

IN THE MAGISTRATE COURT OF COBB COUNTY, GEORGIA

Search Warrant Number #: 10-SW-0401

Docket Number #: E005914

AFFIDAVIT & APPLICATION FOR A SEARCH WARRANT

The undersigned, being duly sworn, deposes and says: I am a duly sworn, POST certified law enforcement officer in the state of Georgia charged with the duty to investigate criminal activity and enforce the criminal laws of this state. This is an application for a search warrant and my affidavit in support hereof. Pursuant to O.C.G.A. 17-5-20, et. seq., I am making this sworn affidavit setting forth that there exists probable cause to believe that:

- A. specific offense(s) is/are being committed/have been committed; and
- B. specifically described property and items and/or persons are to be searched for and seized and constitute evidence of these specific offenses; and
- C. the property and items and/or persons constituting evidence to be searched for and seized are located at the particular place to be searched.

There is probable cause to believe that the following crime(s) (is being/has been/have been) committed. (List all applicable offenses and code sections.)

Offense(s)	Code Section(s)
MURDERFELONY	16-5-1

The information of person to be searched

[Empty box for person information]

The list of certain property, items, articles, instruments, to be searched for and seized are located in COBB County, Georgia and are specifically described as follows:

instruments, articles, person(s) or things, namely: financial records, receipts, business logs, correspondence between Reggie Coleman and/or Lynitra Ross and/or Stacey Schoeck, firearms, ammunition, cell phones and the content and information contained therein, computers and the content and information held therein, electronic storage devices and the content and information held therein, cameras to include video, SLR and digital and the content and information held therein and documents showing occupancy or ownership of said premises.

The foregoing described property, items, articles, instruments and person(s) to be searched for and seized constitute evidence connected with the foregoing listed crime(s) and is/are: (check ALL that are applicable) (O.C.G.A. 17-5-21)

- designed for use in the commission of the crime(s) herein described.
- intended for use in the commission of the crime(s) herein described.
- has/have been used in the commission of the crime(s) herein described.
- stolen; embezzled; property;
- contraband, the possession of which is unlawful.
- tangible evidence of the commission of the crime(s) set forth above.
- a person who has been kidnapped in violation of the laws of this state or who has been kidnapped in another jurisdiction and is now concealed within this state.
- a human fetus; a human corpse.
- a person for whom an arrest/fugitive warrant has been issued. (Brown v. State, 240 Ga. App. 321)
- Other:

The facts establishing probable cause in searching for and seizing the foregoing specifically described person(s), property, items, articles, instruments connected with the foregoing crime(s) at the location described herein are: (Set forth facts connecting all crimes, all items to searched for & seized, at the location to be searched.)

Captain Woodrow Tripp whom states under oath that he is the Chief Investigator with the Hall County Sheriff's Office. Your Affiant has been employed by the Hall County Sheriff's Office for five (5) years and a certified law enforcement officer for thirty three (33) years. Your Affiant is duly sworn to conduct Your Affiant is duly sworn to conduct criminal investigations concerning violations of the Georgia Criminal Codes.

Your affiant has reason to believe that on said property: 1467 Devon Mill Way, Austell, Cobb County Georgia. This residence is located by traveling north on Ivy Log Drive from its intersection with Oak Ridge Road. Travel 0.10 miles to the intersection of Ivy Log Drive and Devon Mill Road. Turn east onto Devon Mill Road and travel 0.20 miles. Said premises will be located on the north side of Devon Mill Road. Said premises is described as a one level single family dwelling. Said premises has faded yellow colored siding. A black mailbox is located at the street with the numbers "1467" on the side and front of the mailbox. Said premises has an attached garage that has been enclosed.

There is now located certain instruments, articles, person(s) or things, namely: financial records, receipts, business logs, correspondence between Reggie Coleman and/or Lynitra Ross and/or Stacey Schoeck, firearms, ammunition, cell phones and the content and information contained therein, computers and the content and information held therein, electronic storage devices and the content and information held therein, cameras to include video, SLR and digital and the content and information held therein and documents showing occupancy or ownership of said premises.

WHICH ARE: Evidence of the crime of Murder.

