

WARRANT OF ARREST - FELONY

COMMONWEALTH OF VIRGINIA Va. Code § 19.2-71, -72

GDPS Case GC24004099-00, Page 1 Printed 4/9/2024 2:49 PM

Hampton B General District Court Criminal Traffic
 Juvenile and Domestic Relations District Court
CITY OR COUNTY

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth of Virginia forthwith to arrest and bring the Accused before this Court to answer the charge that the Accused, within this city or county, on or about 02/27/2024 did unlawfully and feloniously in violation of Section

18.2-57 (C), Code of Virginia: assault and batter VSP TROOPER knowing or having reason to know that such person was law enforcement officer, as defined in subsection F of §18.2-57, engaged in public duties.

I, the undersigned, have found probable cause to believe that the Accused committed the offense charged, based on the sworn statements of

VSP, Complainant.

CCRE/Fingerprinting Required

03/05/2024 12:55 AM

DATE AND TIME ISSUED

Dinah Balthis
 CLERK MAGISTRATE JUDGE
Dinah Balthis

CASE NO.

ACCUSED:

LAST NAME, FIRST NAME, MIDDLE NAME

ADDRESS/LOCATION

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN	HT.	WGT.	EYES	HAIR

SSN

D.L.#

STATE

Commercial Driver's License

Commercial Motor Vehicle Hazardous Materials

CLASS 6 FELONY

EXECUTED by arresting the Accused named above on this day:

3/5/24 0106

DATE AND TIME OF SERVICE

Dep. A.J. Clark, Arresting Officer

166 HSO VA1110200

BADGE NO., AGENCY AND JURISDICTION

for K.E. Bowden
SHERIFF

Attorney for the Accused:

Short Offense Description (not a legal definition):
ASSAULT AND BATTER ON LAW ENFORCEMENT OFFICER

Offense Tracking Number:

FOR ADMINISTRATIVE USE ONLY
Virginia Crime Code:

F

Heating Date Time

FELONY

CRIMINAL COMPLAINT

Commonwealth of Virginia

RULES 3A:3 AND 7C:3

GDPS: Case #

HAMPTON

CITY OR COUNTY

- General District Court
 Juvenile and Domestic Relations District Court

Under penalty of perjury, I, the undersigned Complainant swear or affirm that I have reason to believe that the Accused committed a criminal offense, on or about

02/27/2024 in the City County Town

DATE OFFENSE OCCURRED

HAMPTON

I base my belief on the following facts: (Print ALL information clearly.)

received a call for a Black KL/ that eluded from a local PD that attempted to stop the car. I observed
the car shortly after and confirmed it. The vehicle failed to yield to my emergency lights and siren. During the pursuit,
the driver struck my vehicle on Mercury Blvd east of Armistead Ave. On E. Pembroke ave west of Armistead ave

I attempted to contain the vehicle, the driver attempted to strike me once, then struck my vehicle on my left side.

On Power Plant Pkwy west of I664, I attempted to contain the vehicle, the driver accelerated striking my vehicle, caused
me to lose control of my vehicle that resulted in both of our vehicles crashing. I obtained injury to my left hand from
this crash.

The statements above are true and accurate to the best of my knowledge and belief.

In making this complaint, I have read and fully understand the following:

- By swearing to these facts, I agree to appear in court and testify if a warrant or summons is issued.
- The charge in this warrant cannot be dismissed except by the court, even at my request.

NAME OF COMPLAINANT (LAST, FIRST, MIDDLE)
(PRINT CLEARLY)

SIGNATURE OF COMPLAINANT

Subscribed and sworn to before me this day.

