

002/009

10/22/2014 11:27 FAX

File No.

SEARCH WARRANT

IN THE MATTER OF

TRAVIS LINDSEY HEFFNER

Date Issued	Time Issued
10/20/2014	11:05 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM

Name Of Applicant
SERGEANT JP McCOY

Name Of Additional Affiant
MAJOR SH QUEEN

Name Of Additional Affiant

RETURN OF SERVICE

I certify that this Search Warrant was received and executed as follows:

Date Received	Time Received
10/20/2014	11:07 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM

Date Executed	Time Executed
10/20/2014	11:34 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM

I made a search of 77 Daniels Dr. Sylva, NC. 2004 Silver Ford pickup truck and the person of Travis Lindsey Heffner

as commanded.

I seized the items listed on the attached inventory.

I did not seize any items.

This Warrant WAS NOT executed within forty-eight (48) hours of the date of issuance and I hereby return it not executed.

Name Of Officer Making Return (Type Or Print)
[Signature]

Signature Of Officer Making Return

Department Or Agency Of Officer
Jackson Co. Sheriff

Incident Number

STATE OF NORTH CAROLINA

JACKSON County

In The General Court Of Justice
District/Superior Court Division

To any officer with authority and jurisdiction to conduct the search authorized by this Search Warrant:

I, the undersigned, find that there is probable cause to believe that the property and person described in the application on the reverse side and related to the commission of a crime is located as described in the application.

You are commanded to search the premises, vehicle, person and other place or item described in the application for the property and person in question. If the property and/or person are found, make the seizure and keep the property subject to Court Order and process the person according to law.

You are directed to execute this Search Warrant within forty-eight (48) hours from the time indicated on this Warrant and make due return to the Clerk of the Issuing Court.

This Search Warrant is issued upon information furnished under oath or affirmation by the person(s) shown.

FILED
OCT 20 11:24 AM
JACKSON COUNTY, N.C. S.C.

Date	Name (Type Or Print)	Signature
10/20/2014	MARK HOLCOMBE	<i>[Signature]</i>

Deputy CSC Assistant CSC CSC Magistrate District Ct. Judge Superior Ct. Judge

This Search Warrant was delivered to me on the date and at the time shown below when the Office of the Clerk of Superior Court is closed for the transaction of business. By signing below, I certify that I will deliver this Search Warrant to the Office of the Clerk of Superior Court as soon as possible on the Clerk's next business day.

Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Name Of Magistrate (Type Or Print)	Signature Of Magistrate
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This Search Warrant was returned to the undersigned clerk on the date and time shown below.

Date	Time	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Name Of Clerk (Type Or Print)	Signature Of Clerk	<input type="checkbox"/> Dep CSC	<input checked="" type="checkbox"/> Ass't CSC	<input type="checkbox"/> CSC
10/22/14	11:24		Angela K Rice	<i>[Signature]</i>			

APPLICATION FOR SEARCH WARRANT

1. SERGEANT JP McCOY OF THE JACKSON COUNTY SHERIFF'S OFFICE
(insert name and address; or if law enforcement officer, name, rank and agency)

being duly sworn, request that the Court issue a warrant to search the person, place, vehicle, and other items described in this application and to find and seize the property and person described in this application. There is probable cause to believe that *(Describe property to be seized; or if search warrant is to be used for searching a place to serve an arrest warrant or other process, name person to be arrested)*
SEE ATTACHEMENT SECTION "PROPERTY TO BE SEIZED"

constitutes evidence of a crime and the identity of a person participating in a crime, *(Name crime)* SEE ATTACHMENT SECTION "CRIMES"

and is located *(Check appropriate box(es) and fill-in specified information)*

in the following premises *(Give address and, if useful, describe premises)*
SEE ATTACHMENT SECTION "PROPERTY TO BE SEARCH"

(and)

on the following person(s) *(Give name(s) and, if useful, describe person(s))*
TRAVIS LINDSEY HEFFNER, DOB 7/19/1993, TO INCLUDE BLOOD DRAW FROM TRAVIS LINDSEY HEFFNER

(and)

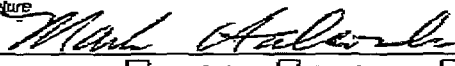
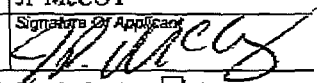
in the following vehicle(s) *(Describe vehicle(s))*
2004 SILVER FORD PICKUP TRUCK, NC TAG RYS-3143,
VIN 1FTPX14574NA44995

