

FILED
MAY 06 2016
CARVER COUNTY COURTS

STATE OF MINNESOTA
DISTRICT COURT

COUNTY OF CARVER
FIRST JUDICIAL DISTRICT

Court File Number Not Applicable

In Re Search Warrant pertaining to an Apple brand silver laptop computer belonging to Prince Rogers Nelson (DOB 06/07/1958), along with any and all documentation pertaining to e-mail account and computer access information.

PROSECUTOR'S REQUEST TO SEAL SEARCH WARRANT PURSUANT TO MINN. R. CRIM. PRO. 33.04(d)

PROSECUTOR'S EX PARTE REQUEST

Carver County Attorney Mark Metz requests that the above-entitled Application for Search Warrant, Search Warrant, Supporting Affidavit[s], Inventory and Receipt not be filed with the District Court within ten days of the warrant's execution as normally required by Minn. Stat. §626.15 (Execution and Return of Warrant; Time) and Minn. Stat. §626.17 (Return and Inventory).

County Attorney Metz requests that this warrant and accompanying documents instead be sealed pursuant to the provisions of Minnesota Rules of Criminal Procedure 33.04(d) (2016).

Minnesota Rule of Criminal Procedure 33.04(d) provides that an order sealing a search warrant and accompanying documents must be issued granting the prosecutor's request if, based on a statement signed under penalty of perjury pursuant to Minn. Stat.

§ 358.116, the Court finds reasonable grounds exist to believe that making the search warrant and related documents public may cause the search or a related search to be unsuccessful, create a risk of injury to an innocent person, or severely hamper an ongoing investigation.

The specific reasons for this request to seal the search warrant and accompanying documents are as follows:

1) Prince Rogers Nelson, aged 57, known better simply as Prince, suddenly died April 21, 2016, at his residence known as Paisley Park, 7801 Audubon Road, Chanhassen, Carver County, Minnesota.

2) An autopsy was subsequently conducted by the Midwest Medical Examiner's Office in Ramsey, Minnesota. However, it is anticipated that, as of the date of this document, the results of that autopsy and related toxicological findings will not be available for another week or more.

3). Beyond public law enforcement data already disclosed, other data collected as part of this active and on-going death investigation constitutes *confidential data* as classified by Minn. Stat. Stat. §13.82, Subd. 7 (criminal investigative data).

4) Upon information and belief, Prince was and currently remains one of the best-selling iconic pop musicians of all time.

5) There will likely remain intense media scrutiny upon the manner and circumstances of Prince's death for the foreseeable future, particularly since the popular media has now reported prescription opiate use by Prince. In addition, the Carver

County Sheriff's Office has received information that such prescription opiates may have been provided to Prince by a third party or parties; that Prince was going through withdrawal symptoms; and that Prince was about to meet with medical professionals to deal with his alleged abuse of prescription medications.

6) Premature disclosure of data contained in this search warrant and the fruits of its search could cause potential suspects to flee; result in potential evidence being altered or destroyed; potentially provide an incentive for collusion of testimony between potential co-conspirators; give effective notice such that other suspects are on notice of a potential investigation, surveillance or search; may motivate witness tampering schemes; and may compromise potential witness statements if media representatives interview witnesses before law enforcement investigators.

7) Therefore, public filing of this search warrant within ten days of its execution could create a risk of a search or a related search to become unsuccessful or severely hamper an ongoing investigation.

Pursuant to Minn. Stat. §358.116, I declare under penalty of perjury that everything I have stated in this document is true and correct.

Dated this 6th day of May, 2016, in Carver County, Minnesota.



Mark Metz
Carver County Attorney
Carver County Justice Center
604 East Fourth Street
Chaska, Minnesota 55318

FILED
MAY 06 2015
CARVER COUNTY COURTS

STATE OF MINNESOTA

COUNTY OF CARVER

DISTRICT COURT

FIRST JUDICIAL DISTRICT

Court File Number Not Applicable

***In Re* Search Warrant pertaining to an Apple brand silver laptop computer belonging to Prince Rogers Nelson (DOB 06/07/1958), along with any and all documentation pertaining to e-mail account and computer access information.**

DISTRICT COURT ORDER SEALING SEARCH WARRANT PURSUANT TO MINN. R. CRIM. PRO 33.04

The undersigned has reviewed the *ex parte* motion of Mark Metz, Carver County Attorney, for a District Court Order sealing the above-named search warrant and all accompanying documents because disclosure of said documents could create a risk of a search or a related search to become unsuccessful or severely hamper an ongoing investigation.

FINDINGS OF FACT

1) The Carver County Sheriff is conducting a lawful investigation into circumstances surrounding the sudden death of Prince Rogers Nelson, aged 57, the musical superstar known better simply as Prince.

2) There is unrelenting, worldwide media coverage on the circumstances surrounding the death of Prince.

