

SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS

DISTRICT COURT DEPARTMENT

WORCESTER DIVISION

SEARCH WARRANT DOCKET NUMBER

1562 SW 00315

TO THE SHERIFFS OF OUR SEVERAL COUNTIES OR THEIR DEPUTIES, ANY STATE POLICE OFFICER, OR ANY CONSTABLE OR POLICE OFFICER OF ANY CITY OR TOWN, WITHIN OUR COMMONWEALTH:

Proof by affidavit, which is hereby incorporated by reference, has been made this day and I find that there is **PROBABLE CAUSE** to believe that the property described below:

- has been stolen, embezzled, or obtained by false pretenses.
- is intended for use or has been used as the means of committing a crime.
- has been concealed to prevent a crime from being discovered.
- is unlawfully possessed or concealed for an unlawful purpose.
- is evidence of a crime or is evidence of criminal activity.
- other (specify) _____

YOU ARE THEREFORE COMMANDED within a reasonable time and in no event later than seven days from the issuance of this search warrant to search for the following property:

The property for which I seek a search warrant for is: a black/gray "9mm" firearm and a black ".22" firearm, as defined by M.G.L. Ch. 269/10. All cell phones, records, and documents which are used or intended for use in violation of M.G.L. 269/10 including locked containers and keys along with any documents pertaining to the occupancy/ownership of 17 Hillside Street, Apartment 3, Massachusetts.

- at: The address of 17 Hillside Street, Apartment 3, Worcester, Massachusetts is described as a three story residential dwelling that has a flat roof, with white and blue vinyl siding and white trim. The third floor apartment is located on the top floor. The numerals "17" appears in black on the left side of the front of the residence on a pillar. There is a driveway located to the left of the building.

which is occupied by and/or in the possession of:

Shane Jackson DOB: 5/15/1979

- on the person or in the possession of:
Shane Jackson DOB: 5/15/1979

You are are not also authorized to conduct the search at any time during the night.

You are are not also authorized to enter the premises without announcement.

You are are not also commanded to search any person present who may be found to have such property in his or her possession or under his or her control or to whom such property may have been delivered.

YOU ARE FURTHER COMMANDED if you find such property or any part thereof, to bring it, and when appropriate, the persons in whose possession it is found before the

Worcester

Division of the

District

Court Department.

DATE ISSUED

8-17-15

SIGNATURE OF JUSTICE, CLERK, MAGISTRATE OR ASSISTANT CLERK

Brenda Seaver

FIRST OR ADMINISTRATIVE JUSTICE

WITNESS:

LoConto, J

PRINTED NAME OF JUSTICE, CLERK, MAGISTRATE OR ASSISTANT CLERK

Brenda Seaver

SCANNED

Brian Alegrin
Manning Diaz
Joshua Matos
Nicholas Nason
Worcester SWAT Team

Search warrant
8-20-15

SEARCH WARRANT DOCKET NUMBER

DISTRICT COURT DEPARTMENT
WORCESTER DIVISION

RETURN OF OFFICER SERVING SEARCH WARRANT

A search warrant must be executed as soon as reasonably possible after its issuance, and in any case may not be validly executed more than 7 days after its issuance. The executing officer must file his or her return with the court named in the warrant within 7 days after the warrant is issued. G.L. c. 276, §3A.

This search warrant was issued on August 17, 20 15, and I have executed it as follows:

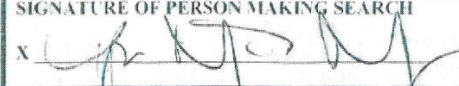
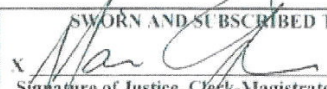
The following is an inventory of the property taken pursuant to this search warrant:

1. No items seized.
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____

(attach additional pages as necessary)

This inventory was made in the presence of: Tpr. Nicholas Nason

I swear that this inventory is a true and detailed account of all the property taken by me on this search warrant.

