

STATE OF NORTH CAROLINA

File No.

Wake County

In The General Court Of Justice
District Superior Court Division

In Re: The Nontestimonial Identification Order Of

Name And/Or Description

Jason Lynn Young

Address

5108 Birchleaf Drive

City, State, Zip

Raleigh, NC 27606

APPLICATION FOR NONTESTIMONIAL IDENTIFICATION ORDER (ADULT SUSPECT)

G.S. Chapter 15A, Art. 14

Offense

MURDER G.S. 14-17

The undersigned prosecutor applies for a nontestimonial identification order directing the person named or described above to appear as follows for the requested nontestimonial identification procedures:

Date

11/07/2006

Time

AM PM

Location

CCBI 330 S. Salisbury Street Raleigh, NC 27602

Requested Nontestimonial Identification Procedures

Fingerprints, foot impressions (photograph and measurement of foot), Photographs of body (injuries to body), blood, hair, pubic hair, saliva/ cheek swabbing and trace evidence.

There is probable cause to believe that an offense punishable as a felony or a Class A1 or Class 1 misdemeanor has been committed and reasonable grounds to suspect that the person named or described above committed the offense, The results of the requested nontestimonial identification procedures will be of material aid in determining whether this person committed the offense.

The facts establishing the matters stated in the preceding paragraph are set forth in the affidavit on the reverse.

Date

11-7-06

Signature Of Prosecutor

[Handwritten Signature]

Modification of Seventy-two (72) Hour Rule

The undersigned prosecutor, being first duly sworn, requests that the seventy-two (72) hour rule be modified for the following reason:

- a. delay will adversely affect the probative value of the evidence sought.
b. it appears likely that the person named or described above may not appear for the nontestimonial identification procedure.

Facts Supporting Reason Checked Above For Modification Of Seventy-Two (72) Hour Rule

Crime scene indicates possible struggle between victim and perpetrator, which could have resulted in injuries to the perpetrator, which injuries, or evidence thereof, may heal, or become undetectable with passage of time.

SWORN AND SUBSCRIBED TO BEFORE ME

NOTE: Prosecutor must be sworn only if he/she seeks a modification of the seventy-two (72) hour rule.

Date

Nov. 7, 2006

Date

11-7-06

Signature Of Judge

[Handwritten Signature: Donald W. Stephens]

Signature Of Prosecutor

[Handwritten Signature]

Copy

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STATE OF NORTH CAROLINA

Wake County

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 District Superior Court Division

In Re: The Nontestimonial Identification Of

NONTESTIMONIAL IDENTIFICATION ORDER (ADULT SUSPECT)

G.S. Chapter 15A, Art. 14

Name And/Or Description
Jason Lynn Young

Address
5108 Birchleaf Drive

City, State, Zip
Raleigh, NC 27606

Offense
MURDER G.S. 14-17

To The Suspect Named Or Described Above:

You are ORDERED to appear at:

Date: 11/07/2006 Time: 7:00 AM PM Location: CCBI 330 S. Salisbury Street Raleigh, NC 27602

The undersigned finds that there is probable cause to believe that the offense named above, which is punishable as a felony or Class A1 or Class 1 misdemeanor, has been committed.

There are reasonable grounds to suspect that you committed the offense and that the results of the procedures ordered here will be of material aid in determining whether you committed the offense. The grounds to believe that an offense has been committed, to suspect that you committed it, and to believe that this Order will be of material aid in confirming or negating the suspicion, are stated in the attached application and affidavit. Your presence is required for the purpose of permitting nontestimonial identification procedures in order to aid in the investigation of the offense named above.

The methods to be used and the time required to conduct the nontestimonial procedures are as follows:

Procedures For Nontestimonial Identification
Fingerprints, foot impressions, photographs, blood, hair, pubic hair, saliva/ cheek swabbing, body measurements and trace evidence.

Methods: Evidence to be collected at CCBI. Time Required: 2 Hours

During the period of your appearance you will not be subject to interrogation or asked to make any testimonial statement except that required for voice identification.

