

Commonwealth of Pennsylvania



APPLICATION FOR SEARCH WARRANT AND AUTHORIZATION

COUNTY OF Centre

Docket Number (Issuing Authority): MD-0000094-08

Police Incident Number: 3708-3301

Warrant Control Number:

Det. J. Martin

FTPD

814-237-1172

09/10/08

AFFIANT NAME

AGENCY

PHONE NUMBER

DATE OF APPLICATION

IDENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (Be as specific as possible): Marijuana, Marijuana packaging material, and smoking devices

SPECIFIC DESCRIPTION OF PREMISES AND/OR PERSON TO BE SEARCHED (Street and No., Apt. No., Vehicle, Safe Deposit Box, etc.): 592 Pierson Drive, the rear unit of a two unit white mobile home.

NAME OF OWNER, OCCUPANT OR POSSESSOR OF SAID PREMISES TO BE SEARCHED (If proper name is unknown, give alias and/or description): Hobson L. McKown

VIOLATION OF (Describe conduct or specify statute): Possession of Controlled Substance

DATE(S) OF VIOLATION: 09/10/08

- Warrant Application Approved by District Attorney - DA File No.
Additional Pages Attached (Other than Affidavit of Probable Cause)
Probable Cause Affidavit(s) MUST be attached (unless sealed below) Total number of pages:

TOTAL NUMBER OF PAGES IS SUM OF ALL APPLICATION, PROBABLE CAUSE AND CONTINUATION PAGES EVEN IF ANY OF THE PAGES ARE SEALED. The below named Affiant, being duly sworn (or affirmed) before the Issuing Authority according to law, deposes and says that there is probable cause to believe that certain property is evidence of or the fruit of a crime or is contraband or is unlawfully possessed or is otherwise subject to seizure, and is located at the particular premises or in the possession of the particular person as described above.

Signature of Affiant: Ferguson Township Police, 3724. Agency or Address if private Affiant. Badge Number.

Sworn to and subscribed before me this 10 day of September 19 2008 Mag. Dist. No. 1524 W. College Ave., State College, PA

SEARCH WARRANT TO LAW ENFORCEMENT OFFICER:

WHEREAS, facts have been sworn to or affirmed before me by written affidavit(s) attached hereto from which I have found probable cause, I do authorize you to search the premises or person described, and to seize, secure, inventory and make return according to the Pennsylvania Rules of Criminal Procedure.

- This Warrant shall be served as soon as practicable and shall be served only between the hours of 6AM to 10PM but in no event later than 9:19 P M, o'clock September 12 2008

* The issuing authority should specify a date not later than two (2) days after issuance. Pa.R.Crim.P. 2005(d). ** If the issuing authority finds reasonable cause for issuing a nighttime warrant on the basis of additional reasonable cause set forth in this accompanying affidavit(s) and wishes to issue a nighttime warrant, then this block shall be checked. Pa.R.Crim.P. 2006(g).

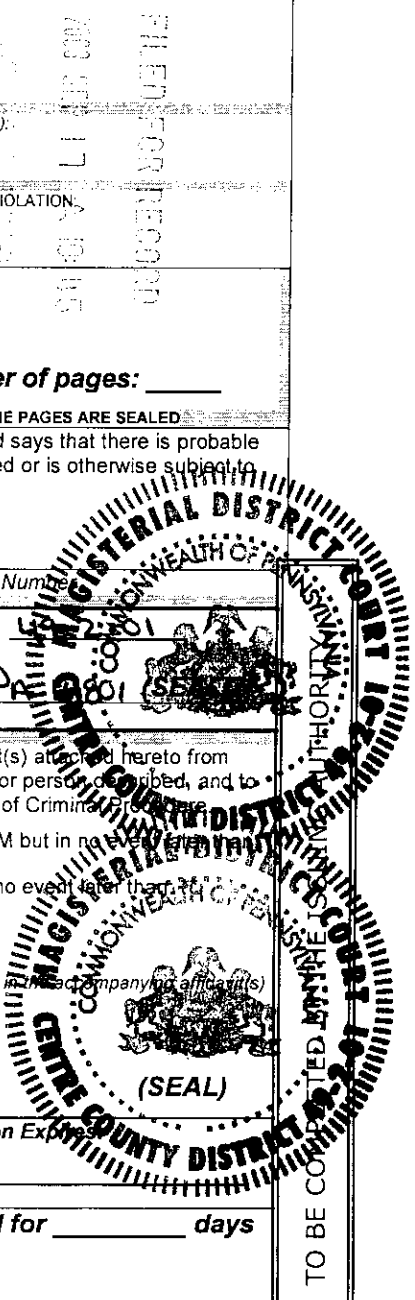
Issued under my hand this 10 day of September 19 2008 at 9:19 P M, o'clock.

