

Film No. **SEARCH WARRANT**

In the Matter of **104 Wallsburg Court, Cary, NC (Wake County)**

Date Issued **October 29, 2008** Time Issued **12:30 am** am pm

Name of Applicant **Detective J.A. Young**

Name of Additional Affiant **N/A**

Name of Additional Affiant **N/A**

RETURN OF SERVICE

I certify that this search WARRANT was received and executed as follows:

Date Received **10-29-08** Time Received **12:30 am** am pm

Date Executed **10-29-08** Date and Time of Return

made a search of **104 WALLSBURG COURT, CARY, NC, 1 A BUILDING ASSIGNED VIN**
UBAN 334B1EE720815 AND A 2004 BUICK X5 ASSIGNED VIN 5UXFA13594111 as commanded. **314204-**

seized the items listed on the attached inventory
 I did not seize any items
 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

Department of **ADNDY Officer**
CARY POLICE

AOC-CR-119 Rev. 8/83

STATE OF NORTH CAROLINA
Wake County
In the General Court of Justice
711 E District Court Division

2008 OCT 31 AM 9:58
WAKE COUNTY, C.S.C.
BY *[Signature]*

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 or persons shown.

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

Date **10/31/08** Time **9:58 AM** am pm

Signature *[Signature]*
 Deputy CSC Asst. CSC Clerk of Superior Court

Date **October 29, 2008**
Signature *[Signature]*
 Deputy CSC Asst. CSC Clerk of Superior Court
 Magistrate District Ct. Judge Superior Ct. Judge

APPLICATION FOR SEARCH WARRANT

I, Detective J.A. Young

(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 See Attachment

(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)

constitutes evidence of a crime and the identity of a person participating in a crime, Murder, N.C.G.S. 14-17

(Name Crime)

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

[X] in the following premises 104 Wallsburg Court, Cary, NC 27518-8320 (Wake County) (Give address and, if useful, describe premises)

(and)

[] on the following persons(s) (Give name(s) and, if useful, describe person(s))

(and)

[X] in the following vehicle(s) a 2001 BMW 325i assigned VIN WBAAV33481EE76815 and North Carolina Registration Plate, STN-8649 and 2004 BMW X5 assigned VIN 5UXFA13594LU21464 and North Carolina Registration Plate, WPN-6001. (Describe vehicle(s))

(and)

(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

SWORN AND SUBSCRIBED TO BEFORE ME

Date October 29, 2008

Signature W. Donald Stephens

Signature of Applicant

[] Deputy CSC [] Assl. CSC [] Clerk of Superior Court [] Mag. [X] Judge

[] 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

PROBABLE CAUSE AFFIDAVIT

STATE OF NORTH CAROLINA

AFFIDAVIT

COUNTY OF WAKE

CONTINUATION OF SEARCH WARRANT APPLICATION IN THE MATTER OF: 104 WALLSBURG COURT, CARY, NORTH CAROLINA (WAKE COUNTY).

SECTION I: DESCRIPTION OF PROPERTY TO BE SEIZED

1. Any and all computers, computer hardware, computer related documentation and computer passwords.
2. Any and all digital storage media, to include but not limited to, thumb drives, compact discs (CDs), digital video discs (DVDs), ZIP discs, hard drives and SD cards.
3. Any and all electronic storage devices capable of sending or receiving text messages, e-mails or related digital documents and any and all documents pertaining to the use, operation, ownership and purchase of the electronic storage devices.
4. Any and all cellular, wireless or landline telephones, to include but not limited to a 'Samsung Blackjack' cellular telephone assigned telephone number (919) 523-1196 and all documents pertaining to the use, operation, ownership and purchase of the these telephones.
5. Any and all jewelry which is believed to have been the property of Nancy Lynn Cooper.
6. Any and all documents pertaining to the purchase, sale, ownership or repair of jewelry believed to have been the property of Nancy Lynn Cooper.
7. Any and all clothing apparel and shoes worn by Brad Cooper on Saturday, July 12, 2008 when Brad Cooper made purchases at the Harris Teeter, 2080 Kildaire Farm Road, Cary, NC as noted in surveillance video from the Harris Teeter grocery store.
8. Any and all female athletic shoes believed to have been the property of Nancy Lynn Cooper.
9. Any and all documents, journals and writings which record or illustrate the actions of either Nancy Lynn Cooper or Bradley Graham Cooper on Friday, July 11, 2008 and/or Saturday, July 12, 2008.

