File No.

SEARCH WARRANT

IN THE MATTER OF

Faith Danielle Hedgepeth

Date Issued	Time Issued
09/10/2012	5:25 ☐ AM ☒ PM

Name Of Applicant: Sgt. R. Matthews

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
9-10-2012	5:25 ☐ AM ☒ PM
Date Executed	**Time Executed**
9-11-2012	11:30 ☐ AM ☒ PM

☒ I made a search of premises, person, and vehicle listed.

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.

Name Of Officer Making Return (Type Or Print): R. Matthews

Signature Of Officer Making Return:

Department Or Agency Of Officer	Incident Number
Chapel Hill Police Department	12-20848

AOC-CR-119, Rev. 6/12

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STATE OF NORTH CAROLINA

TM ~~Orange~~ 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 or affirmation by the person(s) shown.

Date	Name (Type Or Print)	Signature
9/10/2012	MICHAEL O'FOGHLUDHA	

☐ Deputy CSC ☐ Assistant CSC ☐ CSC ☐ Magistrate ☐ District Ct. Judge ☒ Superior Ct. Judge

This Search Warrant was delivered to me on the date and at the time shown below when the Office of the Clerk of Superior Court is closed for the transaction of business. By signing below, I certify that I will deliver this Search Warrant to the Office of the Clerk of Superior Court as soon as possible on the Clerk's next business day.

Date	Time	Name Of Magistrate (Type Or Print)	Signature Of Magistrate
	☐ AM ☐ PM		

This Search Warrant was returned to the undersigned clerk on the date and time shown below.

Date	Time	Name Of Clerk (Type Or Print)	Signature Of Clerk	
~~9/25/2012~~ 09/26/12	~~09:25~~ 10:47 ☒ AM ☐ PM		Elizabeth Tapp	☒ Dep CSC ☐ Asst CSC ☐ CSC

(Over)

APPLICATION FOR SEARCH WARRANT

I, Sgt. R. Matthews,
(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: Property to be seized

constitutes evidence of a crime and the identity of a person participating in a crime, *(Name crime)* See Attached: Description of crime.

and is located *(Check appropriate box(es) and fill-in specified information)*

☒ in the following premises *(Give address and, if useful, describe premises)*
See attached.

(and)

☒ on the following person(s) *(Give name(s) and, if useful, describe person(s))*
See attached.

(and)

☒ in the following vehicle(s) *(Describe vehicle(s))*
See attached.

(and)

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

The applicant swears or affirms to the following facts to establish probable cause for the issuance of a search warrant:

See attached probable cause.

SWORN/AFFIRMED AND SUSCRIBED TO BEFORE ME	Date 9-10-2012
Date 9/10/2012	Name Of Applicant (Type Or Print) Rodney Matthews
Signature	Signature Of Applicant

☐ Magistrate ☐ Dep. CSC ☐ Asst. CSC ☐ Clerk Of Superior Court ☒ 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 clrek.

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.*

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Continuation of ***SEARCH WARRANT APPLICATION*** *of Sergeant Rodney Matthews, Investigator, Chapel Hill Police Department, Chapel Hill, North Carolina dated September 10, 2012, to search the residence located at 5639 Old Chapel Hill Rd. Apt. 904, Durham NC 27077.*

Description of Evidence:

Any and all evidence that may relate to the suspicious death of Faith Hedgepeth on September 7, 2012, including, but not limited to, the following items:

Fingerprints, palm prints, footprints, shoeprints, weapons, and firearms including pistols, revolvers, rifles, shotguns, hatchets, axes, cutting instruments, and cutting tools, blunt force instruments, bullets, cartridges, fired cartridges, casings and fragments, and items containing traces of any of the above mentioned articles. Moving pictures, video, still pictures to preserve the nature of the scene, documentary evidence indicating ownership, possession and control of the premises and any and all evidence that may relate to the crime in question, including, but not limited to, cellular or communication devices, and associated digital, magnetic, solid-state, or electronic storage media, saliva, physiological fluids, secretions, and hair samples.