(and)

(Name and/or describe other places or items to be searched, if applicable)
ANY CELL PHONES; COMPUTERS; ELECTRONIC STORAGE DEVICES
AND CONTENTS

The applicant swears or affirms to the following facts to establish probable cause for the issuance of a search warrant:

SEE ATTACHMENT SECTION "PROBABLE CAUSE"

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME		Date
Date	10/20/2014	10/20/2014
Signature		Name Of Applicant (Type Or Print)
		JP McCOY
		Signature Of Applicant
		
<input checked="" type="checkbox"/> Magistrate	<input type="checkbox"/> Dep. CSC	<input type="checkbox"/> Asst. CSC
<input type="checkbox"/> Clerk Of Superior Court	<input type="checkbox"/> Judge	

In addition to the affidavit included above, this application is supported by additional affidavits, attached, made by SERGEANT JP McCOY

In addition to the affidavit included above, this application is supported by sworn testimony, given by MAJOR SHANNON QUEEN

This testimony has been *(check appropriate box)* reduced to writing
 tape recorded and I have filed each with the clerk.

NOTE: If more space is needed for any section, continue the statement on an attached sheet of paper with a notation saying "see attachment." Date the continuation and include on it the signatures of applicant and issuing official.

DISTRICT COURT DIVISION

STATE OF NORTH CAROLINA

JACKSON COUNTY

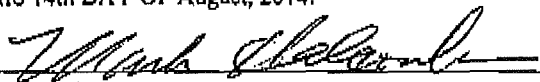
CONTINUATION IN THE MATTER OF:
8357 Highway 107
Cullowhee, NC 28723

AFFIDAVIT

I, Detective Sgt. Patrick McCoy have been a law enforcement officer with the Jackson County Sheriff's Office for the past seventeen years. For the past thirteen years I have been assigned to the criminal investigation division, which is an interagency criminal investigation unit comprised of officers from the Jackson County Sheriff's Office. In my career with the Jackson County Sheriff's Office I have served as a Uniformed Patrol Officer and Investigator. I attended Basic Law Enforcement Training at Southwestern Community College in Franklin, North Carolina. I hold an Associate's Degree in Criminal Justice from Southwestern Community College. I have attended a week long Search Warrant writing school put on by the North Carolina Justice Academy. I have attended more than 1000 hours of criminal justice training. I have attended two different Homicide Investigation schools. I have graduated from the National Fire Academy's Arson Investigations School. I have attended training in the area of Clandestine Laboratory identification and safety presented by Kenneth Razza of the North Carolina State Bureau of Investigation and the North Carolina Justice Academy. I have attended the National Child Sex Abuse Symposium twice. I have attended classes for interview and interrogation. I have attended classes for basic and intermediate SWAT and Hostage Rescue. I have also attended numerous other classes that are too many to list. I have been the lead investigator on several homicide cases including a first degree murder case that ended with a successful conviction. I have typed and executed more than 50 search warrants and have been on over 100 search warrants in all during my sixteen years with the Jackson County Sheriff's Office. I have participated in and made arrests associated with federal drug crimes and have been a sworn DEA task force officer. As a DEA task force officer I have been involved with investigations concerning the sell and delivery of over a hundred pounds of methamphetamine and have gotten numerous federal indictments on these individuals.

1. I make this affidavit in support of a search warrant to search for and seize evidence related to a fatal shooting that occurred at 77 Paniolo Drive, Sylva, North Carolina.
2. The information set forth in this Affidavit is known to me as a result of my own investigation, through review of reports or has been communicated to me by other law enforcement personnel.
3. This affidavit contains information necessary to establish probable cause but, does not include each and every fact known by me and/or known by the government.

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 14th DAY OF August, 2014.


