

Film No.	File No.
SEARCH WARRANT ©	
In the matter of: Brandon Embry	
Date issued: 9-18-19	Time issued: 2:50] a.m.] 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 9/18/19	Time received 2:51] a.m.] p.m.
Date Executed 9/18/19	Date and time of return
<input checked="" type="checkbox"/> I made a search of: <i>AT&T mobility</i>	
As commanded.	
<input checked="" type="checkbox"/> 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 <i>[Signature]</i>	
Department or Agency of Officer <i>Ashboro Police</i>	

**STATE OF NORTH CAROLINA
Randolph**

In the general court of Justice
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 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 10-4-19	Time: 3:25] a.m.] p.m.
Signature <i>[Signature]</i>	
] Magistrate] Superior Court Judge] District Court Judge <input checked="" type="checkbox"/> Deputy CSC] Clerk of Superior Court	

SEARCH WARRANT ISSUED BY	
Date	18 Sept 2019
Signature <i>[Signature]</i>	
] Magistrate <input checked="" type="checkbox"/> Superior Court Judge] District Court Judge] Deputy CSC] Clerk of Superior Court	

This is to certify that this is a true and correct copy as filed in the office of the Randolph County Clerk of Superior Court.

Date: 10-4-19
By: *[Signature]*
Assistant, Deputy, Clerk of Superior Court

BY RANDOLPH CO., C.S.C.

2019 OCT -4 P 3:27

FILED

0064

APPLICATION FOR SEARCH WARRANT

I, Detective Jeremy Sudduth 205 East Academy St. Asheboro, NC 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,
Death Investigation

(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

In the following vehicle(s):

See Attachment Pages

(Describe vehicle(s))

And

Other names, places or item(s):

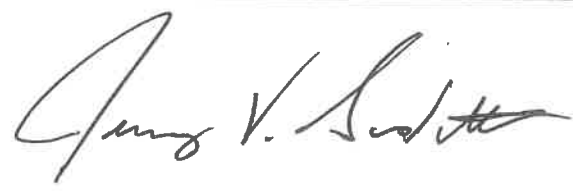
See Attachment Pages

(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

correct copy as filed in the office of
 Randolph County Clerk of Superior Court
 Date: 10-15-15
 By: [Signature]
 Assistant, Deputy, Clerk of Superior Court
 FILED
 RANDOLPH CO., C.S.C.
 2015 OCT -11 P 3:27

SWORN AND SUBSCRIBED TO BEFORE ME		 Signature of Applicant
Date	15 Sept. 2015	
Signature	[Signature]	
<input type="checkbox"/> Superior Court Judge <input type="checkbox"/> District Court Judge <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Clerk of Superior Court <input type="checkbox"/> Magistrate		

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.

CONTINUATION OF "PROPERTY / EVIDENCE TO BE SEIZED"

All customer/subscriber information, including any listed addresses, telephone numbers, social security numbers, dates of birth, names, addresses, any other customer identifying information, mobile handset or device identifiers/serial numbers (MEID, ESN, IMSI, IMEI), activation date and deactivation date, and location device was purchased if applicable.

Any email addresses associated with the account. This is to specifically include Google Gmail addresses associated with any Android device associated with this device or any email associated with an iPhone and/or iTunes account associated with this device that is currently on file and stored in the normal course of business of ATT Mobility.

Call detail records, including detailed information in reference to all known outgoing and incoming calls associated with the account, dates and times calls were made, and duration of all calls made or received.

This is to include any other pertinent call detail records including special features codes, or any other codes that are maintained in the normal course of business for ATT Mobility, of any ATT Mobility cellular numbers identified in the course of the investigation. In addition to voice calls, this would also include any detail records showing text messages, MMS messages, or data activity.

In the event the requested Call Detail Records contain other ATT Mobility customer numbers identified as either incoming or outgoing calls, ATT Mobility will provide subscriber information to the specific numbers identified, if requested.

