

ORIGINAL

STATE OF MINNESOTA COUNTY OF SHERBURNE TENTH DISTRICT COURT

STATE OF MINNESOTA)

) SS.

**APPLICATION FOR SEARCH WARRANT
AND SUPPORTING AFFIDAVIT**

Steve Ploeckelmann, duly sworn upon oath, hereby makes application to this Court for a warrant to search the persons 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 the affiant's own knowledge, save as to such as are herein stated on information and belief, and as to those, Affiant believes them to be true.

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

1) Body fluid (Saliva) sample of sufficient quantity from the person of Philip Randall Vance, Date of Birth 10-20-1980, a black male, 5'10", approximately 148 pounds, for purposes of DNA testing and comparison

will be

on the persons described as:

Philip Randall Vance, Date of Birth 10-20-1980, a black male, 5'10", approximately 148 pounds
(Currently being held at the Sherburne County Sheriff's Jail)

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

I, Steve Ploeckelmann, am a licensed Police Officer with the South St. Paul Police Department, and have been so for nineteen years. I am currently assigned to the Investigative Division. I have been involved in the preparation and execution of numerous search warrants. I have reviewed this matter, conducted an investigation, and spoken with other officers and believe the following to be true and to establish probable cause sufficient to support the requested search.

On December 22, 2002, officers of the South St. Paul Police Department responded to 345 4th Avenue South, Sabreens, a local small convenience store, in reference to a 911 call. The caller indicated there was a robbery in progress at that location. Prior to squads arriving at the scene a second 911 call was received. Responding squads were informed there was a victim down and bleeding. At the scene, officers discovered a male laying on the floor, behind the counter. The male later identified as a store employee, K.M.R.A-B. K.M.R.A-B was pronounced dead at the scene by Health East Rescue Personnel. K.M.R.A.-B. died as a result of gunshot wounds to the head. Additionally, officers observed the business cash drawer was open. Officers then exited the business and secured the crime scene pending further investigation.

Officers at the scene were able to locate several witnesses who were interviewed by South St. Paul Police Department, Dakota County Sheriff's Department, and Bureau of Criminal Apprehension Investigators.

Through these interviews Investigators learned a unidentified male suspect wearing a black face mask and baggy pants was observed behind the business counter removing contents from cash drawer. Shortly after a witness observed two unidentified male suspects leaving the business. These unidentified male suspects fled on foot to a waiting vehicle parked in the alley to the rear of the business which was being driven by a third unidentified male. The suspect vehicle then fled southbound in the 300 block alley between 4th Avenue and 3rd Avenue South, South St. Paul.

Based on the above information a search warrant was written requesting the courts permission for complete processing, complete photographing, and seizure of potential evidence from the crime scene, 345 4th Avenue South, South St. Paul, Minnesota,. On December 23, 2002, the search warrant application was presented to Dakota County District Judge E. Lynch. After reviewing the search warrant application Judge Lynch signed the search warrant.

Due to the type of crime, Robbery / Homicide the processing of the crime scene was performed by the Bureau of Criminal Apprehension Forensic Specialists Team. During the processing of the crime scene numerous items of potential evidentiary value were recovered including a portion of a used cigarette and empty beverage can. During the evidence processing procedure unknown DNA samples were obtained from both items.

During the course of the investigation a suspect, Philip Randall Vance, date of birth, 10/20/1980, A.K.A. Florida or Florida Boy, was identified. Vance is described in booking information as a black male, 5'10" tall, approximately 148 pounds. During the course of this investigation officers interviewed two cooperating individuals, identified herein as CI#1 and CI#2. CI#1 has no criminal history. CI#1 came voluntarily to law enforcement and is receiving nothing in return for the information. CI#2 is cooperating with law enforcement and has provided information which has been corroborated by law enforcement. Additionally, CI#2 has no known non-traffic criminal history. Officers also interviewed a third individual, CI#3, who has a known criminal history.

CI#2 works at a bar in St. Paul. On the night of the homicide/robbery, at a time before the crime was committed, she observed 3 men, including Vance who was known to her, in the bar who looked nervous and intent on their discussion. When she commented about the fact that she wasn't making money in tips that evening, Vance said that when he got back from where he was going he would have plenty of money because he was getting a plan on.

CI#1 works in another bar in St. Paul. Less than an hour after the commission of the robbery/homicide, she observed 2 men in the bar. One was Vance, who was known to her. The other man was visibly upset and eventually vomited. Vance made statements indicating his personal involvement in the crime, including; I did not mean to do it, my life is over, I just shot a guy and capped him in the back on the South Side. There were no other shootings/murders within a week prior to this incident. Additionally, Vance continued coming into the bar over the next several weeks and continued making statements indicating his involvement in the homicide/robbery.

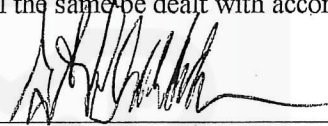
CI#3 told officers that he was incarcerated with Vance about 2 months after the robbery/homicide. CI#3 heard Vance admit his involvement in the robbery/homicide, describing how he forced the clerk to lie down and how the clerk pled for his life. Vance also described purchasing the masks used in the robbery.

During the course of this investigation, after being advised of his rights per MIRANDA, Vance has been interviewed by officers. Vance denied his involvement in the robbery/homicide. Vance admitted that he told CI#1 that he had been involved in the robbery/homicide but stated that he only said that to get a free drink. During an initial interview with Vance he provided officers with details of his movements on December 22, 2002. During subsequent interviews Vance has made statements that contradict statements made during the

previous interviews.

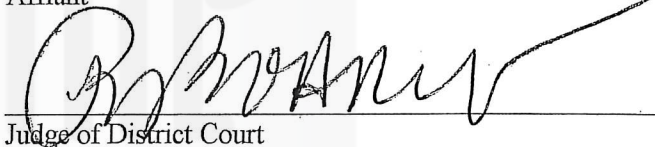
Vance is currently being held in the Sherburne County Jail pending a court date in Federal Court for a weapons violation.

WHEREFORE, Your Affiant requests a search warrant be issued, commanding Steve Ploeckelmann of the South St. Paul Police Department and Sergeant Steve Olmanson, Deputy of Sherburne County Sheriff's Office and other officers under their direction and control, peace officers of the State of Minnesota, to execute this search warrant between the hours of 7:am and 8:pm, with announcement of authority and purpose, to search the hereinbefore described persons 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

Subscribed and sworn to before me
this day 21 day of May 2003.



Judge of District Court

MINNESOTA
JUDICIAL
BRANCH