

# SEARCH WARRANT

IN THE MATTER OF

Patrick Allen Green, white male, DOB: 10-16-61

Date Executed **7-19-11** Time Received **4:11**  AM  PM

Name Of Applicant **Danny W. Mayes, NCSBI**

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	<input type="checkbox"/> AM	<input checked="" type="checkbox"/> PM
<b>7-19-11</b>	<b>4:11</b>		
Date Executed	Time Executed	<input type="checkbox"/> AM	<input checked="" type="checkbox"/> PM
<b>7-19-11</b>	<b>4:56</b>		

I made a search of

**Equifax Credit Bureau**  
**1530 Peachtree St, Atlanta,**  
**GA by fax**

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 hereby return it not executed.

Signature Of Officer Making Return

*Danny W. Mayes*

Department Of Agency Of Office

**NCSBI**

Incident Number

Date **7-21-2011**

Time **3:45**

AM  PM

Signature

*Barbara L. Johnson*

Deputy CSC

Assistant CSC

## STATE OF NORTH CAROLINA

FRANKLIN

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.

*Old*  
JUL 21 PM 3:47  
FRANKLIN COUNTY CSC

Date **7-19-11**

Signature

*Ronald E. Spaw*

Deputy CSC

Assistant CSC

CSC  
Superior Ct. Judge

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

# APPLICATION FOR SEARCH WARRANT

I, Danny W. Mayes, Assistant Special Agent in Charge, NCSBI

*(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 A

constitutes evidence of a crime and the identity of a person participating in a crime, *(Name crime)* Embezzlement of Funds by Public Officers and Trustees,  
NCGS 14-92

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

in the following premises *(Give address and, if useful, describe premises)*  
Equifax Credit Bureau, 1530 Peachtree St., Atlanta, Georgia 30309

*(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)*

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

See Affidavit of Assistant Special Agent Danny W. Mayes

SWORN AND SUBSCRIBED TO BEFORE ME

Date 7-19-2011

Date

Signature of Applicant

Signature

7-19-11  
Ronald E. Spivey  
Danny W. Mayes

Magistrate

Dep. CSC

Assr 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.

SEARCH WARRANT

STATE OF NORTH CAROLINA COUNTY OF FRANKLIN

IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT DIVISION

The affiant is a Special Agent with the North Carolina State Bureau of Investigation (NCSBI) with the rank of Assistant Special Agent in Charge (ASAC) empowered by law to conduct investigations of and to make arrests for offenses in violation of the General Statutes of North Carolina. ASAC Mayes is a graduate of the 28<sup>th</sup> NCSBI Special Agent Academy and has been involved in numerous criminal investigations and has testified in criminal proceedings in both State and Federal Court. In addition, ASAC Mayes has completed numerous training programs consisting of well over one thousand hours related to academies, in-service training seminars and training courses related to criminal investigations. For the past year, ASAC Mayes has been employed in the NCSBI Special Investigations unit since August, 2009 and is responsible for investigating cases including corruption, obstruction of justice, the misuse of authority, and failures to perform official duties.

Attachment A:

I, Special Agent D.W. Mayes of the State Bureau of Investigation being duly sworn request that the court issue a search warrant to search the place described in this application and to find and seize the property described in this application. There is probable cause to believe that copies of Equifax Credit Bureau Files regarding accounts held individually and/or jointly by Patrick Allen Green, W/M/DOB: 10-15-1961 (social security number: [REDACTED]) and/or Jennifer Lynn (Best) Green, W/FDOB:12-8-86 (social security number: [REDACTED]), both of 4536 Highway 56 East, Louisburg, NC 27549 maintained by Equifax Credit Bureau located at 1550 Peachtree Street, Atlanta, Georgia 30309 constitutes the crime, to wit: Embezzlement of Funds by Public Officers and Trustees, North Carolina General Statute 14-92. The applicant knows through other investigations he has investigated that physical evidence, such as credit reports and banking records are crucial and often links offenders to a crime. The applicant is familiar that credit bureau records are instrumental in identifying banking accounts, credit card accounts and accounts of cred and that these types of accounts are a valuable investigative tool for investigators. These type of accounts identified through Credit Bureau records can often link the victim and/or offender to a particular incident or location. The applicant knows that banking and credit accounts which oftentimes produce evidence of a crime through detailed information of purchases and debits from an individual's accounts.

Attachment B:

7-19-11  
Ronald E. Spaven

7-19-11  
Danny W. Mayes

On Wednesday, February 2, 2011 the NCSBI was requested by Franklin County District Attorney Sam Currin to examine monies from the Franklin County Sheriff's Office Drug Undercover Fund.

Sheriff Pat Green resigned from office of Franklin County Sheriff prior to the initiation of the SBI investigation.

Agents learned from Lt. William Mitchell of a conversation he had with Chuck Murray, the county's finance director. Mitchell, the head of the sheriff's department vice-narcotics unit, said that during this conversation, which he believed he had in early 2010, Murray told him that the drug unit had used a large amount of special buy funds during the past six months. Lt. Mitchell believed that Murray mentioned \$103,000. At this point, Murray and Lt. Mitchell both became concerned with the use of the special funds. He learned from Murray that there was going to be an audit of the sheriff's department and the use of the special funds.