Cell site information, to include all known cell towers associated with outgoing and incoming calls (Call Detail Records). This information is to include any sector information, if known, cell site location and any other related material that would be necessary to identify the location and sector in reference to the cell site information associated with the call detail records. In the event text messages, MMS messages, LTE and Data activity including IP session and destination addresses that were produced are also available with cell site information, this information would be included in this request.

Cell Site locations for all ATT Mobility Cell Sites, sector information, including Azimuth headings, in the regional market associated with the requested cell site information.

Location information, to include any estimated or known Longitude and Latitude of the cellular device's current location, or approximate location, information received by cell tower(s) in reference to direction and distance from the tower a device may be located (timing and triangulation information). Radio Frequency signal strengths, direction, and transmission information. The geographical constraints of location information will be limited to the United States.

Location information can be in the form of historical records. Specific to ATT Mobility, this would include any reports of device activity that would include the approximate latitude and longitude of the device at the

FILED

SEP 18 2019
CLERK OF SUPERIOR COURT
RANDOLPH COUNTY, NC

10-9-19
By: [Signature]
Assistant, Deputy, Clerk of Superior Court

SWORN AND SUBSCRIBED TO BEFORE ME:

[Signature]
Judge / Magistrate

Date 0066 9-18-19

3
[Signature]
Applicant(s)

Date 9/18/19

Continuation page attached to the SEARCH WARRANT application, dated Tuesday, September 17, 2019 time of the activity, direction and distance from the tower, and other location related information commonly referred to as a NELOS report. This further includes any other report similar in nature.

All text message and/or MMS messages, including message content, currently stored in the normal course of business for ATT Mobility, to include any cloud services which allow for the long term storage of both voicemails and SMS/MMS messages.

Cloud Data, any content that may have been backed up to Cloud Storage for the listed dates/times. If said Cloud Storage has been provided by a third-party provider, please provide relevant contact information for that provider.

It is ordered that the above records be provided in both of AT&T's Text(.txt) and PDF(.pdf) formats. The above information is being requested in reference to the following mobile device:

Telephone: 4252993993
Subscriber: Brandon Embry
Service Provider: ATT Mobility
Location: 11760 US Highway 1, North Palm Beach, FL 33408

The information is being requested during the following time period

Historical Records – September 1, 2019 through September 13, 2019

FILED
2019 OCT 14 PM 3:26
BY
RANDOLPH CO., C.S.C.

This is to certify that this is a true and correct copy as filed in the office of Randolph County Clerk of Superior Co.
Date: 10-14-19
By: [Signature] Assistant, Deputy, Clerk of Superior Court

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

Any and all information listed above associated with cellphone number (425)299-3993 and accessible through AT&T records.

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 hold an Advanced Certificate in Homicide Investigations from The Southeast Investigator Group (SIG) as well as an Intermediate Law Enforcement Certificate from North Carolina Criminal Justice Education and Training Standards Commission. 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.

SWORN AND SUBSCRIBED TO BEFORE ME:

[Signature]
Judge / Magistrate

5-18-15
Date

0067

[Signature]
Applicant(s)

9/18/19
Date

Continuation page attached to the SEARCH WARRANT application, dated Tuesday, September 17, 2019

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 was rushed to Randolph Health and was unresponsive. Mr. Embry lived alone. Mr. Embry was transferred to Cone Health in Greensboro where he later died. A perseveration request was sent to AT&T on September 13, 2019 for Mr. Embry's phone records.
3. While speaking with the family I learned that Mr. Embry often uses dating applications on his phone for companionship. An iPhone X was seized from Mr. Embry's apartment during a search warrant, however the device was locked. Through this Detective's experience it is very rare that an iPhone X's security features can be overridden to access the contents of the device by law enforcement. This detective believes that the information contained in Mr. Embry's phone records could show who Mr. Embry last had contact with and may help explain Mr. Embry's death.
4. Therefore in the interests of justice this detective asks the court to find probable cause for this search warrant for Mr. Embry's phone records so if any person(s) are responsible for his death, that person(s) can be brought to justice and held accountable.

