

DISTRICT COURT, STATE OF WASHINGTON, COUNTY OF SPOKANE

FILED

DEC 11 2007

SPOKANE COUNTY DISTRICT COURT

STATE OF WASHINGTON)

Plaintiff,)

vs

Shelly L. Stark)
WF 2-24-62)
1620 S. MAPLE)
Defendant.)

NO. 07-356136

SEARCH WARRANT -

RETURN, INVENTORY & RECEIPT

1. DATE AND TIME OF EXECUTION OF SEARCH WARRANT:

12-9-07 0658

2. PREMISES AND FILES SEARCHED:

1620 S. MAPLE

3. PERSONS PRESENT DURING EXECUTION OF SEARCH WARRANT:

Det. Hamond, Sgt. Peterson, Trayce Bonicki,
Jodee Dewey

4. INVENTORY LIST OF INFORMATION SEIZED:

(SEE ATTACHED SEARCH WARRANT PROPERTY SHEET ADDITIONAL)

5. METHOD OF ENTRY: No force

Brian Arnold
Seizing Officer

COPY OF RECEIPT RECEIVED:

Not Avail.
Recipient

CERTIFICATE OF RETURNEE:

I certify that on this 11th day of December, 2007, at 12:12 (AM/PM) the above captioned search warrant and written inventory were returned to the District Court Judge who signed the search warrant by delivery to the Spokane County District Court Clerk.

JOC

Date 12-9-07		Time 1110		SPOKANE POLICE-SHERIFF SEARCH WARRANT PROPERTY SHEET ADDITIONAL		Page 1	Incident Number 07-356136	
Bin #						of 3	Property No.	
Incident Classification Homicide						Property Location FILED		
Location Taken From 1620 S. MAPLE						DEC 11 2007		
Person Taken From				DOB		Arrested Y	Prop. Fac. Spec. SPOKANE COUNTY DISTRICT COURT	
Address				City		State	Zip Code	Phone
Evidence Referral Numbers				Officer Hammond		Officer # 207	Dept. 02	
Type of Class: E-Evidence (3) F-Found (5) S-Safekeeping (10) D-Destroyed (7)								
Item #	Description (If weapon, indicate barrel length, action, finish)					Quantity	Property Use Only	
1	Bloody T-shirts					2	Wt. In	Wt. Out
Class	Brand Name		Model & Caliber			Serial/OAN		
E								
Owner - If Not Above			D.O.B.		Address		City /State	Zip Code Phone
Item #	Description (If weapon, indicate barrel length, action, finish)					Quantity	Property Use Only	
2	Swab + Control of Blood in Foyer					1 EA	Wt. In	Wt. Out
Class	Brand Name		Model & Caliber			Serial/OAN		
E								
Owner - If Not Above			D.O.B.		Address		City /State	Zip Code Phone
Item #	Description (If weapon, indicate barrel length, action, finish)					Quantity	Property Use Only	
3	Bloody pants + underwear					1	Wt. In	Wt. Out
Class	Brand Name		Model & Caliber			Serial/OAN		
Owner - If Not Above			D.O.B.		Address		City /State	Zip Code Phone
Item #	Description (If weapon, indicate barrel length, action, finish)					Quantity	Property Use Only	
4	Knife from Kitchen					1	Wt. In	Wt. Out
Class	Brand Name		Model & Caliber			Serial/OAN		
Owner - If Not Above			D.O.B.		Address		City /State	Zip Code Phone
Item #	Description (If weapon, indicate barrel length, action, finish)					Quantity	Property Use Only	
5	Temp order of protection					1	Wt. In	Wt. Out
Class	Brand Name		Model & Caliber			Serial/OAN		
Owner - If Not Above			D.O.B.		Address		City /State	Zip Code Phone
Item #	Description (If weapon, indicate barrel length, action, finish)					Quantity	Property Use Only	
6	Purse from Kitchen w/holster					1	Wt. In	Wt. Out
Class	Brand Name		Model & Caliber			Serial/OAN		
Owner - If Not Above			D.O.B.		Address		City /State	Zip Code Phone
Item #	Description (If weapon, indicate barrel length, action, finish)					Quantity	Property Use Only	
7	Ruger Revolver w/6 empty casing					1	Wt. In	Wt. Out
Class	Brand Name		Model & Caliber			Serial/OAN		
Owner - If Not Above			D.O.B.		Address		City /State	Zip Code Phone
Returned at scene item # s:								
N/A								
Signature of person delivering property						Signature of person receiving property		

