

STATE OF NORTH CAROLINA

File No.

Catawba County

In The General Court Of Just
 District Superior Court Div

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.

I, the undersigned officer, executed a search of:

Person, Premises Or Vehicle Searched
Cellco Partnership dba Verizon Wireless
Telephone Number [REDACTED]

Date Of Search
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]

Items Seized Continued:

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.

Name And Address Of Person To Whom A Copy Of This Inventory Was Delivered, If Any

Cellco Partnership dba Verizon Wireless fax number (908)306-7491
AND: Custodian of Records 150 Washington Valley Rd.
Bedminster, NJ 07921

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

| | | |
|-----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| SWORN AND SUBSCRIBED TO BEFORE ME | | Signature Of Law Enforcement Officer <i>Kim Craig</i> |
| Date <i>12-07-2010</i> | | Title Of Law Enforcement Officer <i>Investigator</i> |
| Signature <i>E. J. Allen</i> | | Name And Address Of Agency <i>Wickery Police Dept. 317 2nd Av SW Wickery NC 28602</i> |
| <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Clerk Of Superior Court | <input type="checkbox"/> Assistant CSC <input checked="" type="checkbox"/> Magistrate | |

ACKNOWLEDGMENT OF RECEIPT

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

| | |
|------|-----------------------------------------|
| Date | Signature of Person Receiving Inventory |
|------|-----------------------------------------|

File No.

STATE OF NORTH CAROLINA

Catawba County

In The General Court Of Justice
District/Superior Court Division

SEARCH WARRANT

IN THE MATTER OF

CellCo Partnership dba Verizon Wireless [REDACTED]

Date Issued 11/08/2010 Time Issued 1:29 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 11/08/2010 Time Received 1:29 AM PM

Date Executed 11/08/2010 Time Executed 3:39 AM PM

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

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 11/8/10 Signature [Signature] Deputy CSC Assistant CSC CSC Magistrate District Ct. Judge Superior Ct. Judge

_____ 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

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

Department Or Agency Of Officer Hickory Police Department Incident Number 10-009014 Date 12-07-2010 Time 02:20 AM PM Signature E. J. Allen Deputy CSC Assistant CSC Clerk Of Superior Court

Magistrate

APPLICATION FOR SEARCH WARRANT

I, Investigator K. Craig with the Hickory Police Department

(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 #1

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 #1

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

See Attachment #2

SWORN AND SUBSCRIBED TO BEFORE ME

Date

11/08/2010

Date

11-8-10

Signature of Applicant

Signature

Walter Hooy

Kim Craig

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.

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, text message content 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 November 2, 2010

SWORN AND SUBSCRIBED BEFORE ME
THIS 8th DAY OF November 2010

[Signature]
 MAGISTRATE
 DISTRICT COURT JUDGE
 SUPERIOR COURT JUDGE

[Signature]
OFFICER / INVESTIGATOR
HICKORY POLICE DEPARTMENT

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 8th DAY OF November 2010

[Signature]
 MAGISTRATE
 DISTRICT COURT JUDGE
 SUPERIOR COURT JUDGE

Kim Craig
OFFICER / INVESTIGATOR
HICKORY POLICE DEPARTMENT

IN THE MATTER OF:

CellCo Partnership dba Verizon Wireless
Telephone Number [REDACTED]

STATEMENT OF PROBABLE CAUSE:

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

SWORN AND SUBSCRIBED BEFORE ME
THIS 8th DAY OF November 2010

[Signature]
() MAGISTRATE
() DISTRICT COURT JUDGE
() SUPERIOR COURT JUDGE

[Signature]
OFFICER / INVESTIGATOR
HICKORY POLICE DEPARTMENT

IN THE MATTER OF:


CellCo Partnership dba Verizon Wireless
Telephone Number [REDACTED]

STATEMENT OF PROBABLE CAUSE:

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"

- ~~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.

SWORN AND SUBSCRIBED BEFORE ME
THIS 8th DAY OF November 2010


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


OFFICER / 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]

STATEMENT OF PROBABLE CAUSE:

application for service, change in cellular telephones, the incoming and outgoing call information, text messages and images from cellular telephone number [REDACTED]. The time frame of the information requested is from September 1, 2010 to November 2, 2010. This will assist with the homicide investigation of the 10 year-old female.

I, Investigator K. Craig, believe that the above stated facts provide probable cause that Zahra Bakera is missing from her residence and is presumed to be deceased. Based on the above information, this affiant prays unto the court that a search warrant be issued commanding the premise, above described 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 8th DAY OF November 2010

[Signature]
() MAGISTRATE
() DISTRICT COURT JUDGE
(4) SUPERIOR COURT JUDGE

[Signature]
OFFICER / INVESTIGATOR
HICKORY POLICE DEPARTMENT

IN THE MATTER OF:

CellCo Partnership dba Verizon Wireless
Telephone Number [REDACTED]

STATEMENT OF PROBABLE CAUSE:

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

10. During the investigation it was discovered that Elisa Baker has contacted James Young's cellular telephone, which has also been used by Timothy Samuel Young. The telephone number for James Young's cellular telephone is [REDACTED]

11. On November 1, 2010 after searching www.ussearch.com, it was discovered that the cellular telephone number, [REDACTED] was assigned by service provider CellCo Partnership dba Verizon Wireless.

12. On November 2, 2010, Investigator K. Craig contacted CellCo Partnership dba Verizon Wireless and it was discovered that the cellular telephone number a prepaid cellular telephone from Starter Wireless, which is a part of CellCo Partnership dba Verizon Wireless.

13. On November 8, 2010, Investigator K. Craig completed and faxed a preservation letter to CellCo Partnership dba Verizon Wireless.

It is this affiant's belief that having the full name of the owner/user, address, date of birth, business information, social security number, any other telephone numbers,

SWORN AND SUBSCRIBED BEFORE ME
THIS 8th DAY OF November 2010

[Signature]
() MAGISTRATE
() DISTRICT COURT JUDGE
() SUPERIOR COURT JUDGE

[Signature]
OFFICER / INVESTIGATOR
HICKORY POLICE DEPARTMENT