FILED

2019 OCT -4 P 3:22

RANDOLPH CO., C.S.C.
BY 

This is to certify that this is a true and correct copy as filed in the office of Randolph County Clerk of Superior Court

Date: 10-4-19
By: 
Assistant Deputy, Clerk of Superior Court

SWORN AND SUBSCRIBED TO BEFORE ME:


Judge / Magistrate


Applicant(s)

8-18-19
Date 0068

9/18/19
Date

STATE OF NORTH CAROLINA

File No.

Randolph County

In The General Court Of Justice
District Superior Court Division

IN THE MATTER OF:

Name

Brandon Embry

INVENTORY OF ITEMS SEIZED PURSUANT TO SEARCH

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

I, the undersigned officer, executed a search of: AT&T phone Records

Person, Premises Or Vehicle Searched

AT&T Global Legal Demands center
Fax - 1-888-938-4715

Date Of Search

9/18/2019

This search was made pursuant to

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

The following items were seized:

1- Digital phone records from AT&T (425) 299-3993

FILED

2019 OCT -14 P 3:26

RANDOLPH CO., N.C.
BY

This is to certify that this is a true and correct copy as filed in the office of the Randolph County Clerk of Superior Court.

Date:

10-4-19

By:

Assistant Deputy Clerk of Superior Court

0069

Original - File

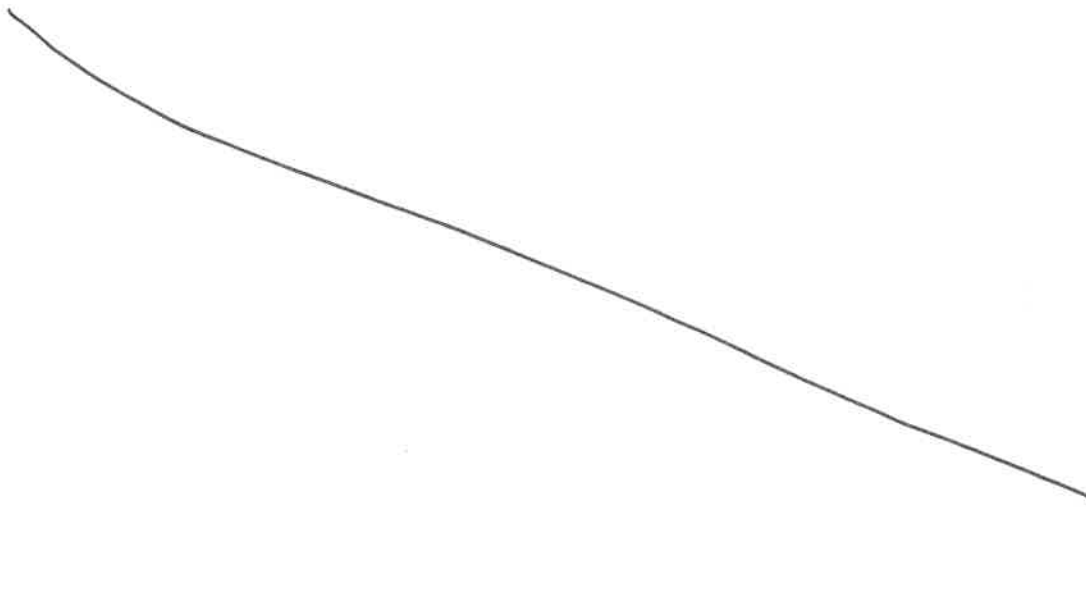
Copy - For Search by Warrant of a Person, to Person from Whom Items Taken

Copy - For Search by Warrant of Vehicle/Premises, to Owner or Person in Apparent Control; if No Such Person Present, Leave Copy Affixed Thereon

Copies - For Search by Consent, to Person Giving Consent and Owner of Vehicle/Premises Searched, if Known

(Over)

Items Seized Continued:



This is to certify that this is a true and correct copy as filed in the office of the Randolph County Clerk of Superior Co.