3/5/2024 @ 1252 AM

DATE AND TIME

CLERK MAGISTRATE JUDGE

CRIMINAL COMPLAINT

ACCUSED: Name, Description, Address/Location

LAST NAME, FIRST NAME, MIDDLE NAME

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN	HT.	WGT.	EYES	HAIR

- Complainant is not a law-enforcement officer or Animal control officer. Authorization prior to Issuance of felony arrest warrant given by
- Commonwealth's attorney
- Law-enforcement agency having Jurisdiction over alleged offense

NAME OF PERSON AUTHORIZING ISSUANCE OF WARRANT

DATE AND TIME AUTHORIZATION GIVEN

The vehicle, they took CAF at a high rate of speed (greater than 80 MPH), I attempted again and was struck by the driver at the. The vehicle continued EB at a high rate of speed and ^{at the 263mm} struck a Chevy pickup truck greater than 1500 of damage. The vehicle continued on EB 264 and took 265C Exit to Rip Rap Rd. The vehicle then attempted to flee in the city streets of the City of Hampton. The vehicle reached speeds of 80 MPH several times, and drove through residential areas attempting to elude.

way several times as well.

Seeking Charges for

- 46.2-217(B) Felony eluding
- 18.2-57(C) Felony Assault on Leo
- 46.2-894 Felony Hit and Run
- 46.2-894 Felony Hit and Run
- 46.2-852 Reckless Driving
- 46.2-233 Fail to obey traffic light

AG, The vehicle drove the wrong way. I identified the driver by his passport, name, and registration on vehicle.

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:
 a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:
Abduction 18.2-47

[] CONTINUED ON ATTACHED SHEET

2. The place, person or thing to be searched is described as follows [] and is a place of abode:
T-Mobile Samsung fold phone belonging to Hector E Olmeda Jr.

[] CONTINUED ON ATTACHED SHEET

3. The things or persons to be searched for are described as follows:
Data, text, phone calls, or social media that would assist in locating the missing person who family believes is in danger due to PTSD, Schizophrenia, and suicidal ideations.

[] CONTINUED ON ATTACHED SHEET

(OVER)

FILE NO.

AFFIDAVIT FOR SEARCH WARRANT

APPLICANT:

Donna Misiewicz

NAME

Detective

TITLE (IF ANY)

311 County St

ADDRESS

Portsmouth, VA 23704

Certified to Clerk of

Portsmouth

Circuit Court

CITY OR COUNTY

on

27 MAR 24

DATE

Magistrate

TITLE

[Signature]

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 Circuit Court
CITY OR COUNTY WHERE EXECUTED

on

DATE

TITLE

SIGNATURE

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

5. The object, thing or person to be searched for constitutes evidence of the commission of such offense [] is the person to be arrested for whom a warrant or process for arrest has been issued.

6. [] Authorization to execute a search warrant of a place of abode other than in the daytime hours between 8:00 a.m. and 5:00 p.m. is requested. The material facts constituting good cause for such authorization are:

[] Reasonable efforts were made to locate a judge, and a judge is not available, before seeking authorization from a magistrate to execute a search warrant other than in the daytime hours between 8:00 a.m. and 5:00 p.m., with those reasonable efforts being as follows:

OR [] Reasonable efforts were not made to locate a judge as the following circumstances require the issuance of the search warrant after 5:00 p.m.:

7. I have personal knowledge of the facts set forth in this affidavit AND/OR

I was advised of the facts set forth in this affidavit, in whole or in part, by one or more other person(s). The credibility of the person(s) providing this information to me and/or the reliability of the information provided may be determined from the following facts:

This affiant has been a Portsmouth Police Officer since 3/2006 and a Detective for over 13 years and is currently assigned to the Major Crimes/Special Victims Unit. This affiant has been to several schools and training dealing with investigations, search warrants, cell phone data, and many other avenues of investigations. Virginia State Trooper Austin Gallaway has been a VSP Trooper for 4 years and has been trained and involved in multiple investigations, multiple traffic stops, and multiple pursuits.

The statements above are true and accurate to the best of my knowledge and belief.

Detective

TITLE OF APPLICANT

Subscribed and sworn to before me this day.

27 MAR 24 11:30 AM

DATE AND TIME

 #2124
APPLICANT


[] CLERK [x] MAGISTRATE [] JUDGE

SEARCH WARRANT

Commonwealth of Virginia VA. CODE §§ 19.2-56, 19.2-57

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth to forthwith search the following place, person or thing:
T-Mobile Samsung fold phone belonging to Hector E. Olmeda, Jr.

for the following property, objects and/or persons:
Date, texts, phone calls, and/or social media that would assist in locating the missing person believed to have been abducted.

