

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

IN RE: SEARCH WARRANT OF)
MATT SILIMAN)
DATE ISSUED 12/05/08)
FACEBOOK SECURITY CASE)
NUMBER 1823)

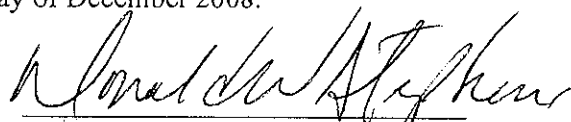
ORDER SEALING SEARCH
WARRANT, ITS RETURN AND
MOTION NCGS 132-1.5 (e)

THIS CAUSE coming on to be heard and being heard by the undersigned Superior Court Judge, upon motion by the State to seal a certain search warrant, its return and motion;

AND it appearing to the Court that the release of information contained in said search warrant, its return and motion will undermine an ongoing investigation,

IT IS THEREFORE ORDERED that this search warrant, its return and motion be sealed and not released to the public for a period of ninety days from today's date.

This the 12th day of December 2008.


Wake County Superior Court Judge

*Order to Seal Stricken by Judge Donald W. Stephens
12/17/08*

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

IN RE: SEARCH WARRANT OF)
MATT SILLIMAN)
DATE ISSUED 12/05/08)
FACEBOOK SECURITY CASE)
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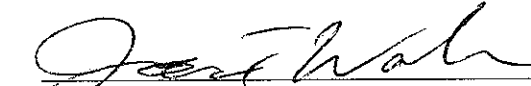
MOTION TO SEAL
SEARCH WARRANT AND
ITS RETURN NCGS 132-1.5 (e)

NOW COMES THE STATE of North Carolina by and through the undersigned Assistant District Attorney, hereby respectfully moves the Court to seal for a period of ninety days the above referenced search warrant, its return and this motion, and in support thereof, alleges:

1. That on December 2, 2008, the body of a white male was found at the unoccupied residence at 4221 Olive Branch Lane, New Hill, NC;
2. That identity of this deceased person has been confirmed to be that of Matthew Silliman;
3. That four persons have now been charged with first degree murder in connection with the investigation;
4. That the release of the contents of this search warrant and its return, will undermine an ongoing investigation by the Wake County Sheriff's Department.

WHEREFORE, The State of North Carolina respectfully moves the Court to seal this search warrant, its return and this motion for a period of ninety days.

Respectfully submitted this the 12th day of December, 2008.


Jason T. Waller
Assistant District Attorney

File No.

File No.

SEARCH WARRANT

STATE OF NORTH CAROLINA

In the General Court of Justice

In the Matter of

WAKE County

District Court Division

Matt Silliman

Date Issued 12/5/08 Time Issued 3:30 PM AM

Name of Applicant
 Inv. C. Jackson (Wake County Sheriff's Office)
 Case 08-124966

Name of Additional Affiant
 Christopher.Jackson@co.wake.nc.us

Name of Additional Affiant

RETURN OF SERVICE

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

Date Received 12/5/08 Time Received AM PM

Date Executed 12/5/08 Date and Time of Return 12/19/08

I made a search of _____ 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

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 or persons shown.

Date 12/5/08
 Signature [Signature]
 Deputy CSC Asst. CSC District Ct. Judge Clerk of Superior Court Magistrate Superior Ct. Judge

This Search Warrant was returned to me on the date and time shown below 12-17-08 5:50 PM AM PM

Signature [Signature]
 Deputy CSC Asst. CSC Clerk of Superior Court

Signature of Officer Making Return

Department of Agency of Officer

Wake County Sheriff's Office

APPLICATION FOR SEARCH WARRANT

I, Inv. Chris Jackson, Wake County Sheriff's Office

(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 See Attached

(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)

constitutes evidence of a crime and the identity of a person participating in a crime,

14-17 Murder

(Name Crime)

, 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)

FACEBOOK.COM

(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 Documents)

SWORN AND SUBSCRIBED TO BEFORE ME

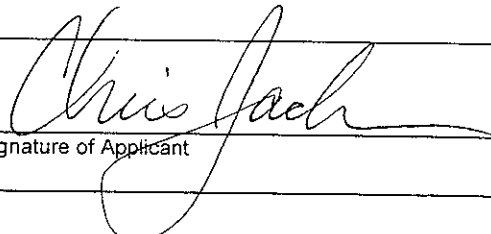
Date

12/5/08

Signature



Signature of Applicant



Deputy CSC Asst. CSC Clerk of Superior Court Mag. Judge

In addition to the affidavit included above, this application is supported by additional affidavit(s) 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.

