FILED

STATE OF NORTH CAROLINA IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT DIVISION

CATAWBA COUNTY 2010 DEC -7 P 3: 21

CATAWBA COUNTY, C.S.C.

IN THE MATTER OF
CellCo Partnership dba Verizon Wireless
Telephone Number [redacted]

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

This the 29th day of November, 2010.

Nathal J Poovey

Catawba County Superior 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
Cellco Partnership dba Verizon wireless
Telephone Number [redacted]

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
Cellco Partnership dba Verizon Wireless Telephone Number [redacted]	11/29/2010

This search was made pursuant to

☒ 1. a search warrant issued by: Superior Court Judge Poovey.

☐ 2. consent to search given by: _____.

☐ 3. other legal justification for the search: _____.

The following items were seized:

records for telephone number [redacted]

File No.

SEARCH WARRANT

IN THE MATTER OF

CellCo Partnership dba Verizon Wireless, Telephone Num

Date Issued	Time Issued
11/29/2010	3:38 ☐ AM ☒ PM

Name Of Applicant: Investigator K. Craig

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	Time Received
11/29/2010	3:38 ☐ AM ☒ PM
Date Executed	**Time Executed**
11/29/2010	4:48 ☐ AM ☒ PM

☒ I made a search of Cellco Partnership dba Verizon Wireless Telephone Number [redacted]

_____ 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: K. Craig

Department Or Agency Of Officer	Incident Number
Hickory Police Department	10-009014

STATE OF NORTH CAROLINA

Catawba 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	Signature	
11-29-10	[signature]	☐ Deputy CSC ☐ Assistant CSC ☐ CSC ☐ Magistrate ☐ District Ct. Judge ☒ Superior Ct. Judge

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

Date	Time	Signature	
12-07-2010	02:20 ☐ AM ☒ PM	E. J. Allen	☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court

Magistrate

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(Over)

APPLICATION FOR SEARCH WARRANT

I, Investigator K. Craig of the Hickory Police Department in Hickory, North Carolina,
(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

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

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

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

(and)

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

(and)

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

(and)

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

See Attachment

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

See Attachment

SWORN AND SUBSCRIBED TO BEFORE ME	Date 11/29/2010
Date 11-29-10	Signature of Applicant K. Craig
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.*

AOC-CR-119, Rev. 9/02
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STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

ATTACHMENT # 1

IN THE MATTER OF:

CellCo Partnership dba Verizon Wireless
Telephone Number [redacted]

PREMISE TO BE SEARCHED:

CellCo Partnership dba Verizon Wireless, Telephone Number [redacted]

EVIDENCE TO BE SEIZED:

Information including 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, GPS location and or cell tower location of mobile device, information on Precision Location of Mobile Device (GPS) for the telephone number [redacted] from September 1, 2010 to October 11, 2010.

SWORN AND SUBSCRIBED BEFORE ME
THIS 21 DAY OF Nov. 2010

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

K. Craig
~~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:

Cellco Partnership dba Verizon Wireless
Telephone Number [redacted]

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, Investigator K. Craig, am presently employed by the Hickory Police Department as a Criminal Investigator. I have been employed with the Hickory Police Department for eight years and five months. I have a Bachelor of Science Degree in Criminal Justice with a minor in Sociology from Appalachian State University and an Intermediate Law Enforcement Certificate issued by the North Carolina Criminal Justice Education and Training Standards Commission. I am currently assigned to the Criminal Investigations Division and have been so assigned since November 16, 2008. During the time I have been employed at the Hickory Police Department, I have been involved in the investigations of a wide variety of cases including, but not limited to, the following: homicides, arsons, rapes, robberies, burglaries, assaults, larcenies, and drug cases.

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 29 DAY OF Nov. 2010

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

K. Craig
INVESTIGATOR
HICKORY POLICE DEPARTMENT

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

ATTACHMENT # 2

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

(STATEMENT OF PROBABLE CAUSE CONTINUATION)

IN THE MATTER OF:

Cellco Partnership dba Verizon Wireless
Telephone Number [redacted]

This investigation involves probable cause to believe that Zahra Baker, a white female having a DOB of 11/16/1999, was kidnapped from her residence, which is located at 21 21st Avenue Northwest, Hickory, North Carolina.