Description of Crime:

Death Investigation

Description of Premises to be searched:

From the Chapel Hill Police Department turn right out of lot. Proceed north on Martin Luther King Junior Boulevard to Estes Drive. Take a right on Estes Dr. and proceed to Fordham Boulevard. Take a left onto Fordham Boulevard and proceed to Scarlett Drive. Turn right onto Scarlett Drive then curve around to the left to stay on Old Chapel Hill Road. Continue down Old Chapel Hill Road to 5639, Hawthorne at the View Apartments. Turn right into the complex and continue around to the right. The 900 building will be on the left, and 904 will be on the back side of the building on the second floor. The structure is a multi-family apartment building labeled 900 on the front.

Description of Vehicle to be searched:

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A black in color 2012 Jeep Patriot bearing N.C. registration plate AMX-7682, vehicle identification number 1C4NJPBA9CD673514, registered to Eriq Takoy Jones IV.

Person to be searched:

Eriq Takoy Jones IV, B/M, DOB 3/20/1991

Probable Cause Affidavit:

I, the undersigned, Rodney Matthews, hereinafter referred to as "Affiant," being duly sworn, say and depose as follows:

Affiant has been a full-time sworn law enforcement with the Chapel Hill Police Department since November 11th, 1995. Affiant was assigned as an Investigator with the Chapel Hill Police Department in February, 2004, and has investigated or assisted in investigating numerous felony cases. Affiant was promoted to the rank of Sergeant in September of 2006, and was reassigned to the Patrol Division as a Patrol Supervisor. During the month of February, 2009, affiant was reassigned to the Criminal Investigations Division. Affiant is a graduate of Durham Technical Community College Basic Law Enforcement Training Program. Affiant has attended and graduated from numerous specialized schools pertaining to law enforcement such as the Police Law Institute, sponsored by the N.C. Department of Justice, Death Investigation course sponsored by Wake Technical Community College, and Interview and Interrogation, sponsored by the N.C. Department of Justice.

In support of this Affidavit, the Affiant shows unto the court the following facts:

On September 7, 2012, Chapel Hill Police officers were dispatched to 5639 Old Chapel Hill Road, Durham NC 27707 in reference to a possible dead body located in apartment

Judicial Official

9/10/2012
Date

Affiant

9-10-2012
Date

1502. When officers arrived, they were greeted by the primary tenant, Karena Lynn Rosario (Rosario), who advised that she had seen the victim, Faith Hedgepeth, and that she was unresponsive. Rosario permitted officers to enter the apartment. Officers conducted an initial protective sweep and located Hedgepeth dead in a bedroom, on a bed face up. Ms. Hedgepeth's body was hanging off the bed over a pool of blood with her black shirt pulled up over her head; she had no clothes on from the waist down. There was blood spatter on the closet and a bloody tampon was lying beside her on the bed. On the center of the bed, there was also a small white paper bag with the words:

"I'M NOT STUPID
BITCH
JEALOUS"

The statement was written directly on the bag, in what appears to be ink.

The Chapel Hill Police Department received a call on September 9, 2012 from a woman who was a former roommate of Hedgepeth. The former roommate stated that sometime between the months of May-July, 2012, Hedgepeth told her that Eriq Takoy Jones (Jones) hated her (Hedgepeth), and told her he was going to kill her (Hedgepeth) if Rosario did not get back together with him.

Through preliminary investigation, Affiant learned that a restraining order was issued against Jones by Rosario on July 11, 2012. The basis of the restraining order was a domestic assault to which officers with the Chapel Hill Police Department responded on July 11, 2012. In this incident, Jones kicked two doors in the apartment off their frame. As a apart of this investigation, Affiant also received several accounts of Rosario being seen with visible injuries to her body that were reportedly inflicted by Jones.

Affiant learned through further investigation that Jones resented Hedgepeth because of her influence over Rosario. Several witnesses also advised that Jones considered Hedgepeth as a barrier to their relationship.

