

Mon 6/8

PAGE 01

Film No.	File No.
SEARCH WARRANT	
In the matter of: Sampson Nimmo, 2420 Belvedere Avenue, Charlotte, NC 28205, and any computers, digital media, peripherals and any documents in printed form	
Date issued: 6-6-09	Time issued: 2:15 p.m.
Name of Applicant Det. P.K. Perry, 680, CMPD	
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: 6-6-09	Time received: 2:15 p.m.
Date Executed: 6-7-09	Date and time of return: 6/7/09 0000
I made a search of: 2420 Belvedere Ave CHLT. NC 28205 As commanded.	
<input checked="" type="checkbox"/> I seized the items listed on the attached inventory.	
<input type="checkbox"/> I did not seize any items.	
<input type="checkbox"/> 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 <i>P.K. Perry</i>	
Department or Agency of Officer Charlotte Mecklenburg Police	

STATE OF NORTH CAROLINA
Mecklenburg County

In the general court of Justice
District 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 page two attached hereto 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 this date and time shown below.	
Date: 6-7-09	Time: 1:55 p.m.
Signature: <i>[Signature]</i>	
<input checked="" type="checkbox"/> Magistrate <input type="checkbox"/> Superior Court Judge <input type="checkbox"/> District Court Judge <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Clerk of Superior Court	

SEARCH WARRANT ISSUED BY	
Date: 6-6-09	
Signature: <i>[Signature]</i>	
<input checked="" type="checkbox"/> Magistrate <input type="checkbox"/> Superior Court Judge <input type="checkbox"/> District Court Judge <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Clerk of Superior Court	

APPLICATION FOR SEARCH WARRANT

I, Det. P.K. Perry, code # 680 of the Charlotte Mecklenburg Police Department, 601 East Fifth Street, Suite 230, Charlotte, NC 28202

(Insert name and address of law enforcement officer, 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 Attachment pages

(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)

Constitute evidence of a crime and the identity of a person participating in a crime, Solicitation of a Child by Computer to Commit an Unlawful Sex Act, NC General Statute 14-202.3

(Name Crime)

And is located (check the appropriate box or boxes and fill in specified information) In the following premises:

See Attachment pages

(Give addresses and, if useful, describe premises)

And

On the following person(s):

See Attachment Pages

(Give name(s) and, if useful, describe person(s))

And

In the following vehicle(s):

See Attachment Pages

(Describe vehicle(s))

And

Other names, places or item(s):

See Attachment Pages

(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 Attachment Pages

SWORN AND SUBSCRIBED TO BEFORE ME

Date

6-6-09

Signature

P.K. Perry

Superior Court Judge District Court Judge

Deputy CSC Clerk of Superior Court Magistrate

Signature of Applicant

P.K. Perry

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 applicant and issuing official.

Continuation page attached to the SEARCH WARRANT application, dated Saturday, June 06, 2009

CONTINUATION OF "PROPERTY / EVIDENCE TO BE SEIZED"

See Attachment A

CONTINUATION OF "PREMISES, PERSON, VEHICLE, OR OTHER ITEM (S) TO BE SEARCHED"

2420 Belvedere Avenue, Charlotte, NC 28205, Mecklenburg County, USA, more particularly described as a one story brick duplex, with black numbers located above the white front door with a white trim screened door. The residence has a front lan picket fence and a chain link fence in the rear. 2420 Belvedere Avenue sits on a corner lot of Belvedere Avenue and Club Road. 2420 Belvedere Avenue faces Belvedere Avenue and the other side of the duplex faces Club Road and has an address of 2029 Club Road. And computers, digital media, peripherals and any documents in printed form within the premises.

CONTINUATION OF "PROBABLE CAUSE AFFIDAVIT"

I, Detective Pierrette Perry, am presently a sworn officer with the Charlotte Mecklenburg Police Department. I have been employed by the Charlotte Mecklenburg Police Department for the past 21 years am assigned to the Special Victims Division, Youth Crime Unit of the Charlotte Mecklenburg Police Department. I have 12 years of experience as a Child Sexual Abuse Detective. I have received continuing specialized training in the areas of child sexual abuse, child physical abuse, and on-line predators.

I have communicated with Inv. Kim Sievers of the Aiken County Sheriff's Office. Inv. Sievers communicated that she has been employed by the Aiken County Sheriff's Office for 10 years and is currently assigned to the Criminal Investigations Division as an Investigator and assigned to the SC Internet Crimes Against Task Force.

