

STATE OF NORTH CAROLINA

COUNTY OF CatawbaIN THE GENERAL COURT
OF JUSTICE- SUPERIOR
COURT DIVISIONIN THE MATTER OF
Zahra Clare BakerMOTION TO SEAL RECORD
OF CRIMINAL INVESTIGATION

NOW COMES the undersigned Captain Thurman Whisnart, Hickory Police Department, and respectfully shows the Court that: A criminal investigation is being conducted by the Hickory Police Department with assistance from the North Carolina State Bureau of Investigation and the Federal Bureau of Investigation specifically relating to the missing person/kidnapping of Zahra Clare Baker.

1. On 10/09/2010 at approximately 0520 hrs, the Hickory Police Department was requested by the Hickory Fire Department to respond to the residence of 21 21st Avenue Northwest Hickory, North Carolina in reference to a small grass fire.
2. On 10/09/2010 at approximately 0530 hrs, Officer R. Rollins of the Hickory Police Department arrived at the residence of 21 21st Avenue Northwest Hickory, North Carolina. Upon his arrival, Officer R. Rollins was approached by a Hickory Firefighter and was advised that they had responded in reference to a fire on a mulch pile behind the residence.
3. Officer R. Rollins advised that the fireman advised that the passenger side doors of a silver 1996 Chevrolet Tahoe bearing North Carolina registration [REDACTED] located at the residence were open and a Duke Power envelope with handwriting was located on the front windshield. Officer R. Rollins approached the silver in color Chevrolet Tahoe and smelled the odor of gasoline emitting from inside the silver in color Chevrolet Tahoe bearing North Carolina registration [REDACTED].
4. The Duke Power envelope had the following information handwritten on it: "Mr. Coffey, you like being in control now who is in control we have your daughter and your pot smoking red head son is next unless you do what is asked 1,000,000 unmarked will be in touch soon." The note also has written on the top right and bottom right "no cops"
5. On 10/09/2010 at approximately 0530 hrs, Mark David Coffey and his only daughter, [REDACTED] was at the residence and observed by Officer R. Rollins to be fine.
6. On 10/09/2010 at approximately 1400 hrs, the Hickory Police Department responded to the residence of 21 21st Avenue Northwest Hickory, North Carolina after receiving a call from Adam Baker. Upon arrival, Adam and Elisa Baker reported Zahra Baker, W/F DOB 11/16/1999 missing. The Bakers reported that they believed that someone must have abducted their daughter, mistaking her for Mark Coffey's daughter.
7. On 10/11/2010, Elisa Baker admitted to fabricating the ransom note that was left on the Tahoe, stating it was due to her anger with Mark Coffey. The interview was conducted by Agent McBride of the NCSBI and Sgt. Brett Porter of the Hickory Police Department. She was charged with Felony Obstruction of Justice on that date.
8. As of this date/time, Zahra Baker has not been located.

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9. On 10/14/2010, Lt. Eecky Weatherman of the Burke County Sheriff's Office received a tip from a source known to this affiant. The source completed a written statement and stated the following. He was told two days ago by [redacted] (who received the information from [redacted]) that the little girl (Zahra) had been at a block house on Burke County Road with a subject named James and another subject named Sammy. The written statement states that "Sammy" had told [redacted] that he had done something very bad and needed to leave town. It further stated that when the mother came back, the little girl had blood on her private area and legs and they (Sammy and James) raped her. The statement indicated that "Sammy" and the mother (Elisa Baker) had some kind of relationship. In the statement, the source states that he asked [redacted] if they killed the little girl and that Jerry stated they might have hit her in the head.
10. Through the investigation it was determined that Lewis James Young and Timothy Samuel Young (also known as "Sammy") have been residing at 8630 County Line Rd., Hildebran, NC. The house is a block as stated in the written statement summarized in the above paragraph.
11. On 10/15/2010, Agents McBride and Morris with NCSBI, along with Inv. Ollis and myself responded to 8630 County Line Road, Hildebran, NC. Upon arrival, Lewis James Young was located at the residence.
12. There was a mattress lying on the ground at the side of the house. The mattress had a large dark stain in the middle of the mattress.
13. Lewis James Young agreed to speak with SA Morris and told him that the mattress was his and that he had removed it from the house to let it "air out" due to the fact he had urinated on it. He stated that he knew Zahra Baker, but to the best of his knowledge, she had never been at this residence. He agreed to accompany investigators to the Police Department to be interviewed.
14. Sgt. Patrick Clark and Inv. Harris are currently at the house pending the application of this Search Warrant.

I Pray that the File and Contents be sealed.

This is the 15th day of October, 2010.

John D. [Signature]
Sworn & Subscribed Before Me
15th day October 2010

Elizabeth E. Grigg

[Signature]
AFFIANT

