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|---|--|--|--|--|
| File No. | | STATE OF NORTH CAROLINA | | |
| SEARCH WARRANT | | Cleveland County | In The General Court Of Justice District/Superior Court Division | |
| IN THE MATTER OF | | <p>To any officer with authority and jurisdiction to conduct the search authorized by this Search Warrant:</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>This Search Warrant is issued upon information furnished under oath or affirmation by the person(s) shown.</p> | | |
| <p>2024 SEP 16 A 8:53</p> <p>5106 Hawthorne Ln, Shelby, North Carolina 28152</p> <p>BY _____</p> | | | | |
| <p>Name Of Applicant Sergeant Derek Toney</p> <p>Name Of Additional Affiant(s)</p> | | | | |
| RETURN OF SERVICE | | | | |
| I certify that this Search Warrant was received and executed as follows: | | | | |
| Date Received 9-9-24 | Time Received 2:11 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM | | | |
| Date Executed 9-10-24 | Time Executed 4:29 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM | | | |
| <input checked="" type="checkbox"/> I made a search of <u>5106 Hawthorne Ln. Shelby, NC 28152</u> | | Date Issued 9-9-24 | Time Issued 2:11 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM | Name (type or print) <u>Snah Kirby-Turner</u> |
| | | <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> CSC <input type="checkbox"/> Magistrate <input type="checkbox"/> District Ct. Judge <input checked="" type="checkbox"/> Superior Ct. Judge | | |
| _____ as commanded. | | <p>NOTE: When issuing a search warrant, the issuing official must retain a copy of the warrant and warrant application and must promptly file them with the clerk. G.S. 15A-245(b).</p> | | |
| <input checked="" type="checkbox"/> I seized the items listed on the attached inventory. <input type="checkbox"/> I did not seize any items. <input type="checkbox"/> This Warrant WAS NOT executed within forty-eight (48) hours of the date and time of issuance and I hereby return it not executed. | | <p>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.</p> | | |
| Name Of Officer Making Return (type or print) <u>D. Toney</u> | | Date | Time <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM | Name Of Magistrate (type or print) _____ |
| Signature Of Officer Making Return <u>Derek Toney</u> | | Signature Of Magistrate _____ | | |
| This Search Warrant was returned to the undersigned clerk on the date and time shown below. | | | | |
| Department Or Agency Of Officer <u>CCSO</u> | Incident Number <u>200002140028</u> | Date <u>09/10/24</u> | Time <u>8:50</u> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM | Name Of Clerk (type or print) <u>Lacey Ange</u> |
| | | Signature Of Clerk <u>Lacey Ange</u> | | <input type="checkbox"/> Dep. CSC <input type="checkbox"/> Asst. CSC <input checked="" type="checkbox"/> CSC |

ATTACHMENT I- ITEMS TO BE SEIZED

Blood, hair, fiber(s), bloodstains, fingerprints, footwear impressions, DNA evidence, clothing, natural or manmade fiber(s), human remains, firearms, ammunition, fired or unfired casings, knives, or any other weapon that could constitute an unspecified homicide, bloodstained clothing, handwritten documents/diary, vehicles and any property to show ownership or domain of the property, any property to show identification or, and all evidence that may relate to the unspecified homicide.

Electronic storage devices such as phones, cameras, memory cards, USB devices, VHS recorders, VHS tapes, CDs/DVDs, point and shoot camera(s), and/or newspaper clippings, that may hold evidence of the incident or person(s) involved.

Any items or articles that could reasonably be related to this case and considered of evidentiary value.

Any or all items that may be related to the disappearance and unspecified homicide of Asha Jaquilla Degree.

Any or all items believed or found to be latent evidence that may lead to the identification of the involved offender(s) and/or provides possible evidence of the crime.

Any or all documentation, to include the search and seizure of electronic devices including but not limited to phones, computers, laptops or any discovered correspondence that provides or may show evidence of the crime that occurred or why the crime occurred, possible suspects and/or offenders, motive, etc.

Any or all items including but not limited to physical or latent evidence found or that can be recovered from clothing, or the body of Asha Jaquilla Degree, that may be or provide evidence of the crime that occurred or assist in the identification of potential suspects or offenders.

