

SEARCH WARRANT

IN THE MATTER OF

Pete Lucas Moses - Cell Phones

Date Issued

4/15/2011

Time Issued

1:05

AM PM

Name Of Applicant

Investigator Charles E. Solem

Name Of Additional Affiant

[Signature]

Name Of Additional Affiant

RETURN OF SERVICE

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

Date Received

4/15/2011

Time Received

1:05

AM PM

Date Executed

4/15/2011

Time Executed

1:30 PM

AM PM

I made a search of

above items

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

[Signature]

Department Or Agency Of Officer

Wachman P.D.

Incident Number

11-005070

STATE OF NORTH CAROLINA

Durham

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: 4-15-11 Signature: S. R. Stord
 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: 4/15/11 Time: 1:30
 AM PM
Signature: *[Signature]*
 Deputy CSC Assistant CSC
 Clerk Of Superior Court

APPLICATION FOR SEARCH WARRANT

I, Investigator Charles E. Sole Jr, Durham Police Department, CID Homicide
(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) North Carolina General Statutes § 14-17, First Degree Murder
North Carolina General Statutes § 14-7 Accessories after the fact to Murder
 and is located (Check appropriate box(es) and fill-in specified information)

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

N/A

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

N/A

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

N/A

(and)

(Name and/or describe other places or items to be searched, if applicable)

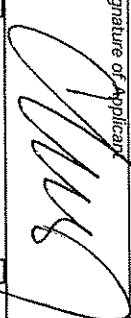
SEE ATTACHED

"ITEMS TO BE SEIZED"

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 <u>4-15-11</u>	Date <u>4-15-11</u>
Signature <u>S. P. Stork</u>	Signature of Applicant 
<input checked="" type="checkbox"/> Magistrate	<input type="checkbox"/> Dep. CSC
<input type="checkbox"/> Asst. CSC	<input type="checkbox"/> Clerk of Superior Court
<input 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.*

Enforcement) with assignments on the Street Crimes Unit, Major Crimes Unit and the Narcotic Interdiction Unit. Your Affiant has participated directly or indirectly in numerous criminal investigations, which have been prosecuted in the state and federal courts.

2. Your Affiant has basic and advanced law enforcement certificates issued by the North Carolina Department of Justice Education and Training Standards Commission. Your Affiant applied for and has been appointed to the rank of Master Officer. Your Affiant has attended and successfully completed the North Carolina Justice Academy, Police Law Institute course (PLI), which covered the mechanics of arrest, search and investigation.
3. Your Affiant has attended and successfully completed several basic and advanced courses connected to law enforcement investigator/detective training. This training included but was not limited to, interview and interrogation, surveillance operations, narcotics investigation, criminal investigation, homicide investigation and crime scene management. Your Affiant has drafted or assisted in drafting numerous search warrants and associated affidavits which have been reviewed and signed by local Magistrates, North Carolina Superior Court Judges and United States Federal Magistrate Judges.
4. That during the week of March 21st, 2011, your Affiant was assigned to an ongoing criminal investigation regarding Pete Moses, Vania Sisk, Larhonda Smith and others that resided at 2109 Pear Tree Lane, Durham, NC. The information contained in this Affidavit is based on your Affiant's personal investigative efforts and the efforts of other officers and detectives with the Durham Police Department. Your Affiant has also received information regarding this investigation from other local, state

4/15/11
(DATE)

SR Storch

Signature Issuing Official
Magistrate/Judge

CM

Signature of Applicant
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and federal law enforcement agents/officers as well as other reliable sources of information. Since this affidavit is being submitted for the limited purpose of securing a search warrant, your Affiant has not included each and every fact known concerning this investigation.

5. That this investigation was predicated by a complaint of suspicious activity involving Moses, Sisk, Smith and others at the aforesaid address. According to numerous witnesses, police reports from this jurisdiction and elsewhere, child services records, and other creditable sources of information, Moses and Sisk were directly involved in the murder of a juvenile and an adult. These incidents were reported to have occurred at 2109 Pear Tree Lane, Durham, NC.
6. That during the week of 4/11/11, your Affiant obtained arrest warrants for Moses. And investigators had knowledge that Sisk was wanted for outstanding warrants for failure to appear in court. A reliable source related to Investigators/Agents that Moses, Sisk, Smith and others from 2109 Pear Tree Lane had moved to 121 R/S Dunstan Ave, Durham, NC. Investigators/Agents setup and conducted continual physical surveillance of Moses, Sisk, Smith and others from 2109 Pear Tree Lane. During this surveillance operation, it was discovered that Moses and the aforesaid individuals were inside 121 R/S Dunstan Ave, Durham, NC. Subsequently a search warrant was obtained for 121 R/S Dunstan Ave, Durham, NC and Moses, Sisk and other were located inside. During the "safety sweep" of 121 R/S Dunstan Ave, Durham, NC it was noted that two cellular phones, two laptop computers and other items were in plain view.
7. That based on the evidence found at 2109 Pear Tree Lane, Durham, NC it was apparent to your Affiant, that the above listed items belong to Moses and or others that lived at 2109 Pear Tree Lane, Durham, NC. This investigation has revealed that Moses utilized the internet, text messaging and other forms of electronic communication to establish contact with the missing

4/15/11
(DATE)

S R Storch
Signature Issuing Official
Magistrate/Judge


[Signature]
Signature of Applicant
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female and others. It is material and relevant to review and exam ALL the stored data on the listed items. This information will assist in identifying other suspects and or witnesses associated with the incidents that occurred at 2109 Pear Tree Lane Durham, NC and elsewhere.

8. It is your Affiant's opinion and belief, based on the facts and circumstance put forward in this affidavit that evidence relevant to the investigation of North Carolina General Statutes § 14-17, First Degree Murder and North Carolina General Statutes § 14-7 Accessories after the fact to Murder, are located within the above listed items. I respectfully request that the COURT issue a search warrant for the above items.

4/15/11
(DATE)

S R Storch
Signature Issuing Official
Magistrate/Judge


Signature of Applicant
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STATE OF NORTH CAROLINA

File No.

Durham

County

In The General Court Of Justice

District Superior Court Division

IN THE MATTER OF:

Name

Rate Lucas Moses

INVENTORY OF ITEMS SEIZED
PURSUANT TO SEARCH

G.S. 15A-223, 15A-254. -257

I, the undersigned officer, executed a search of: above items

Person, Premises Or Vehicle Searched

Date Of Search

above listed items

4/15/2011

This search was made pursuant to

- 1. a search warrant issued by: Durham Co Magistrate
- 2. consent to search given by: _____
- 3. other legal justification for the search: _____

The following items were seized:

All internal data
on both phones

