

AFFIDAVIT FOR SEARCH WARRANT

Commonwealth of Virginia

VA. CODE § 19.2-54

The undersigned Applicant states under oath:

1. A search is requested in relations to an offense substantially described as follows:

Murder, a violation of the Code of Virginia, Section 18.2-32.

[] CONTINUED ON ATTACHED SHEET

2. The place, person or thing to be searched is described as follows:

The records of U.S. Cellular (to be executed by facsimile to phone number 866-669-0894)

(WHH) 1 PIERCE PLACE, Suite 800
ITASCA, IL 60143

[] CONTINUED ON ATTACHED SHEET

3. The things or persons to be searched for are described as follows:

The subscriber information; call detail records, including cell site locations; and text message data, including any and all content of those text messages; for telephone numbers 434-315-1175 and 434-664-7072 from September 12, 2009 to present.

[] CONTINUED ON ATTACHED SHEET

(OVER)

Court Copy X00Y00078

CASE NO.

AFFIDAVIT FOR SEARCH WARRANT

APPLICANT:

W. H. Hogan

NAME

Sergeant

TITLE (IF ANY)

Farmville Police Dept.

ADDRESS

116 N. Main St. P.O. Box 24 Farmville, VA 23901

Certified to Clerk of

Circuit Court

CITY OR COUNTY

on

DATE

TITLE

SIGNATURE

Original Delivered [] in person [] by certified mail

[] by electronically transmitted facsimile

to Clerk of

Circuit Court

CITY OR COUNTY WHERE EXECUTED

on

DATE

TITLE

SIGNATURE

Complete only if different than above:

Copy delivered [] in person [] certified mail

[] by electronically transmitted facsimile

to Clerk of

Circuit Court

CITY OR COUNTY OF ISSUANCE

on

DATE

TITLE

SIGNATURE

4. The material facts constituting probable cause that the search should be made are:

On September 18, 2009 four bodies were located by police in a residence at 505 First Ave. in Farmville, Virginia. The manner of death for each victim is homicide. Two of the victims, Mark and Emma Niederbrock, had U.S. Cellular cell phones. Mark Niederbrock's cell phone number is 434-664-7072, Emma Niederbrock's cell phone number is 434-315-1175. It is known that each victim used their cell phones frequently and that Emma Niederbrock often spoke with the suspect, Richard Samuel Alden McCroskey, III, by telephone. Phone records may assist in establishing a time line for the homicides and whether either phone was used by the suspect after the victim's deaths.

5. The object, thing or person searched for constitutes evidence of the commission of such offense.

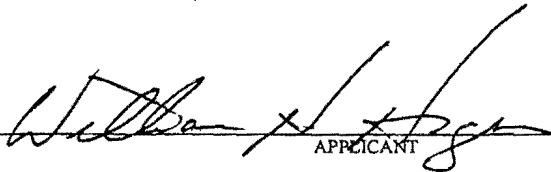
6. I have personal knowledge of the facts set forth in this affidavit OR

7. I was advised of the facts set forth in this affidavit in whole or in part, by an informer. This informer's credibility or the reliability of the information may be determined from the following facts:

The statements above are true and accurate to the best of my knowledge and belief.

Sergeant


TITLE OF APPLICANT


APPLICANT

Subscribed and sworn to before me this day.

OCT 6, 2009 3:25 PM

DATE AND TIME


[] CLERK [] MAGISTRATE [] JUDGE

SEARCH WARRANT

Commonwealth of Virginia

VA. CODE §§ 19.2-56, 19.2-57

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth to forthwith search the following place, person or thing either in day or night

The records of US Cellular located at 1 Pierce Place Suite 800, Itasca, Il. 60143.

for the following property, objects and/or persons:

Subscriber information, call detail records including cell site locations, text message data including any and all content, for telephone numbers 434-315-1175, and 434-664-7072 from Sept. 12, 2009 to present.

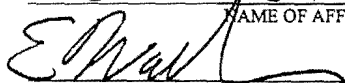
You are further commanded to seize said property, persons, and/or objects if they be found and to produce before the Prince Edward Circuit Court an inventory of all property, persons, and/or objects seized.

This SEARCH WARRANT is issued in relation to an offense substantially described as follows:
18.2-32 Murder

I, the undersigned, have found probable cause and believe that the property or person constitutes evidence of the crime identified herein or tends to show that the person(s) named or described herein has committed or is committing a crime and further that the search should be made, based on the statements in the attached affidavit sworn to by

Sargeant WH Hogan, FPD

NAME OF AFFIANT



CLERK MAGISTRATE JUDGE

E. Walter Newman Jr.

10/06/2009 03:49 PM

DATE AND TIME

FILE NO.

SEARCH WARRANT

COMMONWEALTH OF VIRGINIA

v./In re

US CELLULAR

ITASCA, IL

(EWN)

SEARCH INVENTORY AND RETURN

The following items, and no others, were seized under authority of this WARRANT:

1. SUBSCRIBER INFORMATION & CALL DETAIL RECORDS
2. TEXT MESSAGE DATA
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____

The statement above is true and accurate to the best of my knowledge and belief.

11/02/2009
DATE

Will A. Hagan
EXECUTING OFFICER

Subscribed and sworn before me this day

11-2-09
DATE

Jacqui M. Hawk DC
Dep CLERK MAGISTRATE JUDGE

FOR NOTARY PUBLIC'S USE ONLY:

State of _____ [] City [] County of _____

Acknowledged, subscribed and sworn to before me this _____ day of _____, 20 _____

NOTARY REGISTRATION NUMBER

NOTARY PUBLIC

(My commission expires: _____)

EXECUTION

Executed by searching the within described place, person or thing.

10/02/2009 1625 HRS
DATE AND TIME EXECUTED

Will A. Hagan
EXECUTING OFFICER

Certified to PRINCE EDWARD

Circuit Court on 11/02/2009
DATE

Will A. Hagan
EXECUTING OFFICER

Received in person by certified mail
 by electronically transmitted
facsimile

on 11-2-09
DATE

by: Jacqui M. Hawk DC
CLERK OF CIRCUIT COURT
12:15 PM