- This SEARCH WARRANT authorizes a search of a place of abode which may be executed by initial entry of the abode
 - only in the daytime hours between 8:00 a.m. and 5:00 p.m., unless prior to the issuance of this SEARCH WARRANT, law-enforcement officers lawfully entered and secured the place to be searched and remained at such place continuously OR
 - at any time for good cause shown.

As this SEARCH WARRANT authorizes a search of a place of abode, you are required to be recognizable and identifiable as a uniformed law-enforcement officer and to provide audible notice of your authority and purpose reasonably designed to be heard by the occupants of the place to be searched prior to the execution of this SEARCH WARRANT.

You are further commanded to seize said property, persons, and/or objects if they be found and to produce before the Portsmouth Circuit Court an inventory of all property, persons, and/or objects seized.

This SEARCH WARRANT is issued in relation to an offense substantially described as follows:

- a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:
Code of Virginia 18.2-47, Abduction and kidnapping

Supplemental sheet attached and incorporated by reference. Number of supplemental pages _____

I, the undersigned, have found probable cause to believe that the property or person constitutes evidence of the crime identified herein or tends to show that the person(s) named or described herein has committed or is committing a crime, or that the person to be arrested for whom a warrant or process for arrest has been issued is located at the place to be searched, and further that the search should be made, based on the statements in the attached affidavit sworn to by

Misiewicz, D.

NAME OF AFFIANT

David Ray Whitfield

CLERK MAGISTRATE JUDGE

David Ray Whitfield

03/27/2024 11:53 AM
DATE AND TIME

FILE NO.
SEARCH WARRANT
COMMONWEALTH OF VIRGINIA
<i>v./In re</i>
<u>T-Mobile Samsung fold phone</u>
.....
<div style="border: 1px solid black; padding: 5px; transform: rotate(-90deg); transform-origin: center;"> 2024 MAR 28 AM 9:04 CLERK OF CIRCUIT COURT OF PORTSMOUTH </div>

SEARCH INVENTORY AND RETURN

The following items, and no others, were seized under authority of this WARRANT:

1. Data Extraction
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____

The statement above is true and accurate to the best of my knowledge and belief. TCC

3/28/24
DATE

Subscribed and sworn before me this day

3/28/24
DATE

[Signature]
EXECUTING OFFICER

Tony [Signature]
[] CLERK [] MAGISTRATE [] JUDGE

FOR NOTARY PUBLIC'S USE ONLY:

State of _____ [] City [] County of _____

Acknowledged, subscribed and sworn to before me this _____ day of _____, 20 _____

NOTARY REGISTRATION NUMBER

NOTARY PUBLIC
(My commission expires: _____)

EXECUTION

Executed by searching the within described place, person or thing.

3/28/24 @ 07:15

DATE AND TIME EXECUTED

[Signature]
EXECUTING OFFICER

Certified to Portsmouth

Circuit Court on 3/28/24
DATE

[Signature]
EXECUTING OFFICER

Received in person [] by certified mail
[] by electronically transmitted
facsimile

on 3/28/24
DATE

by: Tony [Signature]
CLERK OF CIRCUIT COURT

SEARCH WARRANT

Commonwealth of Virginia VA. CODE §§ 19.2-56, 19.2-57

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth to forthwith search the following place, person or thing:

Dwelling located at Wilcox Ave, Portsmouth Two Story vinyl sided structure painted beige with brown window shutters and trim and tan roof. There is a small porch with 5 brick steps leading up to the landing and the numerals above the front door on a placard. The rear of the dwelling has a detached garage with beige vinyl siding with a tan roof and white garage door. To include out buildings and curtilage.

for the following property, objects and/or persons:

Hector E. Olmeda Jr., a hispanic, male described as a 32 year old male (DOB 6/23/91)(SSN 330-88-2879) and black short cut hair, beard, usually wears glasses. Olmeda is about 5' 9" and about 175-195 pounds. Also any and all paperwork, electronics, clothing, or items identified as Mr. Olmeda's in an effort to locate or help locate the missing person.

