

File No.

# STATE OF NORTH CAROLINA

In The General Court Of Justice  
District/Superior Court Division

Wake County **FILED**

## SEARCH WARRANT

### IN THE MATTER OF

4609-A Brockton Drive

Raleigh, NC

1990 Toyota Camrv

NC Registration: 1

Date Issued 09-06-2008 Time Issued 8:02 PM

Name Of Applicant

Detective J.D. Faulk

Raleigh Police Department

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 9-6-08 Time Received 8:02 PM

Date Executed 9-6-08 Time Executed 8:33 PM

I made a search of

4609-A Brockton Drive

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

Department/Agency Of Officer

Raleigh PD

Incident Number

P08072393

AOC-CR-119, Rev. 9/02

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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 09-06-2008 Signature J. Washington  
 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 9-9-08 Time 12:35P

Signature

*J. Washington*

Deputy CSC  Assistant CSC

Clerk Of Superior Court

(Over)

|  |  |                     |
|--|--|---------------------|
| SEARCH WARRANT CONTINUATION SHEET  | APPLICANT:<br>Detective J.D. Faulk<br>Raleigh Police Dept. | DATE:<br>09/06/2008 |
| 4609-A Brockton Drive<br>Raleigh, NC 27604<br>1990 Toyota Camry, NC registration: 1990, VIN: |  |                     |

**SECTION I: DESCRIPTION OF PROPERTY TO BE SEIZED**

- Evidence of ownership or possession of the premises located at 4609 Apt A Brockton Dr, Raleigh, NC 27604.

- Clothing, physical layout of the residence, moving pictures, video, still pictures, and any and all evidence that may relate to the crime of attempted murder.
- Blood, semen, saliva, physiological fluids and secretions, hair, fibers, fingerprints, palm prints, footprints, shoeprints, dirt, dust, and soil, paint samples, glass, clothing, plastic fragments, and items containing traces of any of the above mentioned articles.
- Any and all weapons, including knives and firearms, that are related to the crime of attempted murder.
- Letters, checkbooks, bills, lease agreements, and other paper writings.
- Computers, pagers, telephone records, cellular telephones, and information stored within electronic storage devices.

**SECTION II: NAME OF CRIMES**

- Attempted Murder - North Carolina General Statute 14-17.

**SECTION III: DESCRIPTION OF PREMISES TO BE SEARCHED**

Quadruplex brick apartment building with the physical address of 4609 Apt. A Brockton Dr. The apartment building is brick with a pinkish trim. The front door is a pinkish color with a black alphabet "A" near the top. Directions to this address are as follows: From the Capital Blvd/Crabtree Blvd, travel northeast on Capital Blvd. for 2.9 miles until reaching New Hope Church Rd. Turn left onto New Hope Church Rd and proceed for 0.7 miles. Travel 0.2 miles and turn right onto Green Rd. Travel 0.4 miles and turn left onto Brockton Dr. Travel approximately 0.1 miles and turn left into the quadruplex apartment building parking lot,

SWORN TO AND SUBSCRIBED BEFORE ME  
 This the 6th day of September, 2008  
 Magistrate/District/Superior Court Judge

Applicant

|  |                     |  |  |
|--|---------------------|--|--|
| SEARCH WARRANT CONTINUATION SHEET                          |                     | IN THE MATTER OF:<br>4609-A Brockton Drive<br>Raleigh, NC 27604<br>1990 Toyota Camry, NC registration: [REDACTED], VIN: [REDACTED] |  |
| APPLICANT:<br>Detective J.D. Faulk<br>Raleigh Police Dept. | DATE:<br>09/06/2008 |  |  |

**SECTION IV: DESCRIPTION OF VEHICLE TO BE SEARCHED**

1990 Toyota Camry 4dr, blue in color, NC registration: [REDACTED], VIN: [REDACTED]

**SECTION V: FACTS TO ESTABLISH PROBABLE CAUSE**

I, J.D. Faulk, hereby swear and affirm that the following affidavit is based upon my personal knowledge, training, and experience as a sworn law enforcement officer and upon factual information which I have received from other persons as hereinafter described.

