

AFFIDAVIT FOR SEARCH WARRANT

Commonwealth of Virginia

VA. CODE § 19.2-54

The undersigned Applicant states under oath:

1. A search is requested in relations to an offense substantially described as follows:

A VIOLATION OF 18.2-328 OF THE CODE OF VIRGINIA; CONDUCT AN ILLEGAL GAMBLING OPERATION; 18.2-18.2-331, ILLEGAL POSSESSION OF GAMBLING DEVICES; 18.2-329, ILLEGALLY BEING AN OWNER, LESSEE, OCCUPANT, OR PERSON IN CONTROL OF A PLACE BEING USED FOR ILLEGAL GAMBLING WHO PERMITS SUCH ILLEGAL GAMBLING TO CONTINUE WITHOUT NOTIFYING LAW ENFORCEMENT OF SUCH ILLEGAL GAMBLING ACTIVITY.

CONTINUED ON ATTACHED SHEET

2. The place, person, or thing to be searched is described as follows:

A COMMERCIAL BUSINESS OPERATING UNDER THE NAME "INTERNET TIME" AND OR "INTERNET TIME AND MORE" WHICH IS LOCATED AT 1947 E. PEMBROKE AVE. IN THE BUCKROE SHOPPING CENTER WITHIN CITY OF HAMPTON, VIRGINIA AND THE PERSON OF GARRETT BLACKWELDER AND ANY PERSONS PRESENT AT THE BUSINESS WHO APPEAR TO BE EMPLOYEES OR OPERATORS OF THE BUSINESS.

CONTINUED ON ATTACHED SHEET

3. The things or persons to be searched for are described as follows:

GAMBLING DEVICES TO INCLUDE COMPUTERS, COMPUTER SERVERS, COMPUTER-RELATED EQUIPMENT, COMPUTER SOFTWARE, OPERATING SYSTEMS, HARD DRIVES, CONTENT OF THE HARD DRIVES, REMOVABLE MEDIA, MAGNETIC CARDS, MAGNETIC CARD READING DEVICES, ELECTRONIC MEDIA STORAGE DEVICES, AUTOMATED TELLER MACHINES, DOCUMENTS, RECORDS RELATED TO THIS BUSINESS, MONIES, CHECKS, CREDIT CARDS/ ATM CARDS AND RECEIPTS RELATED TO THIS BUSINESS, TELEPHONE AND INTERNET EQUIPMENT AND VIDEO SURVEILLANCE EQUIPMENT, VIDEO STORAGE DEVICES, AND ANY OTHER ITEM NOT PERMANENTLY ATTACHED TO THE BUILDING TO INCLUDE FURNITURE, SAFES, COPY AND FAX MACHINES OR ANY ITEMS CAPABLE OF BEING USED IN GAMBLING.

CONTINUED ON ATTACHED SHEET

CASE NO.	
AFFIDAVIT FOR SEARCH WARRANT	
APPLICANT: WAYNE ROBERTS NAME DETECTIVE CORPORAL TITLE (IF ANY) 40 LINCOLN STREET ADDRESS HAMPTON, VIRGINIA 23669	
Certified to Clerk of <i>Hampton</i> CITY OR COUNTY on <i>4/3/09</i> DATE <i>Magistrate</i> TITLE <i>James R. Compton</i> SIGNATURE	Circuit Court
Original Delivered: <input checked="" type="checkbox"/> in person <input type="checkbox"/> by certified mail <input type="checkbox"/> by electronically transmitted facsimile to Clerk of <i>Hampton</i> CITY OR COUNTY WHERE EXECUTED on <i>4/6/09</i> DATE <i>Magistrate</i> TITLE <i>[Signature]</i> SIGNATURE	Circuit Court
Complete only if different than above: Copy Delivered: <input type="checkbox"/> in person <input type="checkbox"/> by certified mail <input type="checkbox"/> by electronically transmitted facsimile to Clerk of CITY OR COUNTY OF ISSUANCE on DATE TITLE SIGNATURE	Circuit Court

4. The material facts constituting probable cause that the search should be made are:

ON 03-03-09, THE HAMPTON POLICE DIVISION RECEIVED A COMPLAINT FROM A CONCERNED CITIZEN OF A POSSIBLE ILLEGAL GAMBLING OPERATION LOCATED AT A BUSINESS OPERATING UNDER THE NAME OF "INTERNET TIME" WHICH WAS LOCATED IN THE BUCKROE SHOPPING CENTER AT 1947 E. PEMBROKE AVE. IN THE CITY OF HAMPTON, VIRGINIA.