This SEARCH WARRANT authorizes a search of a place of abode which may be executed by initial entry of the abode

only in the daytime hours between 8:00 a.m. and 5:00 p.m., unless prior to the issuance of this SEARCH WARRANT, law-enforcement officers lawfully entered and secured the place to be searched and remained at such place continuously OR

at any time for good cause shown.

As this SEARCH WARRANT authorizes a search of a place of abode, you are required to be recognizable and identifiable as a uniformed law-enforcement officer and to provide audible notice of your authority and purpose reasonably designed to be heard by the occupants of the place to be searched prior to the execution of this SEARCH WARRANT.

You are further commanded to seize said property, persons, and/or objects if they be found and to produce before the Portsmouth Circuit Court an inventory of all property, persons, and/or objects seized.

This SEARCH WARRANT is issued in relation to an offense substantially described as follows:

a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:

Code of Virginia 18.2-47, Abduction and kidnapping

Supplemental sheet attached and incorporated by reference. Number of supplemental pages _____

I, the undersigned, have found probable cause to believe that the property or person constitutes evidence of the crime identified herein or tends to show that the person(s) named or described herein has committed or is committing a crime, or that the person to be arrested for whom a warrant or process for arrest has been issued is located at the place to be searched, and further that the search should be made, based on the statements in the attached affidavit sworn to by

Misiewicz, D.

NAME OF AFFIANT



CLERK MAGISTRATE JUDGE

David Ray Whitfield

03/27/2024 12:38 PM

DATE AND TIME

FILE NO.
SEARCH WARRANT
COMMONWEALTH OF VIRGINIA
v./In re
MO
T-Mobile Samsung fold phone
2024 MAR 28 AM 9:04
OFFICIAL D. JOHNSON CIRCUIT COURT CLERK

SEARCH INVENTORY AND RETURN

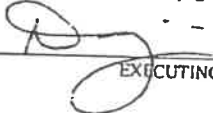
The following items, and no others, were seized under authority of this WARRANT:

1. (1) knife
2. (1) Green Journal.
3. (1) Red Journal
4. (1) Buccal Swabs
5. (1) Liquid sample
6. (1) 5 gal bucket of Concrete, hardened.
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____

The statement above is true and accurate to the best of my knowledge and belief. TCO

3/28/24

DATE


EXECUTING OFFICER

Subscribed and sworn before me this day

3/28/24

DATE


[] CLERK [] MAGISTRATE [] JUDGE

FOR NOTARY PUBLIC'S USE ONLY:

State of _____ [] City [] County of _____

Acknowledged, subscribed and sworn to before me this _____ day of _____, 20 _____

NOTARY REGISTRATION NUMBER _____

NOTARY PUBLIC

(My commission expires: _____)

EXECUTION

Executed by searching the within described place, person or thing.

3/27/24 @ 16:41

DATE AND TIME EXECUTED


EXECUTING OFFICER

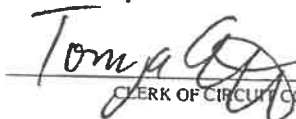
Certified to Portsmouth

Circuit Court on 3/28/24
DATE


EXECUTING OFFICER

Received in person [] by certified mail
[] by electronically transmitted
facsimile

on 3/28/24
DATE

by: 
CLERK OF CIRCUIT COURT

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:
 a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:
Abduction 18.2-47

[] CONTINUED ON ATTACHED SHEET


2. The place, person or thing to be searched is described as follows and is a place of abode:
Dwelling located at Wilcox Ave., Portsmouth, Two story vinyl sided structure painted beige with brown window shutters and trim and a tan roof. There is a small porch with 5 brick steps leading up to the landing and the numerals ' above the front door on a plaquard. The rear of the dwelling has a detached garage with beige vinyl siding with a tan roof and white garage door. To include any out buildings and curtilage.

