STATE OF NORTH CAROLINA

COUNTY OF DURHAM

IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT DIVISION

FILED
14 SEP -5 AM 8:56
DURHAM COUNTY, C.S.C.
BY

IN RE:

FAITH HEDGEPETH
HOMICIDE

ORDER TO UNSEAL
ALL SEARCH WARRANTS
AND NON-TESTIMONIAL
APPLICATIONS AND ORDERS
AND ALL OTHER ORDERS
AND DOCUMENTS AND JUDICIAL
RECORDINGS AND 911 CALLS

Upon motion by the State of North Carolina, to unseal the above referenced search warrants and non-testimonial applications and orders and all other orders and documents and Judicial recordings and 911 calls, with the exception of the autopsy photos, THE COURT, finds that there is a preponderance of evidence to release all of the information currently under seal in the matter of the homicide investigation of Faith Danielle Hedgepeth, with the exception of the autopsy photos.

IT IS THEREFORE THE ORDER OF THIS COURT that all items currently under seal in the matter of the homicide of Faith Danielle Hedgepeth be unsealed with the exception of the autopsy photos. The autopsy photos are to be released to the District Attorney's Office for future discovery and prosecution purposes.

This the _5th__ day of September, 2014.

Michael J. O'Foghludha
SUPERIOR COURT JUDGE

STATE OF NORTH CAROLINA FILED IN THE GENERAL COURT OF JUSTICE

COUNTY OF DURHAM 14 SEP -5 AM 8:56 SUPERIOR COURT DIVISION

DURHAM COUNTY, C.S.C.

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IN RE: FAITH HEDGEPETH HOMICIDE	)	MOTION TO UNSEAL ALL SEARCH WARRANTS AND NON-TESTIMONIAL APPLICATIONS AND ORDERS AND ALL OTHER ORDERS AND DOCUMENTS AND JUDICIAL RECORDINGS AND 911 CALLS

Now comes the State by and through the undersigned Assistant District Attorney, and moves this Court for an order to unseal all records, search warrants, nontestimonial identification orders, 911 redactions, and any other documents or Judicial recordings currently under seal in the matter of the homicide investigation of Faith Danielle Hedgepeth, except for autopsy photos that were inadvertently placed with the autopsy report under seal. In support of this motion the State shows the following:

1. That pursuant to 911 calls on the morning of September 7, 2012, the Chapel Hill Police Department initiated an investigation into the death of Faith Danielle Hedgepeth.
2. When emergency responders arrived at 5639 Old Durham Road, apartment number 1502, they found Faith Danielle Hedgepeth deceased in a bedroom.
3. During the police initial response and initial investigation, communications of officers and Orange and Durham Counties 911 dispatchers occurred over several channels on the police radio.
4. The Chapel Hill Police Department prepared affidavits and were issued search warrants for: the residence at 5639 Old Durham Road, apartment 1502, a 1977 Honda Accord, the residence at 5639 Old Durham Road, apartment 904, Facebook accounts of Faith Hedgepeth and Karena Rosario, laptop computers belonging to Faith Hedgepeth and Karena Rosario, and Faith Hedgepeth's bank account.
5. The Chapel Hill Police Department through the State applied for three nontestimonial identification orders and received such orders from the Court.
6. The State Medical Examiner's Office performed an autopsy on Faith Hedgepeth's remains.
7. North Carolina General Statute 130A-389(a) provides that a copy of an autopsy report shall be furnished to any person upon request.
8. That autopsy photos were inadvertently placed with the autopsy report that is under seal, and the photos were not to be released under North Carolina General Statute 130A-389.1 and 130A-389.
9. North Carolina General Statute 132-1.4 states that certain contents of 911 calls, search warrants, nontestimonial identification orders, and other Judicial recordings are public records that may be sealed by Court order.

10. North Carolina General Statute 132-1.4(k) provides that search warrants, nontestimonial orders, and other orders may be sealed by Court order.
11. There have been seal orders for each of the items listed above either in Durham or Orange Counties by motion of the State or the Staff Attorney for the Town of Chapel Hill. Each of these seal orders have extended the seals in either 45 day, 60 day, or 90 day increments by different superior court Judges in court orders.
12. A hearing was conducted on November 16, 2012 by Judge Hobgood at the request of The Daily Tarheel Newspaper, to have the search warrants unsealed. The Judge, after hearing arguments from the representatives of The Daily Tarheel Newspaper and the State of North Carolina in his discretion ordered that the items remain under seal for an additional 45 days.
13. The State has kept in contact with several news agencies through email and phone calls to include WRAL, The Daily Tarheel Newspaper, WTVD, and The Herald Sun, and The News and Observer of its intention to continue to seek seal orders every 45-90 days.
14. The homicide investigation of Faith Hedgepeth is an ongoing investigation, being vigorously investigated by the Chapel Hill Police department and the State Bureau of Investigation.
15. That on July 2, 2014 Judge Howard Manning signed an order releasing some documents and keeping others under seal until October 1, 2014.

Wherefore, the undersigned respectfully requests that the Court issue an Order to unseal all 911 calls, search warrants and search warrant affidavits and returns (inventories), nontestimonial orders, and any other documents and judicial recordings that are currently under seal with the exception of the autopsy photos. The undersigned is requesting that the autopsy photos be given to the District Attorney's Office for future discovery and prosecution purposes.

This the 5th day of September, 2014.

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