

FILED

MAY 06 2016

STATE OF MINNESOTA

COUNTY OF CARVER

CARVER COUNTY COURTS

DISTRICT COURT

FIRST JUDICIAL DISTRICT

Court File Number Not Applicable

***In Re* Search Warrant pertaining to any and all medical records pertaining to Prince Rogers Nelson (DOB 6/7/1958) and as held by the Two Twelve Medical Center at 111 Hundertmark Road, Chaska, Minnesota.**

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

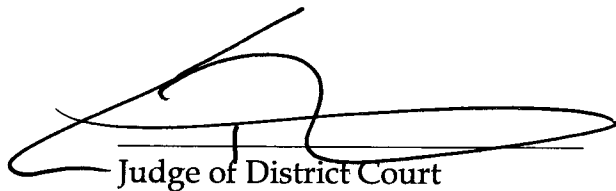
1) That the above-referenced search warrant and all accompanying documents shall not be filed as a public document within ten days of its execution to the Carver County Court Administrator's Office.

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

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***In Re* Search Warrant pertaining to any and all medical records pertaining to Prince Rogers Nelson (DOB 6/7/1958) and as held by the Two Twelve Medical Center at 111 Hundertmark Road, Chaska, Minnesota.**

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 substantial 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

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

Your affiant, Detective Chris Nelson has been a licensed Peace Officer with the State of Minnesota for the past 10 years. During that time, Your affiant has been employed by the Carver County Sheriff's Office as a Deputy Sheriff. Your Affiant is currently assigned to the Investigations Unit where he has served for the past 2 years and has investigated various crimes including homicide, aggravated assault, aggravated robbery, sexual assault and property crimes. As part of his assignment, your affiant received the following information;

On 4-21-16 at 0943 hrs, Carver County Deputies, Ridgeview Paramedics and the Chanhassen Fire Department were dispatched to 7801 Audubon Rd, in the city of Chanhassen, for a reported male who was unconscious and not breathing. Rescue units arrived and CPR was started on the male, later identified as Prince Rogers Nelson (DOB 6-7-58) by Chanhassen Fire personal. Ridgeview Paramedics determined that Prince was deceased and advised CPR could be stopped. Ridgeview Paramedics called the time of death at 1007 hrs.

Your Affiant was advised to assist in the investigation into the unwitnessed death of Prince. Your Affiant arrived and starting to investigate the incident. Your Affiant was advised to take individuals who were at the death scene back to the Carver County District Office in the city of Chanhassen to interview them.

Your Affiant interviewed Dr. Micheal Todd Schulemberg (DOB 10-3-69) on 4-21-16 at 1057 hrs. During Your Affiant's interview with Dr. Schulemberg, Your Affiant learned that Prince was seen by Dr. Schulemberg on two pervious occasions before his death. Dr. Schulemberg advised Your Affiant that he saw Prince on 4-7-16 and 4-20-16. Your Affiant learned that some tests were performed on Prince and Dr. Schulemberg was dropping off the test results to Prince at Paisley Park when he appeared on the death scene. Dr. Schulemberg advised Your Affiant that he did prescribe Prince medications and the perscriptions were to be filled at a Walgreens. Dr. Schulemberg advised he works at the North Memorial Clinic in Minnetonka, MN.

Your Affiant also learned on 4-21-16 that a flight Prince was a passenger on had to make an emergency landing because of health concerns. The flight had landed in Moline, IL and Prince was taken away by ambulance to the hospital.

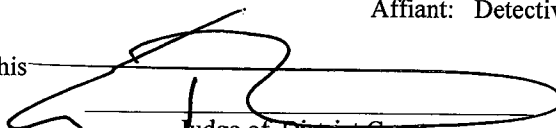
Your Affiant was advised by Detective Christina Wagner that she had interviewed Kirk Anthony Johnson (DOB 9-22-64) who said Prince had gone to the Hwy 212 Medical Center (Ridgeview Hospital) for an illness in 2014 or 2015. Johnson told Detective Wagner that Prince received fluids during his visit. Your Affiant is aware the Hwy 212 Medical Center is in Chaska, MN 55318.

Based on the information I received in this investigation and the unwitnessed death of Prince Rogers Nelson, your affiant is respectfully requesting the courts permission to search and obtain the records listed above for the investigation.

WHEREFORE, Affiant requests a search warrant be issued, commanding **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 Chris Nelson

Subscribed and sworn to before me this 27th day of April, 2016


Judge of District Court

SEARCH WARRANT

STATE OF MINNESOTA, COUNTY OF CARVER 1st DISTRICT COURT
TO: **DETECTIVE CHRIS NELSON, (A) PEACE OFFICER(S) OF THE STATE OF MINNESOTA.**

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

111 Hundertmark Rd, Chaska, MN 55318 (Two Twelve Medical Center)

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

Any and All medical records, documents, reports, charts, photographs, prescriptions, doctor notes and medical images for Prince Rogers Nelson (DOB 6-7-58)

Any and All legal records attached to medical records/file for Prince Rogers Nelson (DOB 6-7-58)

WHEREAS, the application and supporting affidavit of Detective Chris Nelson 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:

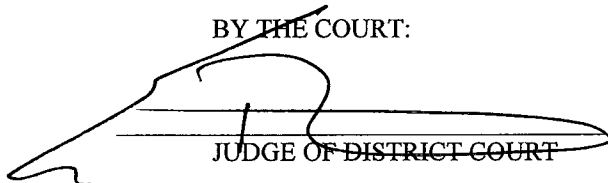
- **The property above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.**

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 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 : 4-27-2016.



JUDGE OF DISTRICT COURT