Masters Degree in Criminology from Bond University, Queensland, Australia. Applicant is a graduate of the North Carolina State Bureau of Investigation Special Agent Academy and the Basic Law Enforcement Training curriculum. Applicant has completed numerous courses of specialized law enforcement training, including the Police Law Institute (PLI) course of instruction presented by the North Carolina Justice Academy.

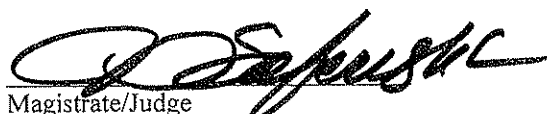
Applicant has received over 1200 hours of law enforcement training covering topics such as homicide investigations, child abuse investigations, financial crime investigations, drug investigations, arson investigations, crime scene investigations, evidence collection, and search warrant writing.

The information received during the course of this investigation is discussed in this affidavit and is believed to be true and accurate by Special Agent Cohn.


On Wednesday, April 8, 2009 SA Cohn received a phone call from Assistant Special Agent in Charge (ASAC) M.B. East in reference to an officer involved shooting with Wake County Sheriff's Department. ASAC East was contacted by Captain Jerry Winstead of the Wake County Sheriff's Department. SA Cohn spoke with Captain Winstead via telephone who briefed her that at approximately 4:55 a.m. on Wednesday, April 8, 2009, Deputy J. Willis was dispatched to a disturbance/loud music call located at 2809 Green Clover Drive, Willow Spring, North Carolina, 27592.

In speaking with Captain Winstead, he relayed the following information; Deputy Willis arrived at approximately 5:10 a.m. on Wednesday, April 8, 2009 at 2809 Green Clover

SWORN AND SUBSCRIBED BEFORE ME


Magistrate/Judge

Date: 4-8-09


S/A T.S. Cohn, NCSBI

**CONTINUATION OF SEARCH WARRANT APPLICATION
IN THE MATTER OF:**

2809 Green Clover Drive
Willow Spring, North Carolina, 27592

Drive, Willow Spring, North Carolina, 27592 and was confronted by the victim who is believed to be Michael Harrison Andrews, W/M/DOB: 10/26/1987. The victim was belligerent and voiced that he was armed and the deputy needed to leave. The victim also made verbal threats he was armed and not to approach him. Deputy Willis retreated and called for back up, several more deputies arrived on scene. The victim stated he wanted to end his life and was continually walking from the interior doorway of his residence to the stoop area. The victim would not obey commands from the deputies to put down his weapon. The Special Response Team (SRT) for Wake County Sheriff's Department was called and responded to the scene. Upon arrival, SRT established communications with the victim and continued to request the victim disarm himself. The victim was repeatedly seen with a hand gun and continued to move in and out of the front door of his residence. SRT began to evacuate the residences that were in the immediate area when the victim was observed raising the gun towards the SRT deputies. SRT Deputies Earp and Minshew fired and struck the victim while he was in the front doorway of his residence. The victim is located deceased inside of his residence. Communications between the deputies and the victim lasted approximately 1½ to 2 hours.

The applicant would respectfully request the court issue a search warrant for the residence, outbuildings, vehicles, and curtilage surrounding the residence located at 2809 Green Clover Drive, Willow Spring, North Carolina, 27592 in order to collect additional evidence related to the officer involved shooting located at 2809 Green Clover Drive, Willow Spring, North Carolina, 27592.

All information and facts provided in this affidavit are true and accurate to the best of the applicant's knowledge. The applicant feels that there is sufficient probable cause for the issuance of a search warrant for the collection of evidence within the residence located at 2809 Green Clover Drive, Willow Spring, North Carolina, 27592.

SWORN AND SUBSCRIBED BEFORE ME


Magistrate/Judge

Date: 4.8.09


S/A T.S. Cohn, NCSBI

STATE OF NORTH CAROLINA

Wake

County

File No 2009-00955

In The General Court Of Justice
District Superior Court Division

IN THE MATTER OF:

Name 2809 Green Clover Drive
Willow Spring, NC 27592

INVENTORY OF SEIZED PROPERTY

Date Of Search 4/8/09

G.S. 15A-254, -257

I, the undersigned officer, executed a search of:

Person, Place Or Vehicle Searched
- 2809 Green Clover Drive - blue four door Isuzu Rodeo
Willow Spring, NC, 27592 Name: 7117PY
VIN: 2
- burgundy four door Jeep
Cherokee
- VA XXJ-3897
VIN:

This search was made pursuant to

[X] a search warrant issued by: Magistrate Jerry D. Safewright

[] a consent to search given by:

[] other legal justification for the search:

The following items were seized:

- Photographs
- Knife
- Air pistol
- Projectile
- 2 prescription medications
- jewelry box containing pills and jewelry
- GSR kit