The facts tending to establish the grounds for the issuance of this search warrant are as follows:

On February 14, 2010 at around 2132 hrs, Stacey Schoeck called 911 and reported that she found her husband, Richard Schoeck, at Belton Bridge Park and he had been shot. Belton Bridge Park is located in Northern Hall County, Georgia. Hall County public safety personnel responded to the location and found Richard Schoeck deceased with multiple gunshot wounds. There were three wounds to the victim's abdomen. There were also two wounds to the victim's face. There appeared to be nothing of value belonging to the victim missing. At the scene, Hall County Sheriff's Investigators discovered tire tread impressions in the mud from the victim's vehicle as well as another vehicle that had been close by. Based on the layering of the impressions, it could be determined that a vehicle arrived in the area where the victim was found, the victim then arrived crossing the first vehicles tracks. The first vehicle then left the scene crossing the victim's tracks. Investigators took close up photos of the suspect impressions and compared them to a tire tread guide as well as tires in several retail establishments. It was determined the suspect impressions were likely made by Goodyear Integrity tires. The victim's vehicle was running when he was found and the driver's door was open. It appeared that the victim exited his vehicle and began to approach the person or persons that shot him.

Hall County Sheriff's Investigators interviewed Stacey Schoeck at the Law Enforcement Center in Gainesville, Georgia. Stacey stated she and Richard were married and lived at 3346 Hidden Forest Drive in Snellville, Gwinnett County, Georgia. Stacey had been at the home of her grandparents, J.H. and Frances Morgan, in White County, Georgia from Friday, February 12, 2010 until she left for the incident scene on the night of February 14, 2010. Richard met Stacey at her grandparents house and cooked dinner for them because it was Valentine's Day. Stacey and Richard planned to meet at Belton Bridge Park in Hall County to swap valentines gifts on their way back to their home in Snellville, Georgia. Stacey advised that Richard left the Morgan home around 20:15 to go get some gas and continue on to Belton Bridge Park. Stacey left around 21:15 and drove to the park, finding Richard lying on the ground beside his truck. Stacey stated Richard was already shot prior to her arrival. Stacey also advised that the trip to the park had been planned in advance and was known to several other people. Stacey stated that when she discovered the victim shot, his personal cell phone was ringing. She removed it from it's holder and observed it was their children calling. She did not answer. Stacey removed the victim's work phone from his belt as well and indicated she did this because the phone belonged to the company he worked for. Also during her interview, Stacey Schoeck admitted having an extramarital affair with a subject named [REDACTED] over the last five years. She advised that [REDACTED] worked for her at Georgia Spine and Neurosurgery. [REDACTED] was located and interviewed. He provided an alibi. The tires on [REDACTED] vehicle were checked and they did not match the suspect tire impressions from the scene.

Hall County Sheriff's Investigators, pursuant to a search warrant, downloaded all of the data stored in Stacey Schoeck's personal cell phone to include her contact list, text messages and a call log of incoming and outgoing calls. After that, pursuant to a court order, a "tower dump" was requested from four cell phone service providers for the cell phone tower located at 5340 Cornelia Hwy, Alto, Georgia 30510, which services Belton Bridge Park, the scene of the murder. A tower dump would reveal any phone numbers generating calls from that tower for a certain period of time and what numbers were called. The request was for all calls generating from that tower from 18:00 hours to 22:00 hours on February 14, 2010. The data from the tower dump was then compared to the numbers in Stacey Schoeck's cell phone contact list. There was one call from the cell tower records that were made in which both the calling number and the number called were in Stacey Schoeck's phone contacts. 404-839-3533 was used to make a call from the proximity of the crime scene at 20:40 hours on February 14, 2010. According to contacts obtained from Stacey Schoeck's personal cell phone, 404-839-3533 is listed as "Reggie" with a note of "Mr. Results" in the

"company" category. An open source database was used to determine that "Reggie" was Reginald Coleman, a personal trainer from Austell, Georgia. Mr. Coleman is the owner of a personal training business called "Mr. Results Personal Training" located at 411 Maxham Road, Suite 1400, Lithia Springs, Douglas County, Georgia. The telephone number 404-839-3533 is prominently displayed on the website for Mr. Results as well as on the signage of the business location. Coleman was later determined to reside at 3546 Perry Pointe in Austell, Cobb County, Georgia.

