

AFFIDAVIT FOR SEARCH WARRANT

- Page 1 of Affidavit for Search Warrant No. 2556721 -

and that said property or evidence:

Was unlawfully acquired or is unlawfully possessed;

has been used or is possessed for the purpose of being used to commit or conceal the commission of an offense; or

is evidence of illegal conduct.

Affiant believes the property and evidence described above is evidence of the crime or crimes of Wanted person David Scott Mooneyham with active NCIC and Utah Statewide warrants for possession of firearms and dangerous weapon by restricted person. Informant disclosed wanted person is staying here to avoid detection. Informant also disclosed in the past there are firearms at this location..

The facts to establish the grounds for issuance of a Search Warrant are:

I attended Weber State Police Academy in 2003. I have worked as a Peace Officer within the State of Utah since 2004 for LaVerkin City Police and Kane County Sheriff's Office. During my time as a Peace Office I have arrested multiple people for driving under the influence of alcohol and/or drugs. I have been trained on Standardized Field Sobriety Tests and the Intoxilizer. In my experience I have dealt with hundreds of intoxicated people at different levels of intoxication.

Hurricane City Police Officer S. Johnson contacted me with information related to a wanted person. Officer Johnson notified me he is looking for David Scott Mooneyham (DOB) 06/25/1979. Mooneyham has an active NCIC and Utah Statewide warrant for his arrest. The two warrants are for 3 counts of possession of a firearm by a restricted person (felony 3), as well as 3 counts possession of a dangerous weapon by restricted person (Class A Misdemeanor) and 8 counts violation of a protective order (Class A misdemeanor). Officer Johnson had information indicating Mooneyham is trying to avoid arrest in Washington County and is staying at his family's cabin on their ranch in rural Kane County. Officer Johnson received creditable information by a family member (informant) who has detailed knowledge of the cabin the firearms inside where Mooneyham is staying has firearms inside of it. I'm confident that information to be creditable and that Mooneyham is in violation by being in possession of a firearm by having access or possession. Officer Johnson described Mooneyham as driving a 2022 Blue, Ford, F350, Pickup, Utah License Plate 11DC7, VIN # 1FT8W3BT8NED89846, Registered Owner Davis Mooneyham. Officer Johnson also informed me Mooneyham in the past has had someone lock him in a gun-safe to avoid capture when being sought by police.

A local records check showed Mooneyham filed a complaint with Deputy Hoyt in 2021 related to people trespassing on his property located near SR9 MM49. This description is consistent with the address of 7050 W Highway 9. On 09/2022 Sergeant Cole Brown was sent to this same property to look for Mooneyham.

On 12/10/2022 I was able to observe fresh tire tracks on the roadway pulling off SR9 to this property. I was able to view this property from a distance and observe a vehicle matching the description of the blue ford F350 parked on the Southwest corner of the Cabin/Residence, Further indication of the Cabin/residence being occupied by Mooneyham I observed a light on in the residence Top floor window facing South at 20:00 hr.

Given the active warrants and the previous involvements at this location with Mooneyham, as well as the fact a vehicle matching the description of the one he is driving is parked at the cabin. Also the activity of fresh tire tracks in the road leading to the cabin/residence and lights on in the top window facing south I believe there is enough evidence to support a search warrant to enter this residence to arrest Mooneyham on the active warrants. I believe with the information from the informant talking to Officer Johnson telling of firearms at this Cabin/residence further support a search for firearms at this residence and in Mooneyhams vehicle listed above

WHEREFORE, your affiant prays that a Search Warrant be issued for the seizure of said items at any time of the day or night because there is reason to believe it is necessary to seize the above-listed property prior to it being concealed, destroyed, damaged, or for other good reasons, to wit:

Kane County Sheriff's Office intends to serve this during daytime hours. If circumstances dictate I request the warrant be able to be served during night time hours. Due to the fact wanted person Mooneyham has 3rd degree felony warrants for his arrest for possession of firearm by restricted person..

I declare under criminal penalty of the State of Utah that the foregoing is true and correct.

Executed on: 10th day of December, 2022 @ 11:47 PM by /s/ KADE J HALL

IN THE SIXTH DISTRICT COURT - ALL DEPARTMENT
IN AND FOR KANE COUNTY, STATE OF UTAH

SEARCH WARRANT

No. 2556721

COUNTY OF KANE, STATE OF UTAH

To any peace officer in the State of Utah:

Proof by Affidavit made upon oath or written affirmation subscribed under criminal penalty of the State of Utah having been made to me by Sergeant KADE J HALL of Kane County Sheriff, this day, I am satisfied that there is probable cause to believe

THAT

On the premises known as Situs Address 7050 W HWY 9
Legal PARCEL 1: AS TO MIDNIGHT PROPERTIES LC:
THE N/2S/2: THE SW/4SW/4: THE S/2NW/4: THE SW/4NE/4: &
BEG AT THE E 1/4 COR OF SEC 12 T41S R9W SLB&M & RUN TH N 885.0 FT;
TH W 450.0 FT; TH NW'LY 495.0 FT; TH W 675.0 FT; TH S 1,320.0 FT; TH E
1,320.0 FT TO THE PT OF BEG. CONT 354.54 AC, M/L.
PARCEL 2: AS TO % ROLAND A HALL:
THE SE/4NE/4NW/4: THE S/2SW/4NE/4NW/4: THE SW/4NW/4NW/4: & THE
S/2SE/4NW/4NW/4: OF SEC 12 T41S R9W SLB&M. CONT 30.0 AC, M/L., further
described as Multi-story (3 level) log built cabin with brown roof, Rocked/Bricked
Chimney, with Open Balcony;

