

Commonwealth of Pennsylvania



APPLICATION FOR SEARCH WARRANT AND AUTHORIZATION

COUNTY OF Westmoreland

Docket Number MD-21-14

Police Incident Number: 14-0425

Warrant Control Number: 14-0425A

Detective / Sgt. Toppe

Westmoreland County Detective Bureau

724-853-4625

April 9, 2014

AFFIDAVIT

AGENCY

PHONE NUMBER

DATE OF APPLICATION

IDENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (Be as specific as possible)

All computers, cell phones, electronic storage devices, diaries, writings and journals belonging to Alex Hribal. Black handled kitchen knives.

PHYSIC DESCRIPTION OF PREMISES AND/OR PERSON TO BE SEARCHED (Street and No., Apt. No., Village, Safe Deposit Box, etc.):

3200 School Road, Franklin Regional High School, Murrysville, PA 15668 Student locker #1-107, locker of Alex Hribal.

NAME OF OWNER OCCUPANT OR POSSESSOR OF PREMISES TO BE SEARCHED (If proper name is unknown give address or description):

Franklin Regional High School

VIOLATION OF (Describe statute or statute number):

DATE(S) OF VIOLATION

Criminal Attempt Homicide

April 9, 2014

Warrant Application Approved by District Attorney - DA File No.

(If DA approval required per Pa.R. Crim.P. 2002A use assigned File No. per Pa.R. Crim.P. 107)

Additional Pages Attached (Other than Affidavit of Probable Cause)

Probable Cause Affidavit(s) MUST be attached (Unless sealed below) Total number of pages:

TOTAL NUMBER OF PAGES IN FULL APPLICATION, PROBABLE CAUSE AND CONTINUATION PAGES EVEN IF ANY OF THE PAGES ARE SEALED

The below named Affiant, being duly sworn (or affirmed) before the issuing Authority according to law, deposes and says that there is probable cause to believe that certain property is evidence of or the fruit of a crime or is contraband or is unlawfully possessed or is otherwise subject to seizure, and is located at the particular premises or in the possession of the particular person as described above.

Signature of Affiant

Westmoreland County Detective Bureau

Signature of Affiant

Agency or Address (Private Affiant)

Sworn to and subscribed before me this 9 day of APRIL 2014 Mag. Dist. No. 10

Signature of Issuing Authority Office Address

Signature of Issuing Authority Office Address

SEARCH WARRANT TO LAW ENFORCEMENT OFFICER:

WHEREAS facts have been sworn to or affirmed before me by written affidavit(s) attached hereto which I have found probable cause, I do authorize you to search the premises or person described, and to seize, secure, inventory and make return according to the Pennsylvania Rules of Criminal Procedure.

This Warrant shall be served as soon as practicable and shall be served only between the hours of 8 AM to 10 PM but in no event later than:

This Warrant shall be served as soon as practicable and may be served any time during the day or night but in no event later than:

4:15 M, o'clock 10 APRIL 2014

The issuing authority should specify a date not later than two (2) days after issuance, Pa.R.Crim.P. 2005(d).

If the issuing authority finds reasonable cause for issuing a nighttime warrant on the basis of additional reasonable cause established and wishes to issue a nighttime warrant, then this block must be checked, Pa.R.Crim.P. 2005(e).

Issued under my hand this 10 day of APRIL 2014 at 4:15 P M, o'clock.

Signature of Issuing Authority Mag. Dist. or Justice: Dist. No. Date Commission Expires:

Signature of Issuing Authority Mag. Dist. or Justice: Dist. No. Date Commission Expires:

Title of Issuing Authority: District Justice Common Pleas Judge

Title of Issuing Authority: District Justice Common Pleas Judge

For good cause stated in the affidavits(s) the Search Warrant Affidavit(s) are sealed for days

by my certification and signature, (Pa.R. Crim.P. 2011)

(Date) (SEAL)

Signature of Issuing Authority (Judge of the Court of Common Pleas or Appellate Court Judge or Judge).

Vertical stamp: TO BE COMPLETED BY THE ISSUING AUTHORITY. Includes signatures of Charles Amador, District Judge, and other officials.