Signature of Issuing Authority, Mag. Dist. or Judicial Dist. No. 49-2-01, Date Commission Expires Jan. 2014

Title of Issuing Authority: [X] District Justice [] Common Pleas Judge []

For good cause stated in the affidavits(s) the Search Warrant Affidavit(s) are sealed for days by my certification and signature. (Pa.R.Crim.P. 2011)

Signature of Issuing Authority (Judge of the Court of Common Pleas or Appellate Court Justice or Judge). (Date) (SEAL)





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PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

On 9/10/08 I was contacted by Det. Sprinkle of the Ferguson Township Police. Det. Sprinkle advised that he was at 592 Pierson Drive. I recognized the address as belonging to Hobson L. McKown (hereinafer defendant). Sprinkle advised that Centre County Sheriff Deputies had escorted the defendant to his residence.

The defendant appeared in Central Court for a preliminary hearing this date. The defendant's bail conditions were modified. A MDJ ordered the surrender of the defendant's weapons. Centre Co. Sheriff deputies escorted the defendant to his residence. The defenant became evasive when Deputies wanted access to his residence to seize the weapons.

Once inside the residence Deputy Albright observed what he recognized as possible components used to manufacture an explosive device. Albright advised that he has had explosive training.

PSU bomb technician, Officer White was contacted to make sure that the residence was safe to search for weapons. While White was securing the residence he observed what he recognized as a baggie of marijuana and a woven bag containing a glass blown smoking device within the residence.

Based on my experience and participation in training, execution of search warrants where I have seen marijuana, its packaging material and the paraphernalia used to injest marijuana, I am requesting to search the aforementioned residence for the above items.

FILED FOR RECORD
2008 SEP 17 4 09:45



I, THE AFFIANT, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

[Signature]
Affiant Signature

9/10/08
Date

[Signature]
Issuing Authority Signature

9-10-08 (SEAL)
Date

Commonwealth of Pennsylvania



RETURN of SERVICE AND INVENTORY

COUNTY OF Centre

Docket Number
(Issuing Authority):

Police Incident
Number: 3708-3301

Warrant Control
Number:

Date of Search:
09/10/08

Time of Search:
2147

Property Seized as result of Search (Y/N):Y

Date of Return:
09/11/08

Time of Return:
1254

Officer making Return:
Det. Martin

Signature of Person Seizing Property:

Other Officers Participating in Search: Officer Mayer

Pa.R.Crim.P. Chapter 2000. SEARCH WARRANTS

Rule 2002A. Approval of Search Warrant Applications by Attorney for the Commonwealth – Local Option.

- (a) The District Attorney of any county may require that search warrant applications filed in the county have the approval of an attorney for the Commonwealth prior to filing.

Rule 2004. Person To Serve Warrant.

A search warrant shall be served by a law enforcement officer.

Rule 2005. Contents of Search Warrant.

Each search warrant shall be signed by the issuing authority and shall:

- (a) specify the date and time of issuance;
- (b) identify specifically the property to be seized;
- (c) name or describe with particularity the person or place to be searched;
- (d) direct that the search be executed within a specified period of time, not to exceed 2 days from the time of issuance;
- (e) direct that the warrant be served in the daytime unless otherwise authorized on the warrant, PROVIDED THAT, for purposes of the Rules of Chapter 2000, the term "daytime" shall be used to mean the hours of 6 a.m. to 10 p.m.;
- (f) designate by title the judicial officer to whom the warrant shall be returned;
- (g) certify that the issuing authority has found probable cause based upon the facts sworn to or affirmed before the issuing authority by written affidavit(s) attached to the warrant; and
- (h) when applicable, certify on the face of the warrant that for good cause shown the affidavit(s) is sealed pursuant to Rule 2011 and state the length of time the affidavit(s) will be sealed.

Rule 2006. Contents of Application for Search Warrant.