SIGNATURE OF PERSON MAKING SEARCH X 	DATE AND TIME OF SEARCH 8/19/15 @ 0530 hrs.	SWORN AND SUBSCRIBED TO BEFORE X 
PRINTED NAME OF PERSON MAKING SEARCH Nicholas E. Nason	TITLE OF PERSON MAKING SEARCH Trooper	DATE SWORN AND SUBSCRIBED TO 8/19/15

SEARCH WARRANT DOCKET NUMBER

DISTRICT COURT DEPARTMENT
WORCESTER DIVISION

RETURN OF OFFICER SERVING SEARCH WARRANT

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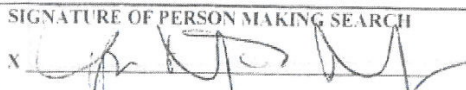
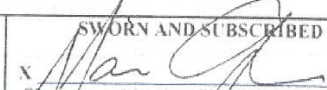
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SIGNATURE OF PERSON MAKING SEARCH X 	DATE AND TIME OF SEARCH 8/19/15 @ 0530 hrs.	SWORN AND SUBSCRIBED TO BEFORE X 
PRINTED NAME OF PERSON MAKING SEARCH Nicholas E. Nason	TITLE OF PERSON MAKING SEARCH Trooper	DATE SWORN AND SUBSCRIBED TO 8/19/15

APPLICATION FOR SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS



NAME OF APPLICANT

Nicholas E. Nason

DISTRICT COURT DEPARTMENT
WORCESTER DIVISION

POSITION OF APPLICANT

Trooper

SEARCH WARRANT DOCKET NUMBER

1562 SW 00315

- I, the undersigned **APPLICANT**, being duly sworn, depose and say that:
- I have the following information based upon the attached affidavit(s), consisting of a total of 5 pages, which is (are) incorporated herein by reference.
 - Based upon this information, there is **PROBABLE CAUSE** to believe that the property described below:
 - has been stolen, embezzled, or obtained by false pretenses.
 - is intended for use or has been used as the means of committing a crime.
 - has been concealed to prevent a crime from being discovered.
 - is unlawfully possessed or concealed for an unlawful purpose.
 - is evidence of a crime or is evidence of criminal activity.
 - other. *(specify)* _____

3. I am seeking the issuance of a warrant to search for the following property *(describe the property to be searched for as particularly as possible)*:
The property for which I seek a search warrant for is: a black/gray "9mm" firearm and a black ".22" firearm, as defined by M.G.L. Ch. 269/10. All cell phones, records, and documents which are used or intended for use in violation of M.G.L 269/10 including locked containers and keys along with any documents pertaining to the occupancy/ownership of 17 Hillside Street, Apartment 3, Massachusetts.

4. Based upon this information, there is also probable cause to believe that the property maybe found *(check as many as apply)*:
 at *(identify the exact location or description of the place(s) to be searched)*: The address of 17 Hillside Street, Apartment 3, Worcester, Massachusetts is described as a three story residential dwelling that has a flat roof, with white and blue vinyl siding and white trim. The third floor apartment is located on the top floor. The numerals "17" appears in black on the left side of the front of the residence on a pillar. There is a driveway located to the left of the building.

which is occupied by and/or in the possession of:

Shane Jackson DOB: 5/15/1979

on the person or in the possession of *(identify any specific person(s) to be searched)*:
Shane Jackson DOB: 5/15/1979

on any person present who may be found to have such property in his or her possession or under his or her control or to whom such property may have been delivered.

THEREFORE, I respectfully request that the court issue a Warrant and order of seizure, authorizing the search of the above described place(s) and person(s), if any, to be searched, and directing that such property or evidence or any part thereof, if found, be seized and brought before the court, together with such other and further relief that the court may deem proper.

I have previously submitted the same application.

I have **not** previously submitted the same application.

PRINTED NAME OF APPLICANT

Nicholas Nason

SIGNED UNDER THE PENALTIES OF PERJURY

Nicholas Nason
Signature of Applicant

SWORN AND SUBSCRIBED TO BEFORE

X *[Signature]*
Signature of Justice, Clerk-Magistrate or Assistant Clerk

8-17-15
DATE

15625w00315

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, SS.

WORCESTER DISTRICT COURT

AFFIDAVIT IN SUPPORT OF APPLICATION FOR SEARCH WARRANT

G.L. C.276 SS 1 to 7, St. 1967, C.557.


