

State of Texas
County of Taylor

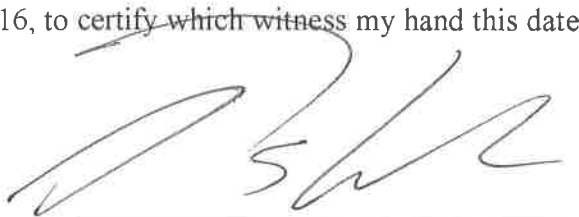
Search Warrant

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 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 phone (One black Apple I-Phone cellular phone with phone number: [REDACTED]), located at 450 Pecan Street Abilene, Taylor County, Texas and to seize evidence including but not limited to: subscriber information, call logs, historical call, text, electronic mail, and data logs, text message content, Facebook messages, Application Data and Application Storage Information, photographs, videos, internet browser history, contact information, stored electronic data, and legend information.

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 15th day of December, 2016, to certify which witness my hand this date at
10:22 A.M.



Magistrate

**State of Texas
County of Taylor**

Affidavit for Search Warrant

I, Jonathan Merrick, 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 place described and located as follows: 450 Pecan Street Abilene, Taylor County Texas, further described as The Taylor County Law Enforcement Center in which is contained a black Apple I-Phone cellular phone with phone number [REDACTED] under Abilene Police Department case number 16-21797.
2. Said suspected place is in the charge of and controlled by the following named Party: Luke Sweetser, White male, 12/1/71.
3. There are items 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 Statute 19.02 Murder, a First Degree Felony, including but not limited to: information related to cellular telephone with assigned number [REDACTED] belonging to Luke Matthew Sweetser which contains information and 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 Statute 19.02 Murder, a First Degree Felony, including but not limited to: subscriber information, call logs, historical call, text, photographs, videos, electronic mail, and data logs, text message content, Facebook messages, Application Data and Application Storage Information, internet browser history, contact information, stored electronic data, and legend information.
4. Affiant has probable cause for said belief by reason of the following facts:

Your Affiant is a Texas Peace Officer. Your Affiant is currently a detective with the Abilene Police Department. Your Affiant is assigned to the Crimes Against Persons Unit. Your Affiant has received numerous hours of training and has investigated numerous cases to include robberies, aggravated assaults, sexual assaults, and murders.

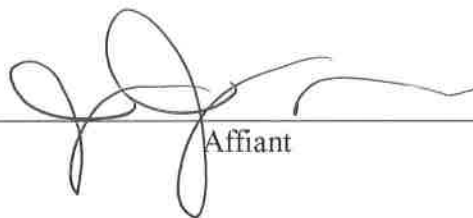
Officers with the Abilene Police Department discovered during an investigation into the murder of Thomas Niblo, who had been shot during the morning hours of December 12, 2016 in the 3700 block of Woodridge, that a financial dispute had arisen between the Thomas Niblo, Luke Sweetser, and Elloise Sweetser regarding the execution of a will and the distribution of the assets in the estate. Officers with the Abilene Police Department contacted Luke Sweetser in reference to the murder investigation. Luke Sweetser advised that he did not have an alibi for his whereabouts for the time leading up to and during the time of the murder. After the lawful arrest of Luke Sweetser for an outstanding warrant regarding another criminal offense, the cellular phone belonging to Luke Sweetser was located in his possession with assigned phone number [REDACTED]. Your affiant

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knows that often prior to, during, or after the commission of a crime the offenders will communicate their actions to others using cellular phones, and evidence is stored on these phone to indicate the activities of persons involved in an offense.

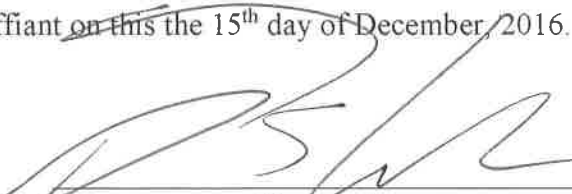
As such, your affiant is making an application for an order that will authorize him to obtain records from Luke Sweetser's cellular phone including but not limited to: information related to cellular telephone with assigned number [REDACTED] belonging to Luke Matthew Sweetser, including subscriber information, photographs, video, call logs, historical call, text, electronic mail, and data logs, text message content, Facebook messages, Application Data and Application Storage Information, internet browser history, contact information, stored electronic data, and legend information. Your affiant learned that the cell phone with assigned phone number [REDACTED] is associated with Luke Sweetser (Abilene Police Department Case 16-021797).

Wherefore, your Affiant asks for issuance of a warrant that will authorize him to search said suspected place and premises for said persons and personal property and seize the same.



Affiant

Subscribed and sworn before me by said Affiant on this the 15th day of December, 2016.



Magistrate



OFFICER'S RETURN ON SEARCH WARRANT

FOR: THE HONORABLE JUDGE THOMAS WHEELER

DATE: 15th November, 2016

Come to hand on the 15th day of December 2016, at 10:22 am and executed on the 15th day of December, 2016 at 10:48 am by seizing and taking the following described property:

1. All electronic data stored on one black Apple iPhone Cell phone with phone number: _____ The Evidentiary Search warrant was executed at the Taylor County Law Enforcement Center located at 450 Pecan Street, Abilene, Taylor County, Texas, 79604.

Which said property was found by me at 450 Pecan Street, Abilene, Taylor County, Texas.

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

Detective Merrick
Abilene Police Department