[] CONTINUED ON ATTACHED SHEET

3. The things or persons to be searched for are described as follows:
Hector E. Olmeda Jr, a hispanic male described as a 32 year old male (DOB 6/23/91) (ss#330-88-2879) with black short cut hair, beard, usually wears glasses. Olmeda is about 5'9" and about 175-195 pounds. Also any and all paperwork, electronics, clothing, or items identified as Mr. Olmeda in an effort to locate or help locate the missing person.

[] CONTINUED ON ATTACHED SHEET

(OVER)

FILE NO.	
AFFIDAVIT FOR SEARCH WARRANT	
APPLICANT:	
Donna Misiewicz	
NAME	
Detective	
TITLE (IF ANY)	
311 County St	
ADDRESS	
Portsmouth, VA 23704	
Certified to Clerk of	
Portsmouth	
CITY OR COUNTY	
Circuit Court	
on 27 MAR 24	
DATE	
Magistrate	
TITLE	SIGNATURE
Original Delivered <input type="checkbox"/> in person <input type="checkbox"/> by certified mail	
<input type="checkbox"/> by electronically transmitted facsimile	
<input type="checkbox"/> by use of filing/security procedures defined in the Uniform Electronic Transactions Act	
to Clerk of	
Circuit Court	
CITY OR COUNTY WHERE EXECUTED	
on	
DATE	
TITLE	
SIGNATURE	

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

See attached:

5. The object, thing or person to be searched for constitutes evidence of the commission of such offense [] is the person to be arrested for whom a warrant or process for arrest has been issued.

6. [] Authorization to execute a search warrant of a place of abode other than in the daytime hours between 8:00 a.m. and 5:00 p.m. is requested. The material facts constituting good cause for such authorization are:

[] Reasonable efforts were made to locate a judge, and a judge is not available, before seeking authorization from a magistrate to execute a search warrant other than in the daytime hours between 8:00 a.m. and 5:00 p.m., with those reasonable efforts being as follows:

OR [] Reasonable efforts were not made to locate a judge as the following circumstances require the issuance of the search warrant after 5:00 p.m.:

7. I have personal knowledge of the facts set forth in this affidavit AND/OR

I was advised of the facts set forth in this affidavit, in whole or in part, by one or more other person(s). The credibility of the person(s) providing this information to me and/or the reliability of the information provided may be determined from the following facts:

This affiant has been a Portsmouth Police Officer since 3/2006 and a Detective for over 13 years and is currently assigned to the Major Crimes/Special Victims Unit. This affiant has been to several schools and training dealing with investigations, search warrants, cell phone data, and many other avenues of investigations. Virginia State Trooper has been a VSP Trooper for 4 years and has been trained and involved in multiple investigations, multiple traffic stops, and multiple pursuits.

The statements above are true and accurate to the best of my knowledge and belief.

Detective

TITLE OF APPLICANT

Subscribed and sworn to before me this day.

27 MARCH 11:30 AM

DATE AND TIME

#2124

APPLICANT

[Signature]

[] CLERK MAGISTRATE [] JUDGE

SEARCH WARRANT

Commonwealth of Virginia VA. CODE §§ 19.2-56, 19.2-57

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth to forthwith search the following place, person or thing:

Wilcox Ave. Portsmouth,

for the following property, objects and/or persons:
Items belonging to Hector E. Olmeda, Jr. (DOB: 6-23-1991), such as DNA, clothing, cellphone, ID cards and paperwork. Items belonging to

DOB: 6-16-1991), such as paperwork identifying ownership/occupancy of residence.

- This SEARCH WARRANT authorizes a search of a place of abode which may be executed by initial entry of the abode
- only in the daytime hours between 8:00 a.m. and 5:00 p.m., unless prior to the issuance of this SEARCH WARRANT, law-enforcement officers lawfully entered and secured the place to be searched and remained at such place continuously OR
- at any time for good cause shown.

