

STATE OF NORTH CAROLINA
CATAWBA COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

In the matter of:
Carolina West Wireless
Account Holder: [REDACTED]
[REDACTED]

MOTION

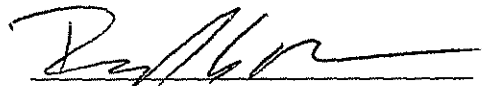
Now comes the State of North Carolina, by and through the below named District Attorney of the 25th Judicial District, and moves that the Court issue an Order directing Carolina West Wireless of 1307 Curtis Bridge Road, Wilkesboro, NC 28997, Fax # (336) 667-7293 to provide to Investigator K. Craig of the Hickory Police Department information on Precision Location of Mobile Device (GPS) for the telephone number [REDACTED] from September 20th, 2010 to October 11th, 2010. It is requested the information include, but not be limited to, GPS location and or cell tower location of mobile device, the full name of the owner/user, address, date of birth, business information, social security number, any other telephone numbers, application for service, change in cellular telephones, the incoming and outgoing call information, text messages and images.

In support of this motion, the State shows unto the Court the information contained in the Application/Affidavit filed herein, to show purpose for which this information is sought and that said information is relevant to a legitimate government inquiry. The State is moving on behalf of the Hickory Police Department and the District Attorney's Office, Newton, NC.

The requested records are relevant to the investigation of a homicide of a 10-year-old female.

Wherefore, the State of North Carolina prays the Court for the relief set forth above.

Respectfully submitted this 1st day of Oct., 2010


() District Attorney
(X) Assistant District Attorney
25th Judicial District

**STATE OF NORTH CAROLINA
CATAWBA COUNTY**

**IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION**

In the matter of:

APPLICATION/AFFIDAVIT

Carolina West Wireless

Account Holder: [REDACTED]
[REDACTED]

This affiant, Investigator K. Craig, of the Hickory Police Department being a duly sworn law enforcement officer states the following facts:

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 firefighter advised the passenger side doors of a silver in color 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 0641 hrs, Officer R. Rollins and the Hickory Police Department left the residence of 21 21st Avenue Northwest Hickory, North Carolina after investigating the small grass fire reference to arson.
7. 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 stating that last night someone had poured gas in Adam Baker's car and left a note stating that they had his bosses' daughter. Adam Baker believes they took his daughter, Zahra Baker, W/F DOB 11/16/1999.
8. An officer of the Hickory Police Department responded to the residence of 21 21st Avenue Northwest Hickory, North Carolina and searched the residence with consent from Adam Baker and Elisa Baker. Zahra Baker was not located at the residence.

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Carolina West Wireless
[REDACTED]

APPLICATION/AFFIDAVIT

9. On October 12th, 2010, while Cpt. T. Whisnant and Sgt. B. Porter with the Criminal Investigations Division of the Hickory Police Department interviewed [REDACTED] in reference to the disappearance of Zahra Baker, she stated that Elisa Baker purchased a bed from her. [REDACTED] cannot specify what date that the bed was purchased but stated that she and Elisa Baker sent messages back and forth between one another regarding the purchase of the bed.
10. The telephone number [REDACTED] belongs to [REDACTED] and the cellular telephone service was noted as being Carolina West Wireless.
11. On October 18, 2010, NCSBI Intelligence Section prepared and sent an exigent circumstance form to preserve the telephone records for [REDACTED] from September 20th, 2010 to October 11th, 2010.

It is this affiant's belief that having the Precision Location of Mobile Device (GPS) for the telephone number [REDACTED] and/or cell tower location of mobile, the full name of the owner/user, address, date of birth, business information, social security number, any other telephone numbers, application for service, change in cellular telephones, the incoming and outgoing call information, text messages and images from September 20th, 2010 to October 11, 2010 will assist with the investigation of a homicide of a 10 year-old female. It is requested the Court issue an Order.

Inv. K. Craig
Inv. K. Craig
Hickory Police Department

Sworn to and subscribed before me this 19th day of October, 2010

Tai Stewart
 Superior Court Judge
 District Court Judge

STATE OF NORTH CAROLINA
CATAWBA COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

In the matter of:
Carolina West
Account Holder: [REDACTED]

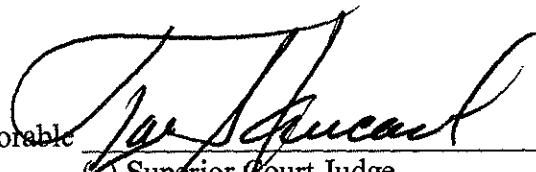
ORDER

It now appearing to the Court from the motion of James Gaither, District Attorney for the 25th Judicial District of North Carolina, or his duly authorized representative; upon presentation of Application/Affidavit by Investigator K. Craig of the Hickory Police Department; and the Court finding as fact that it is in the best interest of justice that the information requested be made available.

It is therefore **Ordered, Adjudged and Decreed** that T-Mobile to provide Investigator K. Craig of the Hickory Police Department information including, but not limited to, on Precision Location of Mobile Device (GPS) location and or cell tower location of mobile device, the full name of the owner/user, address, date of birth, business information, social security number, any other telephone numbers, application for service, change in cellular telephones, the incoming and outgoing call information, text messages and images from telephone number [REDACTED]. It is requested the information include GPS location and or cell tower location of mobile device from September 20th, 2010 to October 11, 2010.

This 19th day of October, 2010

The Honorable



Superior Court Judge
 District Court Judge

STATE OF NORTH CAROLINA

File No.

Catawba County

in The General Court Of Justice
District Superior Court Division

IN THE MATTER OF:

Name

Elisa A. Baker

INVENTORY OF ITEMS SEIZED PURSUANT TO SEARCH

G.S. 15A-223, 15A-254. -257

I, the undersigned officer, executed a search of:

Person, Premises Or Vehicle Searched

Date Of Search

Carolina West Wireless telephone number [redacted] 10/19/2010

This search was made pursuant to

- 1. a search warrant issued by: Superior Court Judge Kincaid
2. consent to search given by:
3. other legal justification for the search:

The following items were seized:

telephone records and data for telephone number



Items Seized Continued:

1. I left a copy of this inventory with the person named below, who is:

- a. the owner of the premises searched.
- b. the owner of the vehicle searched.
- c. the person in apparent control of the premises searched.
- d. the person in apparent control of the vehicle searched.
- e. the person from whom the items were taken.

2. As no person was present, I left a copy of this inventory:

- a. in the premises searched, identified on the reverse.
- b. in the vehicle searched, identified on the reverse.

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

Carolina west wireless Fax # 336-667-7293
1307 Curtis Bridge Road, Wilkesboro, NC 27997

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 K. Craig |
| Date 10/19/10 | | Title Of Law Enforcement Officer Investigator |
| Signature D. E. R. [Signature] | | Name And Address Of Agency Hickory Police Dept. 347 2nd Av SW Hickory, NC 28602 |
| <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Clerk Of Superior Court | <input type="checkbox"/> Assistant CSC <input checked="" type="checkbox"/> Magistrate | |

ACKNOWLEDGMENT OF RECEIPT

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

| | |
|------|---|
| Date | Signature of Person Receiving Inventory |
|------|---|