ON 03-27-09, THIS AFFIANT VISITED THE BUSINESS LOCATED AT 1947 E. PEMBROKE AVE. HAMPTON, VIRGINIA, IN AN UNDERCOVER CAPACITY. I WAS EQUIPPED WITH A CONCEALED VIDEO CAMERA PRIOR TO ENTERING THE BUSINESS. AT APPROXIMATELY 1941 HOURS, I ENTERED THE BUSINESS AND OBSERVED NUMEROUS COMPUTER SCREENS ALONG BOTH SIDES OF THE WALLS. EACH COMPUTER STATION CONTAINED A FLAT SCREEN COMPUTER MONITOR, A MOUSE, AND AN ELECTRONIC CARD READING DEVICE. BEHIND THE COMPUTER MONITORS, A COMPUTER TOWER COULD BE SEEN ALONG WITH KEYBOARD. BOTH OF THESE ITEMS WERE CONCEALED IN A MANNER THAT WOULD SUGGEST THAT THEY WERE NOT TO BE UTILIZED BY CUSTOMERS.

AT THIS POINT I THEN TOOK A PLAYER CARD THAT CONTAINED A MAGNETIC STRIP ON THE BACK OF IT TO A MACHINE THAT WAS LOCATED NEXT TO THE COUNTER. THIS CARD WAS PROVIDED BY AN EMPLOYEE OF THE BUSINESS. THE MACHINE WAS SIMILAR IN SIZE TO AN ATM THAT IS COMMONLY FOUND IN A CONVENIENCE STORE.

CONTINUED ON ATTACHED SHEET

5. The object, thing or person searched for constitutes evidence of the commission of such offense.

6. I have personal knowledge of the facts set forth in this affidavit OR

7. I was advised of the facts set forth in this affidavit in whole or in part, by an informer. This informer's credibility or the reliability of the information may be determined from the following facts:

THIS AFFIANT HAS BEEN A LAW ENFORCEMENT OFFICER FOR THE CITY OF HAMPTON, VIRGINIA SINCE 1988. DURING THAT TIME, THIS AFFIANT HAS BEEN ASSIGNED TO THE SPECIAL INVESTIGATIONS UNIT AND HAS BEEN INVOLVED IN HUNDREDS OF INVESTIGATIONS CONCERNING ILLEGAL NARCOTICS POSSESSION AND DISTRIBUTION, PROSTITUTION, AND ILLEGAL GAMBLING OPERATIONS. THIS AFFIANT HAS ALSO PARTICIPATED IN NUMEROUS UNDERCOVER OPERATIONS INVOLVING NARCOTICS, PROSTITUTION, AND ILLEGAL GAMBLING, BOTH AS AN INVESTIGATOR AND AN UNDERCOVER OFFICER.

The statements above are true and accurate to the best of my knowledge and belief.

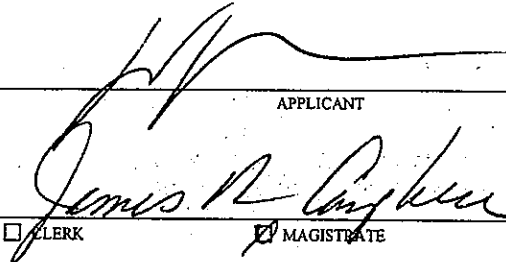
DETECTIVE CORPORAL

TITLE OF APPLICANT

Subscribed and sworn to before me this day.

4/3/09

9:15 PM
DATE AND TIME


APPLICANT
 CLERK MAGISTRATE JUDGE

BOOK #
CITY OF HAMPTON VA.
PAGE #

2009 APR -6 AM 11:22

LINDA BACHELOR SMITH
CLERK OF CIRCUIT COURT

CONTINUED ON ATTACHED SHEET

