

File No. **#01-08-005961** Law Enforcement Case No. **#01-08-005961**

WARRANT FOR ARREST

Offense: **Second-Degree Sexual Exploitation of a Minor**

STATE OF NORTH CAROLINA

WAKE County In The General Court of Justice
District Court Division

THE STATE OF NORTH CAROLINA VS.

Name And Address of Defendant
Dwayne Anthony Frazier
 [REDACTED]
 Cary, NC 27519

County of Residence: **Wake** Telephone No. [REDACTED]

Race: **B** Sex: **M** Date of Birth: **12/13/1986** Age: **42**

Social Security No. [REDACTED] Drivers License No. & State: [REDACTED]

Name of Defendant's Employer: **US Army**

Offense Code(s): [REDACTED] Offense in Violation of G.S.: **14-190.16**

Date of Offense: **04/17/2006**

Date of Arrest & Check Digit No. (As Shown on Fingerprint Card): [REDACTED]

Complainant (Name, Address or Department):
Det. M. Savage
Cary Police Department
120 Wilkinson Ave.
Cary, NC 27513

County of Residence: **Wake** Telephone No. [REDACTED]

Names & Addresses of Witnesses (Including Counties & Telephone Nos.):
 See FIR

band = 8100, 000 secured. 32325

Robert Raymond Schindler

This act(s) was in violation of the law(s) referred to in this Warrant. This Warrant is issued upon information furnished under oath by the complainant listed. You are DIRECTED to arrest the defendant and bring the defendant before a judicial official without unnecessary delay to answer the charge(s) above.

Signature: *[Signature]* Location of Court: **Wake County Courthouse**

Magistrate Deputy C.S.C. Court Date: [REDACTED] Court Time: AM PM

Assistant C.S.C. Clerk of Superior Court

Robert Raymond Schindler

File No. #01-08-005961

Law Enforcement Case No. #01-08-005961

LID No. SID No. FBI No.

WARRANT FOR ARREST

Offense: Second-Degree Sexual Exploitation of a Minor

STATE OF NORTH CAROLINA

WAKE County In The General Court of Justice
District Court Division

THE STATE OF NORTH CAROLINA VS.

Name And Address of Delendant:
Dwayne Anthony Frazier
Cary, NC 27519

County of Residence: Wake
Telephone No. [REDACTED]

Wake: [REDACTED]

Race: B Date of Birth: 12/11/1966 Age: 42
Sex: M

Social Security No. [REDACTED] Drivers License No. & State: [REDACTED]

Name of Defendant's Employer: US Army

Offense Code(s): 14-190.16

Offense in Violation of G.S.: 14-190.16

Date of Offense: 10/16/2006

Date of Arrest & Check Digit No. (As Shown on Fingerprint Card)

Complainant (Name, Address or Department):
Det. A. Savage
Cary Police Department
120 Wilkinson Ave.
Cary, NC 27513

County of Residence: Wake
Telephone No. [REDACTED]

Wake: [REDACTED]

Names & Addresses of Witnesses (Including Counties & Telephone Nos.):
See FIR

set bud @ \$100,000 secured
Probes Ready, SGT - [REDACTED]
3-23-07

To any officer with authority and jurisdiction to execute a warrant for arrest for the offense(s) charged below:

I, the undersigned, find that there is probable cause to believe that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did duplicate and download video containing a visual representation of a minor or minors engaged in sexual activity, the defendant knowing the material's content. This video was located on the defendants Dell Dimension computer hard drive, to wit: E:\Part 2\NONAME-NFTS\Documents and Settings\All -Users\Documents\Downloads\Hussyfan) (ptnc) (r@ygold) Cambodian Child Brothel, Sway Pak Syo, 6yo. Real Pado.avi.

This act(s) was in violation of the law(s) referred to in this Warrant. This Warrant is issued upon information furnished under oath by the complainant listed. You are DIRECTED to arrest the defendant and bring the defendant before a judicial official without unnecessary delay to answer the charge(s) above.

Signature: [Signature]
Magistrate: Deputy CSC
Assistant CSC: Clerk of Superior Court: JUDGE

Location of Court: Wake County Courthouse
Court Date: [REDACTED] Court Time: AM PM

Prepared by: [Signature]

(Over)

AOB-CR-100, Rev. 12/03 (Structures Sentencing)
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Law Enforcement Case No. #01-08-005981

LID No. SID No. FBI No.