SECTION II: NAME OF CRIMES

1. Murder, N.C.G.S. 14-17

Donald W. Stephens

 SUPERIOR COURT JUDGE

Oct. 29, 2008

 DATE

[Signature]

 AFFIDANT

10-29-2008

 DATE

PROBABLE CAUSE AFFIDAVIT

STATE OF NORTH CAROLINA

AFFIDAVIT

COUNTY OF WAKE

CONTINUATION OF SEARCH WARRANT APPLICATION IN THE MATTER OF: 104 WALLSBURG COURT, CARY, NORTH CAROLINA (WAKE COUNTY).

SECTION III: DESCRIPTION OF PREMISES TO BE SEARCHED

104 Wallsburg Court, Cary, North Carolina (Wake County) and curtilage

The residence located at 104 Wallsburg Court. is described as a two story single family dwelling with an attached front loading garage. The garage contains a single cream colored door. The residence has a brick front with masonite siding on the right and left of the house as you face it from Wallsburg Court. There are brick steps leading to the front door which is black in color. The residence has cream colored trim and a black shingled roof. There is a wooden privacy fence that surrounds the back yard. The numerics for the residence are located on the mailbox. The numerics (104) are white in color and are located on both sides of the support portion of the post for the mailbox.



SECTION IV: DESCRIPTION OF PERSONS TO BE SEARCHED

None

Donald W. Stephens

SUPERIOR COURT JUDGE DATE

Oct. 29, 2008

[Signature]

AFFIANT

10-29-2008

DATE

PROBABLE CAUSE AFFIDAVIT

STATE OF NORTH CAROLINA

AFFIDAVIT

COUNTY OF WAKE

CONTINUATION OF SEARCH WARRANT APPLICATION IN THE MATTER
OF: 104 WALLSBURG COURT, CARY, NORTH CAROLINA (WAKE
COUNTY).

SECTION V: DESCRIPTION OF VEHICLES TO BE SEARCHED

1. 2001 BMW 325i assigned VIN WBAAV33481EE76815 and bearing North Carolina Registration Plate of STN-8649
2. 2004 BMW X5 assigned VIN 5UXFA13594LU21464 and bearing North Carolina Registration Plate of WPN-6001

SECTION VI: FACTS THAT ESTABLISH PROBABLE CAUSE

A. I, J.A. Young (Affiant), am a law enforcement officer with the Cary Police Department holding the rank of Senior Police Officer. I earned a Bachelor of Science in Administration of Criminal Justice degree from the University of North Carolina at Chapel Hill in August, 1993. I have been employed as a law enforcement officer with the Cary Police Department since 1994 with the exception of the time period of 1997 to 2001 when I was employed as a law enforcement officer with the Greensboro Police Department. I earned my Advanced Certificate from the North Carolina Criminal Justice Training and Standards Commission in November, 2000. I am currently assigned as a Detective with the Criminal Investigations Division of the Cary Police Department. Prior to my assignment as a Detective, I investigated and arrested individuals regarding numerous incidents of breaking and entering to businesses and residences, larceny offenses, possession of stolen property and traffic offenses as an officer assigned to the Field Operations Bureau of both the Cary Police Department and the Greensboro Police Department. Since my assignment as a Detective in January, 2005, I have investigated and arrested individuals regarding the criminal offenses of attempted murder, assault with a deadly weapon with the intent to kill, armed robbery, rape, sex offenses, financial crimes and drug crimes. I have more than 1,400 hours of law enforcement training which includes advanced training in the investigation of natural deaths, suicides and homicides.

B. On Saturday, July 12, 2008, the Cary Police Department initiated an investigation regarding a 'missing person', Nancy Lynn Cooper, who was last seen at the residence of 104 Wallsburg Court, Cary, N.C. which she shared with her husband, Bradley (Brad) Graham Cooper and their two (2) children. Brad Cooper advised that his last saw his wife at approximately 7:00 a.m. on Saturday morning, July 12, 2008 in the downstairs level of the residence. He stated that Nancy Cooper advised him she was going to run and left via the front door of the residence.

