

STATE OF MINNESOTA, COUNTY OF

ScottDistrict

COURT

STATE OF MINNESOTA)

COUNTY OF

Scott

SS.

APPLICATION FOR SEARCH WARRANT AND
SUPPORTING AFFIDAVIT

Robert Forberg being first duly sworn upon oath, hereby makes application to this Court for a warrant to search the (premises) (motor vehicles) (~~person~~) 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 own knowledge, save as to such as are herein stated on information and belief, and as to those, he believes them to be true.

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

*Clothing, bedding, carpeting on floors with blood and/or body fluids
as well as a Vaseline container with a red smear on it,
items of identification to show possession and control*

(are) (~~will be~~)(at the premises) (in the motor vehicle) (~~on the person~~) described as:

*a single family residence with an attached garage with a vehicle
with Wisconsin license # NRL160 in it, and a car with Minnesota license #
667 GCT at
2111 E Valley View Road*

located in the City of Shakopee, County of Scott, and State of
Minnesota.

This affiant applies for issuance of a search warrant upon the following grounds: (Strike inapplicable paragraph)

- ~~1. The property above described was stolen or embezzled.~~
2. The property above described was used as means of committing a crime.
- ~~3. The possession of the property above described constitutes a crime.~~
- ~~4. The property above described is in the possession of a person with intent to use such property as a means of committing a crime.~~
5. 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.

(attach and identify additional sheet if necessary)

A nighttime search outside the hours of 7 a.m. to 8 p.m. is necessary to prevent the loss, destruction or removal of the objects of the search or to protect the searchers or the public because:

Evidence on the body of Brian Patrick Merkt may be lost if not obtained as soon as possible. Evidence at the house may be lost by other people returning, the child's mother is not in custody, though Brian Merkt is currently in the Scott Co. Jail.

~~An unannounced entry is necessary (to prevent the loss, destruction or removal of the objects of the search and to protect the safety of the peace officers) because:~~

WHEREFORE, Affiant request a search warrant be issued, commanding Robert Forberg

and/or officers acting under his direction and control

~~(a) peace officer(s), of the State of Minnesota, (to enter without announcement of authority and purpose) (between the hours of 7 a.m. and 8 p.m.) (and a nighttime search outside these hours)~~

to search the hereinbefore described (premises) (motor vehicle) (person)

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.

RSF ~~*TO ENTER WITHOUT ANNOUNCEMENT OF AUTHORITY AND PURPOSE BETWEEN THE HOURS OF 7 AM AND 8 PM~~

Affiant

Robert Forberg

Subscribed and sworn to before me this

10th day of March, 1996.

Judge of

District

Court

COURT - WHITE COPY

• PROS. ATTY. - YELLOW COPY •

PEACE OFFICER - PINK COPY

SEARCH WARRANT

2-1

STATE OF MINNESOTA, COUNTY OF Scott District COURTTO: Robert Forberg and/or officers acting under
his direction and control (A) PEACE OFFICER(S) OF THE STATE OF MINNESOTA.WHEREAS, Robert Forberg has this day on oath, made application to the said Court applying for issuance of a search warrant to search the following described (premises) (motor vehicle) (person):
a single family residence with an attached garage with a vehicle with Ws. Lic. #
NRL160 and car with MN Lic. # 6676CT at 2111 Valley View Roadlocated in the City of Shakopee, county of Scott STATE OF MINNESOTA
for the following described property and things: (attach and identify additional sheet if necessary)

Clothing, bedding, carpeting on floor with blood and/or body fluids
as well as a Vaseline container with a red smear on it, items of
identification to show possession and control

WHEREAS, the application and supporting affidavit of Robert Forberg
(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: (Strike inapplicable paragraphs)

- ~~1. The property above described was stolen or embezzled.~~
2. The property above described was used as a means of committing a crime.
- ~~3. The possession of the property above described constitutes a crime.~~
- ~~4. The property above described is in the possession of a person with intent to use such property as a means of committing a crime.~~
5. 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 (are) ~~will be~~ (at the above-described premises) (in the above-described motor vehicle) (on the person of _____).

The Court further finds that a nighttime search outside the hours of 7 a.m. to 8 p.m. is necessary to prevent the loss, destruction, removal of the objects of said search, or to protect the searchers or the public.

~~The Court further finds that entry without announcement or authority or a search is necessary to prevent the loss, destruction, or removal of the objects of said search (and) (to protect the safety of the peace officers.).~~NOW, THEREFORE, YOU Robert Forberg and/or officers actingunder your direction and controlTHE PEACE OFFICER(S) AFORESAID, ARE HEREBY COMMANDED ~~(TO ENTER WITHOUT ANNOUNCEMENT OF AUTHORITY AND PURPOSE)~~ (BETWEEN THE HOURS OF 7 A.M. AND 8 P.M.) ~~(AND A NIGHTTIME SEARCH OUTSIDE THOSE HOURS)~~ TO SEARCH (THE DESCRIBED PREMISES) (THE DESCRIBED MOTOR VEHICLE) ~~(THE PERSON OF _____)~~ 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) (DELIVER CUSTODY OF SAID PROPERTY AND THINGS TORobert Forberg to be held as evidence).

BY THE COURT:

JUDGE OF

District

COURT

Dated March 10, 19 96