Date: 10-4-19
By: [Signature] Assistant, Deputy Clerk of Superior Co.

- 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.

FILED
2019 OCT -4 P 3:26
BY RANDOLPH CO., S.C.

Name And Address Of Person To Whom A Copy Of This Inventory Was Delivered, If Any
Faxed to 888-938-4715

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 10-4-19	Name (type or print) Charles B. Adams II	Signature Of Law Enforcement Officer [Signature]
<input type="checkbox"/> Notary	Signature [Signature]	Title Of Law Enforcement Officer Detective
SEAL	Date My Commission Expires	Name And Address Of Agency Asheboro Police 205 E. Academy St Asheboro NC 27203
	County Where Notarized	
<input checked="" 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 0070	Signature Of Person Receiving Inventory
--------------	---

STATE OF NORTH CAROLINA

File No.

Randolph County

In The General Court Of Justice
District Superior Court Division

IN THE MATTER OF:

Name Brandon Embry

INVENTORY OF ITEMS SEIZED PURSUANT TO SEARCH

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

I, the undersigned officer, executed a search of: AT&T phone records

Person, Premises Or Vehicle Searched
AT&T Global Legal Demands Center
Fax - 1-888-938-4715

Date Of Search
9/18/2019

This search was made pursuant to

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

The following items were seized:

1- Digital phone records from AT&T (425) 299-3993

0071

Original - File

Copy - For Search by Warrant of a Person, to Person from Whom Items Taken

Copy - For Search by Warrant of Vehicle/Premises, to Owner or Person in Apparent Control; if No Such Person Present, Leave Copy Affixed Thereon

Copies - For Search by Consent, to Person Giving Consent and Owner of Vehicle/Premises Searched, if Known

STATE OF NORTH CAROLINA

File No.

Randolph County

In The General Court Of Justice
 District Superior Court Division

IN THE MATTER OF:

Name Brandon Embrey

INVENTORY OF ITEMS SEIZED
PURSUANT TO SEARCH

G.S. 15A-223, -254, -255

I, the undersigned officer, executed a search of: AT&T phone records

Person, Premises Or Vehicle Searched
AT&T Global Legal Documents Center
Fax - 1-855-938-1115

Date Of Search
7/18/2019

This search was made pursuant to

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

The following items were seized:

1 Digital phone records from AT&T (025) 299-3993

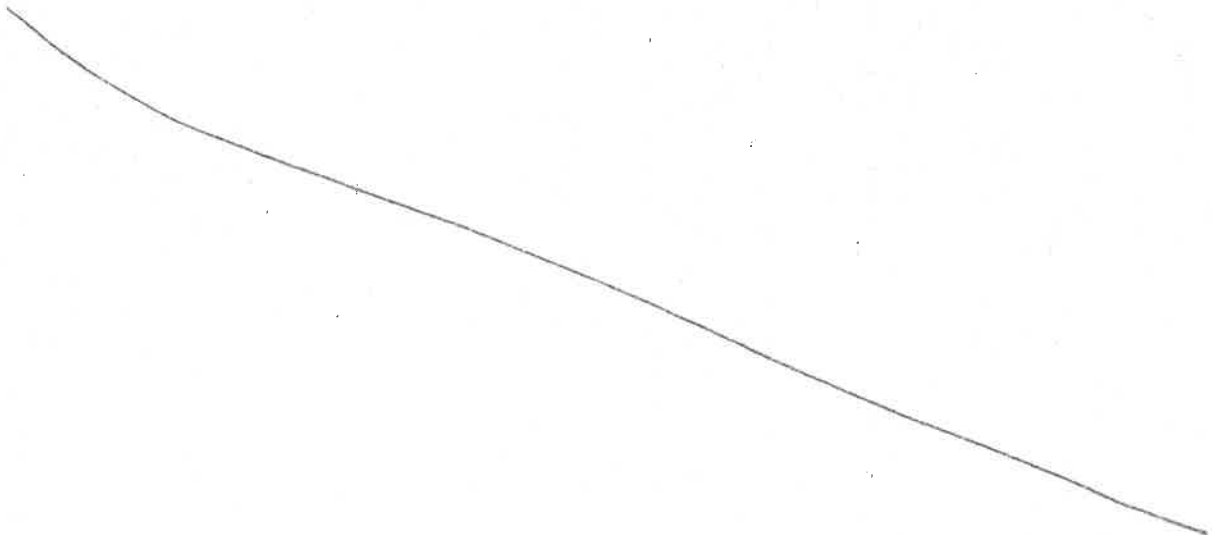
Original - File

Copy - For Search by Warrant of a Person, to Person from Whom Items Taken

0072 Copy - For Search by Warrant of Vehicle/Premises, to Owner or Person in Apparent Control; if No Such Person Present, Leave Copy Affixed Thereon

Copies - For Search by Consent, to Person Giving Consent and Owner of Vehicle/Premises Searched, if Known

Items Seized Continued:



- 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

Faxed to 888-938-4715

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

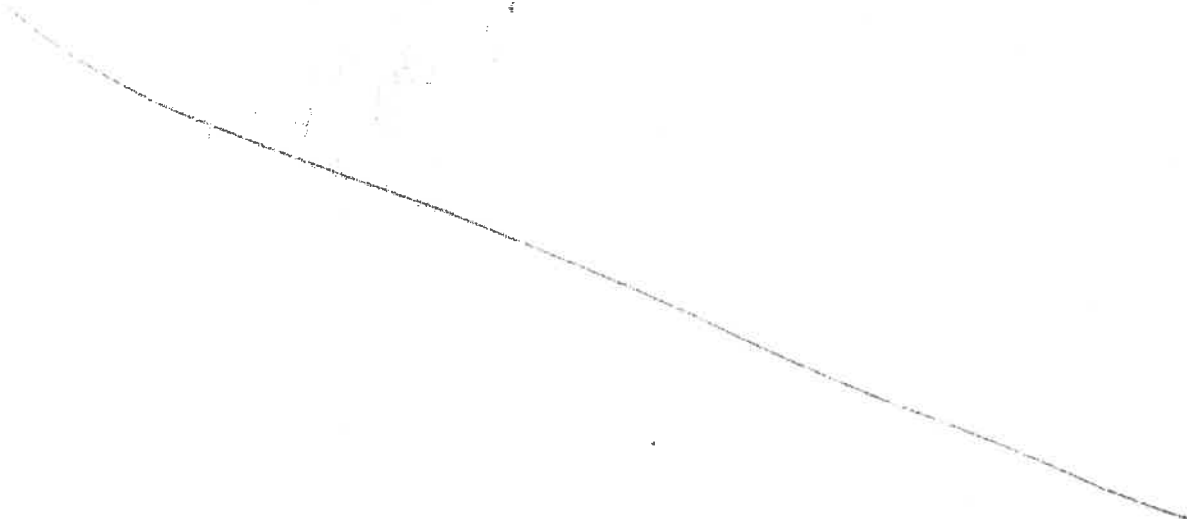
SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME		Name Of Law Enforcement Officer (type or print) Jeremy Sudduth
Date	Name (type or print)	Signature Of Law Enforcement Officer <i>[Signature]</i>
<input type="checkbox"/> Notary	Signature	Title Of Law Enforcement Officer Detective
SEAL	Date My Commission Expires	Name And Address Of Agency Ashboro Police 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 0073	Signature Of Person Receiving Inventory
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Items Seized Continued:



- 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

Filed to 858-738-4715

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) <i>Jeremy Sudduth</i>	
Date	Name (type or print)	Signature Of Law Enforcement Officer <i>[Signature]</i>	
<input type="checkbox"/> Notary	Signature	Title Of Law Enforcement Officer <i>Detective</i>	
SEAL	Date My Commission Expires	Name And Address Of Agency <i>Ashboro Police 305 E. Academy St Ashboro NC 27903</i>	
	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 0074	Signature Of Person Receiving Inventory
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