3

J. Donald Stephens *Oct. 29, 2008*
SUPERIOR COURT JUDGE DATE

[Signature]
AFFIANT

10-29-2008
DATE

PROBABLE CAUSE AFFIDAVIT

STATE OF NORTH CAROLINA

AFFIDAVIT

COUNTY OF WAKE

CONTINUATION OF SEARCH WARRANT APPLICATION IN THE MATTER OF: 104 WALLSBURG COURT, CARY, NORTH CAROLINA (WAKE COUNTY).

On Monday, July 14, 2008, a body was located by a resident of Wake County, North Carolina lying face down in a 'drainage pond' in an undeveloped phase within 'The Oaks at Meadowridge' subdivision, which is located in close proximity to the 4700 Block of Fielding Drive, Raleigh, North Carolina in Wake County and reported to the Wake County Sheriff's Office. The body was determined to be that of a white female, who was deceased. The deceased white female had died as a result of 'suspicious circumstances' based upon a joint investigation by the Cary Police Department, the Wake County Sheriff's Office, the City-County Bureau of Identification (Wake County) and the Office of the Chief Medical Examiner of North Carolina.

On Tuesday, July 15, 2008, the deceased white female was identified as Nancy Lynn Cooper by Dr. John Butts, the Chief Medical Examiner for the State of North Carolina. The manner of death was determined to be a homicide based upon the autopsy by Dr. Butts.

On Sunday, July 13, 2008, Brad Cooper advised affiant that a pair of Nancy Cooper's running shoes, which Brad described as dark blue in color 'Saucony' running shoes were missing from a shelf within the laundry room in the residence. Brad advised that he assumed that she had been wearing this pair of running shoes when she exited residence on the morning of Saturday, July 12, 2008. Two (2) shoes for the right foot, which were both 'ASICS' and dark in color, but different styles from each other, were observed at the Cooper residence on August 13, 2008 by affiant in the attached garage on a shelf. These two (2) shoes for the right foot were placed beside each other on the shelf as if they were a pair. Affiant is seeking to locate the matching shoes for the left foot for each respective style of ASICS running shoes.

During additional investigation pertaining to the homicide of Nancy Cooper, affiant learned from interviews with her friends and family that she owned a diamond pendant necklace which she wore continuously regardless of her activities (sleeping, showering, running, etc.). This information was confirmed by photographs presented to affiant showing Nancy Cooper wearing the pendant while wearing a bathing suit on a boat on High Rock Lake in North Carolina while vacationing with her family during the week of June 28, 2008 to July 6, 2008. Additional photographs of Nancy Cooper wearing this diamond pendant in a Hilton Head, South Carolina during the same vacation were observed by affiant. During a deposition by Brad Cooper on October 2, 2008, Brad

Charles W. Stephens Oct. 29, 2008
SUPERIOR COURT JUDGE DATE

[Signature] 10-29-2008
AFFIANT DATE

PROBABLE CAUSE AFFIDAVIT

STATE OF NORTH CAROLINA

AFFIDAVIT

COUNTY OF WAKE

CONTINUATION OF SEARCH WARRANT APPLICATION IN THE MATTER OF: 104 WALLSBURG COURT, CARY, NORTH CAROLINA (WAKE COUNTY).

testified that this diamond pendant owned and worn by Nancy Cooper was in his possession at the residence of 104 Wallsburg Court, Cary, N.C.

In addition, Brad Cooper has made inconsistent statements pertaining to the actions of himself and Nancy Cooper on Friday, July 11, 2008 and Saturday, July 12, 2008. Affiant seeks to gain documents, journals, writings or other forms of recorded information which illustrate and show the actions of both Brad and Nancy on these dates. On August 25, 2008, affiant learned that Brad Cooper had purchased a laptop computer from a business in Cary, N.C. on August 2, 2008 and a digital voice recorder from the same business on August 23, 2008. In the deposition by Brad Cooper on October 2, 2008, Brad testified that he had created two (2) e-mails accounts on the 'Yahoo' website since July 12, 2008 in order to communicate via the internet. An examination by the Federal Bureau of Investigation of a laptop computer seized from the residence on 104 Wallsburg Court, Cary, NC on July 16, 2008 showed evidence that Brad Cooper had received and read two (2) e-mails on a 'Samsung Blackjack' cell phone, which was in the custody and control of Brad Cooper during an interview with him at the residence on Monday, July 14, 2008.