You may request the Court to modify the time and place for the identification procedure ordered including a request to hold the procedure at your residence, unless a line-up is ordered.

You are entitled to be represented by an attorney at the procedure, and if you cannot afford to retain an attorney, the state will appoint one if you so desire.

IF YOU FAIL TO APPEAR AS THIS ORDER DIRECTS, YOU MAY BE HELD IN CONTEMPT OF COURT.

This information was furnished under oath by the person(s) named below.

Name Of Prosecutor
HOWARD J Cummings

Date
November 7, 2006

Name Of Other Affiant
D. Scott Booth

Signature
Donald W Stephens

District Court Judge Superior Court Judge

AFFIDAVIT FOR NONTESTIMONIAL IDENTIFICATION PROCEDURE

I, the undersigned affiant, being first duly sworn, say that:

- I have probable cause to believe that an offense punishable as a felony or Class A1 or Class 1 misdemeanor was committed.

<i>Offense</i> MURDER G.S. 14-17	<i>County In Which Offense Committed</i> Wake	<i>Offense Date</i> 11/03/2006
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Facts Which Establish Probable Cause
Victim was found deceased at 5108 Birchleaf Drive and the cause of death appears to be trauma to the head.

- I have reasonable grounds to suspect that the person named or described on the reverse committed the offense.

Facts Which Establish Reasonable Grounds
There was a homicide at 5108 Birchleaf Drive occurring on 11/3/2006. This person is the husband of the deceased. The crime scene shows no signs of forced entry. This person and the deceased were experiencing financial difficulties. The deceased was covered by a substantial life insurance policy with this person as the beneficiary. The deceased was pregnant and was making plans to cut back on her employment following maternity leave. This person, husband of deceased, has refused to cooperate with law enforcement.

- The results of the nontestimonial identification procedures requested on the reverse will be of material aid in determining whether the person named or described on the reverse committed the offense.

Reasons Why Procedures Will Be Of Material Aid
Latent prints, footprints, skin cell evidence and other DNA evidence was obtained from the crime scene as well as other areas searched including autopsy. This person's fingerprints, DNA sample, photographs, body measurements are needed immediately for comparison purposes.

SWORN AND SUBSCRIBED TO BEFORE ME		<i>Date</i> 11/7/2006
<i>Date</i> Nov. 7, 2006	<i>Signature Of Affiant</i> D. Scott Booth	
<i>Signature</i> Wendell Stephens	<i>Name Of Affiant (Type Or Print)</i> D. Scott Booth	
<input type="checkbox"/> <i>District Court Judge</i>	<input checked="" type="checkbox"/> <i>Superior Court Judge</i>	<i>Title Or Position</i> Deputy Sheriff

- 1. This Order must be served personally at least seventy-two (72) hours before the nontestimonial identification procedure.
- 2. I find, for the reasons stated by the prosecutor in the application for the nontestimonial identification order, that the order does not have to be served at least seventy-two (72) hours before the nontestimonial procedure. Therefore, the order must be served within the time indicated below.

Time In Which Order Must Be Served Prior To Procedure
 ONE HOUR
 Date
 NOV. 7, 2006
 Signature
 W. Mable Stephens
 District Court Judge Superior Court Judge

RETURN OF SERVICE

I certify that this Order was received and served as follows:

Date Served 11-7-06 Time Served 3:15 AM PM Signature Of Suspect

- By delivering to the named suspect personally a copy of the order.
- Suspect WAS NOT served for the following reason:

Note: This order was served at The Law Office and in the presence of Mr. Roger Smith Attorney at Law at 209 Fayetteville Street Raleigh, NC 27602.

Date Received 11-7-06 Date Of Return 11-7-06 Name Of Law Enforcement Officer D. Scott Bost B242
 City, County WAKE Agency Wake County Sheriff's Office

MODIFICATION ORDER

The time and place of the suspect's appearance is changed as follows:

Date
 Signature
 District Court Judge Superior Court Judge