

# 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 "MOVIE PLAY HOME GAMING SUPPLIER" WHICH IS LOCATED AT 1121 N. KING ST. WITHIN CITY OF HAMPTON, VIRGINIA AND THE PERSON OF JOHN ALEXANDER WORTH JR. 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.	
<b>AFFIDAVIT FOR SEARCH WARRANT</b>	
APPLICANT: <b>WAYNE ROBERTS</b> NAME <b>DETECTIVE CORPORAL</b> TITLE (IF ANY) <b>40 LINCOLN STREET</b> ADDRESS <b>HAMPTON, VIRGINIA 23669</b>	
Certified to Clerk of <i>Hampton</i> CITY OR COUNTY on <i>4/3/09</i> DATE <i>Magistrate</i> TITLE <i>James M. Campbell</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>Linda P. Chellor</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 <i>2009 APR -6 AM 11:21</i> DATE <i>Linda P. Chellor</i> SIGNATURE	Circuit Court
TITLE	SIGNATURE

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

**IN MARCH OF 2009, IT CAME TO THE ATTENTION OF THE HAMPTON POLICE DIVISION THAT A BUSINESS LOCATED IN AN UNNAMED SHOPPING CENTER IN THE 1100 BLOCK OF N. KING ST. WAS OPERATING AN ILLEGAL GAMBLING OPERATION INSIDE THE BUSINESS.**

**ON 04-01-09, THIS AFFIANT VISITED THE UNNAMED SHOPPING CENTER LOCATED IN THE 1100 BLOCK OF N. KING ST. HAMPTON, VIRGINIA WITH ANOTHER UNDERCOVER OFFICER IN AN UNDERCOVER CAPACITY. AT APPROXIMATELY 1433 HOURS, I HAD EXITED A TANNING SALON AND NOTICED A WHITE MALE WASHING THE WINDOWS OF A BUSINESS THAT WAS LOCATED AT 1121 N. KING ST. HAMPTON, VIRGINIA. THE WHITE MALE LOOKED AT ME AND SAID "WE HAVE SLOT MACHINES, YOU COULD WIN SOME MONEY". I THEN THANKED HIM FOR THE INFORMATION AND ENTERED THE BUSINESS.**

**UPON ENTERING THE BUSINESS, I OBSERVED THAT THERE WERE SEVERAL VIDEO SLOT MACHINES SITTING ON TABLES ON BOTH SIDES OF THE WALLS. I WALKED TO THE BACK OF THE BUSINESS TO A WINDOW AND OBSERVED TWO WHITE MALES THAT APPEARED TO BE EMPLOYEES OF THE BUSINESS. DIRECTLY IN FRONT OF THIS WINDOW WAS A TABLE THAT CONTAINED A SMALL MACHINE THAT CONTAINED AN SLOT OF A MAGNETIC CARD AND A SLOT FOR MONEY. THE MACHINE ALSO HAD A SMALL DISPLAY SCREEN ON IT. A SMALL BOX CONTAINING WHITE PLASTIC CARDS WAS SITTING ON TOP OF THIS MACHINE.**

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.**

CONTINUED ON ATTACHED SHEET

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


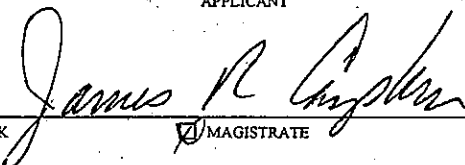
**DETECTIVE CORPORAL**

TITLE OF APPLICANT

Subscribed and sworn to before me this day.

4/3/09

9:05 PM  
DATE AND TIME

  
\_\_\_\_\_  
APPLICANT  
  
\_\_\_\_\_  
 CLERK  MAGISTRATE  JUDGE