3) Until this investigation is complete, criminal charges are brought (if any) or barring further order of the court, data collected in the course of this death investigation is classified as confidential law enforcement data under Minnesota Law.

4) This Court finds reasonable grounds exist to believe that making this search warrant public could create a risk of a search or a related search to become unsuccessful or severely hamper an ongoing investigation.

CONCLUSION OF LAW

This Court must issue an Order sealing this search warrant since through its *ex parte* motion; the Carver County Attorney's Office has met its legal burden set forth in Minn. Crim. Pro. 33.04(d), thereby relieving the government of having to comply with the ordinary search warrant filing requirements as set forth in Minn. Stat. §626.15 and §626.17

ORDERS

1) That the above-referenced search warrant and all accompanying documents shall not be filed as a public document within ten days of its execution to the Carver County Court Administrator's Office.

2) In lieu of filing as a public document, the search warrant and all accompanying documents shall instead be kept securely under lock and seal under the direction of the Carver County Court Administrator until commencement of criminal proceedings or 180 days from the date of this order, whichever occurs first.

3) That the *ex parte* motion of Carver County Attorney Mark Metz and this Order Sealing Search Warrant shall also be kept securely under lock and seal with the original search warrant and accompanying documents under the direction of the Carver County Court Administrator until commencement of criminal proceedings or 180 days from the date of this order, whichever occurs first.

4) Any applicable E-Filing requirements are hereby waived and no data entry into MNCIS or other similar computer database shall be made.

Dated this 6 day of May, 2016.


Judge of District Court

COPY

STATE OF MINNESOTA, COUNTY OF CARVER

DISTRICT COURT

STATE OF MINNESOTA)
) SS.
COUNTY OF CARVER

APPLICATION FOR SEARCH WARRANT AND
SUPPORTING AFFIDAVIT.

FILED
MAY 06 2016
CARVER COUNTY COURTS

Detective Christina Wagner, being duly sworn upon oath, hereby makes application to this Court for a warrant to search the Premises, hereinafter described, for the property and things hereinafter described.

Affiant knows the contents of this application and supporting affidavit, and the statements herein are true of his/her own knowledge, save as to such as are herein stated on information and belief, and as to those, he/she believes them to be true.

Affiant has good reason to believe, and does believe, that the following described property and things, to wit:

Apple brand silver laptop computer belonging to Prince Rogers Nelson dob/06-07-1958

Any and all documentation pertaining to email account/computer access information for Prince Roger Nelson dob/06-07-1958 including but not limited to passwords, email accounts.

To have the above laptop/computers examined by a qualified forensic computer examiner for all data contained on either hard drives or removable media, including but not limited to: existing and deleted files. Contents of volatile memory related to computers and other digital communication devices that would tend to show the current and recent use of the computer, use of encryption, use of other communications devices, routes of Internet and other digital communications traffic and passwords, encryption keys or other dynamic details necessary to preserve the true state of running evidence.

will be at the premises, described as:

Paisley Park Studios 7801 Audubon Road in Chanhassen, MN 55317

located in the City of Chanhassen, County of Carver, and State of Minnesota.

This affiant applies for issuance of a search warrant upon the following grounds:

- The property above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The facts tending to establish the foregoing grounds for issuance of a search warrant are as follows:

Your Affiant, Detective Christina Wagner is a licensed Peace Officer with the State of Minnesota and has remained in that position for the past 15 years. During that time your affiant has been employed with the Carver County Sheriff's Office. Your affiant is currently assigned to the Criminal Investigations Division where she has served for the past 8 years. During that time, Your affiant has attended numerous law enforcement trainings related to investigations. During that time, your affiant has investigated cases of homicide, aggravated assault, robbery, sexual assault, burglary, theft, and drug related cases among others. As part of her assignment, Your affiant obtained the following information;

On April 21, 2016 at 0943 hrs., Carver County Sheriff Deputies were dispatched to Paisley Park Studios, 7801 Audubon Road in Chanhassen for a medical where a person was found in an elevator and not breathing. Deputies responded to the scene and located the party, identified as Prince Rogers Nelson dob/06-07-1958. Prince was unresponsive and pronounced deceased at the scene. He was 57 years old.

Your Affiant was made aware by witnesses that were interviewed at the scene, that Prince recently had a history of going through withdrawals, which are believed to be the result of the abuse of prescription medication.

Further, Your Affiant received information from interviews conducted, that Prince's assistants had arranged a meeting between Prince and medical professionals to assess and address Prince's medical concerns. Your affiant learned that Prince had "passed out" during a flight from Atlanta, Ga to Minneapolis on Thursday 04-15-16 into Friday 04-16-16 after a concert in Atlanta. Prince's private jet made an emergency stop at the Quad International Airport in Moline, Il. According to one of the witnesses interviewed, Prince admitted to taking 1-2 "pain pills".