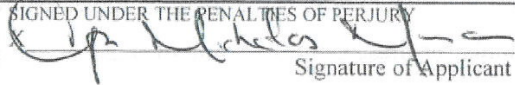
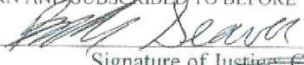
August 17, 2015

I, Nicholas E. Nason, being duly sworn, depose and say:

I am currently a Trooper in the Massachusetts State Police, a position which I have continuously held for the past thirteen years, since December of 2000. Presently I am assigned to the State Police Detective Unit/Worcester County in the Narcotics Unit, located at 81 Lafayette Street, Worcester, Massachusetts and have been for the past six years. Previous assignments have included the State Police Detective Unit/Worcester County in the Criminal Section for approximately 3 years during which time your affiant investigated major felonies, including homicides. Prior to that, I was assigned to the Uniform Branch of the State Police, having been assigned to the Northampton, Sturbridge, and Holden Barracks.

During my tenure as a Trooper, I have conducted and participated in numerous investigations relative to various forms of criminal activity, such as Homicide, Assaults, Larceny, Computer Crimes, Sexual Assault, and violations of Massachusetts General Laws, Chapter 94C, which would include the distribution of controlled substances, including cocaine, cocaine base, heroin, marijuana, methamphetamine and other illegal drugs. I have received extensive training in all aspects of these above mentioned crimes along with narcotic investigations; specifically I have attended the DEA Narcotic School in 2009 and the DEA Undercover School in 2008. These investigations have resulted in the arrest and conviction of numerous individuals for these crimes. Some of these investigations have been in conjunction with various federal, state, and local agencies and police departments.

APPLICATION FOR SEARCH WARRANT G.L. c. 276, §§ 1-7		TRIAL COURT OF MASSACHUSETTS 
NAME OF APPLICANT Nicholas E. Nason		DISTRICT COURT DEPARTMENT WORCESTER DIVISION
POSITION OF APPLICANT Trooper		SEARCH WARRANT DOCKET NUMBER <u>1562 SW 00315</u>
<p>I, the undersigned APPLICANT, being duly sworn, depose and say that:</p> <p>1. I have the following information based upon the attached affidavit(s), consisting of a total of 5 pages, which is (are) incorporated herein by reference.</p> <p>2. Based upon this information, there is PROBABLE CAUSE to believe that the property described below:</p> <ul style="list-style-type: none"> <input type="checkbox"/> has been stolen, embezzled, or obtained by false pretenses. <input checked="" type="checkbox"/> is intended for use or has been used as the means of committing a crime. <input checked="" type="checkbox"/> has been concealed to prevent a crime from being discovered. <input checked="" type="checkbox"/> is unlawfully possessed or concealed for an unlawful purpose. <input checked="" type="checkbox"/> is evidence of a crime or is evidence of criminal activity. <input type="checkbox"/> other. <i>(specify)</i> _____ <p>3. I am seeking the issuance of a warrant to search for the following property <i>(describe the property to be searched for as particularly as possible)</i>: The property for which I seek a search warrant for is: a black/gray "9mm" firearm and a black ".22" firearm, as defined by M.G.L. Ch. 269/10. All cell phones, records, and documents which are used or intended for use in violation of M.G.L. 269/10 including locked containers and keys along with any documents pertaining to the occupancy/ownership of 17 Hillside Street, Apartment 3, Massachusetts.</p> <p>4. Based upon this information, there is also probable cause to believe that the property maybe found <i>(check as many as apply)</i>:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> at <i>(identify the exact location or description of the place(s) to be searched)</i>: The address of 17 Hillside Street, Apartment 3, Worcester, Massachusetts is described as a three story residential dwelling that has a flat roof, with white and blue vinyl siding and white trim. The third floor apartment is located on the top floor. The numerals "17" appears in black on the left side of the front of the residence on a pillar. There is a driveway located to the left of the building. <p>which is occupied by and/or in the possession of:</p> <p>Shane Jackson DOB: 5/15/1979</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> on the person or in the possession of <i>(identify any specific person(s) to be searched)</i>: Shane Jackson DOB: 5/15/1979 <input checked="" type="checkbox"/> on any person present who may be found to have such property in his or her possession or under his or her control or to whom such property may have been delivered. <p>THEREFORE, I respectfully request that the court issue a Warrant and order of seizure, authorizing the search of the above described place(s) and person(s), if any, to be searched, and directing that such property or evidence or any part thereof, if found, be seized and brought before the court, together with such other and further relief that the court may deem proper.</p> <p>I <input type="checkbox"/> have previously submitted the same application. I <input checked="" type="checkbox"/> have not previously submitted the same application.</p>		
PRINTED NAME OF APPLICANT <u>Nicholas Nason</u>		SIGNED UNDER THE PENALTIES OF PERJURY  Signature of Applicant
SWORN AND SUBSCRIBED TO BEFORE X  Signature of Justice Clerk-Magistrate or Assistant Clerk		<u>8-17-15</u> DATE