Lt. Mitchell stated that during Christmas of 2009 or 2010, he knew former Sheriff Green had received \$8,000 in special funds. He asked Sheriff Green for special funds for the drug unit and was told by the sheriff that there were no special funds and a request would have to be made for the funds. Lt. Mitchell estimated he asked former Sheriff Green on at least 20 occasions for special funds and was told there was none.

James Pratt, an auditor with Oxford, NC firm of Winston, Williams, Creech, Evans and Company, told agents that sometime around June 30, 2010, he was in the planning stages of a county audit and had sent a management questionnaire to finance director Murray. He said that Murray's response back detailed concerns Murray had with the increased use of special funds by the sheriff's department over the past years.

Murray confirmed his concerns to auditor Pratt concerning the buy funds and wanted the auditors to examine the funds to make sure the spending was justified. He further recalled the conversation he had with Lt. Mitchell where he mentioned that the drug unit must be making a lot of cases due to the amount of buy funds that were requested by former Sheriff Green. Murray remembered Lt. Mitchell telling him that the drug unit had not received a large amount of funds.

Murray told agents that the buy funds for the sheriff's department are provided from three separate budgeted accounts – the general county budget, state contributions, and federal equitable share. Each account has a separate number and when funds are requested by the sheriff's department that account number is indicated on the invoice where the funds are to be taken from.

Murray provided to agents a large number of documents regarding buy fund cancelled checks from 2007 through 2010, invoice requests, various e-mails between he and former Sheriff Green concerning buy funds.

7-19-11  
Ronald E. Spira

7-19-11  
Danny W. Meyer

A large number of emails reflect former Sheriff Green requesting monies from Murray and the finance department for the sheriff's departments vice unit to use in major drug investigations.

Agents interviewed current acting Sheriff Clarence Elliott Pinnell, Jr. He said he began handling the department's special funds for the department's drug unit on March 19, 2007. He said he transferred \$10,250 in buy funds to former Sheriff Green on October 9, 2007.

The SBI investigation revealed that from October 9, 2007 to December 21, 2010, former Sheriff Green was given a total of \$232,000 (includes the initial \$10,250). During the aforementioned dates the drug unit received \$28,900 in special fund buy funds, leaving funds unaccounted for totaling \$203,100.

On June 14, 2011 former Sheriff Green was interviewed by SBI agents. During the interview Green told of the death of his wife Tracey who died on November 20, 2008.

Green stated, "I took money, I'm not going to lie to ya'll. I became depressed. I wanted to stay home. I took money to buy things for the kids, clothes, gas." Green said he tried to fill the void of the loss of Tracey Green by providing things for the children. Green stated he used the money he had taken for house payments and bills. Green stated he had a lot of bills. Green said these ranged from the mortgage payment of \$475, groceries, and electricity.

Green was questioned about how much money he had taken. Green responded, "I don't want to tell you wrong, maybe \$75,000, \$80,000." Green stated that it could be as high as \$90,000.

Investigators learned that former Sheriff Green remarried following the death of his wife. He is now married to Jennifer Lynn Best Green, a white female, with a date of birth of December 8, 1986.

Agents have information on dates that former Sheriff Green received monies from the finance department to be used for the vice narcotics specials funds account. Agents know that more than \$200,000.00 in Franklin County Sheriff's Department specials funds were diverted from October 09, 2007 through December 21, 2010. Former Sheriff Green admitted to diverting less than of the unaccounted for monies. Agents know that from previous financial crimes investigations organization's such as Equifax list outstanding financial accounts and banks in which suspects use to do financials transactions. Based on the more than \$100,000.00 in unaccounted for special funds which were under the control of former Sheriff Green Agents seek the records from Equifax to identify accounts used by former Sheriff Green. Agents know that indentifying these accounts can link funds issued to former Sheriff Green and then disbursed by former Sheriff Green after the funds were received. Agents also know that the accounts of spouses are often used to hide accounts and financial institutions used by suspects in financial crimes.

Based on the information and facts discovered during the investigation Agents are seeking Credit Bureau records on both Patrick Allen Green, social security ~~XXXXXXXXXX~~ and Jennifer Lynn

7-19-11  
Ronald E. Sparen

7-19-11  
Darryl W. Morgan

Green, social security [redacted] an investigative aid in identifying banking and credit accounts that can then be obtained through applicable orders to search for purchases and debits which will help establish a time line. Agents seek the release of Credit Bureau record files for the Greens. These records are maintained by Equifax Credit Bureau located at 1550 Peachtree Street, Atlanta, Georgia 30309.

This is the 19<sup>th</sup> day of July, 2011.

Ronald E Spirey

Superior Court Judge

Danny W. Mays

Applicant

The social security #s of the individuals named herein shall be redacted or otherwise removed prior to any public filing for their safety.

Ronald E Spirey