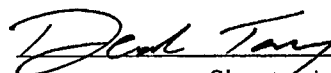
Any objects, articles or items determined to be relevant, pertinent or associated with this investigation.

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 9 DAY OF September, 2024



Deputy CSC Clerk of Sup. Ct. Mag. Judge Sup. Ct Judge



Signature of Applicant

IN THE MATTER OF:
5106 HAWTHORNE LN,
SHELBY, NC 28152

ATTACHMENT TO APPLICATION
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Any and all records pertaining to Russell Bradley Underhill.

Any and all records pertaining to the rental and/or ownership of
Cleveland Health Care and North Brook Rest Home.

Any and all records to include photographs, identifying or
pertaining to residences and/or patients that may have resided
at any properties owned or operated by Roy Lee Dedmon and Connie
Elliott Dedmon.

Any and/or all children's clothing and shoes deemed relevant to
the investigation.

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ATTACHMENT II - PREMISES/PERSON(S)/VEHICLES TO BE SEARCHED



To reach 5106 Hawthorne Ln from the Cleveland County Sheriff's Office, located at 100 Justice Place, Shelby, NC 28150, head south on Justice Pl and turn right toward E Arey Street. Turn left onto S Dekalb St. Turn left onto US-74 E/Andrew Jackson Hwy. Turn right onto NC-226 S. Continue onto S Post Rd. Turn right onto Peeler Street. Turn left onto Hawthorne Ln. 5106 Hawthorne Ln will be located on the right (directions derived from Google maps).

The residence is a ranch style brick structure with white shutters. The structure has a covered carport located on the northeast side of the residence.

Cleveland County NC GIS indicates Connie Elliott Dedmon as the owner of 5106 Hawthorne Ln, Shelby, North Carolina 28152.

The parcel number of this address is 3318 and is approximately .495 acres.

Additional areas to be searched are all curtilages, along with any sheds or similar outbuildings.

Furthermore, to be searched are any vehicles located on the property, to include abandoned and/or belonging to persons located on the property at the time of the search.

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 9 DAY OF September, 2024

[Signature]
Deputy CSC Clerk of Sup. Ct. Mag. Judge Sup. Ct Judge

[Signature]
Signature of Applicant

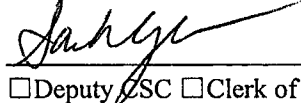
IN THE MATTER OF:
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Additional locations to be searched include any safes, locked boxes, locked containers, and/or any other locked areas. Investigators need to be able to use any force necessary to gain entry to such devices.

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Deputy SC Clerk of Sup. Ct. Mag. Judge Sup. Ct Judge


Signature of Applicant

IN THE MATTER OF:
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SHELBY, NC 28152

ATTACHMENT TO APPLICATION
FOR SEARCH WARRANT

ATTACHMENT III: STATEMENT OF PROBABLE CAUSE AFFIDAVIT:

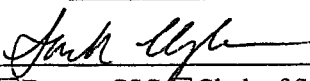
The request for this search warrant is submitted based on the following evidence and credentials. The Affiant, Sergeant Derek Toney, has been a sworn Law Enforcement Officer with Cleveland County Sheriff's Office since 2012. From 2012 to 2014, the Affiant was assigned to the Patrol Division as a patrol deputy. The daily operations with the Sheriff's Office Patrol Division included the following: the service of misdemeanor and felony warrants, investigation of crimes, enforcement of traffic laws, and all other calls for service. From 2014-2016 the Affiant was assigned to the Narcotics Division on the Community Interdiction Team. The Affiant's daily operations included the following: recognition and enforcement of narcotic laws, investigation of narcotic/vice complaints, patrolling high crime/high drug areas, drafting and service of various types of search warrants.

