



OFFICER'S RETURN ON SEARCH WARRANT

FOR: THE HONORABLE JUDGE THOMAS WHEELER

DATE: December 16th, 2016

Come to hand on the 13th day of December, A.D., 2016, at 10:35 pm and executed on the 14th day of December, A.D., 2016, at 9:59 am by seizing and taking the following described property:

- 1) No items of evidence located.

Which said property was found by me at the place designated and described in the warrant, in obedience to command of said warrant.

A handwritten signature in black ink, appearing to read "J. Cowan", written over a horizontal line.

Detective Jeff Cowan -773

Two sets of handwritten scribbles in black ink, located in the bottom left corner of the page.

Search Warrant

State of Texas
County of Taylor

THE STATE OF TEXAS to the Sheriff or any Peace Officer of Taylor County, Texas or any Peace Officer of the State of Texas, GREETINGS:

Whereas, the affiant whose name appears on the affidavit attached hereto is a Peace Officer under the laws of Texas, and did heretofore this date subscribe and swear to said Affidavit before me and whereas I find that the verified facts stated by the Affiant in said Affidavit show that the Affiant has probable cause for the belief that expresses therein and establish existence of proper grounds for issuance of this Warrant; now, therefore, you are commanded to enter the suspected item, a green Cabela's safe, which is located at 342 Mesquite, Abilene, Taylor County, Texas, and search for items including but not limited to: a .40 caliber handgun, .40 caliber ammunition, spent .40 caliber shell casings, cellphones, blood, fibers, muddy, bloody, or wet clothing, and bloody, muddy, or wet footwear

HEREIN FAIL NOT, but you then and there this Warrant within three (3) days, exclusive of the day of its issuance and showing how you executed same.

ISSUED this the 13th day of December, 2016, to certify which witness my hand this date at 10:39, P. M.

A handwritten signature in black ink, appearing to read 'T. Wheeler', written over a horizontal line.

Judge Thomas Wheeler 350th Dist Court

Affidavit for Search

State of Texas
County of Taylor

I, Jeff Cowan, being a peace officer under the law of Texas and being duly sworn, on oath makes the following statements and accusations:

1. There is in Abilene, Taylor County, Texas, a suspected item described and located as follows: a green Cabela's safe, located inside of a storage building located at 342 Mesquite, Abilene, Taylor County, Texas, further described as a red brick building with a white overhead garage door that faces to the East. The numbers 342 are prominently displayed in black and are on the north side of the white overhead garage door
2. Said suspected place is in the charge of and controlled by the following named parties: Luke Matthew Sweetser, a white male born on [REDACTED] and Ellouise Sweetser, a white female born on [REDACTED] and numerous other family members who have access.
3. There is a suspected item constituting evidence of a criminal offense or constituting evidence tending to show that a particular person committed a criminal offense: Any and all items related to the offense of Texas Penal Code 19.02 MURDER including but not limited to: a .40 caliber handgun, .40 caliber ammunition, spent .40 caliber shell casings, cellphones, blood, fibers, muddy, bloody, or wet clothing, and bloody, muddy, or wet footwear.
4. Affiant has probable cause for said belief by reason of the following facts:

Your affiant was called to assist with a homicide investigation where patrol officers responded to a residence in the 3700 block of Woodridge and found a male subject was deceased in his bedroom. The victim had sustained several gunshot wounds. Empty .40 caliber shell casings were recovered from the scene. There was no forced entry discovered and the witness, the victim's wife, heard several gunshots before running from the residence in fear.

During the investigation, it was discovered that the victim's father had recently passed away and there was reported strife between family members concerning the executors of the related will. The victim and his mother had been named as executors, but the victim's sister, Ellouise Sweetser, and her husband, Luke Sweetser, had specifically been excluded as executors of the will. Ellouise and Luke Sweetser were reportedly very upset over this issue and had made failed requests and attempts and changing the status of the executorship which led to verbal disputes between themselves and the deceased.

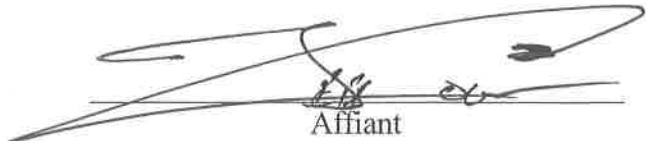
State of Texas
County of Taylor

Your affiant additionally learned during the investigation that Luke Sweetser's location was unaccounted for during the night and morning leading up to the victim's death. When contacted by detectives, Luke Sweetser specifically told a detective that he did not have an alibi and was uncooperative with the investigation of the murder of his family member by further refusing to speak to detectives. While processing the crime scene, investigators located marks and tracks in the mud leading to the creek behind the victim's house. This leads your affiant to believe the suspect approached and/or exited the crime scene via Elm Creek, which would leave mud on clothing.

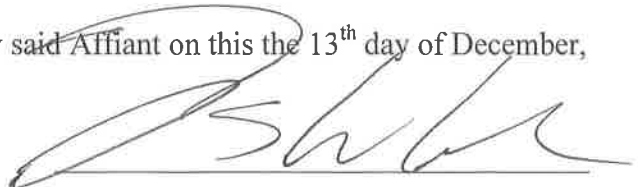
Your affiant has spoken with a family member who advised that the family owns a storage building at 342 Mesquite in Abilene. It was indicated that numerous family members including Luke and Ellouisa Sweetser have routine access to the storage facility. On December 13th, 2016, your affiant was granted access, via written consent to search form, to the storage building. The overhead garage door was opened and numerous items were found to be stored inside. This family member provided consent to look through the items inside.

During the search your affiant located numerous firearms inside of a wooden box. This box also contained items with Luke Sweetser's name on them. It appears this storage facility is common location for Luke Sweetser to store firearms. It is known that the spent casings located at the homicide scene, 3774 Woodridge Drive were .40 caliber.

Also inside of the storage building was a green Cabela's safe. The safe was said to belong to Luke Sweetser and it was found to be locked. Your affiant has learned through his training and experience that persons involved in criminal activity often keep the clothing, firearms, ammunition, electronic items to include cellphones, thumb drives and documents. Your affiant also knows that persons involved in criminal activity transfer evidence from place to place inadvertently and intentionally. Therefore, your affiants ask for the issuance of this warrant to search said suspected item, in suspected place.


Affiant

Subscribed and sworn before me by said Affiant on this the 13th day of December, 2016.



Judge Thomas Wheeler 350th Dist Court