

File No.

SEARCH WARRANT

IN THE MATTER OF

Shearin Court, Youngsville NC 27596

Date Issued August 16th 2012 Time Issued 5:09 AM AM PM

Name Of Applicant Captain W L Mitchell

Name Of Additional Affiant Franklin County Sheriff's Office

Name Of Additional Affiant 285 T-Kemp Road, Louisburg NC 27549

I certify that this Search Warrant was received and executed as follows:

Date Received	Time Received	Date Executed	Time Executed
August 16th 2012	5:10 AM <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	August 16th 2012	5:45 AM <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM
<input type="checkbox"/> I made a search of			

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 Report

Department Or Agency Of Officer

EC 50

Incident Number

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.

Date: 8-16-12 Signature: *William R. Howard*

Deputy CSC Assistant CSC District Ct. Judge CSC Superior Ct. Judge

FRANKLIN COUNTY CSC
012 AUG 20 AM 10:51

FILED

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

Date: 8/20/12 Time: 10:45 AM AM PM Signature: *James West*

Deputy CSC Assistant CSC Clerk Of Superior Court

* ORIGINAL *

APPLICATION FOR SEARCH WARRANT

I, Captain W L Mitchell, Franklin County Sheriff's Office, Louisburg NC 27549
(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)*

1. Blood evidence to include but not limited to: Droplets, spatter, smears, pools and stains
2. Latent Evidence to include, but not limited to: Finger prints and palm prints, hair and clothing fibers, shoe and tire impressions and tracks
3. Firearms and weapons, shell casings and bullet fragments
4. Paper writings and documents and items which tend to show ownership and/or dominion, and fruits of the crimes listed in this application

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

Attempted First Degree Murder
 and is located *(check appropriate box(es) and fill-in specified information)*

in the following premises *(Give address and, if useful, describe premises)*
Shearin Court, Youngsville NC 27596



(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 Attached Affidavit"

SWORN AND SUBSCRIBED TO BEFORE ME	Date
<input checked="" type="checkbox"/> Magistrate <input type="checkbox"/> Dep. CSC <input type="checkbox"/> Asst. CSE <input type="checkbox"/> Clerk of Superior Court <input type="checkbox"/> Judge	August 16th 2012

Signature  Date August 16th 2012
 Signature of Applicant 

In addition to the affidavit included above, this application is supported by additional affidavits, attached, made by Captain W L Mitchell

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.

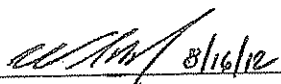
1. Barrett arrived at the residence of 116 Shearin Court, the location where the victim was located. (The victim had fled from her home and sought help from the neighbors)
2. Barrett observed three individuals standing on the front porch of 116 Shearin Court. One individual was described as a black male, late teens with no shirt on, a white female, later determined to be the daughter of the victim, and a second white female who resided at 116 Shearin Court.
3. Barrett conducted a brief interview with the subjects located on the porch and secured the area to confirm that the suspect shooter was no longer on scene. Officer Little was located inside 116 Shearin Court with the victim awaiting the arrival of EMS.
4. EMS arrived on the scene at 0228 hours to assist the victim.
5. At 0233 hours EMS requested Wake Med Aircraft in reference to transport.
6. The patient was loaded onto the EMS Unit and was then transported to the Landing Zone to await the Wake Med Aircraft.

Multiple additional units were called to assist at the scene.

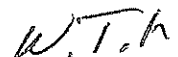
This affiant arrived at Shearin Court at approximately 0300 hours and obtained the following information:

- A. The victim is a white female, approximately 42 years of age. The victim resides at Shearin Court.
- B. The victim was alert and conscious when law enforcement arrived.
- C. The victim made the following statements to law enforcement, Deputy A Barrett:
 - a) The victim states that she was awakened by the sound of the front door closing and/or opening and that she had gotten up to check on her residence.
 - b) The victim's bedroom is located on the second floor of the home.
 - c) As the victim was leaving her bedroom she states that she was hit in the head by an unknown subject that she feels may have been hiding in the bathroom.

Captain W L Mitchell



Judicial Official



- d) The victim stated that she ran down the stairs to her daughter's bedroom. The victim states that her daughter did not offer her any assistance and that she heard her daughter talking to another subject in the home and recalls hearing her daughter say "Come on up here".
 - e) The victim then stated that she ran from the home to seek help from the neighbors, leaving her daughter and the unknown subject in the residence.
 - f) The victim stated that she had a large amount of US Currency in her bedroom.
- D. This affiant confirmed that the scene and residence were secured for processing.
- E. This affiant spoke with EMS units regarding the status of the victim and the possible nature of her injuries.
- F. EMS stated that the victim was conscious and alert and that the nature of the injuries appeared to be a gunshot wound to the head and that there appeared to be both an entrance and exit wound.
- G. This affiant also located numerous areas of blood droplets leading from Shearin Court to 116 Shearin Court.

Based upon the information provided above the Franklin County Sheriff's Office requests that the Court issue a warrant to search the residence located at Shearin Court, Youngsville NC 27596. The following items are to be searched and seized:

Items to be Searched for Seized

1. *Blood evidence to include but not limited to; Droplets, spatter, smears, pools and stains*
2. *Latent Evidence to include, but not limited to; Finger prints and palm prints, hair and clothing fibers, shoe and tire impressions and tracks*
3. *Firearms and weapons, shell casings and bullet fragments*
4. *Paper writings and documents and items which tend to show ownership and/or dominion, and fruits of the crimes listed in this application*

Captain W L Mitchell *WLM* 8/16/12

Judicial Official *W.T.H.*

File No.

STATE OF NORTH CAROLINA

Franklin County

In The General Court Of Justice
 District Superior Court Division

IN THE MATTER OF:

Name

Shearin Ct Youngsville Nc
27596

INVENTORY OF SEIZED PROPERTY

Date Of Search

August 16, 2012

G.S. 15A-254, -257

I, the undersigned officer, executed a search of:

Person, Place Or Vehicle Searched

Shearin Ct Youngsville Nc 27596

This search was made pursuant to

- a search warrant issued by: Willard T. Leonard, Magistrate
- a consent to search given by:
- other legal justification for the search:

The following items were seized:

DNA Swabs

Remington mod 597 .22 Rifle S/N

Harrington & Richardson, Inc. Topper model 12 gauge Shot-gun S/N

Fired .22 cartridge from (99) kitchen table

(2) Fired .22 cartridges from bedroom jewelry box

Model DN-22 Derringer S/N From victim's purse

Shoe impression lift from front yard in debris pile

Fired .22 cartridge from floor in bedroom 95