Magistrate


Signature of Applicant

Page 1 of 4 Pages

DISTRICT COURT DIVISION

STATE OF NORTH CAROLINA

JACKSON COUNTY

CONTINUATION IN THE MATTER OF:
8357 Highway 107
Cullowhee, NC 28723

DESCRIPTION AND DIRECTIONS OF PLACES TO BE SEARCHED

The places to be searched are as follows:

The residence located at 77 Paniolo Drive, Sylva North Carolina


Directions to the residence are as follows:

77 PANIOLO DRIVE, SYLVA, NORTH CAROLINA, 28779. Residence located there, to include all outbuildings, living quarters, curtilage, and vehicles. This address can be accessed by leaving the Jackson County Sheriff's Office located at 399 Grindstaff Cove Road, turn left onto Grindstaff Cove Road. Stay to the right, continue up the ramp and merge onto US 74 east bound. Continue on US 74 to the first turn around past Mineral Springs Road, at Ochre Hill Baptist Church. Use the turn around and travel US 74 west bound and take the second right onto Dandelion Drive. Continue on Dandelion Drive and take the first road to the left, a gravel road, downhill, onto Paniolo Drive. Travel less than .1 miles down the drive to a tan/off-white single wide trailer on the left. The trailer has a small wooden rear porch and a wooden front porch. In the drive is a silver Ford pickup truck, NC tag RYS-3143, VIN 1FTPX14574NA44995.

VEHICLES TO BE SEARCHED

1. NC, TYN 6258, 1986 Camouflage Ford Truck, VIN 1FTEF14Y3GNA50785
2. NC, ZSL 6728, 1993 Maroon Ford Truck, VIN 1FTCR11X5PTA41138
3. NC, YA110460, 1988 Red International Dump truck, VIN 1HTLKTVR1JH514087

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 14th DAY OF August, 2014


Magistrate


Signature of Applicant

DISTRICT COURT DIVISION

STATE OF NORTH CAROLINA

JACKSON COUNTY

CONTINUATION IN THE MATTER OF:
8357 Highway 107
Cullowhee, NC 28723

ITEMS TO BE SEIZED

1. Any and all physical and latent evidence related to the shooting of Kenneth Rodney Heffner to include but not limited to blood, hair, bodily fluids, clothing, fibers and any other trace evidence.
2. Any and all weapons and ammunition.
3. Any telephones including cellular devices.
4. Photographs of the crime scene.

CRIMES

1. Homicide

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 14th DAY OF August, 2014

Mark G. Blum
Magistrate

JP McCoy
Signature of Applicant

STATE OF NORTH CAROLINA

DISTRICT COURT DIVISION

JACKSON COUNTY

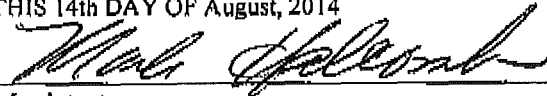
CONTINUATION IN THE MATTER OF:
8357 Highway 107
Cullowhee, NC 28723

PROBABLE CAUSE

On October 20, 2014 the Jackson County Sheriff's Office responded to 77 Paniolo Drive, Sylva, North Carolina 28779 in regards to a 911 call where the reporting party, later identified as TRAVIS LINDSEY HEFFNER, stated he had shot his father, later identified as KENNETH RODNEY HEFFNER. The 911 call was received by the Jackson County Dispatch Center at 18:39 hours and responding deputies checked on scene approximately 8 minutes later. During this time 911 dispatcher Maria Henry kept the caller on the phone. Dispatcher Henry told deputies responding to the scene, she had instructed the caller to lay the gun down and be outside when deputies arrived with his hands visible. Dispatcher Henry confirmed this with responding officer and told them the caller had placed the gun on the table in the living room. During a precursory search of the trailer at 77 Paniolo Drive, it was noted a handgun was laying on the table in the living room. The living room was also noted as being in disarray, with items broken and turned over. Dispatcher Henry also notified responding deputies, while talking to the caller, the person shot was down over a bank, but was breathing. Dispatcher Henry later notified responding officers the person shot had stopped breathing and the caller was starting CPR. When the deputies arrived on scene, they found the shot suspect about 20 feet from the front porch and about 7 feet down an embankment. TRAVIS HEFFNER was conducting CPR, down over the bank, on KENNETH HEFFNER. One deputy started assisting with CPR and two deputies went inside the trailer to secure the scene. Paramedics from West Care EMS arrived on scene and began with CPR. Shortly after EMS arrival, the shooting victim was pulled up the embankment to more level ground and CPR continued. Paramedics determined the CPR to be ineffective and contacted medical staff at Harris Regional Hospital. Paramedics were advised to discontinue CPR. Upon cessation of CPR, paramedics left the victim lying on the level surface. TRAVIS HEFFNER was taken into custody and detained at this point by Sergeant Yopp. TRAVIS HEFFNER was placed in the patrol vehicle of Sergeant Yopp and later transported to the Jackson County Detention Center by Sergeant Yopp. Upon arrival at the Detention Center, TRAVIS HEFFNER was searched and in his right front pocket a plastic bag containing marijuana was located. In addition to the plastic bag containing marijuana, it was noted by Detention Supervisor Sergeant Vreeland, TRAVIS HEFFNER had an odor of an alcoholic beverage about his person along with red blood shot eyes. It is also noted by Sergeant Yopp, TRAVIS HEFFNER has wet and dried blood on his hands.