Date 12-9-07 Time 1110		SPOKANE POLICE-SHERIFF SEARCH WARRANT PROPERTY SHEET ADDITIONAL		Page 2	Incident Number 07-356136
Bin #				of 3	Property No.
Incident Classification Homicide				Property Location ED Do Not Use	
Location Taken From 11620 S. MAPLE				DEC 11 2007	
Person Taken From			DOB	Arrested Y	Property Use Spec.
Address			City	State	Zip Code Phone
Evidence Referral Numbers			Officer Hammond	Officer # 267	Dept. 02
Type of Class: E-Evidence (3) F-Found (5) S-Safekeeping (10) D-Destroyed (7)					
Item # 8	Description (If weapon, indicate barrel length, action, finish) Double barrel Shotgun			Quantity 1	Property Use Only Wt. In Wt. Out
Class E	Brand Name	Model & Caliber		Serial/OAN	
Owner - If Not Above		D.O.B.	Address	City /State	Zip Code Phone
Item # 9	Description (If weapon, indicate barrel length, action, finish) Single barrel break action shotgun 1			Quantity 1	Property Use Only Wt. In Wt. Out
Class E	Brand Name	Model & Caliber		Serial/OAN	
Owner - If Not Above		D.O.B.	Address	City /State	Zip Code Phone
Item # 10	Description (If weapon, indicate barrel length, action, finish) Single barrel break action shotgun 1			Quantity 1	Property Use Only Wt. In Wt. Out
Class E	Brand Name	Model & Caliber		Serial/OAN	
Owner - If Not Above		D.O.B.	Address	City /State	Zip Code Phone
Item # 11	Description (If weapon, indicate barrel length, action, finish) Single 27 cal. Rifle			Quantity 1	Property Use Only Wt. In Wt. Out
Class	Brand Name	Model & Caliber		Serial/OAN	
Owner - If Not Above		D.O.B.	Address	City /State	Zip Code Phone
Item # 12	Description (If weapon, indicate barrel length, action, finish) Laptop computer & cords			Quantity 1	Property Use Only Wt. In Wt. Out
Class	Brand Name Compaq	Model & Caliber		Serial/OAN	
Owner - If Not Above		D.O.B.	Address	City /State	Zip Code Phone
Item # 13	Description (If weapon, indicate barrel length, action, finish) Foot stool w/ bullet damage			Quantity 1	Property Use Only Wt. In Wt. Out
Class	Brand Name	Model & Caliber		Serial/OAN	
Owner - If Not Above		D.O.B.	Address	City /State	Zip Code Phone
Item # 14	Description (If weapon, indicate barrel length, action, finish) Expanded Round from wall			Quantity 1	Property Use Only Wt. In Wt. Out
Class	Brand Name	Model & Caliber		Serial/OAN	
Owner - If Not Above		D.O.B.	Address	City /State	Zip Code Phone
Returned at scene item #'s:					
Signature of person delivering property N/A			Signature of person receiving property Brian...		

