

## Search Warrant

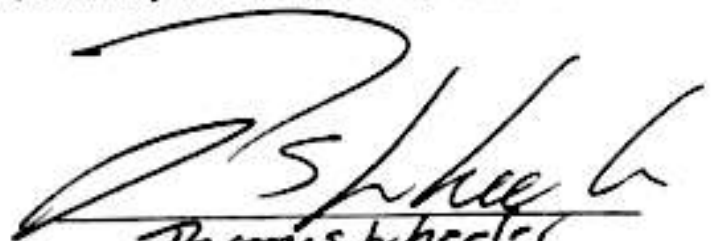
**State of Texas**  
**County of Taylor**

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 place, [REDACTED], Abilene, Taylor County, Texas, including but not limited to: a .40 caliber handgun, .40 caliber ammunition, spent .40 caliber shell casings, cellphones, computes, tablets, electronic storage devices, as well as journals, papers, financial records, footwear with identifiable tread pattern, as well as any data on any cellphones, computers, tablets, or electronic storage devices located at the suspected place.

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 January, 2017, to certify which witness my hand this date at 11:34, P. M.

  
Thomas Wheeler  
Judge 350<sup>th</sup> Dist Court

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**County of Taylor**

I, Tim Pipes, 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: A multi-unit commercial storage facility located at \_\_\_\_\_, Abilene, Taylor County, Texas, further described as a tan commercial renovated shopping plaza building with some brick façade and white metal siding around white metal roll-up canister doors, and three pairs of glass double-front entrance doors that faces to the South with the numbers \_\_\_\_\_ over the center pair of double doors in black numbering on silver backing stickers. There is a large black sign with white trim displaying in large prominent white letters: Turnkey Storage, also facing South. Inside the are several individually divided storage units and unit \_\_\_\_\_ is a 10x20 unit with a white roll-up canister door facing East with the numbers \_\_\_\_\_ displayed in black numbers above the garage door.
2. Said suspected place is in the charge of and controlled by the following named parties: \_\_\_\_\_; Turnkey Storage and Luke Matthew Sweetser, a white male born on \_\_\_\_\_ and Elloise Sweetser, a white female born on \_\_\_\_\_
3. There is a suspected place and premises the following 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 19.02 MURDER including but not limited to: a .40 caliber handgun, .40 caliber ammunition, spent .40 caliber shell casings, cellphones, computes, tablets, electronic storage devices, as well as journals, papers, financial records, footwear with identifiable tread pattern, as well as any data on any cellphones, computers, tablets, or electronic storage devices located at the suspected place.
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 police 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

**State of Texas**  
**County of Taylor**

several gunshots before running from the residence in fear. Marks and tracks were discovered in the mud leading to the creek behind the victim's house.

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, Elloise Sweetser, and her husband, Luke Sweetser, had specifically been excluded as executors of the will. Elloise and Luke Sweetser were reportedly very upset over this issue and had made failed requests and attempts at changing the status of the executorship which led to verbal disputes between themselves and the deceased.

Your affiant additionally learned during the investigation that Luke Sweetser's location was unaccounted for during the night and morning leading up to the shooting victim's death. When contacted by detectives, Luke specifically told a detective that he did not have an alibi and was uncooperative with the investigation of the murder of his close family member by further refusing to speak to detectives for any reason.

Over several days, your affiant and other detectives have applied for and executed search warrants in reference to this investigation and have learned information relative to this case gained through investigative means, evidence gained from search warrants and subpoenas, and information gained during analysis of data garnered from search warrants and subpoenas. Some information acquired included learning that, during the suspected time of the murder, Luke Sweetser's cell phone was turned off. Your affiant learned that Ellouise Sweetser was frantically looking for him during the same time, as communicated with a family member and reflected on a recording of a voicemail left by Ellouise for Luke's cell phone number, frantically asking for him by name and requesting his location on the recording. After knowing of the victim's death, Ellouise's cell phone records reflect a call from her phone number to Luke Sweetser's cell phone number which connected for 1 minute and 8 seconds. At this time, Luke's phone was located at or near a warehouse in the 300 block of Mesquite, associated with the Sweetser family and accessible by Luke Sweetser. Minutes later, Luke arrived late for work at Blue Cross Blue Shield for a brief time. Luke then left to retrieve his 13-year-old son, \_\_\_\_\_ Sweetser, from school. In an administrator's office, Luke told \_\_\_\_\_ that the victim had been shot. \_\_\_\_\_ responded by saying that the victim was mean and nobody liked them but he hoped that the shooting was done with a .40 caliber so that the victim wouldn't suffer. A .40 caliber pistol matching the suspected murder weapon has not been recovered.

**State of Texas**  
**County of Taylor**

During the execution of a search warrant on 12/13/16 at 104 Pine Street at the fourth floor office suites of Luke and Ellouise Sweetser at 10:56 am, your affiant observed journals that were found to have handwritten writings, in difficult to read and decipher cursive handwriting. There were also numerous nude and disturbing pornographic photos and images cut and pasted throughout the pages of the journals, with the cursive writings all around them. A photo was taken depicting a sample of the journal's contents. Your affiant recalled observing journals which were similar in appearance during the execution of a search warrant on 12/12/16 at the residence of Luke and Ellouise Sweetser at 1618 Sylvan Drive at 3:31 pm.