## Commonwealth of Pennsylvania

RETURN of SERVICE  
AND INVENTORY

## COUNTY OF Westmoreland



Docket Number (Issuing Authority):	Police Incident Number: 14-425	Warrant Control Number: 14-0426A
Date of Search: 04/09/2014	Time of Search: 1637 Hrs.	Property Seized as result of Search (Y/N):Y
Date of Return: 04/23/2014	Time of Return: 1430 Hrs.	Officer making Return: Detective Robert W. Weaver
Signature of Person Seizing Property: <i>[Signature]</i>		
Other Officers Participating in Search:		

## Pa.R.Crim.P. Chapter 2000, SEARCH WARRANTS

## Rule 2002A. Approval of Search Warrant Applications by Attorney for the Commonwealth - Local Option.

- (a) The District Attorney of any county may require that search warrant applications filed in the county have the approval of an attorney for the Commonwealth prior to filing.

## Rule 2004. Person To Serve Warrant.

A search warrant shall be served by a law enforcement officer.

## Rule 2005. Contents of Search Warrant.

Each search warrant shall be signed by the issuing authority and shall:

- specify the date and time of issuance;
- identify specifically the property to be seized;
- name or describe with particularity the person or place to be searched;
- direct that the search be executed within a specified period of time, not to exceed 2 days from the time of issuance;
- direct that the warrant be served in the daytime unless otherwise authorized on the warrant, PROVIDED THAT, for purposes of the Rules of Chapter 2000, the term "daytime" shall be used to mean the hours of 6 a.m. to 10 p.m.;
- designate by title the judicial officer to whom the warrant shall be returned;
- certify that the issuing authority has found probable cause based upon the facts sworn to or affirmed before the issuing authority by written affidavit(s) attached to the warrant; and
- when applicable, certify on the face of the warrant that for good cause shown the affidavit(s) is sealed pursuant to Rule 2011 and state the length of time the affidavit(s) will be sealed.

## Rule 2006. Contents of Application for Search Warrant.

Each application for a search warrant shall be supported by written affidavit(s) signed and sworn to or affirmed before an issuing authority, which affidavit(s) shall:

- state the name and department, agency, or address of the affiant;
- identify specifically the items or property to be searched for and seized;
- name or describe with particularity the person or place to be searched;
- identify the owner, occupant, or possessor of the place to be searched;
- specify or describe the crime which has been or is being committed;
- set forth specifically the facts and circumstances which form the basis for the affiant's conclusion that there is probable cause to believe the items or property identified are evidence or the fruit of a crime, or are contraband, or are otherwise unlawfully possessed or subject to seizure, and that these items or property are located on the particular person or at the particular place described;
- if a "nighttime" search is requested (i.e., 10 p.m. to 6 a.m.), state additional reasonable cause for seeking permission to search in the nighttime; and
- when the attorney for the Commonwealth is requesting that the affidavit(s) be sealed pursuant to Rule 2011, state the facts and circumstances which are alleged to establish good cause for the sealing of the affidavit(s).

## Rule 2008. Copy of Warrant; Receipt for Seized Property.

- A law enforcement officer, upon taking property pursuant to a search warrant, shall leave with the person from whom or from whose premises the property was taken a copy of the warrant and affidavit(s) in support thereof, and a receipt for the property seized. A copy of the warrant and affidavit(s) must be left whether or not any property is seized.
- If no one is present on the premises when the warrant is executed, the officer shall leave the documents specified in paragraph (a) at a conspicuous location in the said premises. A copy of the warrant and affidavit(s) must be left whether or not any property is seized.
- Notwithstanding the requirements in paragraphs (a) and (b), the officer shall not leave a copy of an affidavit that has been sealed pursuant to Rule 2011.

## Rule 2009. Return with Inventory.

- An inventory of items seized shall be made by the law enforcement officer serving a search warrant. The inventory shall be made in the presence of the person from whose possession or premises the property was taken, when feasible, or otherwise in the presence of at least one witness. The officer shall sign a statement on the inventory that it is a true and correct listing of all items seized, and that the signer is subject to the penalties and provisions of 18 Pa.C.S. Section 4904(b) - Unsworn Falsification To Authorities. The inventory shall be returned to and filed with the issuing authority.
- The judicial officer to whom the return was made shall upon request cause a copy of the inventory to be delivered to the applicant for the warrant and to the person from whom, or from whose premises, the property was taken.
- When the search warrant affidavit(s) is sealed pursuant to Rule 2011, the return shall be made to the justice or judge who issued the warrant.