As this SEARCH WARRANT authorizes a search of a place of abode, you are required to be recognizable and identifiable as a uniformed law-enforcement officer and to provide audible notice of your authority and purpose reasonably designed to be heard by the occupants of the place to be searched prior to the execution of this SEARCH WARRANT.

You are further commanded to seize said property, persons, and/or objects if they be found and to produce before the Portsmouth Circuit Court an inventory of all property, persons, and/or objects seized.

This SEARCH WARRANT is issued in relation to an offense substantially described as follows:
 a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:
18.2-32

Supplemental sheet attached and incorporated by reference. Number of supplemental pages _____
I, the undersigned, have found probable cause to believe that the property or person constitutes evidence of the crime identified herein or tends to show that the person(s) named or described herein has committed or is committing a crime, or that the person to be arrested for whom a warrant or process for arrest has been issued is located at the place to be searched, and further that the search should be made, based on the statements in the attached affidavit sworn to by

03/29/2024 02:31 PM
DATE AND TIME

RM HOLLEY JR PPD
NAME OF AFFIANT

CLERK MAGISTRATE JUDGE
A. Ballin

FILE NO.

SEARCH WARRANT

COMMONWEALTH OF VIRGINIA

v./In re

Wilcox Ave.

Portsmouth.

2024 APR -1 AM 9:20

CRIMINAL JUSTICE TRAINING CENTER

SEARCH INVENTORY AND RETURN

The following items, and no others, were seized under authority of this WARRANT:

1. Metal trash can
2. Concrete paver
3. mattress cover
4. DNA Swabs
5. fire pit
6. glasses
7. shoes
8. sub flooring
9. carpet
10. cleaning supplies
11. mail / paperwork
12. pop trap plumbing

The statement above is true and accurate to the best of my knowledge and belief.

4/1/24
DATE


EXECUTING OFFICER

Subscribed and sworn before me this day

4/1/24
DATE


[] CLERK [] MAGISTRATE [] JUDGE

FOR NOTARY PUBLIC'S USE ONLY:

State of [] City [] County of

Acknowledged, subscribed and sworn to before me this day of, 20

NOTARY REGISTRATION NUMBER

NOTARY PUBLIC
(My commission expires:)

EXECUTION

Executed by searching the within described place, person or thing.

3/29/24 1603
DATE AND TIME EXECUTED


EXECUTING OFFICER

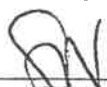
Certified to Portsmouth

Circuit Court on 4/1/24
DATE


EXECUTING OFFICER

Received in person [] by certified mail
[] by electronically transmitted
facsimile

on 4/1/24
DATE

by: 
CLERK OF CIRCUIT COURT

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:
 a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:
Homicide 18.2-32

[] CONTINUED ON ATTACHED SHEET

2. The place, person or thing to be searched is described as follows and is a place of abode:
Dwelling located at Wilcox Ave., in the City of Portsmouth The residence is a two story vinyl sided structure painted beige with brown shutters and trim with a tan roof. There is a small porch with 5 brick steps leading up to the landing and the numerals above the front door on a plaquard. The rear of the dwelling has a detached garage with beige vinyl siding with a tan roof and white garage door. This affiant requests permission to search any out building and curtilage.

[] CONTINUED ON ATTACHED SHEET

3. The things or persons to be searched for are described as follows:
Items to be searched for are clothing, all paperwork and publications, anything that could contain DNA, electronics, any and any other items that can be identified as belonging to either Hector E., Olmeda Jr.

[] CONTINUED ON ATTACHED SHEET

(OVER)

FILE NO.
AFFIDAVIT FOR SEARCH WARRANT
APPLICANT: R.M. Holley Jr. NAME Detective TITLE (IF ANY) 311 County St. ADDRESS Portsmouth Virginia, 23704
Certified to Clerk of Portsmouth Circuit Court CITY OR COUNTY on 3-29-27 DATE 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 Portsmouth Circuit Court CITY OR COUNTY WHERE EXECUTED on DATE TITLE SIGNATURE

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

See attached

5. The object, thing or person to be searched for constitutes evidence of the commission of such offense [] is the person to be arrested for whom a warrant or process for arrest has been issued.