During these investigations, I have worked with and have been trained by officers experienced in the investigation of illegal narcotic organizations. I have had contact with many defendants, informants and suspects who were users, sellers, and traffickers of controlled substances. As a result of these investigations I have sworn out numerous affidavits in support of search warrants, arrest warrants and other applications. I personally have participated in almost all aspects of drug trafficking investigations, including but not limited to conducting surveillances on properties, suspects, and other targets of investigations, using confidential informants and conducting court authorized wire and electronic surveillance. I have also been qualified as an expert witness in street level narcotics dealing in the Worcester Superior Court.

The Massachusetts State Police are currently investigating Shane Jackson DOB: 5/15/1979 of Hillside Street, Apartment 3, Worcester, Massachusetts. The details of this investigation are outlined below:

1. This affiant has personal information based upon personal knowledge, observation, and conversation with a confidential informant who will herein after be referred to as CRI-1. CRI-1 acknowledges to this affiant that he/she has been involved in the use and procurement of illegal narcotics and therefore has occasion to associate with individuals in the procurement and distribution of illegal narcotics. For this reason CRI-1's identity must remain anonymous as he/she has specifically expressed fear of reprisal to CRI-1 and or members of his/her family, should it be known that CRI-1 is providing information to this affiant. CRI-1's true identity is known to this affiant. CRI-1 has provided specific information to this affiant which has resulted in the execution of search warrants and seizures of quantities of cocaine, marijuana, heroin, a firearm and ammunition and US Currency. As a result of those search warrants, individuals were arrested, prosecuted, and convicted within the Worcester District and Superior Court.
2. On September 24, 2014 the Worcester SPDU-Narcotics Unit with the assistance of the SPDU Worcester-Criminal Unit executed a search warrant at 17 Hillside Street, Apartment 3, Worcester. Located inside the apartment were Yasaira Acevedo along with her two juvenile children, also located in the apartment were Carmen Zwicker, (DOB: 07/08/84) and her two juvenile children as well as Doris Parker (DOB: 07/01/60). All parties were advised of the search warrant and of their rights per Miranda. A search of the apartment was then conducted.

During the subsequent search of the apartment, packaging materials, paraphernalia containing residue, miscellaneous paper work, cell phones, a digital scale and a black air soft pistol (Bersa 13CG9355) were recovered. All of the items related to drug distribution were seized and secured. While conducting a post Miranda interview with Yasaira Acevedo; she advised this affiant, that she is a drug user who also sells crack cocaine in small quantities from her apartment.

3. During the months of July and August 2015 this affiant has had several conversations with CRI-1 regarding the illegal possession of firearms by Shane Jackson, who resides at 17 Hillside Street, Apartment 3 in the City of Worcester. During the September 2014 search warrant of this apartment, Yasaira Acevedo was the mother to at least one of Shane Jackson's children and had been staying with her at the time. During these conversations with CRI-1, he/she told this affiant that Jackson was staying in apartment 3 with another unknown girl and a black male. CRI-1 stated that on several occasions he/she had been inside of apartment 3 and had observed Jackson inside of the apartment, and to his/her knowledge was staying in that apartment.

4. This affiant conducted a MA RMV check to determine the other occupants of apartment 3 of 17 Hillside Street based upon RMV information. This search revealed that Shamel Legree DOB: 6/22/1987 and Marianne Diaz DOB: 9/16/1991 had provided the MA RMV with 17 Hillside Street, Apartment 3 as there address. A MA Board of Probation Check of Legree revealed that he has a violent criminal history which includes serving 5-7 years in State Prison for armed assault to kill, discharging a firearm w/ 500 feet of a dwelling, possession of a firearm without FID, A&B Dangerous weapon, and use of firearm in a felony which occurred in 2007. Diaz does not have a criminal record. A check of Shane Jackson's MA RMV and Board of Probation reveal that he lists an address of 71 Sylvan Street in Worcester. Jackson has a lengthy criminal history to include numerous drug violations, which Jackson has served state prison time for.

