

Mar-10-2010 03:33pm From-

T-651 P.002/003 F-625

NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

IN RE: INVESTIGATION

FILED
2010 MAR 10 PM 1:56

OF
COMPLAINT
P10-029647

ORDER TO
TEMPORARILY SEAL
911 CALLS, INCIDENT
REPORT, THE APPLICATIONS
FOR SEARCH WARRANTS
ISSUED BY MAGISTRATES
DATED MARCH 6, 2010, AND
THE MOTION TO SEAL
RECORDS

This cause having come on to be heard by the undersigned Superior Court Judge, upon written motion by the State, and it appearing to the Court and the Court finding by a preponderance of the evidence that:

1. The information contained in the two 911 calls, the offense/incident report, the two search warrants, and their applications, possible return results thereof, and a motion to seal records fall within the purview of the Administrative Order signed by the Honorable Senior Resident Superior Court Judge, Donald W. Stephens and the Honorable Chief District Court Judge, Robert B. Rader and filed on May 20, 2008 and N.C.G.S. 132-1.4 (e) and (k).
2. That the Court seeks to balance the interests of the public in immediate disclosure of the information described in the motion against the public's interest in having the matter properly investigated and prosecuted and believes that temporarily preventing the disclosure of the information is in the interest of justice and will assist in preserving the integrity of the above-referenced investigation.
3. The immediate disclosure of the two 911 calls and the offense/incident report will jeopardize the right of the State to prosecute a defendant or the right of a defendant to a fair trial or will undermine an ongoing or future investigation within the meaning of N.C.G.S. 132-1.4(e) and are therefore ordered to be sealed.
4. The two search warrants, their applications, possible return results thereof, and motion to seal are ordered to be sealed pursuant to N.C.G.S. 132-1.4(k). The Court finds that release of these documents would likely risk and jeopardize the success of this criminal investigation and will likely undermine the investigation and jeopardize the right of the State to discover and prosecute the perpetrator. It could also publically expose hearsay

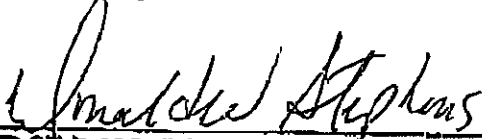
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information about the offense which may prejudice the public against anyone charged and arrested for this crime.

It is therefore ORDERED pursuant to the Administrative Order signed and filed On May 20, 2008, that the two 911 calls, the offense/incident report, the two applications (including affidavits) for search warrants issued on March 6, 2010, the two search warrants described above, the two returns (inventories) of those search warrants, and the motion to seal records be sealed. The applications (including affidavits), search warrants and returns (inventories), and motion are to be sealed and held by the Wake County Clerk of Court for an initial period of thirty (30) days from this date, subject to court order prior to that time. The 911 calls and the offense/incident report shall be held by the Raleigh Police Department for an initial period of thirty (30) days, subject to court order prior to this time.

So ordered this the 10th day of MARCH, 2010.



JUDGE DONALD W. STEPHENS
SENIOR RESIDENT SUPERIOR COURT JUDGE