Later during the course of the investigation, close family members to the victim voluntarily produced papers which were reportedly obtained from Ellouise Sweetser's mother's residence. The papers were reportedly transported to the residence by Ellouise when she moved to Abilene several months ago with the understanding that Ellouise intended on using the papers as evidence in a divorce suit against Luke Sweetser. The papers were then left and kept there. Your affiant learned that the papers included photocopied versions of a journal, again, similar content as the journals observed at the fourth floor office suites belonging to Luke and Ellouise Sweetser. A closer examination of the copies of these writings revealed that the author, believed and understood to be Luke Sweetser, had written his ideas, goals, beliefs, important events, dates, plans, assessments, introspective self-talk, encouragement, admonishments, disappointments, values, mentalities, achievements, objectives, accomplishments, successes, failures, meanderings, and thoughts throughout the journal. Your affiant believes that the journals observed at 1618 Sylvan Drive are similar in content as the ones discovered and examined at 104 Pine Street. Your affiant believed that all of the journals observed contain numerous pages and volumes of information documented by Luke Sweetser. Information contained in the journals could contain evidence related to this murder investigation.

Another search warrant was executed on 01/12/16 at 1618 Sylvan Drive at 3:20 pm, and some of the referenced journals were located and seized. The last date of entry on the journal was from December 6<sup>th</sup>, 2016 and made reference to the murder victim. A rental contract from Turnkey Storage 4220 N 1<sup>st</sup> Street in Abilene, Texas was located and seized, signed by Ellouise Sweetser for rental of a storage unit #1602 starting in January, 2017. It is believed that the journals observed at 104 Pine Street on the fourth floor are now located at the storage unit

During the course of this investigation, other detectives working with your affiant were given consent to search the same warehouse facility in Abilene in the 300 block of Mesquite as previously mentioned in this affidavit. Detectives found a

locked safe inside the warehouse which was owned and controlled by Luke Sweetser. A search warrant was applied for and executed for the locked safe and

reported stolen weapons were located inside the safe. The stolen weapons were recovered and identified as being reportedly taken from the same fourth floor at the Alexander Building at 104 Pine Street as Luke and Ellouise's office suites. Your affiant learned that Luke and Ellouise had a key to the Alexander building manager's office, also giving them access to every key to every door lock in the Alexander Building via keys in the building office manager's office. Detectives subsequently arrested Luke Sweetser for the charges related to the recovered stolen weapons. During Luke's incarceration, your affiant has learned that Ellouise Sweetser had returned to the office suites and removed property. Ellouise reportedly hired a professional moving company to load items and relocate them to a location unknown to your affiant. Your affiant has also learned that Ellouise had since purchased and activated a new cell phone in a name other than her own, using an assumed or false name, as well as a false address. Your affiant knows from training and experience that individuals purchase and activate such cell phones in assumed or false names and addresses to avoid detection of the cell phone or data usage associated with a specific person or their identifying information, and the cell phone can therefore be used for unlawful purposes, criminal activity, or otherwise avoid detection or association of commonly used cellular phone functions which could contain evidence of a crime associated with their own identifying information and associated data. Detectives investigating this case have learned from confidential sources that Luke Sweetser has communicated with his family on occasions while incarcerated inside the Taylor County Jail, other than those recorded through normal means or official records at the Taylor County Jail. During the search of 1618 Sylvan on 01/12/16, a document believed to have been typed by Ellouise was located and seized with references to her communicating with Luke while in jail custody via phone verses normal means of recorded communication or visitation.

Your affiant has learned through his training and experience that persons involved in criminal activity often utilized cellphones, computers, laptops, tablets, and written journals to research, discuss, and identify their goals, plan their activities, achieve their plans, objectives, accomplishments, and to take, store, and display photos, and to keep records of their progress and success. Electronic storage devices can contain and/or store this type of information and data. Written journals and diaries can contain this type of information, as well. Furthermore, electronic devices can contain geographical information that can corroborate their locations at a given time.

During the course of the investigation, detectives observed and recovered evidence at the crime scene that included images of muddy footprints left on the

Detective [redacted] using those images, [redacted] faint outline of the footwear tread-print with a "replace color" tool in [redacted] software, allowing detectives to observe a discernable footwear tread impression identified with distinct round nubs and measured in excess of 12 inches in length. Luke Swenson is believed to wear a size 13 shoe. Detectives did not have access to the discernible tread pattern when Luke's residence was previously searched subsequent to search warrants. It is believed that footwear belonging to Luke [redacted] could now be located at the storage facility unit [redacted] which could now be examined and compared to the enhanced photographic evidence associated with the footwear impression from the victim's bathroom door, believed to have been left by the suspect.

Detective [redacted] have issued subpoenas for Luke and [redacted] [redacted]