5. This affiant conducted a check of the electricity subscriber to apartment 3 of 17 Hillside Street on August 14, 2015. This check revealed that Marianne Diaz has been the electricity

BSK (NEW)

15625WCC-315

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1537 (circled) NEW

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subscriber to that apartment.

6. Within the last 72 hours this affiant has had conversation with CRI-1 regarding firearms that are located within apartment 3 of 17 Hillside Street. CRI-1 told this affiant that he/she was inside of apartment 3 with Shane Jackson and the unknown black male. At this time, two firearms were produced. CRI-1 is familiar with firearms; he/she has observed and handled firearms in the past. CRI-1 described one of the firearms as a "9mm" that was two tone in color, being gray and black. CRI-1 described the second firearm as being a ".22" that was black in color. CRI-1 told this affiant that he/she had observed these firearms within this apartment on several other occasions.

7. This affiant conducted a MA Firearms Identification Card check to determine if Diaz, Jackson or Legree had a valid Firearms permit. None of these three individuals had a valid firearms permit, nor did any person who reside at 17 Hillside Street, Apartment 3.

8. Based upon the facts, information and circumstances related above it is my opinion and the collective opinions of other experienced narcotics investigators involved in this investigation that there is probable cause to believe that there are two (2) illegally possessed and stored firearms located at 17 Hillside Street, Apartment 3, Worcester, MA in violation of Massachusetts General Laws Chapter 269/10. There is probable cause to believe that a search of this residence would reveal not only the presence of the illegally possessed firearms, but also the ammunition for those firearms. I believe that papers, records, and cellphones could also prove to whom was in control of those illegally possessed firearms. I believe that any locked containers and/or the keys to those locked containers could also be used secure those illegally possessed firearms within apartment 3 of 17 Hillside Street.

9. The property for which I seek a search warrant for is: a black/gray "9mm" firearm and a black ".22" firearm, as defined by M.G.L. Ch. 269/10. All cell phones, records, and documents which are used or intended for use in violation of M.G.L 269/10 including locked containers and keys along with any documents pertaining to the occupancy/ownership of 17 Hillside Street, Apartment 3, Massachusetts.

10. Wherefore, I respectfully request that the Worcester District Court issue a warrant and order of seizure authorizing the search of 17 Hillside Street, Apartment 3, Worcester,

BJS

NEW

Massachusetts, including the curtilage, directing that if said property or evidence or any part thereof is found that it be seized and brought before the Worcester District Court. The address of 17 Hillside Street, Apartment 3, Worcester, Massachusetts is described as a three story residential dwelling that has a flat roof, with white and blue vinyl siding and white trim. The third floor apartment is located on the top floor. The numerals "17" appears in black on the left side of the front of the residence on a pillar. There is a driveway located to the left of the building. The presence of an illegally obtained and/or owned firearm(s) could present a serious risk to the lives and safety of officers attempting to execute the service of a search warrant at 17 Hillside Street, Apartment 3. Therefore I respectfully request permission for authorization to conduct the search at any time during the night, to enter the premises without announcement, and to search any person present in the dwelling at the time of the execution of the warrant.

11. Except where otherwise stated, the information contained in this affidavit is based on my training and experience, my personal knowledge and observations during the course of this investigation and information provided to me by other sources as noted herein. Your affiant reasonably relies upon the information identified on this affidavit and application. This information is of quality and quantity routinely and properly relied on by law enforcement personnel in conducting criminal investigations and analyzing the existence of probable cause to believe crimes, such as those being investigated in this matter, are being or have been committed.

This affidavit subscribed and sworn to by me consists of five (5) pages.

This affidavit is signed under the pains and penalties of perjury.



Trooper Nicholas E. Nason

Then personally appeared the above named Tpr. Nicholas E. Nason and made oath that the foregoing affidavit by him subscribed is true.

Before me this 17th day of August 2015



Clerk/Magistrate of the Court

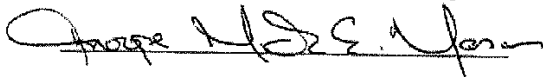
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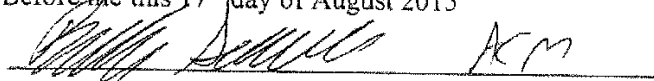
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Trooper Nicholas E. Nason

Then personally appeared the above named Tpr. Nicholas E. Nason and made oath that the foregoing affidavit by him subscribed is true.

Before me this 17th day of August 2015



Clerk/Magistrate of the Court

