

SEARCH WARRANT

IN THE MATTER OF

1209 NEWSOME ST TARBORO, NC 27886

Date Issued: 1-19-11 Time Issued: 11:05 AM AM PM

Name Of Applicant: DETECTIVE SGT ALFRED BRAXTON JR

Name Of Additional Affiant: DETECTIVE SGT ROBERT B. EDWARDS

Name Of Additional Affiant

RETURN OF SERVICE

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

Date Received: 1-19-11 Time Received: 11:10 AM AM PM

Date Executed: 1-19-11 Time Executed: 9:30 AM AM PM

I made a search of 1209 Newsome St, Tarboro, NC 27886

_____ 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 Taking Return

Department: TARBORO POLICE DEPT.

Incident Number: 11-110

STATE OF NORTH CAROLINA

EDGECOMBE

County

In The General Court Of Justice
District/Superior Court Division

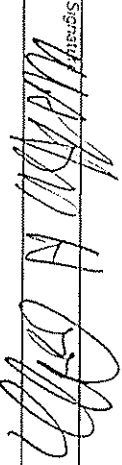
To any officer with authority and jurisdiction to conduct the search authorized by this Search Warrant: I, the undersigned, find that there is probable cause to believe that the property and person described in the application on the reverse side and related to the commission of a crime is located as 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: 1-19-11

Signature: 

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

FOR INFORMATION USE ONLY

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

Date: 1-21-11

Time: 12:02 PM

Signature: 

Deputy CSC Assistant CSC
Clerk Of Superior Court

APPLICATION FOR SEARCH WARRANT

1. DETECTIVE SGT ALFRED BRAXTON JR

(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 ATTACHED

constitutes evidence of a crime and the identity of a person participating in a crime. *(Name crime)* MURDER, N.C.G.S. 14-17

and is located *(check appropriate boxes) and fill-in specified information)*

in the following premises *(Give address and, if useful, describe premises)*

1209 NEWSOME ST TARBORO, NC 27886 (WHITE VINYL SIDE WITH RED

TRIM ONE STORY HOUSE WITH A STORAGE BUILDING)

(and)

on the following person(s) *(Give name(s) and, if useful, describe person(s))*

(and)

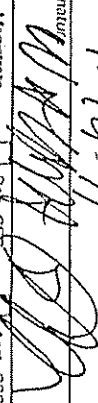

in the following vehicle(s) *(Describe vehicle(s))*

(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

SWORN AND SUBSCRIBED TO BEFORE ME

Date 1-19-11 Signature 	Date 1/19/11 Signature of Applicant 
<input type="checkbox"/> Notary Public <input type="checkbox"/> Dep. CSC <input checked="" type="checkbox"/> Asst. CSC	<input type="checkbox"/> Clerk of Superior Court <input checked="" type="checkbox"/> 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.

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AFFIDAVIT FOR PROBABLE CAUSE

I, Detective Sgt Alfred Braxton Jr., have been employed with the Tarboro Police Department since July 1989. I have my Advanced Law Enforcement Certificate, which required numerous hours of in-service and specialized training in criminal justice courses. I have an Associates degree in Criminal Justice Administration from Edgecombe Community College and a Bachelors of Science degree from Mount Olive College. I was assigned to investigations and promoted to Detective Sergeant in 2002. I am a N.C. Criminal Justice Education and Training Standards Commission certified instructor and I teach the mandatory in-service classes for the Tarboro Police Department and I also teach in the Wilson Technical Community College Basic Law Enforcement Training Academy. I have investigated and arrested numerous individuals for domestic violence, assault with deadly weapon, assault with deadly weapon with intent to kill, sex offenses, armed robbery, financial crimes, and drug crimes.

On 01/03/2010 Dale Pitt came to the Tarboro Police Department and stated that his daughter, Aimee Pitt, was missing and that we needed to speak to Ben Harrelson. Officer R. Mann went to 1209 Newsome St. Tarboro, NC and made contact with Ben Harrelson. Harrelson advised Mann that his live-in girlfriend, Aimee Pitt, had left his residence on the night of 01/30/2010 and he has not had contact with her since. Harrelson stated that

[Signature] [Signature] 1-19-11

[Signature] 1-19-11

SUPERIOR COURT JUDGE / DATE

AFFIANT / DATE

[Signature] 1-19-11

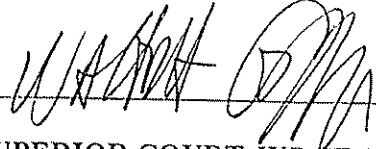
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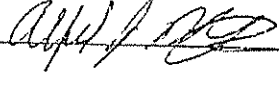
during the night he had heard the phone ring on two separate occasions but he does not know if Pitt had spoken to anyone. Harrelson stated that the calls were not on the caller ID and that Pitt could have deleted the calls. Harrelson stated that Pitt had not removed any of her personal belongings nor had she made contact with any family members. Officer Mann searched Pitt's belongings for any clues but he did not find any. Harrelson stated that Pitt was under the influence of alcohol on the night that she left the residence and this had caused a verbal dispute between them. Harrelson stated that Pitt had not accessed her My Space account since December 25 at 0330 hrs. Harrelson was advised to contact the police department if he received any information on Pitt's whereabouts.