The number called by 404-839-3533 was to 404-561-0471, which is listed in Stacey Schoeck's cell phone as Lynitra Ross. Lynitra Ross is the office manager at Georgia Spine and Neurosurgery located at the DeKalb Medical Center. Stacey Schoeck, the administrator over that practice, is Lynitra Ross' supervisor. Through earlier interviews, it had been determined that Lynitra Ross lives at 1467 Devon Mill Way in Austell, Cobb County, Georgia. Reginald Coleman and Lynitra Ross' phone records were obtained by court order. The records obtained were then compared with the call log in Stacey Schoeck's phone. The records indicated a call sequence that occurred on Sunday, February 14, 2010, the day of the murder. The sequence is as follows. Reginald Coleman called Lynitra Ross at 18:42 hours. At 18:45 Lynitra called Stacey Schoeck. At 18:48 Lynitra called Reginald back. Phone records indicate that Reginald Coleman called Lynitra Ross at 20:40 hours from near the crime scene. The records then show a call at 20:57 hours from Reginald to Lynitra that is from a cell phone tower in Flowery Branch, Georgia. This call shows southward movement away from the crime scene, back towards where Reginald and Lynitra live. At 21:00 Lynitra Ross sent a text message to Stacey Schoeck stating, "Don't forget I'm coming in late tomorrow, forgot to remind you. Happy valentine's day". Stacey left the Morgan's residence about fifteen minutes later and discovered Richard deceased at around 21:32 hours. Included in Reginald Coleman's phone records were details of over 19,000 contacts between January 1, 2010 and March 15, 2010. Of the 19,000 contacts, Reginald Coleman's cell phone called from the tower near the crime scene only once. His phone only called from the cell phone tower in Flowery Branch, Georgia once as well. Both of these calls were on the night of the murder.

Information was obtained during the investigation that Stacey Schoeck was in possession of a 2009 Chevrolet Impala that belonged to her grandparents, Frances M and James H. Morgan. According to James Morgan, Stacey had the vehicle for several weeks prior to the murder and was attempting to sell it. Through interviews it was learned that Lynitra Ross was in possession of the vehicle in the days before and after Richard Schoeck's murder. At a time after the murder, the vehicle was returned to Stacey Schoeck. The vehicle was later purchased by Alicia Flores, a relative of Juan Reyes.

Inv. Dan Franklin obtained the VIN of the 2009 Chevrolet Impala referenced above (2G1WT57K391115367) and located the vehicle at 900 Legacy Park Drive Lawrenceville, Gwinnett County, Georgia. The registered owner, Alicia Flores, lives in apartment 534. Investigators examined the tires on the car and determined them to be Goodyear Integrity tires. The tread pattern matched the impressions left by the suspect vehicle the night of the murder.

During this investigation, Sgt. Scott Wiley obtained email correspondence from Stacey Schoeck's work account at the DeKalb Medical Center in DeKalb County via a search warrant. Some of the email correspondence was between Stacey Schoeck and SunTrust Bank. Stacey instructed the bank personnel to transfer \$10,000.00 to Lynitra Ross in two separate transfers. One was for \$8,902.00 and a second for \$1,100.00. These transactions took place over the course of several weeks leading up to the murder. Lynitra Ross told Hall County Sheriff's Investigator Dan Franklin the transfers were for home improvements and were transferred to her personal account from a "Real Estate" account belonging to Georgia Spine and Neurosurgery. Financial records were later obtained for Lynitra Ross' personal account as well as all accounts Stacey Schoeck had control over through SunTrust Bank. Of the \$8,902.00 transferred to Lynitra Ross on January 26, 2010, only \$902.00 came from the "Real Estate" account at Georgia Spine and Neurosurgery. \$8,000.00 had been transferred to the Georgia Spine account on January 21, 2010 from an account held by Stacey Schoeck and her grandmother, Naomi Morgan. The money then appeared as deposits into Lynitra Ross' account. Additional examination of financial records showed Lynitra wrote personal checks to "cash" and received a total amount of \$11,032.50. She conducted these transactions at various SunTrust branches using her Georgia I.D. after the transfers from Stacey Schoeck. Lynitra Ross uttered only one check to a contractor, a plumber, for \$1,890.00.

There are several pending claims by Stacey Schoeck for life insurance policies taken out on Richard prior to his death totaling \$560,000. One of the policies, which were obtained in November, 2009 as Richard started a new job, had a three month waiting period before claims could be filed. The three month period was over on February 1, 2010, two weeks prior to the murder. Stacey Schoeck is the sole beneficiary on these policies.

Based on the above stated facts your Affiant believes there is now being concealed evidence of the crimes detailed in this affidavit. Affiant makes this affidavit so that a search warrant may be issued for the aforesaid property.