If a continuation is necessary, 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 the applicant and issuing official.

In the Matter of: Matt Silliman

Continuation of: Constitutes evidence of a crime and the identity of a person participating in a crime;
N.C.G.S 14-17 Murder

Continuation of: Description of Property to be seized;

Records concerning the identities of the users with the User ID's
sisting of name, postal code, country, e-mail address, date of account creation, IP address at
account sign-up, logs showing IP address and date stamps for account accesses, and the contents of private
messages in the user's inbox, trash and sent mail folders, including front end content.
Also to include Neoprint, Photoprint, User Contact info, IP logs.

Continuation of: Description of Premises and Curtilage to be searched;

Full Name of User: Aadil Khan

Full URL to Facebook Profile:

School: Apex High School

Birth date:

User ID:

Full Name of User: Ryan Patrick Hare

Birth date:

User ID:

Full Name of User: Legra Dahlquist

Birth date:

User ID:

Full Name of User: Matt Silliman

Birth date:

User ID:

Period of Activity at issue for all accounts:

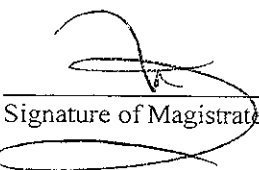
90 Days prior to 12/05/2008.

FACEBOOK SECURITY CASE NUMBER 1823


SWORN AND SUBSCRIBED TO BEFORE ME

page 1

DATE 12/5/08



Signature of Magistrate / District Court Judge / Superior Court Judge



Signature of Applicant

SEARCH WARRANT

**STATE OF NORTH CAROLINA
Wake County**

**In the General Court of Justice
District Court Division**

In the Matter of: Matt Silliman

Continuation of: Probable Cause:

The affiant has been employed as a full-time law enforcement officer since 1998 and is currently assigned to the Wake County Sheriff's Office Intel/Gang Unit as an Investigator. The affiant has received general and specialized training in criminal investigation, fraud investigation, homicide investigation, and gang investigation. My assignments and experience includes criminal investigation of property crimes, crimes of violence against persons, frauds, drug investigations and undercover operations, child abuse, fire and explosive investigations, and covert and electronic surveillance operations. During the past 10 years I have received, and continue to receive, specialized training through schools, universities in and out-of-state and seminars on the above mentioned crimes and areas of work as well as training in the interview and interrogation of suspects, witnesses, and informants.

On Tuesday, December 2, 2008 at 9:33pm the Wake County Sheriff's Office responded to 4221 Olive Branch Lane pursuant to a request from the Apex Police Department to attempt to locate a missing person. Responding deputies arrived on the scene and located a deceased male inside the residence. The deceased appeared to be a young, white male contained in a plastic bag with duct tape over his mouth. It was unknown at the time if the deceased male found inside the residence was in fact the missing person. Officers from the Apex Police Department were able to locate and interview several people whom they believe could identify the deceased and also provide additional information in this case. One person who Apex Police interviewed subsequently confessed to participating in the death of the deceased, along with three other co-conspirators. The witness admitted to beating the deceased on his head with a hammer, tying the deceased with zip ties, suffocating him with duct tape and disposing of him in a plastic bag. The witness also stated they attempted to utilize medications commonly used for animals to plan the murder.

Further investigation revealed that the subjects involved have facebook accounts. Facebook.com is a public website that contains online diaries and journal entries. Members can send and receive messages, as well as post messages on other member's accounts.

Further investigation has identified those accounts (listed above) of the parties involved in this case.

Based upon this affiant's training and experience, it is believed the preceding facts establish probable cause to believe the above described items will be found at Facebook.com and will aid in identifying the suspects as a participant in the crime of *N.C.G.S. 14-17 Murder*.

For these reasons, this affiant respectfully requests this warrant.

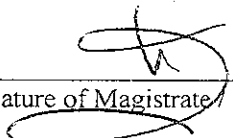
ATTN: FACEBOOK SECURITY

Please send the above requested information in electronic format to: Christopher.Jackson@co.wake.nc.us


SWORN AND SUBSCRIBED TO BEFORE ME

page 2

DATE 12/5/08



Signature of Magistrate / District Court Judge / Superior Court Judge



Signature of Applicant