From 2016 to 2018 the Affiant served as a Field Training Officer on the Patrol Division within the Sheriff's Office. The Affiant's daily tasks include the training of newly sworn Sheriff's Deputies on state law and departmental policy. From 2018 to 2023 the affiant served as a Narcotics Investigator, the Affiant's daily operations included the following: recognition and enforcement of narcotic laws, investigation of narcotic/vice complaints, undercover operations, managing confidential informants, and conducting controlled buys of illegal narcotics through the use of confidential informants or undercover officers. In 2023 the affiant was promoted to the rank of Sergeant and assigned to the Criminal Investigation Division. The affiant's daily operations include the supervision of the investigation into crimes against persons, property crimes, and other crimes, which may include the recovery and/or identification of evidence indication an association between a suspect and victim.

The Affiant has an associate in applied science degree in the field of Criminal Justice. The Affiant has over 1800 law enforcement training hours and some of the Affiant's relevant training include: Narcotics Investigator Schools, Police Law Institute, Drug Recognition training, Clandestine Laboratory Safety, Managing Confidential Informants, General Criminal Investigations, and training courses specific to murder and sexual assault.

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THIS 9 DAY OF September, 2024



Deputy CSC Clerk of Sup. Ct. Mag. Judge Sup. Ct Judge


_____ Signature of Applicant

IN THE MATTER OF:
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The information contained within this affidavit is based upon information the affiant has gained from this investigation, the affiant's personal observations, training, and experience, and/or information relayed to the affiant by other law enforcement officers and/or agents. Since this affidavit is being submitted for the limited purpose of securing a search warrant, the affiant has not included each and every fact known to him concerning this investigation.

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

The information received during the course of this investigation is discussed in this affidavit and is believed to be true and accurate by Sergeant Derek Toney of the Cleveland County Sheriff's Office.

1. On February 14, 2000, 9-year-old Asha Jaquilla Degree, went missing from her home in Shelby, North Carolina. Asha Degree was seen by drivers walking along North Carolina Highway 18 in Shelby, North Carolina. Asha Degree was seen being pulled into a 1970's green Lincoln Thunderbird, or another similar vehicle. Asha Jaquilla Degree has not been seen since that time.

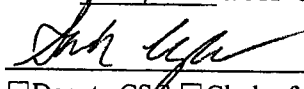
2. The search for Asha continued for approximately two weeks after she was reported missing, which included searches that utilized Tracking and HRD (Human Remains Detection) K9's, horses, ATV's, dive teams, aerial searches, neighborhood canvasses, and interviews, which included Law Enforcement and multiple community members/volunteers. All efforts during the two-week search concluded with negative results in finding Asha.

3. On August 2, 2001, evidence belonging to Asha Degree was located in Burke County, NC, on the side of Highway 18, approximately 21 miles north of where Asha Degree was last seen. A construction crew working in the area located the evidence double bagged in black garbage bags and turned it over to the Cleveland County Sheriff's Office.

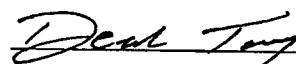
4. Numerous items of evidence were collected from the area; some having been identified as belonging to Asha Degree and other items not belonging to Asha Degree.

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THIS 9 DAY OF September, 2024



Deputy CSC Clerk of Sup. Ct. Mag. Judge Sup. Ct Judge



Signature of Applicant

5. Various items of evidence were sent for analysis. Two of those items returned evidentiary results. Genealogical data narrowed the samples down to two (2) individuals. One sample belonged to Russell Bradley Underhill. Another sample belonged to a hereditary family member of suspects Roy Lee Dedmon and Connie Elliott Dedmon.

6. Investigators determined Russell Bradley Underhill lived in at least two facilities operated by Roy Lee Dedmon and Connie Elliott Dedmon, during the time Asha Degree was reported as a missing person. Russell Bradley Underhill was discovered deceased in Lincoln County in 2004.

7. Roy Lee Dedmon and Connie Elliott Dedmon share three (3) children in common, identified as Lizzie Grace Dedmon Foster, Sarah Gwen Dedmon Caple and AnnaLee Victoria Dedmon Ramirez. The oldest daughter, Lizzie Grace Dedmon Foster, resides in Texas. The middle daughter, Sarah Gwen Dedmon Caple, resides in Shelby, North Carolina and the youngest daughter, AnnaLee Victoria Dedmon Ramirez, resides in Charlotte, North Carolina.

