

File No.

# SEARCH WARRANT

## IN THE MATTER OF

MICHELLE YOUNG (06-141641)

Date Issued 7/25/07 Time Issued 3:30  AM  PM

Name Of Applicant

DET. R.C. SPIVEY

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

7/26/07

Time Received

10:25

AM  PM

Date Executed

7/28/07

Time Executed

10:30

AM  PM

I made a search of 12000 Silver Lakes

RX 300, Spone's UTILITY WAREHOUSE

WVA # - ST6AF10U170135132 July 25, 2007

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.

Signature Of Officer Making Return

*[Signature]*

Department Or Agency Of Officer

WCSO

Incident Number

# STATE OF NORTH CAROLINA

WAKE

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 by the person(s) shown.

Date July 25, 2007 Signature *[Signature]*

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

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

Date 12/12/07 Time 11:50  AM  PM Signature *[Signature]* Deputy CSC  Assistant CSC  Clerk Of Superior Court

# APPLICATION FOR SEARCH WARRANT

1. DET. R.C. SPIVEX OF THE WAKE CO. SHERIFF'S OFFICE

*(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)*

**BLOOD AND/OR BLOOD TRACE EVIDENCE**

constitutes evidence of a crime and the identity of a person participating in a crime. *(Name crime)* MURDER (G.S. 14-17)

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

in the following premises *(Give address and, if useful, describe premises)*

N/A

*(and)*  
 on the following person(s) *(Give name(s) and, if useful, describe person(s))*

N/A

*(and)*  
 in the following vehicle(s) *(Describe vehicle(s))*

A 2000 SILVER, LEXUS RX 300, SPORTS UTILITY VEHICLE, NORTH CAROLINA TAG NUMBER - S7529, VEHICLE IDENTIFICATION NUMBER IT6HE10U1Y0139132

*(and)*

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

N/A

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

**SWORN AND SUBSCRIBED TO BEFORE ME**

Date <u>July 25 2017</u> Signature <u>[Signature]</u> <input type="checkbox"/> Magistrate <input type="checkbox"/> Dep. CSC <input type="checkbox"/> Asst. CSC <input type="checkbox"/> Clerk of Superior Court <input checked="" type="checkbox"/> Judge	Date <u>July 25 2017</u> Signature of Applicant <u>[Signature]</u>
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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 clerk.

**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.

In the Matter of: Michelle Young (06-141641)

*Continuation of: Constitutes evidence of a crime and the identity of a person participating in a crime;*

Murder (G.S. 14-17)

*Continuation of: Description of Property to be Seized;*

Blood and / or Blood Trace Evidence

*Continuation of: Description of Premises and Curtilage to be Searched;*

N/A

*Continuation of: Description of Persons to be Searched and/or Seized;*

N/A

*Continuation of: Description of Vehicle to be Searched;*

A 2000 Silver Lexus RX 300, Sports Utility Vehicle, North Carolina Tag Number S7529, Vehicle Identification Number JT6HF10U1Y0139132.

*Continuation of: Description of other Place or Item to be Searched;*

N/A

*Continuation of: Probable Cause;*

This affiant is a deputy sheriff for the Wake County Sheriff's Office assigned to the Criminal Investigation Division. I have been employed with the Wake County Sheriff's Office since April of 2004 and assigned to the Criminal Investigation Division since October of 2006. Prior to joining the Wake County Sheriff's Office, I worked for nine years with the Durham City Police Department. While with the Durham City Police Department I worked as a detective, and a detective supervisor, in the Violent Crimes Unit of the Criminal Investigation Division. Since assigned to the Criminal Investigation Division I have investigated and participated in investigations of adults and juveniles, both as suspects and victims of crimes. My assignments and experience includes criminal investigation of property crimes, crimes of violence against persons, frauds, drug investigations, child abuse, and covert and electronic surveillance operations. During the past 16 years I have received, and continue to receive, specialized training through schools, law enforcement agencies (Federal, state, and local), and seminars. This has included specialized training in criminal investigations, interview and

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DATE July 25, 2007

Donald W. Stephens  
Signature of Magistrate / District Court Judge / Superior Court Judge

[Signature]  
Signature of Applicant

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interrogation, search warrants, criminal and psychological profiling, criminal investigative analysis, crime scene searches, analytical investigative techniques, conspiracy investigations, and criminal intelligence.

