

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, 450 Pecan Street, Abilene, Taylor County, Texas, including but not limited to: electronic data stored on multiple storage devices to include a Dell Optiplex 980 computer, a Dell Optiplex 7010 computer, a silver Dell laptop, a black Asus laptop, a black HP laptop, a silver and black MID tablet, a black Samsung Galaxy Player cellphone, an Apple iPad with Otterbox, a blue Amazon Kindle Fire tablet, an Apple iPad in a black soft case, a black Amazon Kindle Fire tablet marked , a mini-Amazon Voyager tablet, An Amazon tablet with broken screen, a silver iPad marked "Sweetser", an Olympus audio recorder, a gray Alcatel cellphone, a red and black Lexar 4G USB flash drive, two silver SkyGidget USB flash drives, an Apple iPhone 6S, and a Dell all-in-one desktop computer.

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 10:18, P. M.



Judge Thomas Wheeler 350th Dist Court

Affidavit for Search Warrant

State of Texas
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: The Abilene Police Department located at 450 Pecan Street Abilene, Taylor County, Texas.
2. Said suspected place is in the charge of and controlled by the following named parties: Abilene Police Department
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: electronic data stored on multiple storage devices to include a Dell Optiplex 980 computer, a Dell Optiplex 7010 computer, a silver Dell laptop, a black Asus laptop, a black HP laptop, a silver and black MID tablet, a black Samsung Galaxy Player cellphone, an Apple iPad with Otterbox, a blue Amazon Kindle Fire tablet, an Apple iPad in a black soft case, a black Amazon Kindle Fire tablet marked [REDACTED], a mini-Amazon Voyager tablet, An Amazon tablet with broken screen, a silver iPad marked [REDACTED] Sweetser", an Olympus audio recorder, a gray Alcatel cellphone, a red and black Lexar 4G USB flash drive, two silver SkyGidget USB flash drives, an Apple iPhone 6S, and a Dell all-in-one desktop computer.
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 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, 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.

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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.

Your affiant learned that, after knowing of the victim's death, Luke Sweetser retrieved his 13-year-old son, [redacted] Sweetser, from school. In an administrator's office, Luke told [redacted] that the victim had been shot. [redacted] 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.

Your affiant has learned through his training and experience that persons involved in criminal activity often utilized cellphones, computers, laptops, and tablets to research, discuss, and achieve their plans, objectives, accomplishments, and to take and store photos. Electronic storage devices can contain and/or store this type of information and data. Furthermore, electronic devices can contain geographical information that can corroborate their locations at a given time.

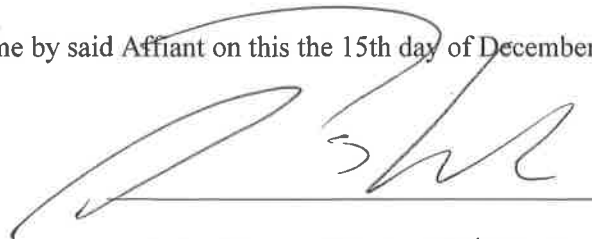
On December 13th, 2016, your affiant applied for a search warrant for the address of 1618 Sylvan Drive, Abilene, Taylor County, Texas, the home of Luke and Ellouise Sweetser. The search warrant was subsequently signed and approved and was executed at 5:30 pm on the same date. Multiple electronic storage devices were seized, as listed on the warrant return provided to the court. Your affiant believes that the electronically stored data will provide information material to your affiant's investigation.

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



Affiant

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



Judge Thomas Wheeler 350th Dist Court



OFFICER'S RETURN ON SEARCH WARRANT

FOR: THE HONORABLE JUDGE THOMAS WHEELER

DATE: December 15th, 2016

Come to hand on the 15th day of December, A.D., 2016, at 10:18 am and executed on the 15th day of December, A.D., 2016, at 10:30 am by seizing and taking the following described property:

- 1) Electronic data stored on multiple storage devices

Which said property was found at 450 Pecan Street Abilene, Texas, in obedience to command of said warrant.



Detective Tim Pipes 741