Date 12-9-07	Time 1110	SPOKANE POLICE-SHERIFF SEARCH WARRANT PROPERTY SHEET ADDITIONAL	Page 3	Incident Number 07-356136
Bin #			of 3	Property No.
Incident Classification Homicide		Property Location FILED DEC 11 2007		
Location Taken From 11070 S. maple		Arrested Y N		
Person Taken From		DOB	Prop. Fac. Spec.	DISTRICT COURT
Address		City	State	Zip Code
Evidence Referral Numbers		Officer HAMMOND	Officer # 267	Dept. 02

Type of Class: **E-Evidence (3) F-Found (5) S-Safekeeping (10) D-Destroyed (7)**

Item #	Description (If weapon, indicate barrel length, action, finish)	Quantity	Property Use Only	
15	Control SWAB - Blood - from kitchen	1	Wt. In	Wt. Out
Class E	Brand Name	Model & Caliber	Serial/OAN	
Owner - If Not Above		D.O.B.	Address	City /State Zip Code Phone

Item #	Description (If weapon, indicate barrel length, action, finish)	Quantity	Property Use Only	
16	D+C papers for Dale Stark	1	Wt. In	Wt. Out
Class E	Brand Name	Model & Caliber	Serial/OAN	
Owner - If Not Above		D.O.B.	Address	City /State Zip Code Phone

Item #	Description (If weapon, indicate barrel length, action, finish)	Quantity	Property Use Only	
17	D+C papers for Skellye Stark	1	Wt. In	Wt. Out
Class E	Brand Name	Model & Caliber	Serial/OAN	
Owner - If Not Above		D.O.B.	Address	City /State Zip Code Phone

Item #	Description (If weapon, indicate barrel length, action, finish)	Quantity	Property Use Only	
			Wt. In	Wt. Out
Class	Brand Name	Model & Caliber	Serial/OAN	
Owner - If Not Above		D.O.B.	Address	City /State Zip Code Phone

Item #	Description (If weapon, indicate barrel length, action, finish)	Quantity	Property Use Only	
			Wt. In	Wt. Out
Class	Brand Name	Model & Caliber	Serial/OAN	
Owner - If Not Above		D.O.B.	Address	City /State Zip Code Phone

Item #	Description (If weapon, indicate barrel length, action, finish)	Quantity	Property Use Only	
			Wt. In	Wt. Out
Class	Brand Name	Model & Caliber	Serial/OAN	
Owner - If Not Above		D.O.B.	Address	City /State Zip Code Phone

Item #	Description (If weapon, indicate barrel length, action, finish)	Quantity	Property Use Only	
			Wt. In	Wt. Out
Class	Brand Name	Model & Caliber	Serial/OAN	
Owner - If Not Above		D.O.B.	Address	City /State Zip Code Phone

Returned at scene item #'s:
N/A

Signature of person delivering property: _____
Signature of person receiving property: **Brian [Signature]**

WHEREAS, the undersigned finds that there is probable cause to believe said facts contained in the affidavit to be true:

THEREFORE, in the name of the State of Washington, you are commanded 10 days (not to exceed ten [10] days) to:

- (x) enter onto the aforementioned premises
- () enter the aforementioned vehicle(s)
- (x) detain the aforementioned person(s)

with the necessary and proper assistance, and diligently search for and seize:

1. Blood, hair and trace evidence
2. Firearms
3. Ballistic evidence
4. Ammunitions
5. Temporary order for Protection and Hearing
6. Knife
7. Buccal swab samples from Shelly Stark
8. Dominion and control paperwork
9. Computer tower and associated power cords.
10. E-mail evidence from the associated e-mail files, hard drive and memory of the computer tower listed as item #9.

and make a return of said warrant promptly, no later than three (3) days from the execution of the Search Warrant to the undersigned Judge, showing all acts and things done thereunder, with a written inventory of any properties taken, and the name of the person(s) in whose possession the same were found, if any, and if no person(s) be found in the possession of said articles, the inventory shall so state.

The peace officer taking property under the warrant shall give to the person from whom or from whose premises the property is taken a copy of the warrant and a receipt for the property taken. If no such person is present, the officer may post a copy of the Search Warrant and Receipt.