**THE LAW ENFORCEMENT OFFICER SHALL MAKE ALL RETURNS TO THE ISSUING AUTHORITY DESIGNATED ON THE SEARCH WARRANT.**

A COPY OF THIS FORM, WHEN COMPLETED, IS TO BE ATTACHED TO EACH COPY OF THE SEARCH WARRANTS/AFFIDAVIT

**Commonwealth of Pennsylvania**



**RECEIPT / INVENTORY  
OF SEIZED PROPERTY**

COUNTY OF Westmoreland

Docket Number *MD-21-14* Police Incident Number: 14-425 Warrant Control Number: 14-425A  
(Issuing Authority):

Date of Search: 04/08/2011 Time of Search: 1637 Hrs. Inventory Page Number: 1 of 1 Pages

DET. R.W. WEAVER Affiant Agency or Address if private affiant Badge No. 18

The following property was taken / seized and a copy of this Receipt / Inventory with a copy of the Search Warrant and affidavit(s) (if not sealed) was

personally served on (name of person)  
 was left at (describe the location) *ALLEN'S LEHAR*

Item Number	Quantity	Item Description	Make, Model, Serial No. Color, etc.
1	1	LL Bean Backpack	
2	1	Samsung Cell Phone	
3	1	FR Student Handbook	
4	1	English Binder	
5	1	Handwritten note	
6	1	International Studies Binder	
7	1	Biology Binder	
8	1	Plastic bag containing gym clothes	
9	1	Literature Text book	
10	1	Algebra Binder	
11	1	Health Binder	
12	1	Spanish Binder	

I/we do hereby state that this inventory is to the best of my/our knowledge and belief a true and correct listing of all items seized, and that I/we sign this Receipt / Inventory subject to the penalties and provisions of Title 18 Pa.C.S. 4804 (b), Unsworn Falsification to Authorities.

*R. W. Weaver* **ROBERT W. WEAVER** *WESTM'D CO.* **DET** 18  
Signature of person issuing Receipt / Inventory Printed Name Affiliation Badge or Title

*[Signature]* **RAY SUDILKA** *WESTM'D CO.* **DET** 11  
Signature of Witness Printed Name Affiliation Badge or Title

*[Signature]* **RAY SUDILKA** *WESTM'D CO.* **DET** 11  
Signature of person making Search Printed Name Affiliation Badge or Title

Commonwealth of Pennsylvania



AFFIDAVIT OF PROBABLE CAUSE

COUNTY OF WESTMORELAND

Docket Number MD-21-14

Police Incident Number: 14-0425

Warrant Control Number: 14-0425A

Probable Cause Belief is based upon the following facts and circumstances

Your affiants for this search warrant are sworn police officers in the Commonwealth of Pennsylvania. The information contained in this affidavit is from information and personal observations which the affiants believe to be true and correct.

On April 9, 2014, at approximately 7:10 a.m., Officer William Yashke, Murrysville Police Department, was in his office at Franklin Regional High School. He heard a disturbance in the hallways of the school. Officer Yashke and Sergeant Resetar, school security guard, went into the hallways to find out what was happening. They went in different directions. Officer Yashke came back and saw Sergeant Resetar leaning against the wall and he was bleeding from his stomach. Sam King and the actor were observed on the floor of the hallway and Officer Yashke handcuffed the actor.

Sam King was interviewed and stated that he heard the disturbance and came into the hallway and saw kids running in the hallway. He then saw the actor standing in the hall holding two knives. King observed the actor stab Resetar. King then tackled the actor and subdued him. King later identified the actor as Alex Hribal, a student at Franklin Regional High School, who resides at [redacted] Murrysville Pa.

[redacted] and [redacted] both students at Franklin Regional High School, received threatening phone messages and completed calls from someone who is believed to be the actor. Caller said that he was going to "take them up". The caller is believed to be the actor because of the subsequent conduct of the actor coming to school and attacking numerous individuals.

Through your affiant's training and experience, it is known that individuals who commit school violence electronically procure writings concerning their motive and/or plans to commit the violence.

Charles J. Tappan 4-9-14  
Affiant Date

DET. Robert W. [redacted]

Charles E. Conway 9 APR 2014  
Judge

Charles E. Conway  
Magisterial District Judge  
Magisterial District 10-3-02  
Westmoreland County, PA  
My Commission Expires  
for Monday in January 2018