

STATE OF NORTH CAROLINA
CATAWBA COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
File No.

IN THE MATTER OF:
IMVU
Accounts associated with
The attached names & DOB
On the search warrant

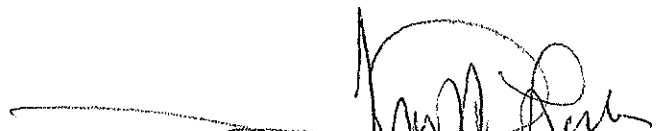
ORDER

THIS CAUSE coming on to be heard and being heard by the undersigned Superior Court Judge, upon motion by the State to seal a certain search warrant and its return;

AND it appearing to the Court that the release of information contained in said search warrant and its return will potentially undermine an ongoing investigation or jeopardize the right of the State to prosecute a defendant or defendants or jeopardize the right of a defendant or defendants to receive a fair trial,

IT IS THEREFORE ORDERED that this search warrant and its return be sealed and not released to the public until further order of the Court.

This the 8 day of ^{November}~~October~~, 2010.


Catawba County Superior Court Judge

STATE OF NORTH CAROLINA
CATAWBA COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
File No.

IN THE MATTER OF:
IMVU
Accounts associated with
The attached names & DOB
On the search warrant


MOTION TO SEAL SEARCH WARRANT

Now comes the State by and through the undersigned Assistant District Attorney and moves the Court pursuant to N.C.G.S. 132-1.4(e), (k) to seal the above-referenced search warrant and its return, and in support thereof, alleges:

1. On October 09, 2010 at approximately 2:00 pm, Zahra Baker was reported missing from 21 21st Avenue Northwest in Hickory, North Carolina.
2. The investigation by the Hickory Police Department and other state and federal law enforcement agencies indicates that the missing person, Zahra Baker, was last seen at the residence of 21 21st Avenue Northwest, Hickory, North Carolina 28601.
3. The investigation of the missing person is ongoing.
4. The release of the information contained in the search warrant would jeopardize the right of the State to prosecute a defendant or defendants, or jeopardize the right of a defendant or defendants to receive a fair trial, or undermine an ongoing or future investigation.

WHEREFORE, The State of North Carolina respectfully moves the Court to seal this search warrant and its return until further order of the Court.

Respectfully submitted, this the 8th day of ^{November} ~~October~~, 2010.


Assistant District Attorney
25th Prosecutorial District

File No.

STATE OF NORTH CAROLINA

CATAWBA County

In The General Court Of Justice
District/Superior Court Division

SEARCH WARRANT

IN THE MATTER OF

IMVU accts: Elisa Baker, Adam Baker, [REDACTED]

Date Issued 11/08/2010 Time Issued 12:50 AM PM

Name Of Applicant Investigator Heather Cash

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 11/08/2010 Time Received 1250 AM PM

Date Executed 11/08/2010 Time Executed 1104 AM PM

I made a search of
IMVU ACCOUNTS FOR: ELISA ANNETTE BAKER,
ADAM TROY BAKER, [REDACTED]
AND IMVU USER ID: [REDACTED]

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 8 Nov 2010 Signature [Signature] Deputy CSC Assistant CSC CSC Magistrate District Ct. Judge Superior Ct. Judge

_____ 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 [Signature]

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

Department Of Agency Of Officer Hickory Police Department Incident Number 10/009014 Date 11-08-2010 Time 4:32 AM PM Signature [Signature] Deputy CSC Assistant CSC Clerk Of Superior Court Magistrate

APPLICATION FOR SEARCH WARRANT

I, Inv Heather Cash, Hickory Police Department, 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 *(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 ATTACHMENTS #1 AND #2

constitutes evidence of a crime and the identity of a person participating in a crime, *(Name crime)* Homicide

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

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

SEE ATTACHMENTS #1 AND #2

(and)

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

SEE ATTACHMENTS #1 AND #2

(and)

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

(and)

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

SEE ATTACHMENTS #1 AND #2

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

SEE ATTACHMENTS #1 AND #2

SWORN AND SUBSCRIBED TO BEFORE ME

Date

11-08-2010

Date

8 Nov 2010

Signature of Applicant

Heather Cash

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.*

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

ATTACHMENT # 1

IN THE MATTER OF:

Homicide Investigation of Zahra Baker
IMVU Accounts

PREMISE TO BE SEARCHED:

IMVU accounts associated with the following persons:
Elisa Annette Baker aka Elisa Young DOB 06/06/1968,
Adam Troy Baker DOB 08/06/1977,

[REDACTED]

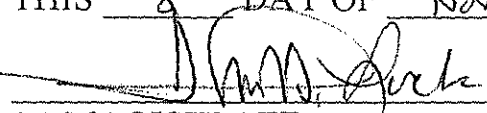
[REDACTED]

IMVU User ID: [REDACTED]

EVIDENCE TO BE SEIZED:

Records concerning the identity of the user of any and all accounts associated with the above names and dates of birth listed in the premise to be searched. Any and all information consisting of name, postal code, country, e-mail address, date of account creation, IP address at account sign-up, logs showing IP address and date stamps for account accesses, stored user files including photographs, videos, chat logs, chat room entries, avatars, status updates, blogs and classifieds, and the contents of private messages in the user's inbox, sent mail and trash folders, all address book contents, buddy lists, subscriber information, account information and any and all other correspondence made within the confines of the IMVU website.

