

AFFIDAVIT FOR SEARCH WARRANT
Commonwealth of Virginia VA. CODE § 19.2-54

The undersigned Applicant states under oath:

1. A search is requested in relation to an offense substantially described as follows:
Virginia Code 18.2-32, to wit: 1st and 2nd Degree Murder
Virginia Code 18.2-53.1, to wit: Use of Firearm in the Commission of a Felony

2. The place, person or thing to be searched is described as follows:

Electronic Records for the Sprint Corporation account of the subscriber/customer with phone number [REDACTED]. The records requested are actually or constructively possessed by Sprint Corporation, a foreign corporation with principle executive offices at 6200 Sprint Parkway, Overland Park, Kansas 66251 who is incorporated in Delaware, and which provides electronic communication services or remote computing service within the Commonwealth of Virginia.

3. The things or persons to be searched for are described as follows:

Records for cellular number [REDACTED] including customer/subscriber information, date account was activated, call details, SMS details to include text messages and their content, data sessions, per call data measure (PCMD), cell site and sector information from 9/3/16 to 9/5/16.

FILED
VA BEACH CIRCUIT COURT

16 OCT 28 AM 11:38

TIPPA E. SIMPSON, CLERK [] CONTINUED ON ATTACHED SHEET

FILE NO.

CMK6540683

**AFFIDAVIT FOR
SEARCH WARRANT**

APPLICANT:

NAME

Detective

2509 Princess Anne Road,
Virginia Beach, VA 23456

Certified to Clerk of

VIRGINIA BEACH

Circuit Court

on

10-27-16

TITLE

SIGNATURE

Original Delivered [] in person [] by certified mail

[] by electronically transmitted facsimile
[] by use of filing/security procedures
defined in the Uniform Electronic
Transactions Act

to Clerk of

Virginia Beach

Circuit Court

on

10/28/16

TITLE

Complete only if different than above:

Copy delivered [] in person [] by certified mail
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defined in the Uniform Electronic
Transactions Act

to Clerk of

CITY OR COUNTY OF ISSUANCE

Circuit Court

on

DATE

TITLE

SIGNATURE

SUN: 810 AM 10000521175

4. The material facts constituting probable cause that the search should be made are:

On September 4, 2016 at 0300hrs, Police responded to a fight call at Rick's Café located at 1612 Virginia Beach Bl, Virginia Beach, VA. On arrival Officers found Julian Washington suffering a from two gunshot wounds; to the chest and leg. John Arnold was found badly beaten inside a black Dodge Challenger parked in front of the business. A black 9mm Glock firearm belonging to Arnold was recovered nearby under an adjacent vehicle. [REDACTED] stated to Det. [REDACTED] that he and Washington had a verbal dispute with Arnold in the parking lot. Arnold brandished a firearm. Washington tried to take the firearm from Arnold and the two struggled, falling inside the driver's area of the Dodge Challenger. The firearm discharged twice. Washington stood up and stumbled backwards before collapsing in the parking lot. [REDACTED] and a group of Washington's friends attacked and severely beat Arnold. [REDACTED] was charged with malicious wounding for his part in the attack on Arnold.

Washington was transported to Sentara Virginia Beach General Hospital and kept in the ICU until he was taken off Life Support on September 7, 2016.

Arnold sustained severe trauma to his head. He was transported to Sentara Norfolk General Hospital. He stayed in the ICU until discharged on October 11, 2016. As a result of his injuries, Arnold has no memory of that evening or the weeks following in the hospital. Arnold does not know why he was at Rick's Café at 0300hrs. Arnold did recount to this affiant the details of an ongoing dispute with some of the people that allegedly assaulted him at Rick's Café that dated back several weeks before the incident. Arnold also admitted to this affiant that the firearm recovered at Rick's Café belonged to him.

The text messages, phone records and other data stored on John Arnold's mobile phone will potentially reveal existing communication between Arnold and the victim Washington or with any of the other identified individuals at the business that morning. Communication between Arnold and any person(s) at Rick's Café would indicate if the meeting and subsequent shooting at Rick's Café was planned or by chance. This communication could provide motive in the shooting death if Julian Washington.