

CONTINUATION PAGE ONE ATTACHED TO SEARCH WARRANT
APPLICATION OF OFFICER D. BRITT, CHAPEL HILL POLICE OFFICER,
DATED MARCH 12, 2008 TO SEARCH [REDACTED]
APARTMENT 11, DURHAM, NC 27707.

CONTINUATION OF "PREMISES TO BE SEARCHED"

1. [REDACTED] The residence in question is an apartment unit contained in a two-story brick structure containing apartments 11-15. There is a brown screen door on the front. The number "11" appears above the door in white lettering.

CONTINUATION OF "PROPERTY TO BE SEIZED"

1. Firearms, to include, but not limited to: a shotgun and/or .25 caliber pistol.
2. Ammunition including, but not limited to: projectiles, shell casings, and fired bullets.
3. Clothing, to include, but not limited to: hooded sweatshirts, blue jeans, white athletic shoes, black coat, Houston Astros baseball cap, and/or any clothing with blood evidence or fiber transfer.
4. Gloves
5. ATM card belonging to Eve Carson.
6. Keys and/or personal effects belonging to Eve Carson.
7. Purse belonging to Eve Carson.
8. Wallet belonging to Eve Carson.
9. Documents, information, and/or media-related information pertaining to Eve Carson.
10. Documents or papers tending to show residency or tenancy or recent presence.
11. Banking documents or receipts, to include, but not limited to: ATM withdrawal receipts.
12. Forensic evidence, to include, but not limited to: hair, fibers, latent prints, blood evidence, or DNA.
13. Cellular phones that may contain evidence.
14. Digital media to include but not limited to: personal computers, laptops, disks, compact disks, or other digital storage devices.
15. Digital information stored on digital storage devices and/or internet sites.
16. Cash money.
17. Cameras.
18. Gang related material, to include, but not limited to: clothing, bandanas, written material or documents, media, etc.

CONTINUATION OF "CRIME(S)"

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


Magistrate Superior Court Judge

03/12/2008
Date


Affiant

03/12/2008
Date

**CONTINUATION PAGE TWO ATTACHED TO SEARCH WARRANT
APPLICATION OF OFFICER D. BRITT, CHAPEL HILL POLICE OFFICER,
DATED MARCH 12, 2008 TO SEARCH [REDACTED]
APARTMENT 11, DURHAM, NC 27707.**

CONTINUATION OF "PROBABLE CAUSE"

First Paragraph:

I, DAVID BRITT, have been a law enforcement officer with the Chapel Hill Police Department for approximately four and a half years. I am currently assigned to the Patrol Division. My duties include responding to calls for service, enforcing general statutes and traffic laws, and assisting other divisions within the department in any way possible. Prior to my current assignment, I was assigned to the Northside Unit for three and a half years, where my duties included street-level drug interdiction and assisting narcotics investigators. I am also a member of the Special Emergency Response Team. I have received education and training in drug interdiction, interview and interrogation, narcotics investigation, gang awareness, and search and seizure law, among other things.

Second Paragraph:

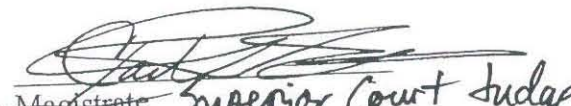
On 03/05/2008 at about 0530, Eve Carson's body was discovered by police officers on Hillcrest Drive in Chapel Hill, NC. Carson had been shot to death. A subsequent autopsy was performed by the Office of the Chief Medical Examiner of Chapel Hill. It was determined Carson died as a result of multiple gunshot wounds and her death was ruled a homicide.

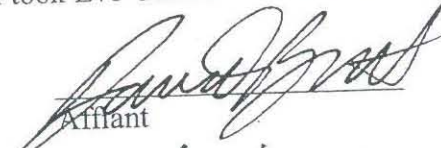
Third Paragraph:

The Chapel Hill Police Department initiated a homicide investigation into the death of Eve Carson. The Chapel Hill Police Department requested the State Bureau of Investigation to assist in the ongoing homicide investigation. On 03/11/2008, at 2158, Crimestoppers of Orange County received a call regarding information concerning the homicide of Eve Carson.

Fourth Paragraph:

On 03/11/2008, the caller, who wished to remain anonymous, was interviewed by SA P.A. Stevens of the North Carolina State Bureau of Investigation, concerning that information. The caller advised that during phone conversations with a man she knows as Rio, Rio advised her that he and an unknown individual took Eve Carson to an ATM


Magistrate Superior Court Judge
03/12/2008
Date


Plaintiff
03/12/2008
Date

CONTINUATION PAGE THREE ATTACHED TO SEARCH WARRANT
APPLICATION OF OFFICER D. BRITT, CHAPEL HILL POLICE OFFICER,
DATED MARCH 12, 2008 TO SEARCH [REDACTED]
APARTMENT 11, DURHAM, NC 27707.

Fourth Paragraph (continued):

machine. Rio told the caller that he and the other individual planned to obtain Carson's ATM card PIN from Carson before killing her. A confidential witness known to the caller told the caller that Rio was the man pictured in a photograph being displayed on television news stations in reference to the murder.

Fifth Paragraph:

On 03/12/2008, at about 0709, the confidential witness (hereinafter referred to as CW) was interviewed by ASAC G.W. Tart and SA P.A. Stevens of the North Carolina State Bureau of Investigation. During the interview, the CW identified "Rio" as Demario Atwater. The CW informed investigators that she conversed with Demario Atwater after learning that Atwater's picture was displayed on television. The photograph in question was taken at a BP convenience store, located at 1002 North Alston Avenue in Durham, NC. The photograph was taken on Friday, March 7, 2008, at the same time someone attempted to utilize Eve Carson's ATM card at that BP store, according to bank records. That photo was released to the media in an attempt to identify Atwater, and it was this photograph about which Atwater talked to the CW.

