

AS

ORIGINAL

SEARCH WARRANT

IN THE MATTER OF

Head Master Brandon Beverly Smith

Date Issued 03/16/2012 Time Issued 1036 AM PM

Name Of Applicant Lieutenant Scott Finch, Zebulon Police Dept.

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 _____ Time Received AM PM

Date Executed _____ Time Executed AM PM

I made a search of EAST WAKE BARRACKS

_____ as commanded.

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 Of Agency Of Officer

Incident Number 790 12-1408

STATE OF NORTH CAROLINA

Wake FILED County

In The General Court Of Justice District/Superior Court Division

To any officer with 2012 MAR 19 AM 11:39 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. BY _____

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 3/16/12

Signature Faulstich

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 3-19-12

Time 11:39 AM PM

Signature Guthrie Bellotti

Deputy CSC Assistant CSC Clerk Of Superior Court

STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

IN THE MATTER OF:

ATTACHMENT TO APPLICATION

Brandon Beverly Smith

"Head Master"

East Wake Academy

400 NMC Drive, Zebulon N.C.

FOR SEARCH WARRANT

PROPERTY TO BE SEIZED:

Any and all laptop computers and personal desktop computers, notebooks, tablets, to include any other digital or media storage device belonging to Brandon Beverly Smith or property or East Wake Academy specifically used by Head Master Brandon Beverly Smith.

DESCRIPTION OF PREMISES TO BE SEARCHED:

All such property to be seized from the campus of East Wake Academy, located at 400 NMC DRIVE ZEBULON NC.

FACTS TO ESTABLISH PROBABLE CAUSE:

This applicant has been employed in the field of law enforcement since 1997. In February of 2004 I was reinstated to the Zebulon Police Department and assigned to the patrol division. In October of 2004 this affiant was assigned to the Zebulon Police Department Investigations Division as a major crimes detective. Prior to being reinstated to the Zebulon Police Department I was employed with the Wake County Sheriff's Office and assigned to the Criminal Investigation Division, Drugs and Vice Unit as a Deputy Sheriff Investigator. Prior to being employed with the Wake County Sheriff's Office I was employed with the Zebulon Police Department from November 2000 until March 2003, and assigned to Investigations as the Narcotics Investigator as well as a member of the Wake County Inter-Agency Drug Task Force. Prior to being employed with the Zebulon Police Department I was employed with the several local Johnston County Agencies and assigned to Johnston County Inter-Agency Drug Task Force from January of 1998 thru November 2000. As a task force agent in Johnston County; I was assigned to as a Narcotics Agent and undercover officer. Prior to being employed with the Johnston County Inter-Agency Drug Task Force I was employed by the Wilson County Sheriff's Office from 1997 thru August 1998 and was assigned to Detention and Courtroom duties.



Affiant



Judicial Official

STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

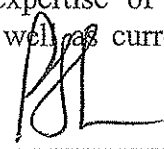
IN THE MATTER OF:
Brandon Beverly Smith
"Head Master" East Wake Academy
400 NMC Drive, Zebulon N.C.

ATTACHMENT TO APPLICATION
FOR SEARCH WARRANT

During my tenure as a law enforcement officer I have taken place in either the application or the execution of over 250 search warrants. I have attended structured schools and seminars such as, Organized Crime and Drug Enforcement Task Force Training Conference, Methamphetamine Investigation Management, Advanced Drug Investigation, Drug Enforcement for Patrol Officers, Basic Asset Forfeiture Workshop, Club and Rave Drugs, Undercover Drug Operations, Police Law Institute, and Highway Drug Interdiction, Arson Investigation, Systematic Interview and Interrogation, Reid Interview and Interrogation, Death Investigation, Media Relations, Physical Surveillance, Identity Theft Investigations, Basic and Advanced Special Weapons and Tactics, Critical Incident Negotiations, various tactical weapons courses, First Line Supervision, Field Training Officer, Internal Affairs Investigations, Basic Public Information Officer, General Law Enforcement Instructor's Course, Specialized Firearms and Physical Fitness Instructors Courses, Rapid Deployment Instructor's Course, Senior Level Law Enforcement Management Institute, Policy and Procedure Writing, CVSA truth verification operators course, Advanced CVSA truth verification operators course . I have also taught numerous blocks of instruction for law enforcement in Basic Law Enforcement Training as well as in Departmental in-service training in commission mandated classes and career development classes such as Criminal Investigations, Background investigations, and Internal Affairs Investigations. I have obtained Associates in Applied Science Degree with Honors in Criminal Justice Technology from Nash Community College. Prior to Graduation I was inducted into the Gamma Beta Phi Honor Society. Once again I continue with my Criminal Justice education in April of this year by returning to North Carolina Wesleyan College in order to complete a B.A. Degree in Justice Studies. Throughout my college experience I have taken classes such as Criminology and Victimology, which have greatly influenced my investigative habits. I have investigated, criminally charged and successfully prosecuted numerous cases involving sexual offenses with offenders such as parents, strangers, and educational personnel. I have also worked in an undercover capacity for street level as well as Federal level drug traffickers and have developed a good working knowledge of the practices of those who are involved in illicit narcotics activities as well as criminal and sexual deviant activities. Based on my training, firsthand experience, and interactions with veteran investigators; I have developed considerable knowledge and expertise of narcotics investigations, major crime, and sexual assault investigations as well as current crime trends.