6. [] Authorization to execute a search warrant of a place of abode other than in the daytime hours between 8:00 a.m. and 5:00 p.m. is requested. The material facts constituting good cause for such authorization are:

Reasonable efforts were made to locate a judge, and a judge is not available, before seeking authorization from a magistrate to execute a search warrant other than in the daytime hours between 8:00 a.m. and 5:00 p.m., with those reasonable efforts being as follows:

OR [] Reasonable efforts were not made to locate a judge as the following circumstances require the issuance of the search warrant after 5:00 p.m.:

7. I have personal knowledge of the facts set forth in this affidavit AND/OR

I was advised of the facts set forth in this affidavit, in whole or in part, by one or more other person(s). The credibility of the person(s) providing this information to me and/or the reliability of the information provided may be determined from the following facts:

Detective Holley has been with the Portsmouth Police Department for over 17 years and has been with the Criminal Investigations Unit for over 4 of those years.

Detective Misiewicz has been with the Portsmouth Police Department since March of 2006 and a Detective for over 13 years and is currently assigned to Major Crimes/Special Victims Unit.

Forensic Technician D. Tramuel has been with the Portsmouth Police Department for over 2 years and has processed several crime scenes during her career.

The statements above are true and accurate to the best of my knowledge and belief.

Detective

TITLE OF APPLICANT


APPLICANT

Subscribed and sworn to before me this day.

3-29-24

1420

DATE AND TIME

[] CLERK MAGISTRATE [] JUDGE

SEARCH WARRANT

Commonwealth of Virginia VA. CODE §§ 19.2-56, 19.2-57

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth to forthwith search the following place, person or thing:

Wilcox Ave. Portsmouth,

for the following property, objects and/or persons:

Clothing, DNA, bodily fluids, notebooks, digitally stored documents in computers or other electronic devices, tools used to dismember body parts and seal them in concrete.

- This SEARCH WARRANT authorizes a search of a place of abode which may be executed by initial entry of the abode
- only in the daytime hours between 8:00 a.m. and 5:00 p.m., unless prior to the issuance of this SEARCH WARRANT, law-enforcement officers lawfully entered and secured the place to be searched and remained at such place continuously OR
- at any time for good cause shown.

As this SEARCH WARRANT authorizes a search of a place of abode, you are required to be recognizable and identifiable as a uniformed law-enforcement officer and to provide audible notice of your authority and purpose reasonably designed to be heard by the occupants of the place to be searched prior to the execution of this SEARCH WARRANT.

You are further commanded to seize said property, persons, and/or objects if they be found and to produce before the Portsmouth Circuit Court an inventory of all property, persons, and/or objects seized.

This SEARCH WARRANT is issued in relation to an offense substantially described as follows:

- a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:
18.2-32

Supplemental sheet attached and incorporated by reference. Number of supplemental pages _____.

I, the undersigned, have found probable cause to believe that the property or person constitutes evidence of the crime identified herein or tends to show that the person(s) named or described herein has committed or is committing a crime, or that the person to be arrested for whom a warrant or process for arrest has been issued is located at the place to be searched, and further that the search should be made, based on the statements in the attached affidavit sworn to by

RM HOLLEY JR. PPD

NAME OF AFFIANT

CLERK MAGISTRATE JUDGE

A. Ballin

03/29/2024 08:40 PM

DATE AND TIME

FILE NO.
SEARCH WARRANT
COMMONWEALTH OF VIRGINIA
v./In re
Wilcox Ave.
Portsmouth,

CENTRAL P. MORRISON
CIRCUIT COURT CLERK
2024 APR -2 AM 10:43

SEARCH INVENTORY AND RETURN

The following items, and no others, were seized under authority of this WARRANT:

- 1. tools misc
- 2. phone
- 3. laptop
- 4. tablet
- 5. router
- 6. note books
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____

The statement above is true and accurate to the best of my knowledge and belief.

emw

4/2/24
DATE

RM Holley
EXECUTING OFFICER

Subscribed and sworn before me this day

4/2/24
DATE

SW
[] CLERK [] MAGISTRATE [] JUDGE

FOR NOTARY PUBLIC'S USE ONLY:

State of _____ [] City [] County of _____

Acknowledged, subscribed and sworn to before me this _____ day of _____, 20 _____

NOTARY REGISTRATION NUMBER

NOTARY PUBLIC
(My commission expires: _____)

EXECUTION

Executed by searching the within described place, person or thing.