This affiant respectfully requests the Courts to issue this search warrant based upon probable cause for the persons, places and vehicles contained in this search warrant to further the investigation of the fatal shooting of Kenneth Rodney Heffner.

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 14th DAY OF August, 2014


Magistrate


Signature of Applicant

STATE OF NORTH CAROLINA

File No.

Jackson County

In The General Court Of Justice

District Superior Court Division

IN THE MATTER OF:

Name

Travis Lindsey Heffner

INVENTORY OF ITEMS SEIZED
PURSUANT TO SEARCH

G.S. 15A-223, 15A-254. -257

I, the undersigned officer, executed a search of:

Person, Premises Or Vehicle Searched

The person of Travis Lindsey Heffner
The residence located at 77 Paniolo Drive
2004 Silver Ford Pickup Truck, N.C. Tag RYS-3143, VIN 1FTPX14574NA44995

Date Of Search

10-20-2014

This search was made pursuant to

- 1. a search warrant issued by: Mark Holcombe
- 2. consent to search given by: _____
- 3. other legal justification for the search: _____

The following items were seized:

1. Gunshot Residue kit performed on Kenneth Rodney Heffner
2. Apple I-Phone 4, white in color
3. Apple I-Phone in black and orange case
4. Ball Cap "Navy" with red stains
5. Sentry Lock Box with red stain containing
 - 2-boxes of Remington .22 Long Rifle cartridges
 - 1-Gold in color watch (ELGIN on face)
 - 1-Silver in color ring with clear stone
 - 1-set of keys
6. .22 Long Rifle shell casing with "REM" on bottom
7. Black and silver in color semi-auto hand gun, Phoenix Arms Model -HP22A, Serial Number-4406023, with red stain on left grip and trigger guard, with magazine containing 5 rounds ammunition and chambered spent shell casing
8. Wooden cigar box with "OLIVA" on lid containing 3-glass pipes and U.S. Currency coins
9. 1-Glass Pipe
10. Clear and Red Glass Bong
11. North Carolina Driver's License issued to Travis Lindsey Heffner
12. Clothing removed from the person of Travis Lindsey Heffner
 - 1-Pair Purple in color shoes
 - 1-Pair underwear
 - 1-Pair socks black and red
 - 1-Pair black denim shorts with blue belt
 - 1-Grey and red hoody
13. 5-Vials of blood taken from the person of Travis Lindsey Heffner

FILED
 2014 OCT 22 AM 11:25
 JAC 2014-00-011, O.S.C.
 BY

Items Seized Continued:

- 1. I left a copy of this inventory with the person named below, who is:
 - a. the owner of the premises searched.
 - b. the owner of the vehicle searched.
 - c. the person in apparent control of the premises searched.
 - d. the person in apparent control of the vehicle searched.
 - e. the person from whom the items were taken.
- 2. As no person was present, I left a copy of this inventory:
 - a. in the premises searched, identified on the reverse.
 - b. in the vehicle searched, identified on the reverse.

Name And Address Of Person To Whom A Copy Of This Inventory Was Delivered, If Any
 Travis Lindsay Hettr
 77 Parialo Drive
 Sylva NC 28779

The law enforcement agency identified below will hold the seized property subject to court order.

SWORN AND SUBSCRIBED TO BEFORE ME		Signature Of Law Enforcement Officer <i>[Signature]</i>
Date 10/22/14		Title Of Law Enforcement Officer Detective
Signature <i>[Signature]</i>		Name And Address Of Agency Jackson County Sheriff's Office 399 Grindstaff Cove Road Sylva NC 28779
<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Clerk Of Superior Court	<input checked="" type="checkbox"/> Assistant CSC <input type="checkbox"/> Magistrate	
ACKNOWLEDGMENT OF RECEIPT		
I, the undersigned, received a copy of this inventory.		
Date	Signature of Person Receiving Inventory	