Affiant



Judicial Official

STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

IN THE MATTER OF:
Brandon Beverly Smith
"Head Master" East Wake Academy
400 NMC Drive, Zebulon N.C.

ATTACHMENT TO APPLICATION
FOR SEARCH WARRANT

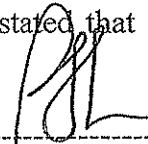
2. On Wednesday March 14, 2012 I was contacted by a Jane Doe, Hereafter referred to as Victim#1, who reported that she had been the victim of a sexual assault at the hands of Brandon Smith. I extended an interview of victim #1 on the same day. Victim #1 stated that she had been inappropriately touched by Brandon Smith who was in a supervisory capacity at East Wake Academy. Victim #1 stated that there were numerous comments and events that led up to the inappropriate touching and that it had been reported. During the interview victim #1 stated that she was unsure of how she was supposed to feel because of this encounter and was in fear of losing her job. Victim #1 further stated that on several occasions that Brandon Smith had sent correspondences regarding these incidents. Victim #1 stated that she was told by senior staff at East Wake Academy that the way she should deal with these occurrences was to "play dumb and hope he went away, that she wasn't the only one!" Victim #1 stated that she knew that there were camera's installed throughout the school and was unsure of what areas the cameras were in. Victim #1 stated that Brandon Smith had the ability to remote into these cameras from a computer.

3. On Wednesday March 14, 2012 I was contacted by a Jane Doe, hereafter referred to as Victim #2. The contents of this conversation were that she had been victimized at the hands of Brandon Smith. On Thursday March 15, 2012 I extended an interview with Victim #2. During this interview Victim #2 stated that she had been touched by "Head Master" Brandon Smith inappropriately on more than one occasion. Victim #2 stated that there were numerous events that led up to Brandon Smith soliciting her for sexual acts as well as him touching her inappropriately. Victim #2 further stated that she believed that numerous other people would come forward because this is what his reputation was known for. Victim #2 stated that her access to get into the academy's email had also been reset in an attempt to keep her from past emails. Victim #2 stated that she had received several emails regarding the ongoing allegations and that she believed he could remote into the school cameras via internet.

4. On Thursday March 15, 2012 I met with assistant head master Darrell Johnson at East Wake Academy. I explained to Mr. Johnson that this was in fact a criminal investigation and that I was inquiring about the academy's camera system. Mr. Johnson stated that the camera system was supplied by a security company and that Mr. Smith did in fact have access to remote into the cameras. Mr. Johnson also stated that east Wake Academy employed their Information Technologies Staff.



Affiant



Judicial Official

STATE OF NORTH CAROLINA
WAKE COUNTY

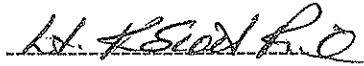
IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

IN THE MATTER OF:
Brandon Beverly Smith
"Head Master" East Wake Academy
400 NMC Drive, Zebulon N.C.

ATTACHMENT TO APPLICATION
FOR SEARCH WARRANT

5. On Thursday March 15, 2012 I received information through both social and media networks that there were insinuated allegations of inappropriate sexual contact between Brandon Smith and an alumni who has since graduated. The identity of this student has yet to be identified. In this communication the student stated that *"I know from word of mouth and by firsthand experience!"* A second post from the same blogger states *"I have seen heard and experienced this man for 5 years!"*

6. Based on the information contained in this application for a search warrant coupled by the past history of complaints on Head Master Brandon Smith; it is my opinion and belief that probable cause exist to believe that evidence of the alleged crimes is contained on electronic devices such as computers, notebooks, tablets owned and/or operated by Brandon Beverly Smith. In the quest for the furtherance of justice, I respectfully request the issuance of this search warrant to locate and seize any and all of the above listed items contained in this affidavit for immediate execution.


Affiant


Judicial Official

STATE OF NORTH CAROLINA

In the General Court of Justice

District Superior Court Division

WAKE County

File No.

Film No.