3/29/24 2054
DATE AND TIME EXECUTED

M. Holley
EXECUTING OFFICER

Certified to PORTSMOUTH

Circuit Court on 4/2/24
DATE

RM Holley
EXECUTING OFFICER

Received in person [] by certified mail
[] by electronically transmitted
facsimile

on 4/2/24
DATE

by: SW
CLERK OF CIRCUIT COURT

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:
 a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:
Homicide 18.2-32

[] CONTINUED ON ATTACHED SHEET

2. The place, person or thing to be searched is described as follows [] and is a place of abode:
Dwelling located at Wilcox Ave., in the City of Portsmouth. The residence is a two story vinyl sided structure painted beige with brown shutters and trim with a tan roof. There is a small porch with 5 brick steps leading up to the landing and the numerals " " above the front door on a plaquard. The rear of the dwelling has a detached garage with beige vinyl siding with a tan roof and white garage door. This affiant requests permission to search any out building and curtilage.

[] CONTINUED ON ATTACHED SHEET

3. The things or persons to be searched for are described as follows:
Items to be searched for are clothing, all paperwork and publications, anything that could contain DNA, electronics, and tools that are believed to contain bodily fluids found in the home owned by

[] CONTINUED ON ATTACHED SHEET

(OVER)

FILE NO.

AFFIDAVIT FOR SEARCH WARRANT

APPLICANT:

R.M. Holley Jr.

NAME

Detective

TITLE (IF ANY)

311 County St.

ADDRESS

Portsmouth Virginia, 23704

Certified to Clerk of

Portsmouth

CITY OR COUNTY

Circuit Court

on

3-29-24

DATE

M. Holley

TITLE

[Signature]

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 Circuit Court
CITY OR COUNTY WHERE EXECUTED

on

DATE

.....
TITLE

.....
SIGNATURE

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

5. The object, thing or person to be searched for constitutes evidence of the commission of such offense [] is the person to be arrested for whom a warrant or process for arrest has been issued.

6. Authorization to execute a search warrant of a place of abode other than in the daytime hours between 8:00 a.m. and 5:00 p.m. is requested.

The material facts constituting good cause for such authorization are:

The residence is currently secured by police who had executed a search warrant earlier in the day for the same location. No one other than law enforcement and their support staff members has been able to enter or exit the home since the execution of the search warrant.

[] Reasonable efforts were made to locate a judge, and a judge is not available, before seeking authorization from a magistrate to execute a search warrant other than in the daytime hours between 8:00 a.m. and 5:00 p.m., with those reasonable efforts being as follows:

OR Reasonable efforts were not made to locate a judge as the following circumstances require the issuance of the search warrant after 5:00 p.m.:

The residence was already secured by police who had executed a search warrant earlier in the day for the same location.

7. I have personal knowledge of the facts set forth in this affidavit AND/OR

I was advised of the facts set forth in this affidavit, in whole or in part, by one or more other person(s). The credibility of the person(s) providing this information to me and/or the reliability of the information provided may be determined from the following facts:

Detective Holley has been with the Portsmouth Police Department for over 17 years and has been with the Criminal Investigations Unit for over 4 of those years.

Forensic Technician D. Tramuel has been with the Portsmouth Police Department for over 2 years and has processed several crime scenes during her career.

The statements above are true and accurate to the best of my knowledge and belief.

Detective

TITLE OF APPLICANT



APPLICANT

Subscribed and sworn to before me this day.

3-29-24

2040

DATE AND TIME



[] CLERK

MAGISTRATE

[] JUDGE