

S.A. NO.: 09CF 035366

SEARCH WARRANT

Arrest Made
Kenneth McBride
09CF032528
09-610 CF

IN THE NAME OF THE STATE OF FLORIDA
TO: ALL AND SINGULAR THE SHERIFF OR
DEPUTY SHERIFFS OF CLAY COUNTY,
FLORIDA,

WHEREAS, complaint on oath and in writing, supported by affidavit, having been made this day before the undersigned Judge of the Fourth Judicial Circuit, in and for Clay County, Florida;

AND WHEREAS, said facts made known to me have caused me to certify and find that there is probable cause to believe that in the certain residence, in Clay County, Florida, known and described as follows:

From the intersection of Blanding Blvd and County Road 218 proceed southbound on Blanding Blvd 2.0 miles to the Intersection of Blanding Blvd and Alligator Blvd. Make a right turn, westbound onto Alligator Blvd and proceed 0.7 miles to the intersection of Alligator Blvd and Myrtle Street. Make a right turn, northbound onto Myrtle Street and proceed 50 feet to the driveway entrance to 2579 Myrtle Street on the east side of the street. The driveway to 2579 Myrtle Street is marked by a black mailbox with reflective sticker numbers which read "2579". The mailbox is on the north side of the driveway. The residence is surrounded by field fence with wooden support posts and a metal gate at the driveway entrance. The residence located at 2579 Myrtle Street, Middleburg, Florida is a light blue with white trim single story residence. The residence has a covered front porch which protrudes out from the front of the residence. The residence's roof is covered with black shingles. This single story residence is the only residential structure located inside the fenced in area.

OCCUPIED BY AND UNDER THE CONTROL OF KENNETH RAY McBRIDE - M.E. TUC

Hereinafter referred to as the "Premises", are being kept and used the instrumentality or means by which a felony has been committed or evidence relevant to proving a felony, to-wit, murder described as measurements, photographs, body samples, to-wit: hair, saliva, and blood, and any items which may contain body samples, to-wit: carpeting, clothing, bedding, furniture, tape, duct tape, rope or any other cord, comforter, a box of black kitchen bags in violation of Section 782.04, Florida Statutes.

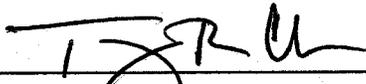
AND WHEREAS the facts establishing the grounds for this application are set forth in the affidavit of Det. M. Edmonson, Clay County Sheriff's Office. NOW THEREFORE, you or either of you, with such lawful assistance as may be necessary, are hereby commanded, in the daytime or in the nighttime, or on Sunday, as the exigencies of the occasion may require, to enter and search the residence at 2579 Myrtle St., Middleburg, FL and curtilage therein reasonably believed to be connected with said illegal activity for the property described in this warrant, the instrumentality or means by which a felony has been committed or evidence relevant to proving a felony to-wit: measurements, photographs, body samples, to-wit: hair, saliva, and blood, and any items which may contain body samples, to-wit: carpeting, clothing, bedding, furniture, tape, duct tape, rope or any other cord, comforter, a box of black kitchen bags and any like items, and any weapons possibly used in the commission of this crime, to-wit: rope or cord like material any instrumentalities possessed or used in connection therewith and if the same or any part thereof be found, you are hereby commanded to seize and secure same, giving proper receipt therefore and delivering a completed copy of this Warrant to the person in charge of the conveyance, or in the absence of any such person, leaving a complete copy where the property is found, and making a return of your doings under this Warrant within ten (10) days of the date hereof; and you are further commanded

APR - 10 2009
CLAY COUNTY SHERIFF'S OFFICE

to bring said property so found and also any person arrested in connection therewith before the Court having jurisdiction of this offense to be disposed of according to law.

AND WHEREAS the facts establishing the grounds for this application are set forth in the affidavit of Det. M. Edmonson, Clay County Sheriff's Office. NOW THEREFORE, you or either of you, with such lawful assistance as may be necessary, are hereby commanded, in the daytime or in the nighttime, or on Sunday, as the exigencies of the occasion may require, to enter and search the vehicle described as 2006 silver/aluminum Toyota Tacoma truck, Florida tag: 230WAK, VIN: 5TETU62N96Z273444 reasonably believed to be connected with said illegal activity for the property described in this warrant, to-wit: : measurements, photographs, body samples, to-wit: hair, saliva, and blood, and any items which may contain body samples, to-wit: carpeting, clothing, bedding, furniture, tape, duct tape, rope or any other cord, comforter, a box of black kitchen bags and any like items, and any weapons possibly used in the commission of this crime, to-wit: tape and rope or cord like material any instrumentalities possessed or used in connection therewith and if the same or any part thereof be found, you are hereby commanded to seize and secure same, giving proper receipt therefore and delivering a completed copy of this Warrant to the person in charge of the conveyance, or in the absence of any such person, leaving a complete copy where the property is found, and making a return of your doings under this Warrant within ten (10) days of the date hereof; and you are further commanded to bring said property so found and also any person arrested in connection therewith before the Court having jurisdiction of this offense to be disposed of according to law.

