

Film No. _____ File No. _____

SEARCH WARRANT

In the Matter of

1123 Ujamaa Drive, Raleigh NC 27610

STATE OF NORTH CAROLINA

In the General Court of Justice

Wake County

District Court Division

Date Issued 12-25-2008 Time Issued 2:05 PM AM PM

Name of Applicant Det. W.D. Gill

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	12/25/08	Time Received	2:35 PM	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM
Date Executed	12/25/08	Date and Time of Return	1-2-09	12:00 hrs

I made a search of 1123 Ujamaa Dr. Raleigh, NC 27610

_____ 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
Raleigh PD

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.

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

Date 1-2-09 Time 8:47 AM AM PM

Signature _____
 Deputy CSC Asst. CSC Clerk of Superior Court

Date 12/25/08

Signature _____

Deputy CSC Asst. CSC Clerk of Superior Court

Magistrate District Ct. Judge Superior Ct. Judge

STATE NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

IN THE MATTER OF:
1123 Ujamaa Drive
Raleigh, NC 27610

ATTACHMENT TO APPLICATION
FOR SEARCH WARRANT BY:
Detective W. D. Gill
Date: December 25, 2008

DESCRIPTION OF ITEM(S) TO BE SEIZED

1. Blood, body fluids, saliva, hairs, and fibers.
2. DNA evidence.
3. Latent evidence including but not limited to fingerprints and shoe prints.
4. Weapons and ammunition.
5. Clothing.
6. Cellular phones.
7. Documents, personal papers, telephone records.
8. Any other evidence related to the crime of murder.

DESCRIPTION OF CRIME(S)

Murder NCGS 14-17

DESCRIPTION OF LOCATION TO BE SEARCHED

The location to be searched is **1123 Ujamaa Drive, Raleigh NC**. The address, **1123 Ujamaa Drive** is a single family, one story residence that is located on the north side of Ujamaa Drive. The exterior of the building at **1123 Ujamaa Drive** is white colored siding with green trim. The front door for **1123 Ujamaa Drive** is green in color and faces Ujamaa Drive. The numbers **1123** are located to the right of the front door. The numbers are arranged horizontally and are black in color and approximately 3 inches in height.

SWORN TO AND SUBSCRIBED BEFORE ME
THIS THE 25th DAY OF December, 2008.


MAGISTRATE


APPLICANT

STATE NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

IN THE MATTER OF:
1123 Ujamaa Drive
Raleigh, NC 27610

ATTACHMENT TO APPLICATION
FOR SEARCH WARRANT BY:
Detective W. D. Gill
Date: December 25, 2008

FACTS TO ESTABLISH PROBABLE CAUSE

I, Detective W.D. Gill, hereby swear and affirm that the following affidavit is based on my personal knowledge, training, and experience as a sworn law enforcement officer and upon factual information which I have received from other persons as hereinafter described.

I am a sworn law enforcement officer with the Raleigh Police Department. I have been a sworn law enforcement officer for over 22 years and I am currently assigned to the Major Crimes Unit in the Investigative Division of the Raleigh Police Department.

During my experience as a detective, I have investigated narcotic cases, robberies, assaults, and homicides. I have received specialized training through the Raleigh Police Department and the United States Drug Enforcement Administration concerning the laws of arrest, search, and seizure as well as the preparation of search warrants.

On 12/24/2008 at approximately 11:15 pm, Raleigh Police Officers received a report of a shooting at 1123 Ujamaa Drive. Upon arriving at that location, officers entered the residence and observed a male juvenile lying on the living room floor with a gunshot wound. The father was the only adult present at the home when the officers arrived. Emergency Medical personnel responded and pronounced the victim deceased at the scene. Interviews conducted with other juveniles that were present when the incident occurred indicates that the father may have brought the firearm into the residence earlier in the day.

SWORN TO AND SUBSCRIBED BEFORE ME
THIS THE 25th DAY OF December, 2008.


MAGISTRATE


APPLICANT

STATE NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

IN THE MATTER OF:
1123 Ujamaa Drive
Raleigh, NC 27610

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Date: December 25, 2008

Conclusion

Due to the aforementioned information, it is believed that evidence of the above crime exists within the above described residence and the surrounding curtilage. Therefore, I respectfully request that a search warrant be issued for the above listed residence to recover any evidence related to this murder.

SWORN TO AND SUBSCRIBED BEFORE ME
THIS THE 25th DAY OF December, 2008.


MAGISTRATE


APPLICANT

Wake County

In The General Court Of Justice
 District Superior Court Division

IN THE MATTER OF:

INVENTORY OF ITEMS SEIZED
PURSUANT TO SEARCH

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

Name
Eric Hinton

I, the undersigned officer, executed a search of:

Person, Premises Or Vehicle Searched
1123 Ujamaa Dr. Raleigh, NC 27610

Date Of Search
12/25/2008

This search was made pursuant to

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

The following items were seized:

1. "Accurate Ammunition" box containing five 9mm rounds headstamped WIN 9mm Luger.
2. 10 round box of Winchester 12 gauge shotgun shells.
3. Pink copy of prior warrant for Eric Hinton.
4. Letter addressed to Eric Hinton.
5. Motorola cell phone with charger.
6. Cingular Samsung cell phone.
7. 18 round box of Winchester 12 gauge shotgun shells.
8. Digital scale with razor blade inside.
9. Kodak disposable camera.

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>C. B. Thompson</i>
Date 5-2-09		Title Of Law Enforcement Officer Detective C. B. Thompson
Signature <i>Deborah A. Williams</i>		Name And Address Of Agency Raleigh Police Dept. 110 S. McDowell St. Raleigh, NC 27602
<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Clerk Of Superior Court	<input checked="" type="checkbox"/> Assistant CSC <input type="checkbox"/> Magistrate	
ACKNOWLEDGMENT OF RECEIPT		
I, the undersigned, received a copy of this inventory.		
Date		Signature of Person Receiving Inventory