Surveillance video obtained from the Harris Teeter grocery store located at 2080 Kildaire Farm Road, Cary, N.C. for the date of July 12, 2008 showing Brad Cooper making purchases on two (2) separate visits to the business have been reviewed and examined by affiant during the course of this investigation. Affiant was unable to determine with exact certainty if evidence of a physical altercation was present on the clothing apparel and shoes worn by Brad Cooper during his visits to the Harris Teeter grocery store.

Based on the above information provided in this affidavit, the affiant requests that a search warrant be issued for the residence and curtilage of 104 Wallsburg Court, Cary, North Carolina (Wake County), the 2001 BMW 325i assigned VIN WBAAV33481EE76815 and the 2004 BMW X5 assigned VIN 5UXFA1359LU21464 for the property items listed under 'Section I: Description of Property to be Seized', which will aid in the investigation and/or provide evidence regarding the homicide of Nancy Lynn Cooper.

Donald W. Stephens *October 29, 2008*
SUPERIOR COURT JUDGE DATE

[Signature] *10-29-2008*
AFFIANT DATE

File No.

STATE OF NORTH CAROLINA

WAKE County

In The General Court Of Justice
District Superior Court Division

IN THE MATTER OF:

Name 104 WALLSBURG COURT
CARY, NC (WAKE COUNTY)

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
104 WALLSBURG COURT, CARY, NC, A BMW 325I
ASSIGNED VIN WBAAY33481EE76816 AND A 2004
BMW X5 ASSIGNED VIN 5UXFA13594LU01424-

Date Of Search
10-29-2008

This search was made pursuant to

- 1. a search warrant issued by: SUPERIOR COURT JUDGE DONALD W. STEPHENS
2. consent to search given by:
3. other legal justification for the search:

The following items were seized:

- 1 SAMSUNG BLACKJACK CELL PHONE
2 SONY MP3 IC RECORDER
3 MOTOROLA V551 CELL PHONE
4 IBM 30 MB THUMB DRIVE, S/N 03548205
5 VERIZON 24 MB THUMB DRIVE
6 BUTTERFLY CHARM ON NECKLACE
7 DIAMOND PENDANT ON NECKLACE
8 RING CONTAINING DIAMONDS
9 TWO (2) HEART SHAPED RINGS
10 PEARL NECKLACE
11 IP PHONE, S/N TAN0910A0E6
12 ROUTER, S/N FHK100032314
13 ROUTER, S/N FHK11171421
14 VOIP CABLE MODEM, S/N 117803405100508701010000
15 WIRELESS IP PHONE, S/N JAC114000QW
16 IP PHONE, S/N INM09510VM3
17 WIRELESS LAN MODULE, S/N FTX11509030
18 ONE (1) NOTEBOOK CONTAINING DOCUMENTS
19 FOUR (4) PAIRS OF FOOTWEAR
20 DELL 1400 SC CPU, S/N FH3RD11
21 THREE (3) RECEIPT DOCUMENTS
22 ONE (1) TYPED DOCUMENT
23 NINE (9) SONY DVD MINI-DISCS
24 TWELVE (12) CD-R DISCS
25 SEVEN (7) DVD-R DISCS

2008 OCT 31 PM 9:59
PINE COUNTY, N.C.S.
OK

Items Seized Continued:

(20) GAP NOTEBOOK

- END OF LIST -
- NO FURTHER -

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.


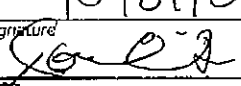
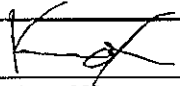
2. As no person was present, I left a copy of this inventory:

- 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

CAROL COOPER
37 CHURCH COURT SE
MEDICINE HAT AB T1B334

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 10/31/08		Title Of Law Enforcement Officer DETECTIVE
Signature  		Name And Address Of Agency CARY POLICE DEPARTMENT 100 WILKINSON AVE. CARY, NC 27513
<input checked="" type="checkbox"/> Deputy CSC <input type="checkbox"/> Clerk Of Superior Court	<input type="checkbox"/> Assistant CSC <input type="checkbox"/> Magistrate	

ACKNOWLEDGMENT OF RECEIPT

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

Date 10-29-2008	Signature of Person Receiving Inventory C. Cooper
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