The inventory shall be made in the presence of the person from whose possession or premises the property is taken, or in the presence of at least one (1) person other than the seizing officer. This person may be another officer

12/9/07 5:50AM

Date/Time


Judge, Spokane County District Court

The subject of the search may request that a search warrant and accompanying papers not be filed. Unless there is an objection within seven (7) days after the execution of the Search Warrant, the Search Warrant and all accompanying papers will be filed and become available for public inspection.

The State objects to the filing of this Search Warrant and accompanying papers:

YES

NO

Homicide

(3) Circumstances supporting probable cause:

On Sunday, 12/09/07 at approximately 0141 hours, 911 operators received a call from Shelly L. Stark. Stark stated she was at her home at 1620 S. Maple and had just shot her husband. Stark said he had violated a restraining order and would not leave the house. Shelly Stark exited the home before officers arrived.

Officer Mario Juarez contacted Stark and was told by her that she and her husband Dale had been separated for some time, but had still been living together. He had been out of town working and had returned earlier in the evening. At that time her nephew, Dale Johnson served Dale Stark with the restraining order. Her son, Chris Stark, then left the home with Johnson. She was confronted by Dale Stark in the kitchen over the restraining order. During this confrontation, Dale kept looking between her and the knife on the kitchen counter. He was standing in a location in the kitchen that blocked her from leaving that room. She said she felt that Dale was aware that she noticed him looking at the knife. Shelly said the only way out was through Dale. She pulled a .357 revolver from her purse and fired several shots at him.

Officers contacted Chris Stark and Dale Johnson near Deaconess Medical Center. Chris said he had heard four to five shots coming from the house.

Officers found the victim in the kitchen of the home with gunshot wounds to his left leg and arm. He also had three gunshot wounds in his back. He was treated at the scene and then transported to Deaconess Medical Center. Officers observed a .357 revolver in the home and a copy of an order which was on the floor listing the victim as the respondent. That item was moved to prevent it from being damaged by blood while the victim was being treated. A knife was also seen on the kitchen counter. The home was cleared of occupants and secured. The victim was pronounced dead at 0215 hours.

Detective Hamond confirmed that a temporary order for protection and notice of hearing had been issued between the parties. The order showed Dale Stark as the respondent and Shelly Stark as the petitioner and was issued on 12/07/07. The order did not show to have been served by signature.

Detective Hollenbeck conducted interviews with Chris Stark and Dale Johnson. He was told that Dale Stark had been sending threatening e-mails to Shelly on their home computer.

WHEREFORE, affiant requests that a Search Warrant issue for the purpose of searching:

(x) PREMISES, described as follows:

1620 S. Maple St., Spokane, WA

() VEHICLE(S), described as follows:

(x) PERSON(S), described as follows:

Shelly L. Stark, WF, 2/24/62

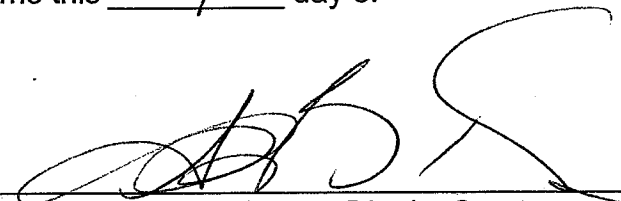
to seize (list property to be named in Search Warrant):

1. Blood, hair and trace evidence
2. Firearms
3. Ballistic evidence
4. Ammunitions
5. Temporary order for Protection and Hearing
6. Knife
7. Buccal swab samples from Shelly Stark
8. Dominion and control paperwork
9. Computer tower and associated power cords.
10. E-mail evidence from the associated e-mail files, hard drive and memory of the computer tower listed as item #9.


Affiant Police Officer

SUBSCRIBED AND SWORN TO before me this 9th day of

December, 20 07.


Judge, Spokane County District Court