Aimee Lynn Pitt was then entered into NCIC as a missing person.

A check was made with friends and relatives who have advised that Pitt has not been seen since 12/30/2010.

On 01/07/2011 Detective Sgt. Bruce Edwards interviewed Harrelson at the Tarboro Police Department. Edwards mirandized Harrelson prior to the interview. Edwards asked Harrelson to recap what had happened on 12/30/2010. Harrelson stated that he had worked until about 10:00 pm and he then went to his residence at 1209 Newsome St. Harrelson stated that Pitt was under the influence of alcohol and they had an argument. Harrelson stated that he went to bed and Pitt stayed up. Harrelson stated that the house

 1-17-11
SUPERIOR COURT JUDGE / DATE

 1-19-11
AFFIANT / DATE
Robert B. Edwards 1-19-11

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phone had rang twice during the night but he did not answer it and he does not know if Pitt answered the phone. Harrelson stated that Pitt was not in the house when he got up on 12/31/2010. This interview was recorded and Sgt. Edwards took detailed notes.

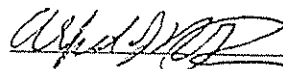
On 01/08/2011 Ben Harrelson was involved in a single car accident in Halifax County. The accident report stated that Harrelson was driving his vehicle at approximately 90 mph when the vehicle went left of center and eventually left the roadway. The vehicle rolled over and struck a sign. Harrelson was transported to Pitt County Memorial Hospital for treatment.

On 01/12/2011 Sgt. Edwards interviewed Gary Scott about Pitt's disappearance. Scott stated that on 12/30/2010 he received numerous text messages from Ben Harrelson. Scott stated that Harrelson wanted to gain access to Scott's farmland that is located near Scott's residence on Hwy. 33.

Scott advised that on 01/08/2011 he was talking to Ben Harrelson and he asked Harrelson what was going on with Aimee. Scott stated that he told Harrelson that the police had questioned him about Aimee being missing. Scott stated that Harrelson became upset and wanted to know what the police had asked him. Scott stated that he told Harrelson about him calling Scott and asking for the key to the farm gate. Scott stated that Harrelson talked about killing himself. Scott stated that shortly after this conversation

 1-19-11

SUPERIOR COURT JUDGE / DATE

 1-19-11

AFFIANT / DATE

Robert B. Edwards 1-19-11

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ITEMS TO BE SEIZED

1. Evidence that shows ownership and/or residency of premises located at 1209 Newsome St. Tarboro, NC 27886.
2. Trace and latent evidence to include but not limited to: blood, saliva, physiological fluids and secretions, hair, fibers, fingerprints, palm prints, footprints, shoe prints, DNA standard for Aimee Pitt, and items containing traces of any of the aforementioned items.
3. Any and all weapons to include but not limited to: firearms, knives, sharp objects, blunt objects, and any other objects that could be used as a weapon.
4. Any and all computers, computer hardware, software, digital storage media, and passwords that would provide evidence of relationship problems between Aimee Pitt and Ben Harrelson.
5. Any and all documents, journals, or writings to include but not limited to: insurance information, financial documents, diaries, and Internet chats that show evidence of relationship problems between Aimee Pitt and Ben Harrelson.

W. A. [Signature] 1-19-11 [Signature] 1-19-11
SUPERIOR COURT JUDGE / DATE AFFIANT / DATE
[Signature] 1-19-11

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STATE OF NORTH CAROLINA

File No.

EDGECOMBE County

In The General Court Of Justice

District Superior Court Division

IN THE MATTER OF:

Name

1209 NEWSOME ST TARBORO, NC 27886

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

1209 NEWSOME ST TARBORO, NC 27886

Date Of Search

01-19-2011

This search was made pursuant to

- 1. a search warrant issued by: SUPERIOR COURT JUDGE WALTER GODWIN
- 2. consent to search given by: _____
- 3. other legal justification for the search: _____

The following items were seized:

01-19-2011

1 HANDWRITTEN NOTE

LOWES RECEIPTS

2 SCALES

1 BELT

1 PILL BOTTLE

1 PILL BOTTLE

2 RED STAINS FROM KITCHEN FLOOR

1 CLOSET ROD

01-20-2011

PERSONAL BILLS

HANDWRITTEN NOTE

BED SHEET

POCKETBOOK WITH WALLET

COMPUTER

BOOK SHELF

SWABS

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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

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>[Signature]</i>
Date		Title Of Law Enforcement Officer <i>Protective Sergeant</i>
Signature		Name And Address Of Agency <i>318 Main St. Tarboro, NC 27886</i>
<input type="checkbox"/> Deputy CSC	<input type="checkbox"/> Assistant CSC	
<input type="checkbox"/> Clerk Of Superior Court	<input type="checkbox"/> Magistrate	
ACKNOWLEDGMENT OF RECEIPT		
I, the undersigned, received a copy of this inventory.		
Date		Signature of Person Receiving Inventory

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