WITNESS my hand and seal this 31 day of March, 2009.



Judge, Circuit Court of the Fourth Judicial Circuit,
in and for Clay County, Florida

AFFIDAVIT FOR SEARCH WARRANT

(STATE OF FLORIDA)
(COUNTY OF CLAY)

BEFORE ME, the undersigned Judge of the Fourth Judicial Circuit, in and for Clay County, Florida, personally came Detective M. Edmonson, Clay County Sheriff's Office, who being first duly sworn deposes and says: That affiant has reason to believe and does believe that the certain Residence, located in Clay County, Florida, described as follows, to-wit:

From the intersection of Blanding Blvd and County Road 218 proceed southbound on Blanding Blvd 2.0 miles to the Intersection of Blanding Blvd and Alligator Blvd. Make a right turn, westbound onto Alligator Blvd and proceed 0.7 miles to the intersection of Alligator Blvd and Myrtle Street. Make a right turn, northbound onto Myrtle Street and proceed 50 feet to the driveway entrance to 2579 Myrtle Street on the east side of the street. The driveway to 2579 Myrtle Street is marked by a black mailbox with reflective sticker numbers which read "2579". The mailbox is on the north side of the driveway. The residence is surrounded by field fence with wooden support posts and a metal gate at the driveway entrance. The residence located at 2579 Myrtle Street, Middleburg, Florida is a light blue with white trim single story residence. The residence has a covered front porch which protrudes out from the front of the residence. The residence's roof is covered with black shingles. This single story residence is the only residential structure located inside the fenced in area.

Hereinafter referred to as the "Premises", and there is being kept and used the instrumentality or means by which a felony has been committed or evidence relevant to proving a felony, to-wit: murder, described as measurements, photographs, body samples, to-wit: hair, saliva, and blood, and any items which may contain body samples, to-wit: carpeting, clothing, bedding, furniture, tape, duct tape, rope or any other cord, comforter, a box of black kitchen bags, and like material in violation of section 782.04, Florida Statutes

AFFIANT'S PROBABLE CAUSE for believing the Premises are being used by Kenneth R. McBride for the purpose of concerning property relative to proving the commission of a crime, to-wit: murder is as follows:

Your Affiant is a Detective with the Clay County Sheriff's Office and has been so employed for more than 6 years. Affiant is currently assigned to the Robbery/Homicide Unit.

On March 31, 2009 information was received from St. Johns County Sheriff's Office in reference to one Mary Margaret Barone giving information about a potential homicide. St. Johns County Deputy Scott O'Connell and Lt. Aman notified Clay County Sheriff's Office and spoke with Sgt. Cecil Jett and advised that they were with Mary Barone and she was giving details of a homicide that occurred at 2579 Myrtle St., Middleburg, FL. Detective Twisdale and Sgt. Jett responded to 2245 CR 210 West, St. Johns County, FL and met with St. Johns County Sheriff's Office personnel and Mary Barone. Mary Barone agreed to return to the Clay County Sheriff's Office, Robbery/Homicide office in order to give a statement. Ms. Barone stated that on February 23, 2009 her and Kenneth R. McBride, hereinafter referred to as "suspect", returned to the Myrtle St. address after arguing about whether or not Roberta Laws, hereinafter referred to as "victim", would be allowed to continue to live at 2579 Myrtle St. During this argument Mary Barone, hereinafter referred to as "witness", stated the suspect said that he would just kill her. Upon arriving at the residence on Myrtle St. suspect told the witness to remain in the vehicle. After approximately 20 to 30 minutes, the suspect emerged from the residence and told the witness it was done. At that point the witness and suspect returned inside the residence. The witness stated she observed the victim lying nude in her bed with all four of her extremities tied to the bed frame. The witness also observed a rope like material around the victim's neck and the victim appeared to be dead. The witness stated that the suspect requested two (2) large black garbage bags from the kitchen which