8. Laboratory analysis of collected DNA samples indicated the likelihood that the hair stem sample from Asha Degree's undershirt is a person genetically identical to the DNA standard collected from AnnaLee Victoria Dedmon Ramirez. AnnaLee Victoria Dedmon Ramirez is a hereditary family member (daughter) of suspects Roy Lee Dedmon and Connie Elliott Dedmon.

9. Suspects Roy Lee Dedmon and spouse, Connie Elliott Dedmon, currently reside at separate residences from one another. The residence on 5106 Hawthorne Ln. belonged to Connie Dedmon's family prior to the time of Asha's disappearance.

10. Roy Dedmon and Connie Dedmon are the two common links between the profiles of Russell Bradley Underhill and AnnaLee Victoria Dedmon Ramirez, collected and identified, from Asha Degree's undershirt and the trash bag which contained Asha Degree's bookbag.

11. Interviews with known associates of Roy Dedmon and Connie Dedmon indicate the Roy Lee Dedmon family have no connections or ties to Asha Degree.

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 9 DAY OF September, 2024

Donk Lyle
 Deputy CSC Clerk of Sup. Ct. Mag. Judge Sup. Ct Judge

Deed Toney
Signature of Applicant

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12. On May 23, 2023, Investigators conducted an interview of an employee at Cleveland County Social Services. The employee informed Investigators they were employed at DSS in 2000 and were able to confirm Underhill's residency in Cleveland Health Care during a number of visits to the facility in January of 2000. The employee recalled Roy Dedmon being involved in Underhill's care in February of 2000 and informed investigators they were told Roy Lee Dedmon would send his 16- to 17-year-old daughter (Lizzie Grace Dedmon Foster) to transport patients in an unreliable vehicle to/from Broughton Hospital, in Morganton, North Carolina.

13. Investigators obtained Underhill's medical records. Documentation dated June 4, 1999, noted Connie Elliott Dedmon as Admin. for Cleveland Health Care, and documented directions on medication administration for Underhill. Medical records verified Underhill resided at Cleveland Health Care on January 24, 2000, and June 19, 2000. Further medical records indicated Underhill's school resource person listed as Roy Lee Dedmon, dated June 19, 2000. A document from Gaston Lincoln Area Mental Health Screen Form documented Underhill's residence as Cleveland Health Care, dated June 19, 2000. A Gaston, Cleveland, Lincoln Medical Healthcare Services Consent Form documented Roy Lee Dedmon as Underhill's Emergency Contact, date unknown. An additional medical record indicated Roy Lee Dedmon as Underhill's emergency contact, dated June 18, year unknown.

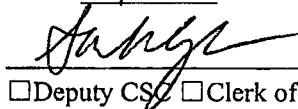
14. Investigators discovered upon the closure of Cleveland Health Care in 2002, Roy Lee Dedmon and Connie Elliott Dedmon opened an assisted living facility under the name of Northbrook Rest Home, located in Vale, North Carolina. Prior to his death in 2004, Underhill was a resident of Northbrook Rest Home.

15. North Brook Rest Home has been under the control of Roy Dedmon and Connie Dedmon since January 01, 1985.

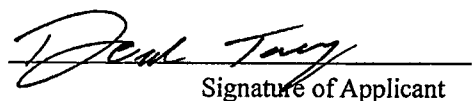
16. Asha Degree has remained missing for twenty-four (24) years, without any contact with her family and/or friends. There have been no school records pertaining to Asha Jaquilla Degree since her date of disappearance, February 14, 2000.

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 9 DAY OF September, 2024



Deputy CSC Clerk of Sup. Ct. Mag. Judge Sup. Ct Judge


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FOR SEARCH WARRANT

17. Asha Degree's bookbag and clothing (wrapped in two sealed black plastic garbage bags) were located along Highway 18 South near Morganton, North Carolina (Burke County), seventeen (17) months after Asha Jaquilla Degree was last seen on February 14, 2000.

18. Harold, Iquilla and O'Bryant Degree (Parents/brother of Asha Jaquilla Degree) have been interviewed numerous times, and/or polygraphed. All information pertaining to and obtained from Asha Degree's immediate and extended family indicates her family does not know her whereabouts nor have had any type of contact with her since her disappearance 24 years ago.