On November 3<sup>rd</sup>, 2006, the Wake County Sheriff's Office responded to 5108 Birchleaf Drive, Raleigh, NC in reference to the murder of Michelle Young. Mrs. Young's body was discovered by her sister, Meredith Fisher. Meredith Fisher reported that she had stopped by the Birchleaf Drive location at the request of the decedent's husband, Jason Young. According to Ms. Fisher's statement, Mr. Young called her on the morning of November 3<sup>rd</sup>, 2006 and asked her to pick up several computer printouts that he had left on his home printer. The printouts were said to have been of a belated anniversary gift. Mr. Young supposedly did not want the decedent to discover the surprise gift he was planning for her.

Meredith Fisher has stated that she responded to her sister's home, passed through the unsecured garage, and entered the residence through the garage / kitchen door. Once inside the kitchen she, as is her stated practice, placed her keys on the kitchen counter. On this occasion, she walks through the residence and ultimately discovers the decedent lying on the floor of her bedroom and calls 911.

In addition to discovering the decedent, the decedent's child was reportedly discovered by Meredith Fisher as well. She said the 2-½ year old child was discovered under the sheets on the decedent's bed. Ms. Fisher has stated that the child was clean and her feet showed little to no signs of having walked through the blood that had pooled around her mother. The bed sheets on the side of the bed where the child was located showed no obvious sign of blood as well. This description is in contrast to the small-bloodied footprints that were found on the floor of the child's bathroom.

There was a small visible trace of what appears to be blood on the hallway carpet between the child's bathroom and the decedent's bedroom. This would lead to a logical conclusion that the child had been carried from one room to the other in lieu of the amount of blood left on the bathroom floor. In order to maintain the clean condition that the child was discovered, removal from the scene would have been the simplest action.

Once responding deputies arrived on the scene at 5108 Birchleaf Drive, the scene was secured and later processed by the City – County Bureau of Identification. As standard practice, CCBI photographs a crime scene showing the conditions that existed when it was secured. This practice was followed at 5108 Birchleaf Drive and led to photos being taken of the decedent's 2000 silver Lexus RX 300 Sports Utility Vehicle (North Carolina Tag Number S7529 and Vehicle Identification Number JT6HF10Y0139132) parked in the garage. In the photograph, a set of keys are clearly seen on the hood of the vehicle. When shown the photo, Meredith Fisher identified the keys as her keys. She followed this revelation by stating that the keys placed on the kitchen counter must be the decedent's keys.

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Due to the situation with the child's bloodied footprints versus the clean condition of the child's feet when found; the confusion over the keys to the decedent's vehicle and how they came to be placed on the kitchen counter and Meredith Fisher's keys being found on the hood of the decedent's vehicle, it is believed that the 2000 silver Lexus RX 300 could have been used to transport the child from the scene. If this was the case, there may have been transference of blood from the scene to the vehicle using the child for conveyance.

Based upon this affiant's training and experience, it is believed the preceding facts establish probable cause to believe the above described items (blood and/or blood trace evidence) will be found in a 2000 silver Lexus RX 300 Sports Utility Vehicle (North Carolina Tag Number S7529 and Vehicle Identification Number JT6HF10Y0139132) and will aid in identifying a person(s) as a participant in the crime of *N.C.G.S. 14-17 Murder*.

For these reasons, this affiant respectfully requests this warrant.

SWORN AND SUBSCRIBED TO BEFORE ME

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DATE July 25, 2007

W. Donald Stephens  
Signature of Magistrate / District Court Judge / Superior Court Judge

[Signature]  
Signature of Applicant