Each application for a search warrant shall be supported by written affidavit(s) signed and sworn to or affirmed before an issuing authority, which affidavit(s) shall:

- (a) state the name and department, agency, or address of the affiant;
- (b) identify specifically the items or property to be searched for and seized;
- (c) name or describe with particularity the person or place to be searched;
- (d) identify the owner, occupant, or possessor of the place to be searched;
- (e) specify or describe the crime which has been or is being committed;
- (f) set forth specifically the facts and circumstances which form the basis for the affiant's conclusion that there is probable cause to believe the items or property identified are evidence or the fruit of a crime, or are contraband, or are otherwise unlawfully possessed or subject to seizure, and that these items or property are located on the particular person or at the particular place described;
- (g) if a "nighttime" search is requested (i.e., 10 p.m. to 6 a.m.), state additional reasonable cause for seeking permission to search in the nighttime; and
- (h) when the attorney for the Commonwealth is requesting that the affidavit(s) be sealed pursuant to Rule 2011, state the facts and circumstances which are alleged to establish good cause for the sealing of the affidavit(s).

Rule 2008. Copy of Warrant; Receipt for Seized Property.

- (a) A law enforcement officer, upon taking property pursuant to a search warrant, shall leave with the person from whom or from whose premises the property was taken a copy of the warrant and affidavit(s) in support thereof, and a receipt for the property seized. A copy of the warrant and affidavit(s) must be left whether or not any property is seized.
- (b) If no one is present on the premises when the warrant is executed, the officer shall leave the documents specified in paragraph (a) at a conspicuous location in the said premises. A copy of the warrant and affidavit(s) must be left whether or not any property is seized.
- (c) Notwithstanding the requirements in paragraphs (a) and (b), the officer shall not leave a copy of an affidavit that has been sealed pursuant to Rule 2011.

Rule 2009. Return with Inventory.

- (a) An inventory of items seized shall be made by the law enforcement officer serving a search warrant. The inventory shall be made in the presence of the person from whose possession or premises the property was taken, when feasible, or otherwise in the presence of at least one witness. The officer shall sign a statement on the inventory that it is a true and correct listing of all items seized, and that the signer is subject to the penalties and provisions of 18 Pa.C.S. Section 4904(b) - Unsworn Falsification To Authorities. The inventory shall be returned to and filed with the issuing authority.
- (b) The judicial officer to whom the return was made shall upon request cause a copy of the inventory to be delivered to the applicant for the warrant and to the person from whom, or from whose premises, the property was taken.
- (c) When the search warrant affidavit(s) is sealed pursuant to Rule 2011, the return shall be made to the justice or judge who issued the warrant.

**THE LAW ENFORCEMENT OFFICER SHALL MAKE ALL RETURNS TO THE ISSUING AUTHORITY
DESIGNATED ON THE SEARCH WARRANT.**

Commonwealth of Pennsylvania



**RECEIPT / INVENTORY
OF SEIZED PROPERTY**

COUNTY OF Centre

Docket Number
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Number: 3708-3301

Warrant Control
Number:

Date of Search:
09/10/08

Time of Search:
2147

Inventory Page Number:
1 of 1 Pages

Ferguson Township Police

3724

Affiant

Agency or Address if private affiant

Badge No.

The following property was taken / seized and a copy of this Receipt / Inventory with a copy of the Search Warrant and affidavit(s) (if not sealed) was

personally served on (name of person) _____

was left at (describe the location) _____

| Item Number | Quantity | Item Description | Make, Model, Serial No. Color, etc. |
|----------------------------------|----------|--|-------------------------------------|
| 1 | 1 | Yellow envelope w/ single receipt / something else | |
| 2 | 1 | White bag w/ single receipt / something else | |
| <p><i>Cost Item # 3708-1</i></p> | | | |
| <p><i>FILED FOR RECORD</i></p> | | | |

I/we do hereby state that this inventory is to the best of my/our knowledge and belief a true and correct listing of all items seized, and that I/we sign this Receipt / Inventory subject to the penalties and provisions of Title 18 Pa.C.S. 4904 (b). Unsworn Falsification to Authorities.

[Signature] *Det. J. Martin* *ETPD* *3704*
Signature of person Issuing Receipt / Inventory **Printed Name** **Affiliation** **Badge or Title**

Signature of Witness **Printed Name** **Affiliation** **Badge or Title**

[Signature] *Det. J. Martin* *ETPD* *3704*
Signature of person making Search **Printed Name** **Affiliation** **Badge or Title**