In the Matter of

Name

Brandon Beverly Smith
400 NMC Dr. Zebulon, N.C 27597

INVENTORY OF SEIZED PROPERTY

Date of Search

3-16-2012

G.S. 15A-254,-257

I, the undersigned officer, executed a search of:

Person, place or vehicle searched

office of Brandon Smith @ East Wake Academy

This search was made pursuant to

a search warrant issued by: Superior Ct. Judge

a consent to search given by:

other legal justification for the search:

The following items were seized.

1- Sony ThinkCentre tower s/n 8143280 L1K1W8T

Check here if separate sheet attached

Film No. File No.

SEARCH WARRANT

In the Matter of

208 Redberry Drive in Wendell, N.C

STATE OF NORTH CAROLINA
WAKE County

In the General Court of Justice
District Court Division

FILED

2012 MAR 20 AM 9:03

To any officer with authority and jurisdiction to conduct the Search authorized by this Search Warrant:

BY _____

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.

RETURN OF SERVICE

I Certify that this Search WARRANT was received and executed as follows:

Date Received	Time Received	<input type="checkbox"/> AM	<input type="checkbox"/> PM
Date Executed	Date and Time of Return	3/20/12 1:00 PM	

I made a search of _____ as commanded.

_____ as commanded.

I seized the items listed on the attached inventory
 I did not seize any items.

This warrant was not executed within 48 hours of the date of issuance and I hereby return it not executed

Signature of Officer Making Return
Department or Agency of Officer
Feldman PD

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 or persons shown.

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

Date	Time	<input type="checkbox"/> AM	<input type="checkbox"/> PM
3/20/12	9:03	<input type="checkbox"/> AM	<input type="checkbox"/> PM

Date	Signature
3/19/12	Feldman

Deputy CSC Asst. CSC District Ct. Judge Clerk of Superior Court
 Magistrate Superior Ct. Judge

ORIGINAL

STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

IN THE MATTER OF:
Brandon Beverly Smith
"Head Master"
208 Redberry Drive
Wendell, N.C.

ATTACHMENT TO APPLICATION

FOR SEARCH WARRANT

PROPERTY TO BE SEIZED:

Any and all laptop computers and personal desktop computers, notebooks, tablets, to include any other digital or media storage device belonging to Brandon Beverly Smith or property and East Wake Academy specifically used by Head Master Brandon Beverly Smith.

DESCRIPTION OF PREMISES TO BE SEARCHED:

From the Zebulon Police Station located at 1001 North Arendell Avenue; travel south on Hwy 96 (North Arendell Avenue to the intersection of Hwy 97 (West Gannon Avenue) approximately 6/10ths of a mile. Turn right at the intersection onto Hwy 97 (West Gannon Avenue and travel approximately 5/10ths of a mile to Mack Todd Road. Turn left on Mack Todd Road towards Wendell and travel approximately 3.4 Miles to North Selma Road (Hwy 231). Travel 6/10ths of a mile to Forest Lane and turn right. Travel approximately 4/10ths of a mile and take the 3rd left onto Fowlkes St. Travel 2/10ths of a mile, and turn right at the second right onto Redberry Drive. 208 Redberry is located on the left. The residence is described as a single story ranch styled home that is Tan in color with Green colored shutters. And a white picket fence in the back yard.

FACTS TO ESTABLISH PROBABLE CAUSE:

This applicant has been employed in the field of law enforcement since 1997. In February of 2004 I was reinstated to the Zebulon Police Department and assigned to the patrol division. In October of 2004 this affiant was assigned to the Zebulon Police Department Investigations Division as a major crimes detective. Prior to being reinstated to the Zebulon Police Department I was employed with the Wake County Sheriff's Office and assigned to the Criminal Investigation Division, Drugs and Vice Unit as a Deputy Sheriff Investigator. Prior to being employed with the Wake County Sheriff's Office I was employed with the Zebulon Police Department from November 2000 until March 2003, and assigned to Investigations as the Narcotics Investigator as well as a member of the Wake County Inter-Agency Drug Task Force. Prior to being employed with the Zebulon Police Department I was employed with the several local Johnston County Agencies and assigned to Johnston County Inter-Agency Drug Task Force from January of 1998 thru November 2000. As a task force agent in Johnston County; I was assigned to as a Narcotics Agent and undercover officer. Prior to being employed with the Johnston County Inter-Agency Drug Task Force I was employed by the Wilson County Sheriff's Office from 1997 thru August 1998 and was assigned to Detention and Courtroom duties. Office from 1997 thru August 1998 and was assigned to Detention and Courtroom duties. During my tenure as a law enforcement officer I have taken place in either the application or the execution of over 250 search warrants. I have attended structured schools and seminars such as, Organized

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Judicial Official

STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

IN THE MATTER OF:
Brandon Beverly Smith
208 Redberry Drive
Wendell, N.C.