STATE OF NORTH CAROLINA

WAKE County In The General Court of Justice
District Court Division

WARRANT FOR ARREST

Second-Degree Sexual Exploitation of a Minor

THE STATE OF NORTH CAROLINA VS.

Name And Address of Defendant
Wayne Anthony Frazier
Cary, NC 275

County of Residence: Wake Telephone No. (704) 328-3033

Sex: M Date of Birth: [redacted] Age: 42

Rate: B Drivers License No. & State: [redacted]

Social Security No.: [redacted]

Name of Defendant's Employer: [redacted]

Offense Code(s): U.S. Army

Offense in Violation of G.S.: 14-190.16

Date of Arrest & Check Digit No. (As Shown on Fingerprint Card): 05/23/2006

Complainant (Name, Address or Department):
Det. Mike Savage
Cary Police Department
120 Wilkinson Ave.
Cary, NC 27511

County of Residence: Wake Telephone No. [redacted]

Names & Addresses of Witnesses (Including Counties & Telephone Nos.):
See FIR

Date Issued: 5/23/06

Misdemeanor Offense Which Requires Fingerprinting Per Fingerprint Plan: [redacted]

AOC-CR-100, Rev. 12/03 (Structures Sentencing)
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To any officer with authority and jurisdiction to execute a warrant for arrest for the offense(s) charged below:

I, the undersigned, find that there is probable cause to believe that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did duplicate and download video containing a visual representation of a minor or minors engaged in sexual activity, the defendant knowing the material's content. This video was located on the defendants Dell Dimension computer hard drive, to wit: E:\Part_2\INONAME-NFTS\Documents and Settings\All Users\Documents\Downloads\R@yGold Style - 11 & 13yr Sisters Get [redacted].mpg.

This act(s) was in violation of the law(s) referred to in this Warrant. This Warrant is issued upon information furnished under oath by the complainant listed. You are DIRECTED to arrest the defendant and bring the defendant before a judicial official without unnecessary delay to answer the charge(s) above.

Signature: [redacted]

Magistrate Deputy CSC Clerk of Superior Court

Location of Court: Wake County Courthouse

Court Date: [redacted] Court Time: AM PM

(Cover)

hard = 08/100, 000 secured

Roby Road, SCARLA 323052

File No. **WARRANT FOR ARREST**

Low Enforcement Case No. #01-08-005961

STATE OF NORTH CAROLINA

WAKE County In The General Court of Justice District Court Division

Offense: **Sexual Exploitation of a Minor**

Second-Degree

THE STATE OF NORTH CAROLINA VS.

Name And Address of Defendant: **Dwayne Anthony Frazier Cary, NC 27515**

County of Residence: **Wake**

Telephone No. **[REDACTED]**

Age **42**

Sex **M**

Date of Birth **12/17/1966**

Race **B**

Drivers License No. & State **FA00-1004-66-154-D-FL**

Social Security No. **[REDACTED]**

Name of Defendant's Employer: **US ARMY**

Offense Code(s) **[REDACTED]**

Offense in Violation of G.S. **14-190.16**

Date of Offense **06/09/2006**

Date of Arrest & City & Digit No. (As Shown on Fingerprint Card)

Complainant (Name, Address or Department): **Det. M. Savage Cary Police Department 120 Wilkinson Ave. Cary, NC 27513**

County of Residence: **Wake**

Telephone No. **[REDACTED]**

Names & Addresses of Witnesses (Including Counties & Telephons (Nos.))

See FIR

Date Issued: **3/23/07**

Signature: **[Signature]**

Location of Court: **Wake County Courthouse**

Court Date: **[REDACTED]**

Court Time: AM PM

TO ANY OFFICER WITH AUTHORITY AND JURISDICTION TO EXECUTE A WARRANT FOR ARREST FOR THE OFFENSE(S) CHARGED BELOW:

I, the undersigned, find that there is probable cause to believe that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did duplicate and download video containing a visual representation of a minor or minors engaged in sexual activity, the defendant knowing the material's content. This video was located on the defendants Dell Dimension computer hard drive, to wit: E:\Part_2\INCOME-NFTS\Documents and Settings\All Users\Documents\Downloads\phc - 14yr sis does her 3 bros.mpg.

bond: \$100,000 secured

32305

32305

This act(s) was in violation of the law(s) referred to in this Warrant. This Warrant is issued upon information furnished under oath by the complainant listed. You are DIRECTED to arrest the defendant and bring the defendant before a judicial official without unnecessary delay to answer the charge(s) above.