Here is the following information that I received from Inv. Kim Sievers on June 6, 2009:

On 5/29/09 [redacted] the mother of the 12 year old victim, [redacted] reported to the Aiken County Sheriff's Office that she caught her daughter chatting with the 25 year old defendant, Sampson Nimmo, on Yahoo and also learned that she had been communicating with him on Youtube.com and Myspace.com. She stated that he identified himself as Chris Daniels, a 17 year old male living in Charlotte, N.C. and had traveled to Aiken, SC on at least 3 occasions to meet with [redacted]

On 6/1/09 Inv. Mark Patterson of the Aiken County Sheriff's Office obtained the passwords for [redacted] YouTube, MySpace, and Yahoo messenger accounts from [redacted] who agreed to allow Inv. Patterson to access the accounts for investigative purposes. Inv. Patterson made contact with "Chris Daniels" on Yahoo instant messenger with [redacted] account, "[redacted]", and during the chat he confirmed that he was aware that [redacted] was only 12 years of age and asked if he could come to Aiken to visit her on 6/5/09.

On 6/2/09 a forensic interview was conducted by Anne Laver of the Child Advocacy Center in Aiken, SC, where [redacted] disclosed that she had met the defendant on Youtube.com and that he identified himself as Chris Daniels who was 17 years of age. She further disclosed that he had traveled to her residence at 1075 Legacy Lane, Aiken, SC on 3 separate occasions during the months of April and May 2009. She disclosed that on the first visit they went to the lake located in the Willow Woods Subdivision with her friend [redacted] a [redacted]

SWORN AND SUBSCRIBED TO BEFORE ME:

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Judge / Magistrate
[Signature]
Date 6-6-09

Applicant(s)
[Signature]
Date 6-6-09

Continuation page attached to the SEARCH WARRANT application, dated Saturday, June 06, 2009 13 year old female. She stated on the second visit he sneaked into her bedroom and they attempted to have sexual relations but when he inserted his penis into her vagina it hurt so she made him stop. She stated that her mother found the used condom in her bedroom. On the third incident she stated they went to the park located in the Willow Woods subdivision with [redacted] and another 17 year old male [redacted] where they talked and drank Full Throttle Energy Drinks. She disclosed that they had discussed sexual activity during previous chats.

On 6/3/09 Inv. Patterson chatted with "Chris Daniels" on Yahoo messenger with [redacted]'s account, [redacted], at which time he again discussed the meeting on 6/5/09 and stated that he would eat popcorn from her belly button. During the chat "Chris Daniels" stated that he would be 18 years of age at the end of the year. He further stated that he was going to bring movies he had burned and would have to bring his computer with him so that he could play the movies.

On 6-5-09 Inv. Platt and I made contact with "Chris Daniels" online. During the chat "Chris" talked about coming to see her if he was allowed and that he had to cut the grass first. "Chris" agreed to text message once he was on the way. "Chris" asked for the address so he could MapQuest it. "Chris" was provided with the address of a predetermined undercover location "Chris" believed to be the friend of [redacted] and that's where they would meet. At 1429 hrs, "Chris" texted and stated he would know in about an hour if he could go or not. At 1642 hrs, "Chris" texted back and stated his dad said he could leave but not yet and that he would let her know when. At 1647 hrs, "Chris" asked what the house looked like so he knew what to look for and asked her if it was 1 story or 2 stories. At 1652hrs, "Chris" texted that he was probably leaving his house by 1730 or 1800 hrs. At 1810hrs, "Chris" texted and stated he was on his way now. At 1719 hrs, "Chris" texted and advised he was not far out but took a wrong turn. At 2026 hrs, "Chris" texted that he should be there soon and asked if they would walk to the store but we declined due to the rain. At 2030 hrs, "Chris" texted when he texted again for her to just run outside so he knew which house. At 2035 hrs, "Chris" texted for her to come outside because he didn't know where to blow the horn. After less than one minute after the last text message "Chris" sent, a black Honda drove by slowly and beeped the horn. Inv. Bost was in a vehicle behind the residence and began following the black Honda with tag# VYH 8304, being a North Carolina plate. Inv. Bost initiated a traffic stop with the black Honda and identified the driver as Sampson Nimmo. I/O read Sampson his Miranda warning and Sampson agreed he understood his rights. I/O asked Sampson if he knew why we stopped him and he stated he didn't. Inv. Platt asked Sampson if he knew [redacted] and he stated he did. At that time Sampson stated he wanted to talk with an attorney before further questioning. Sampson was arrested and taken to the Aiken County Detention Center where a hold was placed for CSC with a minor, Lewd Act upon a minor and Solicitation of a minor. During the search of the vehicle incident to arrest I/O completed a vehicle inventory sheet. I/O located a book bag containing brass knuckles, a Full Throttle beverage, white slippers, 2 pornographic DVD's and some PJ bottoms. I/O also located a computer tower, monitor, keyboard and laptop computer. During a previous chat with [redacted] asked him to bring his computer with him. They also discussed him bringing brass knuckles and on one occasion when "Chris" came to meet her they shared a Full Throttle. Also located in the book bag was a pair of white slippers that were chatted about on 6-3-09. Wayne's Towing Service towed the vehicle to the ACSO and secured the vehicle there.