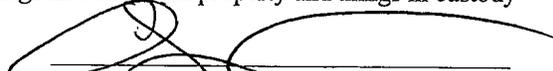
Because of the information received, and facts surrounding the unwitnessed death of Prince Rogers Nelson, A search warrant was obtained and executed on 04-21-16 at 1428 hours to search the residence of Prince Rogers Nelson.

During the search warrant of Prince's home, a silver Apple laptop computer was observed in the bedroom belonging to Prince which was not collected. Detectives later learned that Prince did not use a cellphone. Prince would communicate through his assistants, his landline phone and his computer.

Your Affiant is aware that often information is exchanged via email which will show a particular person has or has not had contact with specific persons. Your Affiant is also aware that individuals frequently call and/or email requests such as in this case; Prince's assistant stated Prince would communicate with her via phone/email regarding tasks he wanted her to complete.

Based on the ongoing investigation, Your affiant is respectfully requesting the courts permission to search Paisley Park Studios at 7801 Audubon Road in Chanhassen to retrieve the lap top computer belonging to Prince Rogers Nelson and to have the computer examined for any evidence regarding where he was obtaining the controlled substances located within his home.

WHEREFORE, Affiant requests a search warrant be issued, commanding **Detective Christina Wagner, Detective Pat Murphy, Detective Angela Nucci, Detective Neil Kuhnau, Detective Tyler Stahn, Detective Chris Nelson**, (a) peace officer(s), of the State of Minnesota, and all other personnel under your direction and control between the hours of 7:00 a.m. and 8:00 p.m. only to search the hereinbefore described Premises, for the described property and things and to seize said property and things and keep said property and things in custody until the same be dealt with according to law.


Affiant: Detective Christina Wagner

Subscribed and sworn to before me this

day of 4/25, 2016


Judge of District Court

SEARCH WARRANT

STATE OF MINNESOTA, COUNTY OF CARVER DISTRICT COURT
TO: **DETECTIVE CHRISTINA WAGNER, DETECTIVE PAT MURPHY, DETECTIVE ANGELA NUCCI, DETECTIVE NEIL KUHN AU, DETECTIVE TYLER STAHN, DETECTIVE CHRIS NELSON, (A) PEACE OFFICER(S) OF THE STATE OF MINNESOTA.**

WHEREAS, **DETECTIVE CHRISTINA WAGNER** has this day on oath, made application to the said Court applying for issuance of a search warrant to search the following described Premises, :

-Paisley Park Studios 7801 Audubon Road in Chanhassen, MN 55317

located in the City of Chanhassen, County of Carver, and STATE OF MINNESOTA for the following described property and things:

Apple brand silver laptop computer belonging to Prince Rogers Nelson dob/06-07-1958

Any and all documentation pertaining to email account/computer access information for Prince Roger Nelson dob/06-07-1958 including but not limited to passwords, email accounts.

To have the above laptop computer examined by a qualified forensic computer examiner for all data contained on either hard drives or removable media, including but not limited to: existing and deleted files. Contents of volatile memory related to computers and other digital communication devices that would tend to show the current and recent use of the computer, use of encryption, use of other communications devices, routes of Internet and other digital communications traffic and passwords, encryption keys or other dynamic details necessary to preserve the true state of running evidence.

WHEREAS, the application and supporting affidavit of Detective Christina Wagner was/were duly presented and read by the Court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following grounds:

- The property above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

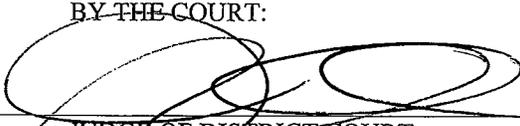
The Court further finds that probable cause exists to believe that the above-described property and things will be at the above-described premises,

NOW, THEREFORE, YOU **DETECTIVE CHRISTINA WAGNER, DETECTIVE PAT MURPHY, DETECTIVE ANGELA NUCCI, DETECTIVE NEIL KUHN AU, DETECTIVE TYLER STAHN, DETECTIVE CHRIS NELSON THE PEACE OFFICER(S) AFORESAID, AND ALL OTHER PERSONNEL UNDER YOUR DIRECTION AND CONTROL** ARE HEREBY COMMANDED BETWEEN THE HOURS OF 7:00 A.M. AND 8:00 P.M. ONLY TO SEARCH THE DESCRIBED PREMISES, FOR THE ABOVE-DESCRIBED PROPERTY AND THINGS, AND TO SEIZE SAID PROPERTY AND THINGS AND TO RETAIN THEM IN CUSTODY SUBJECT TO COURT ORDER AND ACCORDING TO LAW.

BY THE COURT:

Dated:

4/25/16



JUDGE OF DISTRICT COURT