32305

32305

32305

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File No. **#01-08-005961** LID No. SID No. FBI No.

STATE OF NORTH CAROLINA

WAKE County In The General Court of Justice
District Court Division

WARRANT FOR ARREST

Offense
Second-Degree Sexual Exploitation of a Minor

THE STATE OF NORTH CAROLINA VS.

Name And Address of Defendant
Dwayne Anthony Frazier
Cary, NC 27513

County of Residence
Wake

Telephone No. [REDACTED]

Race
B

Sex
M

Date of Birth
12/11/1968

Age
42

Drivers License No. & State
[REDACTED]

Social Security No.
[REDACTED]

Name of Defendant's Employer
[REDACTED]

US Army
[REDACTED]

Offense Code(s)
[REDACTED]

Offense in Violation of G.S.
14-190.16

Date of Offense
06/05/2006

Date of Arrest & Check Digit No. (As Shown on Fingerprint Card)

Complainant (Name, Address or Department)
Det. M. Savage
Cary Police Department
120 Wilkinson Ave.
Cary, NC 27513

County of Residence
Wake

Telephone No.
[REDACTED]

Names & Addresses of Witnesses (Including Counties & Telephone Nos.)
See FIR

Signature
[Signature]

Location of Court
Wake County Courthouse

Court Date
[REDACTED]

Court Time
 AM PM

Magistrate Deputy CSC
 Assistant CSC Clerk of Superior Court

[Signature]

To any officer with authority and jurisdiction to execute a warrant for arrest for the offense(s) charged below:

I, the undersigned, find that there is probable cause to believe that on or about the date of offense shown and in the county named above the defendant named above unlawfully, wilfully, and feloniously did duplicate and download video containing a visual representation of a minor or minors engaged in sexual activity, the defendant knowing the material's content. This video was located on the defendants Dell Dimension computer hard drive, to wit: E1\Part_2\NONAME-NFTS\Documents and Settings\All Users\Documents\Downloads\R@ygold Tvq 13 (12 yrs girl really gets [REDACTED]).mpg.

bond = \$100,000 secured

[Signature]

This act(s) was in violation of the law(s) referred to in this Warrant. This Warrant is issued upon information furnished under oath by the complainant listed. You are DIRECTED to arrest the defendant and bring the defendant before a judicial official without unnecessary delay to answer the charge(s) above.

Misdemeanor Offense Which Requires Fingerprinting Per Fingerprint Plan

AOC-CR-100, Rev. 12/03 (Structures Sentencing)
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Law Enforcement Case No. #01-08-005961
 File No. [Redacted]
 LID No. [Redacted]
 SID No. [Redacted]
 FBI No. [Redacted]

STATE OF NORTH CAROLINA

WAKE County In The General Court of Justice
 District Court Division

WARRANT FOR ARREST

Offense: Sexual Exploitation of a Minor

THE STATE OF NORTH CAROLINA VS.

Name And Address of Defendant:
 Dwayne Anthony Frazier
 Cary, NC 27513

County of Residence: Wake

Telephone No. [Redacted]

Age: 42

Sex: M

Date of Birth: 12/11/1965

Race: B

Social Security No. [Redacted]

Drivers License No. & State [Redacted]

Name of Defendant's Employer: U.S. Army

Offense Code(s): 14-190.16

Date of Arrest: 10/13/2008

Date of Arrest & Check Digit No. (As Shown on Fingerprint Card)

Complainant (Name, Address or Department):
 Det. M. Saval
 Cary Police Department
 120 Wilkinson Ave.
 Cary, NC 27513

County of Residence: Wake

Telephone No. [Redacted]

Names & Addresses of Witnesses (Including Courtes & Telephone Nos.):
 See FIR

Signature: [Redacted]

Magistrate: Deputy JSC
 Clerk of Superior Court

Location of Court: Wake County Courthouse

Court Date: 3/23/09

Court Time: AM PM

Offense Which Requires Fingerprinting Per Fingerprint Plan: 27305

Magistrate's Office: ACC-CR-100 (Cary) / 12/03 (Structures Sentencing) / 2003 Administrative Office of the Courts

To any officer with authority and jurisdiction to execute a warrant for arrest for the offense(s) charged below:

I, the undersigned, find that there is probable cause to believe that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did duplicate and download video containing a visual representation of a minor or minors engaged in sexual activity, the defendant knowing the material's content. This video was located on the defendant's Dell Dimension computer hard drive, to wit: E:\Part_2\NNAME-NFTS\Documents and Settings\Tony\My Documents\TimeWire\incomplete\T-82128400-NEW\NEW DEC 142 Pthc Ultra Hussyfan 9 Yo Preteen Little Lolita R@Ygold Incest Kiddy Mafiasex (54).mpg.

hand = 8100, 888 secured
 Ryden Road, Sctdpts
 312050

This act(s) was in violation of the law(s) referred to in this Warrant. This Warrant is issued upon information furnished under oath by the complainant listed. You are DIRECTED to arrest the defendant and bring the defendant before a judicial official without unnecessary delay to answer the charge(s) above.

File No. [] Law Enforcement Case No. #01-08-005961

WARRANT FOR ARREST

Offense: Sexual Exploitation of a Minor

STATE OF NORTH CAROLINA

WAKE County In The General Court of Justice District Court Division

To any officer with authority and jurisdiction to execute a warrant for arrest for the offense(s) charged below:

I, the undersigned, find that there is probable cause to believe that on or about the date of offense shown and in the county named above the defendant named above unlawfully, wilfully and feloniously did duplicate and download video containing a visual representation of a minor or minors engaged in sexual activity, the defendant knowing the material's content. This video was located on the defendants Dell Dimension computer hard drive, to wit: E:\Part_2\NONAME-NFTS\Documents and Settings\All Users\Documents\Downloads\Brasil - Patricia crying - Xxx brasil anal brutal sexo com patricia crying optimo.avi.

Name And Address of Defendant: Dwayne Anthony Frazier, Cary, NC 275

County of Residence: Wake

Race: B, Sex: M, Date of Birth: 12/11/1966, Age: 42

Social Security No. [REDACTED], Drivers License No. & State [REDACTED]

Name of Defendant: [REDACTED], Employer: US Army

Offense Code(s): 14-190.16, Date of Offense: 12/01/2006

Date of Arrest & County of Arrest: [REDACTED]

Complainant (Name & Address of Department): Det. M. Savage, Cary Police Department, 120 Wilkinson Ave, Cary, NC 275

County of Residence: Wake

Name & Address of Witnesses (Including Courtesies & Telephone Nos.): See FIR

hand = 8 (00), DDD search

Roby Frazier, SC Judge

3-23-06

This act(s) was in violation of the law(s) referred to in this Warrant. This Warrant is issued upon information furnished under oath by the complainant listed. You are DIRECTED to arrest the defendant and bring the defendant before a judicial official without unnecessary delay to answer the charge(s) above.

Signature: [REDACTED]

Location of Court: Wake County Courthouse

Court Date: [REDACTED], Court Time: [] AM [] PM

Magistrate Deputy CSC Client of Superior Court

Assistant CSC

Roby Frazier (Over)

File No.	Law Enforcement Case No.	LID No.	SID No.	FBI No.
	#01-08-005961			
STATE OF NORTH CAROLINA				
WARRANT FOR ARREST		In The General Court of Justice District Court Division		
Offense	WAKE County			
Second-Degree Sexual Exploitation of a Minor				

THE STATE OF NORTH CAROLINA VS.

Name And Address of Defendant
 Dwayne Anthony Frazier
 Cary, NC 27518

County of Residence: Wake
 Telephone No. [REDACTED]
 Race: B
 Sex: M
 Date of Birth: 12/11/1966
 Age: 42
 Social Security No. [REDACTED]
 Drivers License No. & State [REDACTED]

Name of Defendant: [REDACTED]
 Employer: [REDACTED]
 U.S. Army
 Division Code(s): [REDACTED]

Offense in Violation of G.S.: 14-190.16
 Date of Offense: 05/09/2006

Date of Arrest & Check Digit No. (As Shown on Fingerprint Card)

Complainant (Name, Address or Department)
 Det. M. Savage
 Cary Police Department
 120 Wilkinson Ave.
 Cary, NC 27513

County of Residence: Wake
 Telephone No. [REDACTED]

Names & Addresses of Witnesses (Including Counties & Telephone Nos.)
 See FIR

Misdemeanor Offense Which Requires Fingerprinting Per Fingerprint Plan
 Misdemeanor Offense Which Requires Fingerprinting Per Fingerprint Plan
 Misdemeanor Offense Which Requires Fingerprinting Per Fingerprint Plan
 Misdemeanor Offense Which Requires Fingerprinting Per Fingerprint Plan

Date Issued: 3-20-07
 Signature: [Signature]
 Magistrate
 Assistant CSC
 Deputy CSC
 Clerk of Superior Court
 Location of Court: Wake County Courthouse
 Court Date: [REDACTED]
 Court Time: AM PM

ADC-CR-100, Rev. 12/03 (Structures Sentencing)
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To any officer with authority and jurisdiction to execute a warrant for arrest for the offense(s) charged below:

I, the undersigned, find that there is probable cause to believe that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did duplicate and download video containing a visual representation of a minor or minors engaged in sexual activity, the defendant knowing the material's content. This video was located on the defendants Dell Dimension computer hard drive, to wit: E:\Part_2\NNAME-NFTS\Documents and Settings\All Users\Documents\Downloads\Color Climax 1975 Pthc - Really Cute 9yo Danish Boy [REDACTED] Child Deserves Sex TOO_! Work It Off.mpg.

band: \$100, 000 sexual
Pidgeyland, SC 29572
3-20-07

This act(s) was in violation of the law(s) referred to in this Warrant. This Warrant is issued upon information furnished under oath by the complainant listed. You are DIRECTED to arrest the defendant and bring the defendant before a judicial official without unnecessary delay to answer the charge(s) above.

[Signature]
 (over)
[Signature]

File No. **WARRANT FOR ARREST**
 Law Enforcement Case No. #01-08-005961
 LID No. SID No. FBI No.
STATE OF NORTH CAROLINA
 WAKE County In The General Court of Justice
 District Court Division

To any officer with authority and jurisdiction to execute a warrant for arrest for the offense(s) charged below:

I, the undersigned, find that there is probable cause to believe that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did duplicate and download video containing a visual representation of a minor or minors engaged in sexual activity, the defendant knowing the material's content. This video was located on the defendants Dell Dimension computer hard drive, to wit: E:\Part_2\NNAME-NFTS\Documents and Settings\Tony\My Documents\LimeWireIncomplete\T-113090238-new 2007 Best phc ever (Vicky, childlover, babyshivid, R2YGOLD, 12yo 11yo 8yo, hussyfan child closup rocco)(1).mpg.

THE STATE OF NORTH CAROLINA VS.
 Name And Address of Defendant
Dwayne Anthony Frazier
 Cary, NC 27519
 County of Residence
 Wake Telephone No. [redacted]
 Race B Sex M Date of Birth 12/11/1966 Age 42
 Social Security No. [redacted] Drivers License No. & State [redacted]
 Name of Defendant's Employer [redacted]
 U.S. Army
 Offense Code(s) 14-190.16
 Offense in Violation of G.S. 10/13/2008
 Date of Arrest & Check Digit No. (As Shown on Fingerprint Card)

Complainant (Name, Address or Department)
 Det. M. Savage
 Cary Police Department
 120 Wilkinson Ave.
 Cary, NC 27513
 County of Residence Wake Telephone No. [redacted]
 Marries & Addresses of Witnesses (Including Counties & Telephone Nos.)
 See FIR

This act(s) was in violation of the law(s) referred to in this Warrant. This Warrant is issued upon information furnished under oath by the complainant listed. You are DIRECTED to arrest the defendant and bring the defendant before a judicial official without unnecessary delay to answer the charge(s) above.

Signature [Signature] Location of Court Wake County Courthouse
 Magistrate Deputy ESC Court Date Court Time AM PM
 Assistant CSC Clerk of Superior Court
 (Over) [Signature]

hand = 8 (02) 800 secured
2819 Road Stodge
373090

SEARCH WARRANT

In the Matter of
 Dwayne A. Frazier, and Computer, Digital
 Cameras, and Various Computer-Related
 Equipment Seized from [REDACTED] Gary,
 NC 27519, Wake County

Date Issued 11-26-08 12:11 am pm

Name of Applicant
 Det. M. Savage

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 11/20/08 1215 am pm

Date Executed 11/20/08 12:15 am pm

I made a search of Computers and computer-related equipment

as commanded.

I 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 or Agency Official
 AOC-CR-119 Rev. 8/83

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 or persons shown.

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

Date 3/26/09 8:45 am pm

Signature *Kevin Barber*

Deputy CSC Asst. CSC Clerk of Superior Court
 Magistrate District Cl. Judge Superior Cl. Judge

Date 11-26-08

Signature *[Signature]*

Deputy CSC Asst. CSC Clerk of Superior Court
 Magistrate District Cl. Judge Superior Cl. Judge

PROBABLE CAUSE AFFADAVIT

STATE OF NORTH CAROLINA

AFFADAVIT

COUNTY OF WAKE

CONTINUATION OF SEARCH WARRANT APPLICATION IN THE MATTER OF
COMPUTER, DIGITAL CAMERAS AND VARIOUS COMPUTER-RELATED
EQUIPMENT SEIZED FROM ██████████, CARY, NC 27519, WAKE
COUNTY

CONTINUATION SEARCH WARRANT AFFIDAVIT

SECTION I: DESCRIPTION OF PROPERTY (COMPUTERS) TO BE
SEARCHED

1. Dell Dimension E510 computer CPU, Serial # 6XW1091
2. Western Digital external hard drive, Serial # WCASJ0282206
3. Sony Cybershot digital camera, Serial # 3523229
4. Canon Powershot A60 digital camera, Serial # 6322007543
5. Attache black 4Gb thumb drive
6. Five CD's, "Photoshop Top Secret"

SECTION II: NAME OF CRIMES


1. Second Degree Sexual Exploitation of a Minor
2. Third Degree Sexual Exploitation of a Minor

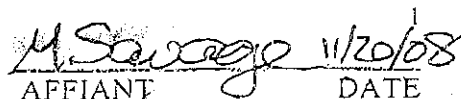
SECTION III: DESCRIPTION OF EVIDENCE TO BE SEIZED

1. Digital images, video files, to include any and all file attachments; and any other evidence of the production, dissemination, and/or possession of child pornography. Such digital data constitutes evidence, fruits, and instrumentalities of violations of North Carolina General Statutes 14-190.16, 14-190.17, and 14-190.17A.

SECTION VI: FACTS THAT ESTABLISH PROBABLE CAUSE

A. AFFIANT/OFFICER EXPERIENCE:

 11-20-08
MAGISTRATE DATE

 11/20/08
AFFIANT DATE

PROBABLE CAUSE AFFIDAVIT

STATE OF NORTH CAROLINA

AFFIDAVIT

COUNTY OF WAKE

CONTINUATION OF SEARCH WARRANT APPLICATION IN THE MATTER OF
COMPUTER, DIGITAL CAMERAS AND VARIOUS COMPUTER-RELATED
EQUIPMENT SEIZED FROM [REDACTED], CARY, NC 27519, WAKE
COUNTY

I, Detective Michelle Savage, have been a sworn police officer for ten years. I am currently assigned to the Investigations and Family Services Division. As a sworn Law Enforcement officer, I have investigated numerous felony cases and incidents involving adults and juveniles. I am currently assigned as a Domestic Violence Detective. I have over 1400 hours of continuing Law Enforcement training. I will be referred to as Affiant from this point on.


B. AFFIANT STATEMENT OF FACTS:


On November 6, 2008 I was contacted by a parent of a female juvenile. She stated that her daughter was raped by an ex-boyfriend and his father. The reporting party only had limited information about this incident and was going to bring her daughter in to speak with me. The reporting party was also told by her daughter that the incident was videotaped.

I called the reporting party back the next week in attempts to gain more information and interview the alleged victim in this incident. The reporting party called me back over the weekend of November 15-16, 2008. She relayed to me on November 17, 2008 that the suspect, Dwayne Frazier was showing a video involving his son, [REDACTED], and the alleged victim, [REDACTED] involved in oral sex.

The suspect, Dwayne Frazier took this video (on a video camera) to the high school that [REDACTED] attends on November 18, 2008. He apparently tried to show the video to a school Assistant Principal. The Assistant Principal did not look at much of the video and no sex act was seen.

I spoke with the mother of [REDACTED]'s current boyfriend on November 19, 2008. She confirmed that Dwayne Frazier went to her residence on November 16,

 11-20-08
MAGISTRATE DATE

 11/20/08²
AFFIANT DATE

PROBABLE CAUSE AFFIDAVIT

STATE OF NORTH CAROLINA

AFFIDAVIT

COUNTY OF WAKE

CONTINUATION OF SEARCH WARRANT APPLICATION IN THE MATTER OF
COMPUTER, DIGITAL CAMERAS AND VARIOUS COMPUTER-RELATED
EQUIPMENT SEIZED FROM [REDACTED], CARY, NC 27519, WAKE
COUNTY

2008. He showed her a recorded incident between [REDACTED] and [REDACTED] on his
video camera. This was of an act of oral sex by [REDACTED] on [REDACTED].

I attempted to speak with the suspect, Dwayne Frazier, on November 18,
2008 but was unsuccessful. He called me on November 19, 2008. Dwayne
Frazier admitted to having a video, showing it to [REDACTED]'s current boyfriend's
mother, and taking it to the school in attempts of showing it to the Assistant
Principal. Dwayne Frazier also told me that he obtained an attorney and the
attorney also had a copy of the video.

Later, Dwayne Frazier called me and said he would provide me with a
portion of the video that would exonerate his son ([REDACTED]). He knew that
[REDACTED] had claimed that she was raped by [REDACTED]. Dwayne Frazier came
voluntarily to the Cary Police Department on November 19, 2008. He
supplied me with a CD. I viewed this CD and confirmed that it did contain
an oral sex act between [REDACTED] and [REDACTED].

On November 19, 2008 a search warrant was conducted at the defendant's
residence ([REDACTED] Pl., Cary, NC 27519, Wake County). During this
search a computer CPU, digital cameras, and other computer-related
equipment was seized. It is believed that there are other copies of this
recorded sexual encounter between the juveniles on this equipment. This
may include video files and digital images in various formats.

It is necessary that the items listed in **Section I** be examined by a qualified
computer expert in a laboratory or other controlled environment because of
the following:

1. Searching computers and other digital media for criminal evidence
is a highly technical process requiring expert skill and a properly
controlled environment. The search of a computer system is an

J. Nicholas - 11-20-08
MAGISTRATE DATE

M. Savage 11/20/08³
AFFIANT DATE

PROBABLE CAUSE AFFADAVIT

STATE OF NORTH CAROLINA

AFFADAVIT

COUNTY OF WAKE

CONTINUATION OF SEARCH WARRANT APPLICATION IN THE MATTER OF
COMPUTER, DIGITAL CAMERAS AND VARIOUS COMPUTER-RELATED
EQUIPMENT SEIZED FROM [REDACTED], CARY, NC 27519, WAKE
COUNTY

exacting scientific procedure which is designed to protect the integrity of the evidence and to recover even hidden, erased, compressed, password-protected, or encrypted files. Since computer evidence is extremely vulnerable to tampering or destruction (which may be caused by malicious code or normal activities of an operating system), the controlled environment of a laboratory is essential to its complete and accurate analysis.


2. The volume of evidence. Computer storage devices such, as hard disk, external hard drives, diskettes, optical disks, and flash memory devices, can store the equivalent of thousands of pages of information. Additionally, a suspect may try to conceal criminal evidence by storing it in random order with deceptive file names. This may require searching authorities to examine all the stored data to determine which particular files are evidence or instrumentalities of crime. This sorting process can take weeks to months, depending on the volume of data stored. It would also be impractical to attempt this type of data search on site.

Search Procedure:

The search procedure of electronic data contained in computer hardware, computer software, and/or memory storage devices may include the following techniques (the following is a non-exclusive list, as other search procedures may be used):

- a. examination of all of the data contained in such computer hardware, computer software, and/or memory storage devices to view the data and determine whether that data falls within the items to be seized as set forth herein;

 11-20-08
MAGISTRATE DATE

 11/20/08⁴
AFFIANT DATE

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CONTINUATION OF SEARCH WARRANT APPLICATION IN THE MATTER OF
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COUNTY

- b. searching for and attempting to recover any deleted, hidden, or encrypted data to determine whether that data falls within the list of items to be seized as set forth herein (any data that is encrypted and unreadable will not be returned unless law enforcement personnel have determined that the data is not (1) an instrumentality of the offenses, (2) a fruit of the criminal activity, (3) contraband, (4) otherwise unlawfully possessed, or (5) evidence of the offenses specified above);
- c. surveying various file directories and the individual files they contain;
- d. opening files in order to determine their contents;
- e. scanning storage areas;
- f. performing key word searches through all electronic storage areas to determine whether occurrences of language contained in such storage areas exist that are likely to appear in the evidence described in **Section III**; and/or
- g. performing any other data analysis technique that may be necessary to locate and retrieve the evidence described in **Section III**.