ATTACHMENT TO APPLICATION

FOR SEARCH WARRANT

Crime and Drug Enforcement Task Force Training Conference, Methamphetamine Investigation Management, Advanced Drug Investigation, Drug Enforcement for Patrol Officers, Basic Asset Forfeiture Workshop, Club and Rave Drugs, Undercover Drug Operations, Police Law Institute, and Highway Drug Interdiction, Arson Investigation, Systematic Interview and Interrogation, Reid Interview and Interrogation, Death Investigation, Media Relations, Physical Surveillance, Identity Theft Investigations, Basic and Advanced Special Weapons and Tactics, Critical Incident Negotiations, various tactical weapons courses, First Line Supervision, Field Training Officer, Internal Affairs Investigations, Basic Public Information Officer, General Law Enforcement Instructor's Course, Specialized Firearms and Physical Fitness Instructors Courses, Rapid Deployment Instructor's Course, Senior Level Law Enforcement Management Institute, Policy and Procedure Writing, CVSA truth verification operators course, Advanced CVSA truth verification operators course . I have also taught numerous blocks of instruction for law enforcement in Basic Law Enforcement Training as well as in Departmental in-service training in commission mandated classes and career development classes such as Criminal Investigations, Background investigations, and Internal Affairs Investigations. I have obtained Associates in Applied Science Degree with Honors in Criminal Justice Technology from Nash Community College. Prior to Graduation I was inducted into the Gamma Beta Phi Honor Society. Once again I continue with my Criminal Justice education in April of this year by returning to North Carolina Wesleyan College in order to complete a B.A. Degree in Justice Studies. Throughout my college experience I have taken classes such as Criminology and Victimology, which have greatly influenced my investigative habits. I have investigated, criminally charged and successfully prosecuted numerous cases involving sexual offenses with offenders such as parents, strangers, and educational personnel. I have also worked in an undercover capacity for street level as well as Federal level drug traffickers and have developed a good working knowledge of the practices of those who are involved in illicit narcotics activities as well as criminal and sexual deviant activities. Based on my training, firsthand experience, and interactions with veteran investigators; I have developed considerable knowledge and expertise of narcotics investigations, major crime, and sexual assault investigations as well as current crime trends.

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Affiant

Judicial Official

STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

IN THE MATTER OF:
Brandon Beverly Smith
208 Redberry Drive
Wendell, N.C.

ATTACHMENT TO APPLICATION
FOR SEARCH WARRANT

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6. On Friday March 16th, 2012, I applied for and executed a search warrant for East Wake Academy located at 400 NMC Drive in Zebulon. The purpose of this search was to locate and seize any and all computers and electronic devices from the office of Head Master Brandon Smith. The search revealed that the school owned laptops were not in his office. After speaking with school Network Administrator, Michael Durdin I found that Brandon Smith was also issued a Lenovo Thinkpad x120e (Windows 7 pro) and a Blue Acer Inspire (Windows XP home) Netbook.



STATE OF NORTH CAROLINA
WAKE COUNTY

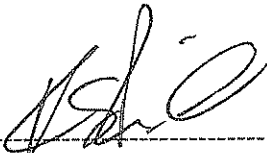
IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

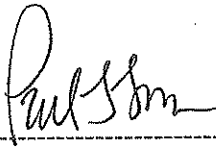
IN THE MATTER OF:
Brandon Beverly Smith
208 Redberry Drive
Wendell, N.C.

ATTACHMENT TO APPLICATION
FOR SEARCH WARRANT

7. On Friday March 16th, 2012, I interviewed several other members of East Wake Academy Staff. During these interviews, it was reported that victims #1 and #2 were not the only teachers that had been victimized. Based on initial interviews the possibility exists for further victims to be added to this incident.

8. Based on the information contained in this application for a search warrant coupled by the past history of complaints on Head Master Brandon Smith; it is my opinion and belief that probable cause exist to believe that evidence of the alleged crimes is contained on electronic devices such as computers, notebooks, tablets owned and/or operated by Brandon Beverly Smith. In the quest for the furtherance of justice, I respectfully request the issuance of this search warrant to locate and seize any and all of the above listed items contained in this affidavit for immediate execution.



Affiant

Judicial Official

STATE OF NORTH CAROLINA

In the General Court of Justice

District Superior Court Division

WAKE County

File No.

Film No.

In the Matter of

Name BRANSON Beverly Smith
208 Redberry Dr.
Wendell, N.C.

INVENTORY OF SEIZED PROPERTY

Date of Search

G.S. 15A-254,-257

I, the undersigned officer, executed a search of:

Person, place or vehicle searched

BRANSON SMITH, 208 Redberry Dr. Wendell

This search was made pursuant to

- a search warrant issued by: Superior Ct. Judge P. Gessner
- a consent to search given by:
- other legal justification for the search:

The following items were seized.

- ① 3 photographs photographs from Master bedroom
- ② Handwritten paper of

Check here if separate sheet attached