On the vehicle(s) described as: 2022, Blue, Ford, F350, Pickup, Utah License
Plate 11DC7, VIN number 1FT8W3BT8NED89846, Registered Owner DAVID
MOONEYHAM;

In the City of Rural Kane County, County of Kane, State of Utah, there is now certain
property or evidence described as:

- Seeking wanted subject David Scott Mooneyham (DOB) 06/25/1979, Wanted for possession of firearms by restricted person.
- Firearms, Informant stated to Hurricane City Police Office S. Johnson there are guns at this Cabin/Residence.

and that said property or evidence:

Was unlawfully acquired or is unlawfully possessed;

has been used or is possessed for the purpose of being used to commit or conceal the commission of an offense; or

is evidence of illegal conduct.

Affiant believes the property and evidence described above is evidence of the crime or crimes of Wanted person David Scott Mooneyham with active NCIC and Utah Statewide warrants for possession of firearms and dangerous weapon by restricted person. Informant disclosed wanted person is staying here to avoid detection. Informant also disclosed in the past there are firearms at this location..

YOU ARE THEREFORE COMMANDED:

At any time of the day or night, good cause having been shown,

to make a search of the above-named or described person, vehicle, item, and/or premises for the herein-above described property or evidence and if you find the same or any part thereof, retain such property in your custody subject to the direction of a prosecutor or an order of this Court.

Dated: 11th day of December, 2022 @ 02:47 AM /s/

MANDY LARSEN
District Court Judge



RETURN TO SEARCH WARRANT

NO. 2556721

The personal property listed below or set out on the inventory attached hereto was taken from the person of Person: David Scott Mooneyham.

Location: 7050 W HWY 9, (SR9 MM49), Kane County., by virtue of a search warrant dated the 11th day of December, 2022, and issued by Magistrate MANDY LARSEN of the SIXTH DISTRICT COURT - ALL DEPARTMENT:

Following property was collected as evidence from the 2022 Ford Truck Utah Plate 11DC7:

- Miscellaneous loose ammunition in the center console, and front passenger area.

Following property was collected as evidence from the residence/cabin, 7050 W HWY 9 (SR9 MM49), Kane County, Utah:

Utility Room Closet: Firearm, Make: Savage, Model: Rascal, Caliber: .22, Serial Number: 2534331.

Kitchen Floor: medium size black tote with miscellaneous ammunition.

Living Room Fire Place Mantle: Firearm, Make: Marlin, Model 30TK, Serial Number 11092887.

The following items were found in the Bedroom and bedroom closet, Upstairs, South side of cabin/residence:

- Firearm, Make: Remington, Model: 597 Magnum, Serial Number 2986861M
- Firearm, Make: FHN, Model: FN15, Serial Number: FNB016329, with two loaded magazines and suppressor.
- Firearm, Make: Interarms, Model: M59, Serial Number H023989.
- Firearm, Make: Crickett, Model: 22 SL LR, Serial Number 757149.
- Firearm, Make: Glock, Model: 19, Serial Number AFTC382.
- Lower Portion of firearm, Make: Anderson Manufacturing, Model: AM-15, Serial Number 21110270.
- Upper Portion of firearm, Make: Strike Industries, No model or serial number.
- Barrel to firearm, 28 Nosler.
- Lower Portion to firearm, no markings.
- Firearm, Make: Franklin Armory, Model: Pistol, Serial Number Z-02655.
- Upper Portion of firearm, .224 Valkyrie.
- Upper Portion of firearm, with Strike Eagle Scope.
- Upper Portion of firearm, Make: Fostech
- Barrel to firearm, White in color.
- Barrel to firearm, 9MM.
- Upper Portion of firearm, No markings.
- Barrel to firearm, with protective netting cover, no markings.
- Upper portion of firearm, Lantac.
- Lower Portion of firearm, Make: Aero Precision, Model M5, Serial Number US120672.

- Lower Portion of firearm, Make: Spikes Tactical, Model: ST96, Serial Number ARG017489.
- Lower Portion of firearm, Make: Fostech, Model: Lite 2.0, Serial Number LITE0002937.
- Lower Portion for firearm, Make: Anderson Manufacturing, Serial Number 712038922376.
- Barrel to firearm, Troy, Caliber .556, Serial Number NF-17088.
- Barrel to firearm, Make: McGowen Precision Barrel, Serial Number JLB-MLA-308-17H.
- Firearm, Make: Zermatt Arms, Model: SR3-SE, Serial Number SR3-SE5191.
- Firearm, Make: Ruger, Model: 10/22, Serial Number RCS3-07334.
- Small Box filled with ammunition, Caliber 7.62
- Four magazines to firearm, Make: Springfield.
- Firearm, Make: Sarsilmaz, Model: SAR9, Serial Number T1102-19BV05918.
- Firearm, Make: Springfield, Model: XD 3.3, Serial Number S3307498.
- Firearm, Make: Unknown, