

Film No.	File No.
SEARCH WARRANT ©	
In the matter of: 711 S. Church St. Apt. A Asheboro, N.C.	
Date issued: <u>9/13/19</u>	Time issued: <u>3:28</u>] a.m. <u>4</u> p.m.
Name of Applicant Detective Jeremy Sudduth	
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	Time received] a.m.] p.m.
Date Executed	Date and time of return
] I made a search of :	
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 of Officer Asheboro Police Department	

STATE OF NORTH CAROLINA
North Carolina

In the general court of Justice
District 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 page two attached hereto 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 this date and time shown below	
Date	Time:] a.m.] p.m.
Signature	
] Magistrate] Superior Court Judge] District Court Judge] Deputy CSC] Clerk of Superior Court	

SEARCH WARRANT ISSUED BY	
Date	<u>9/13/19</u>
Signature	<i>[Signature]</i>
] Magistrate] Superior Court Judge] District Court Judge] Deputy CSC] Clerk of Superior Court	

0051

APPLICATION FOR SEARCH WARRANT

I, Detective Sudduth of the Asheboro Police Department, 205 East Academy Street, Asheboro, N.C. 27203
(Insert name and address of law enforcement officer, 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 pages

(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)

Constitute evidence of a crime and the identity of a person participating in a crime, Assault Inflicting Serious Injury

(Name Crime)

And is located (check the appropriate box or boxes and fill in specified information)

[] In the following premises:

See Attachment pages

(Give addresses and, if useful, describe premises)

And

[] On the following person(s):

See Attachment Pages

(Give name(s) and, if useful, describe person(s))

And

[x] In the following vehicle(s):

See Attachment Pages

(Describe vehicle(s))

And

[] Other names, places or item(s):

See Attachment Pages

(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 Pages

SWORN AND SUBSCRIBED TO BEFORE ME
Date: 9/13/19
Signature: [Signature]
Signature of Applicant: [Signature]
[] Superior Court Judge [] District Court Judge
[] Deputy CSC [] Clerk of Superior Court [] Magistrate

[] In addition to the affidavit included above, this application is supported by additional affidavit(s) attached, made by: NA

[] In addition to the affidavit included above, this application is supported by sworn testimony, given by: NA

This testimony has been (check appropriate box) [] reduced to writing, [] tape-recorded and I have filed each with the clerk.

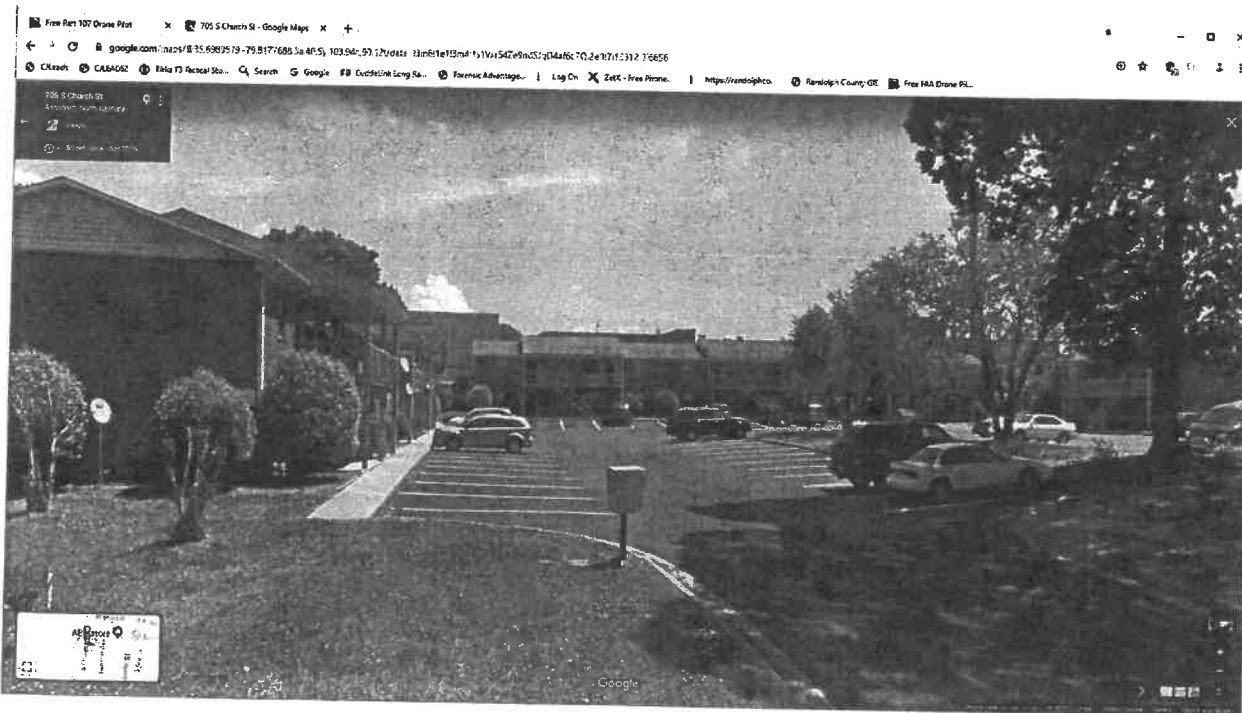
** If a continuation is necessary, continue the statement on an attached sheet of paper with a notation saying "see attachment." Date the continuation and include on it the signatures of applicant and issuing official.

CONTINUATION OF "PROPERTY / EVIDENCE TO BE SEIZED"

Any weapon including but not limited to any knives or blunt objects that was used to make the contusion located on Mr. Embry's back and upper arm. This would also include any trace evidence located on or near the object that is consistent with being the above stated knives or blunt objects. Any and all evidence found to be related to the injuries of Brandon Embry.

CONTINUATION OF "PREMISES, PERSON, VEHICLE, OR OTHER ITEM (S) TO BE SEARCHED"

To reach this apartment from the major intersection of US 64 and Park Street. Travel north on Park Street to Armfield Avenue. Then travel east on Armfield Avenue to South Church Street. Then travel north on South Church Street to Park Place I Apartment. Apartment 711-A is in the left hand corner of the building. Apartment A is the bottom left apartment if facing east towards the building. I have provided a picture of the apartment building below with Apartment A outlined in red.



A Silver 2016 Chevrolet Silverado K1500 displaying a North Carolina Registration Number Plate of (FKW-7075). The truck is parked one parking space to the south of Apartment A.

SWORN AND SUBSCRIBED TO BEFORE ME:

Judge / Magistrate

V. Low

9/13/19

3
[Signature]

Applicant(s)

9/13/19

Date

0053

Date

CONTINUATION OF "PROBABLE CAUSE AFFIDAVIT"

1. I, Detective Jeremy Sudduth have been a sworn Law Enforcement Officer in the state of North Carolina since August 1, 2009. I am currently employed with the Asheboro Police Department, assigned to the Criminal Investigations Division as a Detective. Prior to this I was assigned to the Patrol Division as a Patrol Officer. I have received specialized training in Interviews, Forensics, Investigations, Search Warrant Writing and Homicides. I have been involved with numerous investigations including Death/Homicide, Assaults Psychological and Sexual, as well as Burglaries. I am currently a member of the North Carolina Homicide Investigators Association and I also hold an Intermediate Law Enforcement Certificate from North Carolina Criminal Justice Training and Standards Commission.
2. On 09/12/2019, Sarah Lee called 911 due to her son, Brandon Embry, not responding to phone calls or answering the door of his apartment for two days. Mr. Embry lost his job two days ago and was not heard from again. Officer Kivett was let in the apartment by maintenance and located Mr. Embry naked on the bedroom floor. Mr. Embry had numerous wounds to include face and head wounds. There was bloodstains in the apartment in several areas and also overturned furniture. Mr. Embry also had a wound on his right wrist. Mr. Embry was rushed to Randolph Health and was unresponsive.
3. It appeared Mr. Embry's wounds could have been self-inflicted but upon examination it was learned that Mr. Embry suffered from injuries that were most likely not self-

SWORN AND SUBSCRIBED TO BEFORE ME:

V.S. Law
Judge / Magistrate

Date

9/13/19
0054

4

Jeremy Sudduth
Applicant(s)

Date

9/13/19

inflicted. It was initially believed Mr. Embry's wounds just consisted of a small laceration to the face and a cut to the right wrist. Mr. Embry was wrapped in a heating blanket and a compression blanket due to his condition while at Randolph Hospital.

4. After the initial search warrant on the apartment was executed Detectives learned the extent of Mr. Embry's injuries are life threatening and may have not been self-inflicted. Mr. Embry's injuries include what appear to be defensive wounds to his right palm, several contusions to his head with one large contusion to the right side above his ear. Mr. Embry also has contusions on his back which are consistent with being struck with a hard object such as a metal rod or baseball bat and Mr. Embry's nose appears to be broke due to it leaning to his right side. Several medical professionals stated to this detective that these wounds could not be self-inflicted. Upon receiving an update from Moses Cone on Mr. Embry's condition on 9/13/2019, this detective learned that Mr. Embry's body temperature has dropped to around 85 degrees, his pupils are fixed and dilated and his organs are beginning to shut down.
5. During the execution of the initial search warrant detectives collected eight (8) swabs of blood and DNA evidence, a pair of handcuffs, a black iPhone, suspected drug paraphernalia and some hair fibers from the bedroom wall. Due to Mr. Embry having several contusions on his head, inside of his left upper arm and back that was previously unnoticed, this detectives believes probable cause exists for another search of the apartment located at 711 South Church Street Apartment A to locate the weapons used to assault Mr. Embry. These weapons could include but not limited to any knives or blunt objects that was used to make the contusion located on Mr. Embry's back, head and upper arm. This would also include any trace evidence

SWORN AND SUBSCRIBED TO BEFORE ME:

V.B. Long
Judge / Magistrate

Date

0055

5
[Signature]
Applicant(s)

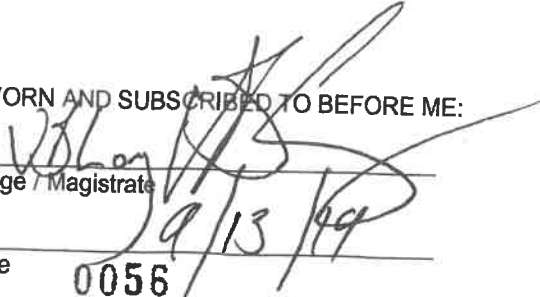
Date

9/13/19

located on or near the object that is consistent with being the above stated knives or blunt objects.

6. The keys and wallet belonging to Brandon Embry were not located inside the apartment. The door to Mr. Embry's apartment can only be locked from the outside with a key or from the inside without the key. Mr. Embry was found in a position that he could not have locked the door, leading detectives to believe that the door was locked by another person after Mr. Embry was injured. In an effort to locate Mr. Embry's door key, which could contain fingerprints or DNA evidence to show who locked the door, this Detective believes probable cause exists for a search of Mr. Embry's vehicle. The vehicle is the above mentioned 2016 Chevrolet Silverado Truck displaying NC Registration Plate FKW-7075. The truck was found unlocked and parked directly in front of Mr. Embry's apartment.
7. This Detective asks the court to find probable cause to issue this search warrant due to the above stated facts and those responsible for Mr. Embry's injuries be identified and brought to justice.

SWORN AND SUBSCRIBED TO BEFORE ME:


Judge / Magistrate

Date

0056
9/13/19

6


Applicant(s)

Date

9/13/19

STATE OF NORTH CAROLINA

File No.

Randolph County

In The General Court Of Justice
District Superior Court Division

IN THE MATTER OF:

Name

711 S. Church St. Apt. A

INVENTORY OF ITEMS SEIZED PURSUANT TO SEARCH

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

I, the undersigned officer, executed a search of: 711 S. Church St. Apt. A

Person, Premises Or Vehicle Searched

711 S. Church St. Apt. A

Date Of Search

9/13/19

This search was made pursuant to

- 1. a search warrant issued by: Judge V. Long
2. consent to search given by:
3. other legal justification for the search:

The following items were seized:

- 1- Shower Curtain Red
2- Sledge Hammer
3- Handcuff Key with Fitness Tag
4- Metal Clipboard
5- metal pipe
6- Two pieces of paper
7- ONE Firearms Suppressor

7 items Nothing Follows
95

0057

Original - File

Copy - For Search by Warrant of a Person, to Person from Whom Items Taken
Copies - For Search by Consent, to Person Giving Consent and Owner of Vehicle/Premises Searched, if Known

Items Seized Continued:

95

- 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

The law enforcement agency identified below will hold the seized property subject to court order.

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME		Name Of Law Enforcement Officer (type or print) Jeremy Sudduth
Date	Name (type or print)	Signature Of Law Enforcement Officer <i>[Signature]</i>
<input type="checkbox"/> Notary	Signature	Title Of Law Enforcement Officer Detective
SEAL	Date My Commission Expires	Name And Address Of Agency Ashboro Police Department 205 E. Academy St Ashboro NC 27203
	County Where Notarized	
<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> Magistrate		

ACKNOWLEDGMENT OF RECEIPT

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

Date	Signature Of Person Receiving Inventory
------	---

0058