Sixth Paragraph:

The CW informed investigators that Atwater told the CW that he and Alvin Lovette entered Eve Carson's residence through an open door on the date of Carson's murder, which was March 5, 2008. The CW said Atwater told the CW that he and Lovette forced Carson to accompany them to Carson's car and take them to an ATM machine. The CW learned that Carson was forced into the back seat with Atwater, and Lovette drove Carson's vehicle. That information is consistent with video footage taken from an ATM camera on that date. Lovette and Atwater obtained Carson's ATM card PIN number from Carson. The CW informed investigators that Atwater and Lovette obtained approximately \$1400 from Carson's bank account. Investigators can confirm, based on ATM transaction information, that approximately \$1400 was taken from Carson's account, from ATM machines, over a two day period. The CW also informed investigators that Carson was shot multiple times by Lovette and was subsequently shot by Atwater. This information was corroborated by crime scene search information that two separate weapons were used in the homicide of Eve Carson.


Magistrate Superior Court Judge

03/12/2008
Date


Affiant

03/12/2008
Date

CONTINUATION PAGE FOUR ATTACHED TO SEARCH WARRANT
APPLICATION OF OFFICER D. BRITT, CHAPEL HILL POLICE OFFICER,
DATED MARCH 12, 2008 TO SEARCH [REDACTED]
APARTMENT 11, DURHAM, NC 27707.

Seventh Paragraph:

Carson's cell phone, keys, ATM card, and purse apparently were taken during her kidnapping or after her murder. The keys, ATM card, and purse have not been recovered at this time.

Eighth Paragraph:

The CW informed investigators that Atwater lives at [REDACTED] Apartment 11, in Durham with his mother, Peggy Mabrey. The Durham Housing Authority informed the Chapel Hill Police Department that a Peggy Mabrey lives at [REDACTED]. According to the CW, the last time Atwater was at the above residence was Monday, March 10, 2008 at approximately 1900 or 2000. The CW informed investigators that Atwater has lived at the above address since November, 2007. The CW informed investigators that when Atwater left the above residence, Atwater did not take anything, including evidence, with him and has not been back since March 10, 2008.

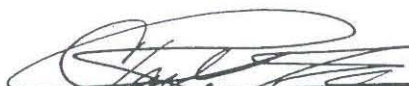
Ninth Paragraph:


The CW offered truthful and accurate information, including details regarding the investigation that were not released to the public. Based on information the CW provided during this interview, and due to the fact that many of those details could be corroborated through investigative efforts, it is believed by this affiant that the information provided is truthful and accurate.

Tenth Paragraph:

This affiant has probable cause to believe that Demario Atwater and Lawrence Lovette are responsible for the death of Eve Carson. Arrest warrants have been obtained on Atwater and Lovette for the murder of Eve Carson.

Due to the above stated facts, I believe probable cause exists to believe evidence of the crimes named above is contained in the property or on the person to be searched named above.


Magistrate Superior Court Judge
03/12/2008
Date


Affiant
03/12/2008
Date

STATE OF NORTH CAROLINA

File No

Orange County

In The General Court of Justice
District Superior Court Division

IN THE MATTER OF:

Name
Eve Marie Carson

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

Date of Search

[Redacted]

3/12/08

This search was made pursuant to:

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

The following items were seized:

Assorted Vehicles Keys
 2 Shot gun shells
 Motorola Cell Phone
 2 cameras
 1 house key
 Assorted Personal writings
 Clothing
 Drug Paraphernalia

(Over)

Orange County

In The General Court of Justice
District Superior Court Division

IN THE MATTER OF:

Name

Demario James Atwater

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

Date of Search



3/17/08

This search was made pursuant to:

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

The following items were seized:

Black + green "23" tennis shoe
Grey + White Reebok tennis shoe
Green + White Jordan tennis shoe
Red + yellow Nike shoes
Black Nike shoes
Red + White Reebok Tennis shoe
White Reebok tennis shoes
Red Shoe-Box

(Over)

STATE OF NORTH CAROLINA

File No.

Orange County

In The General Court of Justice

District

Superior Court Division

IN THE MATTER OF:

Name

Lawrence Alvin Lovette, Jr.

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

Date of Search

Lawrence Alvin Lovette, Jr.

3/18/08

This search was made pursuant to:

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

The following items were seized:

Subject kit including hair sample
and DNA/saliva swabs from
Lawrence Alvin Lovette, Jr.

(Over)

STATE OF NORTH CAROLINA

File No.

Orange County

In The General Court of Justice
District Superior Court Division

IN THE MATTER OF:

Name

Lawrence Alvin Lovette, Jr.

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

Date of Search



3-17-08

This search was made pursuant to:

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

The following items were seized:

- Size 7 Nike shoes
Size 10 Reebok shoes
size 13 Nike shoes
size 9.5 Nike shoes
Size 10.5 Nike shoes
Size 10.5 Converse shoes
Size 10.5 Fila shoes
size 10 Nike shoes
Unknown size Nike shoes
size 12 Rockport shoes with 2 black socks
size 11.5 Nike shoes
Size 10.5 Nike shoes
Fourteen (14) Nike shoe boxes
Five (5) Fila shoe boxes
Two (2) Rockport shoe boxes
one (1) Addidas shoe boxes

(Over)