SWORN AND SUBSCRIBED TO BEFORE ME:

Judge / Magistrate [Signature]
Date 6-6-09

Applicant(s) [Signature]
Date 6-6-09

Continuation page attached to the SEARCH WARRANT application, dated Saturday, June 06, 2009. On 6-5-09 I/O received a call from a female who identified herself as Chelsie Wells, girlfriend of Sampson Nimmo. Chelsie advised that she saw this number (Aiken County undercover phone) on her caller ID and was just trying to find Sampson. I/O advised her that Sampson was arrested. I/O asked Chelsie if they had any computers at home and she stated they had several computers at home. I/O provided Chelsie the number to ACDC for further information.

I Detective Perry through my training, experience and communications with Inv. Sievers have reason to believe that computers, digital media, peripherals and any documents in printed form (to include ledger, roster, list), that are related to the investigation of Criminal Solicitation of a Minor will be found at the residence of Sampson Nimmo located at 2420 Belvedere Ave, Charlotte, NC 28205. It is requested that a search warrant be issued for the purposes of seizing any computers, digital media, peripherals and any documents in printed form (to include ledger, roster, list), any discs, tape drives, DVDs, floppys, flash memory storage devices (i.e. Apple IPOD), power cords, cables, and any documents that contain information concerning Internet Service provider.

Affiant requests that a computer forensic exam be conducted on all of the digital evidence seized, and this may require the use of utilities to "crack" unlock password protected documents or files. This process is performed by trained computer forensic specialists within the Charlotte Mecklenburg Police Departments Computer Forensics Unit or any other Law Enforcement Certified Computer Forensic Examiners. The computer forensic examination process is a lengthy one, and may take an extended amount of time to process all of the digital evidence contained in the seized media.

SWORN AND SUBSCRIBED TO BEFORE ME:

[Signature]
Judge/Magistrate
6-6-09
Date

[Signature]
Applicant
6-6-09
Date

STATE OF NORTH CAROLINA

Mecklenburg County

IN THE MATTER OF:

File No:

In the General Court Of Justice
 District Superior Court Division

INVENTORY OF SEIZED PROPERTY

G.S. 15A-254-257

Sampson Nimmo, 2420 Belvedere Avenue, Charlotte, NC, 28205, computers, digital media, peripherals and any documents in printed form
Date of search
June 6, 2009

I, the undersigned officer, executed a search of:
Person, Place or Vehicle Searched
2420 Belvedere Avenue, Charlotte, NC 28205

This search was made pursuant to

- A search warrant issued by: Magistrate
- A consent to search given by:
- Other legal justification for the search:

The Following Items Were Seized:

1 Compaq Laptop SNW732248 + 1 power cord
 1 Adesso Tower and keyboard K07900170 + 1 power cord
 1 Dell Tower + power cord H542301
 1 IBM Tower T3PTB4R132M9C832M K369TQ66
 1 Gamecube Tower GC4793600190404 + power cord
 1 Nintendo ft keyboard 757100059e339
 74 CDs - misc
 1 DVD - PEN

- I am leaving a copy of this inventory with the person named below, who is:
 - The owner of the place searched.
 - The person in apparent control of the place searched.
 - The person from whom the items were taken.
 - As no person was present, I am leaving a copy of this inventory:
 - In the place searched, identified above.
 - In the vehicle searched, identified above.
- Name And Address Of Person To Whom A Copy Of This Inventory Was Delivered
 Chelsea Wells, 5-24-1980

The Law Enforcement agency identified below will hold the property subject to court order.

SWORN AND SUBSCRIBED TO BEFORE ME

SIGNATURE OF LAW ENFORCEMENT OFFICER

P.R. Bengtson

TITLE OF LAW ENFORCEMENT OFFICER

Detective

DATE

6-7-09

- Deputy CSC
- Assistant CSC
- Clerk Of Superior Court
- Magistrate

NAME AND ADDRESS OF AGENCY

Charlotte - Mecklenburg Police Department
601 E. Trade St. Charlotte, NC 28202

ACKNOWLEDGMENT OF RECEIPT.

I, THE UNDERSIGNED, RECEIVED A COPY OF THIS INVENTORY

Signature Of Person Receiving Inventory

Deant Signo

Date

Check here if an additional sheet is required for the Inventory (attach all additional lists of seized property)