the witness provided. The suspect cut the bags open and used a roll of duct tape that he retrieved from his vehicle to tape the two (2) bags together in order to form a makeshift body bag. The witness stated that the suspect cut the rope from the victim's body and the bed frame then discarded the rope in the trash. The witness stated the suspect then rolled the victim up in the plastic garbage bags and taped the bags together, concealing the body. The witness and the suspect traveled to 1580 Branan Field Rd., Walmart, and purchased a shovel which was captured on video surveillance. The witness and the suspect returned to the residence. The witness was ordered to clean and discard anything that was related to this homicide while the suspect went into the back yard and dug a hole at the base of the back porch. The witness stated that the body stayed in the master bedroom of the residence until the following day (February 24, 2009). The suspect then drug the body from the bedroom on a bed comforter, still wrapped in the black plastic bags, placed on the back porch and covered with several other bags of garbage, also in black trash bags. On February 24, 2009 at approximately 9:00 p.m., the suspect removed the victim's body from the back porch and placed her in the hole that he previously dug the night before. On February 25, 2009, the suspect removed all personal items pertaining to the victim and delivered them in black garbage bags to the Salvation Army drop off, to include one standard hospital wheelchair and portable handicapped toilet chair. The witness was not allowed to be alone or away from the residence without the suspect as she was threatened with her own life if she spoke of this homicide. On March 31, 2009, the witness was able to sneak out of the residence and walk to the Kangaroo Food Store located at CR 215 and SR 21 where she was able to obtain a ride from one of the store clerks. The witness relocated to 2245 CR 210 West to meet with a friend in order to obtain assistance in a place to stay at which point the witness contacted the St. Johns County Sheriff's Office for further assistance in reporting this homicide.

The witness advises that she last observed the box of black kitchen bags on top of the refrigerator on March 31, 2009. The witness advises she last observed the blanket used to pull the victim out of the residence in the back yard on March 31, 2009. Witness advised that the remaining roll of rope that the bindings and ligature was cut from was still located in a kitchen drawer next to the sink, under the counter as of March 31, 2009. The witness advises that the victim's wallet was last seen in the console of the vehicle approximately two (2) days ago.

Based upon the foregoing, your Affiant believes that physical evidence associated with this incident can be located within the above described Premises.

WHEREFORE, Affiant makes this affidavit and prays the issuance of a Search Warrant in due form of law for the search of the conveyance for the said property heretofore described, and for the seizure and safekeeping thereof, subject to the order of a Court having jurisdiction thereof, by the duly constituted officers of the law.

Det. Matt E...

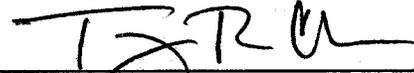
Affiant, Deputy # 6531
Clay County Sheriff's Office

Sworn to and subscribed before me this 31 day of March, 2009.

T. R. U.

Judge, Circuit ~~County~~ Court of the Fourth
Judicial Circuit, in and for Clay County, Florida

THE FOREGOING APPLICATION for a Search Warrant coming on to be heard, and having examined the applicant under oath and other matters and facts alleged therein, and being satisfied there is probable cause to believe the grounds set forth in said application and the facts alleged therein do exist and that the Laws of the State of Florida are being violated as alleged, I do so find and a Search Warrant is hereby allowed and issued.



Judge, Circuit County Court of the
Fourth Judicial Circuit, in and for Clay
County, Florida

INVENTORY AND RECEIPT
(SEARCH WARRANT)

- ① HUMAN BODY
- ② SHOVEL
- ③ ~~SUBMERCIBLE Pliers~~ M.E.
- ④ 2-BLANKETS
- ⑤ WHEEL CHAIR
- ⑥ ROLL OF DUCT TAPE
- ⑦ 4-PILLOW
- ⑧ 2-BED SHEETS
- ⑨ 2-PILLOWS
- ⑩ MATTRESSES
- ⑪ TEDDY BEAR
- ⑫ CARPET CLEANING MACHINE.
- ⑬ 2-TAPE MEASURE
- ⑭ SINK DRAIN TRAP

DATED this 1st day of April, 2009,

DET. Matt El 6531
Officer

RETURN
(SEARCH WARRANT)

(STATE OF FLORIDA)
(COUNTY OF CLAY)

Received this Search Warrant on the 31st day of April ~~MARCH~~ ^{M.E.}, 2009, and executed and served the same in Clay County, Florida, on the 31st day of April ~~MARCH~~ ^{M.E.}, 2009, by searching the Conveyance and by taking into my custody the property described in the above Inventory and Receipt and by having read and delivered a copy of this Search Warrant and Inventory and Receipt to

JUDGE COLLINS, THE RESIDENCE LOCATED AT 2579 MYRALE ST MOORE FL
I, DET. MATT EDMONSON, the officer by whom the Warrant was executed, do swear that the above Inventory and Receipt contains a true and detailed account of all the property taken by me on said warrant.

DET. Matt El 6531

Officer

Sworn to and subscribed before me this 9 day of April, 2009, by the aforementioned Affiant [] who is personally known to me or [] who has produced _____ as identification and who did take an oath.

TJR
Judge, Circuit / County Court of the
Fourth Judicial Circuit in and for Clay
County, Florida