SWORN AND SUBSCRIBED BEFORE ME
THIS 8 DAY OF Nov 2010


() MAGISTRATE
() DISTRICT COURT JUDGE
() SUPERIOR COURT JUDGE


OFFICER / INVESTIGATOR
HICKORY POLICE DEPARTMENT

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

ATTACHMENT # 2

IN THE MATTER OF:

Homicide Investigation of Zahra Baker
IMVU Accounts

STATEMENT OF PROBABLE CAUSE:

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

I, the undersigned AFFIANT, Investigator Heather S. Cash, have 7 years and 9 months of law enforcement experience. This AFFIANT successfully completed Basic Law Enforcement Training through Western Piedmont Community College in 2002. AFFIANT presently works in the Criminal Investigations Division of the Hickory Police Department and has been in Investigations for 6 ½ years. Prior to working in investigations, AFFIANT worked as a patrol officer with Hickory for 15 months. This AFFIANT has successfully completed Sexual Assault Response Team Training for 2003 through 2008 and has worked on various sexual assault cases and child sexual assault cases with other investigators with Hickory Police Department as well as with Catawba County Department of Social Services. This AFFIANT has received certification in Forensic Child Interviewing, Forensic Computer Analysis and has been a member of the Catawba County Multi-Disciplinary Team from 2005 through 2010. AFFIANT has completed training at the Lake Junaluska Annual Symposium on Child Abuse and Neglect for 2005 through 2010. AFFIANT completed National ICAC Training in both 2007 and 2008 and is currently investigating child sexual crimes at Hickory Police Department. AFFIANT have also been involved in the investigations of a wide variety of other cases including, but not limited to, the following: homicides, arsons, rapes, robberies, burglaries, assaults, larcenies, and drug cases over the course of the past 6 years as a law enforcement officer with the Hickory Police Department.

The information related to this affidavit is based upon personal knowledge of the investigators and officers investigating, information received from personal knowledge, observation, and interviews during the course of this investigation. Citizens interviewed appear to be credible and truthful in relating whatever information they had relevant to this investigation. Citizens interviewed have no apparent motive to be untruthful.

SWORN AND SUBSCRIBED BEFORE ME

THIS 8 DAY OF Nov 2010

- 
 MAGISTRATE
 DISTRICT COURT JUDGE
 SUPERIOR COURT JUDGE


OFFICER / INVESTIGATOR
HICKORY POLICE DEPARTMENT

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

ATTACHMENT # 2

(STATEMENT OF PROBABLE CAUSE
CONTINUATION)

IN THE MATTER OF:

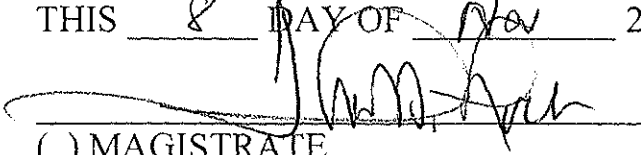
Homicide Investigation of Zahra Baker
IMVU Accounts

This investigation involves probable cause to believe that the victim in this case is in fact missing and endangered and that the items listed to be seized are relevant to successfully locating this victim.

Affiant prays unto the court that a search warrant be issued for the aforementioned premise.

1. On 10/09/2010 at approximately 1400 hrs, the Hickory Police Department responded to the residence of 21 21st Avenue NW, Hickory, North Carolina after receiving a call from Adam Baker stating that on the night of 10/08/2010, someone had poured gasoline in his car and left a note stating that they had his boss, Mr. Coffey's daughter. Adam Baker believed that the persons responsible for the note and the gasoline on his vehicle also took his daughter, Zahra Baker, W/F DOB 11/16/1999.
2. An officer of the Hickory Police Department responded to the residence of 21 21st Avenue NW, Hickory, North Carolina and searched the residence with consent from Adam Baker and his wife, Elisa Baker. Zahra Baker was not located.

SWORN AND SUBSCRIBED BEFORE ME
THIS 8 DAY OF Nov 2010


() MAGISTRATE
() DISTRICT COURT JUDGE
() SUPERIOR COURT JUDGE


OFFICER / INVESTIGATOR
HICKORY POLICE DEPARTMENT

IN THE MATTER OF:

Homicide Investigation of Zahra Baker
IMVU Accounts

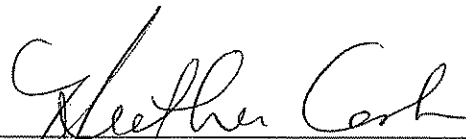
- 10. Information was obtained that Elisa Baker has had numerous reports made to the Department of Social Services and numerous investigations conducted by the agency regarding abuse of her biological children as far back as 1999.
- 11. In July 2010, a report was made with Caldwell County Department of Social Services and then transferred to Catawba County Department of Social Services because allegations were made that Elisa Baker had been physically abusing Zahra Baker and due to this abuse, Zahra had a black eye.
- 12. On November 3, 2010 a Web Sleuth User with the handle [REDACTED] blogged that she was an IMVU user and that she had a conversation with Adam Baker and/or Elisa Baker regarding their involvement with chainsaw massacre role-playing and information that [REDACTED] was also involved in this role-playing as well. The date of September 22nd was given regarding their virtual family "doing a murder with chainsaws". [REDACTED] also noted that a user name that needed to be watched was [REDACTED] as possibly connected to this case as well. [REDACTED] advised that an employee of IMVU had confirmed to her that Elisa Baker, Adam Baker, [REDACTED] and [REDACTED] were all active IMVU users and that all accounts except Adam Baker's account had been active as of 10/29/2010.

This AFFIANT believes that the above stated facts provide probable cause to believe that Zahra Baker, W/F Dob 11/16/1999 was found to be missing from 21 21st Ave NW, Hickory, North Carolina 28601, and that the IMVU accounts to be searched and items listed to be seized are relevant to this homicide investigation.

SWORN AND SUBSCRIBED BEFORE ME
THIS 8 DAY OF Nov 2010



- () MAGISTRATE
- () DISTRICT COURT JUDGE
- () SUPERIOR COURT JUDGE



OFFICER / INVESTIGATOR
HICKORY POLICE DEPARTMENT