1. I am a sworn law enforcement officer with the Raleigh Police Department. I have been a sworn law enforcement officer for over nine years. I am currently assigned to the Major Crimes Task Force. During my experience as a detective, I have investigated robberies, assaults, shootings, and homicides. I have received specialized training concerning laws of arrest, search and seizure, and the preparation of search warrants.

2. On September 6, 2008 at approximately 1314 hours, Raleigh Police Officers responded to 4609-A Brockton Drive concerning a stabbing call. Upon officers' arrival, they found the victim, Christine Powell Parker, unresponsive inside the residence. Witnesses on scene indicated the suspect had assaulted the victim. The victim also had injuries indicative of a strangulation. At this time the victim is in critical condition at the hospital and it is unknown if she will survive.

4. The victim's vehicle was parked in front of the victim's residence at 4609-A Brockton Drive. The vehicle is a 1990 Toyota Camry, NC tag# [REDACTED]. Witnesses indicated the suspect and victim were inside the vehicle prior to the incident.

5. Based on the information contained in this application, I believe that probable cause exists to constitute a search of the residence at 4609A Brockton Drive and the victim's vehicle in order to obtain evidence of the incident of assault.

SWORN TO AND SUBSCRIBED BEFORE ME  
This the 6th day of September, 2008

Magistrate/District Superior Court Judge

Applicant

**STATE OF NORTH CAROLINA**

File No.

In The General Court Of Justice  
 District  Superior Court Division

Wake County

**IN THE MATTER OF:**

Name

4609-A Brockton Drive, Raleigh NC

**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

4609-A Brockton Drive, Raleigh NC

09/06/2008

Date Of Search

This search was made pursuant to

Magistrate

1. a search warrant issued by:

2. consent to search given by:

3. other legal justification for the search:

The following items were seized:

- 1 - McDonald's receipt
- 1 - Black Nike Bag containing misc. clothing items, documents, and property belonging to Robert Earl Ellis.
- 1 - Motorola cell phone w/charger
- 1 - Motorola cell phone w/charger
- 1 - Silver Motorola cell phone w/charger
- 1 - green box cutter
- 1 - knife
- 4 - pillow cases
- 1 - black nylon jacket
- 1 - blue bed spread

Date: 9-8-2008  
 Signature of Person Receiving Inventory: *Walter H. Powell*

I, the undersigned, received a copy of this inventory.

|  |   |
|--|---|
| <b>ACKNOWLEDGMENT OF RECEIPT</b>   |   |
| Name And Address Of Agency<br>Raleigh Police Department<br>110 S. McDowell Street<br>Raleigh, NC 27602 | Signature: <i>[Signature]</i><br>Date: 09/09/2008<br>Title Of Law Enforcement Officer: Detective<br>Clerk Of Superior Court <input type="checkbox"/><br>Deputy CSC <input checked="" type="checkbox"/><br>Assistant CSC <input type="checkbox"/><br>Magistrate <input type="checkbox"/> |

**SWORN AND SUBSCRIBED TO BEFORE ME**

The law enforcement agency identified below will hold the seized property subject to court order.

Name And Address Of Person To Whom A Copy Of This Inventory Was Delivered, If Any:  
 Walter Henry Powell  
 4609-A Brockton Drive  
 Raleigh, NC

- 1. I left a copy of this inventory with the person named below, who is:
  - a. the owner of the premises searched.
  - b. the owner of the vehicle searched.
  - c. the person in apparent control of the premises searched.
  - d. the person in apparent control of the vehicle searched.
  - e. the person from whom the items were taken.
- 2. As no person was present, I left a copy of this inventory:
  - a. in the premises searched, identified on the reverse.
  - b. in the vehicle searched, identified on the reverse.