 11-20-08
MAGISTRATE DATE

 11/20/08⁵
AFFIANT DATE

STATE OF NORTH CAROLINA

File No.

WAKE County

In The General Court Of Justice
 District Superior Court Division

IN THE MATTER OF:

INVENTORY OF ITEMS SEIZED
PURSUANT TO SEARCH

G.S. 15A-223, 15A-254, -257

Name

Dwayne A. Frazier, Various Computer-Related Equipment Seized

I, the undersigned officer, executed a search of:

Person, Premises Or Vehicle Searched

Computer, Digital, Cameras, and Various Computer-Related Equipment Seized from 522 Siltstone Pl., Cary, NC 27519, Wake County

Date Of Search

11-20-2008

This search was made pursuant to

- 1. a search warrant issued by: Magistrate Nichols
- 2. consent to search given by: _____
- 3. other legal justification for the search: _____

The following items were seized:

Digital evidence

(Over)

STATE OF NORTH CAROLINA

Wake County

File No. _____

In The General Court Of Justice
 District Superior Court Division

STATE VERSUS

Name And Address Of Defendant
 Duane Anthony Frazer
 [REDACTED]
 Case No. 09-519

Amount Of Bond
 \$1,000,000

CONDITIONS OF RELEASE AND RELEASE ORDER

G.S. Chapter 15A, Art. 25-26

Offenses And Additional File Numbers
 Second Degree Sexual Exploitation of a Minor - 10 counts

Location Of Court
 Wake 4D

District Superior

Date
 3-26-09

Time
 9 AM PM

To The Defendant Named Above you are ORDERED to appear before the Court as provided above and at all subsequent continued dates. If you fail to appear you will be arrested and you may be charged with the crime of willful failure to appear. The defendant has been advised of charge(s) against him/her and his/her right to communicate with counsel, family and friends.

Your release is authorized upon execution of your:

WRITTEN PROMISE to appear UNSECURED BOND in the amount shown above.
 CUSTODY RELEASE SECURED BOND in the amount shown above.

You will be arrested if you violate the following restrictions:

Your release is not authorized.
 The defendant was arrested or surrendered after failing to appear as required under a prior release order.
 This was the defendant's second or subsequent failure to appear in this case.
 Your release is subject to the conditions as shown on the attached: AOC-CR-270; Other: _____

Additional Information
 Bond assessed by Judge [REDACTED]

Date
 3-25-09

Signature Of Judicial Official
 [Signature]

Magistrate Deputy CSC Assistant CSC Clerk Of Superior Court District Court Judge Superior Court Judge

ORDER OF COMMITMENT

To The Custodian Of The Detention Facility Named Below you are ORDERED to receive in your custody the defendant named above who may be released if authorized above. If the defendant is not sooner released you are ORDERED to:

produce him/her in Court as provided above; hold him/her for the following purpose: _____

Check in all domestic violence and stalking cases covered by G.S. 15A-534(b)(1) produce him/her at the first session of District or Superior Court held in this county after the entry of this Order or, if no session is held before, enter date and time 48 hours after time of arrest.
 AM PM produce him/her before a magistrate of this county at that time to determine conditions of pretrial release.

Name Of Detention Facility
 Wake CSC

Date
 3-25-09

Signature Of Judicial Official
 [Signature]

WRITTEN PROMISE TO APPEAR OR CUSTODY RELEASE

I, the undersigned, promise to appear at all hearings, trials or otherwise as the Court may require and to abide by any restrictions set out above. I understand and agree that this promise is effective until the entry of judgment in the District Court from which no appeal is taken or until the entry of judgment in Superior Court. If I am released to the custody of another person, I agree to be placed in that person's custody, and that person agrees by his/her signature to supervise me.

Date
 3-25-09

Signature Of Defendant
 [Signature]

Signature Of Person Agreeing To Supervise Defendant
 [Signature]

Name Of Person Agreeing To Supervise Defendant (Type or Print)
 [REDACTED]

Address Of Person Agreeing To Supervise Defendant
 [REDACTED]

DEFENDANT RELEASED ON BAIL

Date
 3-25-09

Time
 AM PM

Signature Of Jailor
 [Signature]