Judicial Official	Affiant
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On September 7, 2012, while the officers were processing the scene at 5639 Old Chapel Hill Road, Durham, NC, Jones arrived and agreed to go to the Police Department to speak with Officers at the Chapel Hill Police Department. After the interview was complete, Jones returned to the crime scene, and walked right up to the crime scene tape. Officers had to ask him to leave because Rosario's 50B was still active against Jones and she needed to return to her apartment.

A few days after his interview with police, Jones agreed to allow officers to search his cell phone. Pursuant to this consent search, officers retrieved a text sent to a friend on September 6, 2012, asking them to forgive him for what he was about to do. Similarly, officers recovered a tweet sent by Jones to another acquaintance, also asking them to forgive him for what he was about to do.

At the time of Hedgepeth's death, Eriq Jones resided, and is still living, in the same apartment complex as Hedgepeth and Rosario. His apartment was located just a few buildings down from the apartment where Hedgepeth was found dead.

Based upon the above stated facts and circumstances, the undersigned has probable cause to believe that the search and seizure of the aforementioned property is necessary for a full and complete and thorough investigation of one or more of the above stated criminal offenses and that evidence of at least one of the criminal offenses contained herein will be located in the aforementioned property. The undersigned further avers that it would be in the best interest of the administration of justice that all evidence be collected and preserved pending further action of the court.

REQUEST TO HAVE WARRANT SEALED

In support of this request, the Affiant submits that there is a preponderance of evidence

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to show that due to the sensitive nature of this case, the release of the information contained in the court order at this time would undermine the ongoing criminal investigation, jeopardize the prosecution's right to prosecute its case relating to the criminal investigation, and jeopardize the right of the suspect to be charged in this matter from receiving a fair trial.

In further support of this request, the Affiant shows unto the court that release of the information contained herein, could also hinder the state's ability to bring the responsible parties to justice. Finally, there is evidence in this case that is yet to be collected that is essential to the resolution of this matter and if the information contained in the warrant is made public, it could jeopardize both the criminal investigation and prosecution of this case.

I, the undersigned judicial official, find that there is a preponderance of evidence to believe that the release of the information contained in this warrant would undermine the ongoing criminal investigation, jeopardize the prosecution's right to prosecute its case and/or compromise the criminal investigation, and jeopardize the right of the suspect to be charged in this matter from receiving a fair trial. I therefore, ORDER that this warrant be sealed pending further order of the court.

Judicial Official
MICHAEL O'FOGHLUDHA

Judicial Official
9/10/2012
Date

Affiant
9-10-2012
Date

STATE OF NORTH CAROLINA

Durham County

File No.

In The General Court Of Justice
☐ District ☐ Superior Court Division

IN THE MATTER OF:

Name: Faith Danielle Hedgepeth

INVENTORY OF ITEMS SEIZED PURSUANT TO SEARCH

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

I, the undersigned officer, executed a search of:

Person, Premises Or Vehicle Searched	Date Of Search
Eric Takoy Jones IV 5639 Old Chapel Hill Rd. Apt. 904 Durham, N.C. 27707	9-11-2012

This search was made pursuant to

☑ 1. a search warrant issued by: Superior Court Judge Michael O'Foghludha.

☐ 2. consent to search given by: _____.

☐ 3. other legal justification for the search: _____.

The following items were seized:

1. 2012 Jeep, VIN-1C4NJPBA9CD673514, TAG N.C. AMX-7682
2. Misc. Clothing
3. Misc. Shoes
4. Misc. Bedding items
5. Misc. garments
6. Misc. items
7. Misc. papers

End of List

AOC-CR-206, Rev. 5/98
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(Over)
Original - File Copy - Person Whose Property Seized

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

Henry R. Small

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*
Date 09/26/12	*Title Of Law Enforcement Officer* Investigator
Signature E. J. Scott	*Name And Address Of Agency* Chapel Hill Police Dept. 828 Martin Luther King Jr. Blvd. Chapel Hill, N.C. 27514
☑ *Deputy CSC* ☐ *Assistant CSC* ☐ *Clerk Of Superior Court* ☐ *Magistrate*	

ACKNOWLEDGMENT OF RECEIPT

I, the undersigned, received a copy of this inventory.

Date	*Signature of Person Receiving Inventory*

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