19. Based on technological advancements, social media platforms and Genealogical innovations, information can be obtained from anywhere in the world. These breakthrough concepts make communication to and verification of individuals virtually probable. No communication and/or verification of Asha Degree or her whereabouts have been made since February 14, 2000.

20. Based on these findings, Investigators believe Asha Degree is a victim of homicide, with her body concealed.

21. On February 14, 2000, the ages of the three (3) common Dedmon children would have been: Lizzie Grace Dedmon Foster (16 years of age), Sarah Gwen Dedmon Caple (15 years of age), and AnnaLee Victoria Dedmon Ramirez (13 years of age).

22. Due to the ages of Roy Dedmon and Connie Dedmon's three daughters in the year of 2000, Investigators believe adult assistance from Roy Dedmon and Connie Dedmon would have been necessary in the execution and/or concealment of the crime.

23. Based upon the applicant's training and experience, the applicant knows when a crime occurs there is often a transfer of physical evidence. The transfer of evidence may occur between the victim and the crime scene, the suspect(s) and the crime scene and/or between the crime scene, the victim and the suspect(s). The transfer of evidence may also occur in vehicles or modes of transportation used by a suspect(s) to flee a crime scene after the commission of a violent crime. It is a well-known fact that people in general keep personal effects, i.e. clothing, newspaper clippings, VHS, CDs, DVDs, memorabilia,

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THIS 9 DAY OF September, 2024

[Signature]
 Deputy CSC Clerk of Sup. Ct. Mag. Judge Sup. Ct Judge

[Signature]
Signature of Applicant

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SHELBY, NC-28152

ATTACHMENT TO APPLICATION
FOR SEARCH WARRANT

photographs, childhood possessions and such at their regular place of domicile. It is probable and likely; personal effects belonging to Asha Degree, along with other forensic and/or trace evidence relevant to this investigation will be located at the residence of 5106 Hawthorne Ln, Shelby, North Carolina.

24. Based on the above-mentioned facts, the applicant believes probable cause exists to search the residence, vehicles and property listed in the affidavit.

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 9 DAY OF September, 2024

Jack Lyle

Deputy CSC Clerk of Sup. Ct. Mag. Judge Sup. Ct Judge

Deed Tong
Signature of Applicant

STATE OF NORTH CAROLINA

File No.

CLEVELAND County

In The General Court Of Justice
 District Superior Court Division

IN THE MATTER OF:

Name

5106 HAWTHORNE LN
SHELBY, NC 28152

INVENTORY OF ITEMS SEIZED
PURSUANT TO SEARCH

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

I, the undersigned officer, executed a search of:

Person, Premises Or Vehicle Searched

5106 HAWTHORNE LN
SHELBY, NC 28152

Date Of Search

09/10/2024

This search was made pursuant to

- 1. a search warrant issued by: SUPERIOR COURT JUDGE SALLY KIRBY-TURNER
- 2. consent to search given by: _____
- 3. other legal justification for the search: _____

The following items were seized:

- 2-1 - RED SAMSUNG GALAXY TAB 2
- 2-2 - FLASH DRIVE "CONTAINING PHOTOS"
- 2-3 - DELL COMPUTER - SERIAL: 7532593058
- 2-4 - LENOVO LAPTOP - SERIAL: PF2V33P6 + POWER CORD
- 2-5 - EXTERNAL HARD DRIVE - SERIAL: WXJ1E656HVUD
- 2-6 - DIGITAL CAMERA
- 2-7 - FLOPPY DISK
- 2-8 - ASSORTED CDS
- 2-9 - ASSORTED SD CARDS

Original - File

Copy - For Search by Warrant of a Person, to Person from Whom Items Taken

Copy - For Search by Warrant of Vehicle/Premises, to Owner or Person in Apparent Control; if No Such Person Present, Leave Copy Affixed Thereon

Copies - For Search by Consent, to Person Giving Consent and Owner of Vehicle/Premises Searched, if Known

(Over)