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"

SWORN AND SUBSCRIBED BEFORE ME
THIS 29th DAY OF Nov. 2010

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

K. Craig
INVESTIGATOR
HICKORY POLICE DEPARTMENT

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

ATTACHMENT # 2

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
(STATEMENT OF PROBABLE CAUSE CONTINUATION)

IN THE MATTER OF:

Cellco Partnership dba Verizon Wireless
Telephone Number [redacted]

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.

9. The Hickory Police Department has changed the investigation of Zahra Baker from a missing person's case to a homicide investigation.

10. On November 19, 2010, Eiisa Baker was interviewed at the Hickory Police Department. During the interview, Elisa Baker stated that Zahra Baker died on September 24, 2010, and was disposed of on the following day. Eiisa Baker stated that Adam Baker dismembered Zahra Baker's limbs and they disposed of them in

SWORN AND SUBSCRIBED BEFORE ME
THIS 29 DAY OF Nov. 2010

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

K. Craig
INVESTIGATOR
HICKORY POLICE DEPARTMENT

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

ATTACHMENT # 2

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

(STATEMENT OF PROBABLE CAUSE CONTINUATION)

IN THE MATTER OF:

Cellco Partnershlp dba Verizon Wireless
Telephone Number [redacted]

various locations, including but not limited to, Christie Road ln Hudson and Dudley Shoals Rd/Burns Rd area. From the information provided by Elisa Baker in regards to the date of Zahra Baker's death and date of disposal of Zahra Baker's body, Adam Baker was not in the area where Zahra Baker's body was disposed of, according to Adam Baker's telephone GPS location and cell tower location of his cellular telephone. However, Ellsa Baker's cellular telephone GPS location and cell tower location is consistent with the date of disposal and the area of disposal that Elisa Baker pointed out to investigators.

11. During the investigation, it was discovered that Elisa Baker was previously married to Aaron Young. Elisa Baker was married to Adam Baker prior to being divorced from Aaron Young.

12. Elisa Baker told Adam Baker that Aaron Young was her brother.

13. Elisa Baker and Aaron Young have maintained contact and communication via telephone and in person with one another on a frequent basis.

14. There are photographs on both Elisa Baker's and Aaron Young's Facebook pages, in whlch, Aaron Young is photographed with Zahra Baker.

15. The telephone number for Aaron Young's cellular telephone number is [redacted]

SWORN AND SUBSCRIBED BEFORE ME
THIS 29 DAY OF Nov. 2010

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

K. Craig
INVESTIGATOR
HICKORY POLICE DEPARTMENT

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

ATTACHMENT # 2

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

(STATEMENT OF PROBABLE CAUSE CONTINUATION)

IN THE MATTER OF:

Cellco Partnership dba Verizon Wireless
Telephone Number [redacted]

16. On November 22, 2010, it was discovered that the telephone number, [redacted], was assigned by service provider CellCo Partnership dba Verizon Wireless. Investigator K. Craig with the Hickory Police Department also contacted CellCo Partnership dba Verizon Wireless and confirmed the telephone number provider to be CellCo Partnership dba Verizon Wireless.

17. Due to the deceit of Eiisa Baker to Adam Baker about the relationship between her and Aaron Young and the GPS location and cell tower location of Eiisa Baker and Adam Baker's cellular telephones, obtaining Aaron Young's GPS location and cell tower location along with telephone records of telephone number [redacted] will likely provide information substantially related to this homicide investigation.

I, Investigator K. Craig, believe that the above stated facts provide probable cause that Zahra Baker is the victim of a homicide. Based on the above information, this AFFIANT prays unto the court that a search warrant be issued commanding the premise, above described to be searched for the property described above, and if the property is found, seized as evidence for further Court action and disposition.

SWORN AND SUBSCRIBED BEFORE ME
THIS 29 DAY OF Nov. 2010

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

K. Craig
INVESTIGATOR
HICKORY POLICE DEPARTMENT