

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

CATAWBA COUNTY

**IN THE MATTER OF:**

Elisa Annette Baker  
DOB: 06-06-1968

MOTION TO SEAL

NOW comes the State by and through the undersigning Assistant District Attorney and moves the Court pursuant to N.C.G.S. 132-1.4(e), to seal the above referenced motion and order for medical records of Elisa Annette Baker, and in support thereof, alleges:

1. On October 09, 2010 approximately 2:00 pm, Zahra Baker was reported missing from 21 21<sup>st</sup> Avenue Northwest, Hickory, NC 28601.
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 21<sup>st</sup> Avenue Northwest, Hickory, NC 28601.
3. The investigation of the missing person, Zahra Baker is on-going and has been changed to a homicide investigation.
4. The release of the information contained in the Order, the Motion and Application/Affidavit in support thereof would jeopardize the right of the State to prosecute a defendant or defendants or jeopardize the right of defendant or defendants to receive a fair trial or undermine an on-going or future investigation.

WHEREFORE, The State of North Carolina respectfully moves the court to seal this Motion and Order and Application/Affidavit in support thereof, until further order of the Court.

This the 29 day of November, 2010.



Assistant District Attorney  
25<sup>th</sup> Prosecutorial District

STATE OF NORTH CAROLINA  
CATAWBA COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

**In the matter of:**

Elisa Annette Baker

DOB: 06/06/1968

AKA: Elisa Baker

Dawn Michelle Church

Elisa Fairchild Allred

Elisa Young

Dawn Church

Elisa Proctor

Elisa Harris

Elisa Fairchild

Elisa Putman

**MOTION**

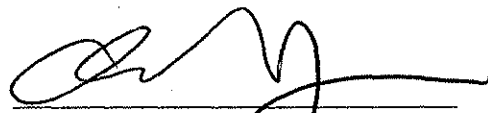
Now comes the State of North Carolina, by and through the below named District Attorney of the 25<sup>th</sup> Judicial District, and moves that the Court issue and **Order** directing Todd D. Pennell, FNP, 1731 Connelly Springs Road, Lenoir, NC 28645, to provide to Investigator H. S. Cash of the Hickory Police Department any and all medical records, medical charts, personal business charts, medication charts, admission charts, documents, reports, histories, charts of any kind and description relative to the treatment, and/or care of Elisa Annette Baker, DOB: 06/06/1968 and or any of the above listed aliases.

**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.**

**That this information be made available in the investigation of the possible homicide of Zahra Baker.**

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

Respectfully submitted this 29 day of November, 2010

  
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 District Attorney  
 Assistant District Attorney

STATE OF NORTH CAROLINA  
CATAWBA COUNTY

IN THE GENERAL COURT OF JUSTICE  
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**In the matter of:**

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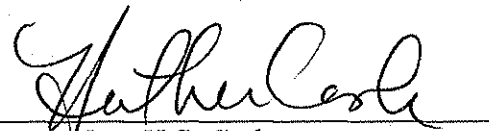
**APPLICATION/AFFIDAVIT**

This affiant; Investigator H. S. Cash of the Hickory Police Department being a duly sworn law enforcement officer states the following facts:

On 10/09/10 Elisa Annette Baker reported a fire at her residence, 21 21<sup>st</sup> Avenue NW, Hickory, NC. The fire was ruled as arson by the Hickory Fire Department. A ransom note was left at the scene of the fire. It was admitted by Elisa Annette Baker that she wrote the ransom note.

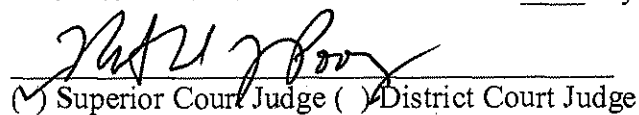
On 10/09/10 Adam Baker, Elisa Baker's husband called and reported his daughter, Zahra Baker, missing. After further investigation into the missing person, it was determined that Zahra Baker, was killed, the investigation was re-classified as a homicide investigation. That Elisa Annette Baker is known to us many aliases.

It is this affiant's belief that having any and all medical records, medical charts, personal business chart, medication chart admission chart, documents, reports, histories, and charts of any kind and description relative to the treatment, and/or care of Elisa Annette Baker, DOB: 06/06/1968, or any of the aforementioned aliases, it is necessary and relevant to Elisa Baker's possible prior drug use and or mental health treatment. It is requested that this information only be released to the Hickory Police Department or any representatives of the Hickory Police Department.



Inv. H.S. Cash  
Hickory Police Department

Sworn to and subscribed before me this 29 day of November, 2010

  
() Superior Court Judge ( ) District Court Judge

STATE OF NORTH CAROLINA  
CATAWBA COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

In the matter of:

Elisa Annette Baker

DOB: 06/06/1968

AKA: Elisa Baker

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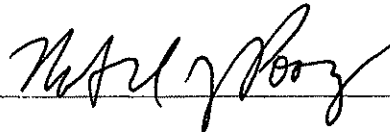
ORDER

It now appearing to the Court from the motion of James Gaither, District Attorney for the 25<sup>th</sup> Judicial District of North Carolina, or his duly authorized representative; upon presentation of Application/Affidavit by Investigator H.S. Cash 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 Todd D. Pennell, FNP, 1731 Connelly Springs Road, Lenoir, NC 28645, provide to Investigator H.S. Cash of the Hickory Police Department any and all medical records, medical charts, personal business chart, medication chart admission chart, documents, reports, histories, and charts of any kind and description relative to the treatment, and/or care of Elisa Annette Baker, DOB: 06/06/1968 and/or any of the aliases used by Elisa Annette Baker.

This 29<sup>th</sup> day of November, 2010

The Honorable



Superior Court Judge, ( ) District Court Judge

STATE OF NORTH CAROLINA  
CATAWBA COUNTY

FILED IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

2010 DEC -1 P 3: 33

IN THE MATTER OF:

CATAWBA COUNTY, C.S.C.

Elisa Annette Baker  
DOB: 06-06-1968

BY \_\_\_\_\_

ORDER

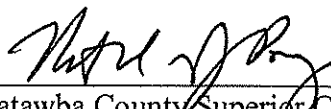
1. THIS CAUSE coming on to be heard and being heard by the undersigned Superior Court Judge, upon motion by the State to seal a Court Order for Elisa Annette Baker's medical records;

AND it further appearing to the Court that the release of information contained in the said order will potentially undermine an on-going 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,

2. IT IS THEREFORE ORDERED that this Order and the Motion and Application/Affidavit in support thereof, and its return be sealed and not released to the public until ~~further order of the Court.~~

*30 days from the date of the entry of this order, pursuant to the Local Administrative Order, or until such other time as ordered by a Superior Court Judge.*

This the 29<sup>th</sup> day of November, 2010.

  
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Catawba County Superior Court Judge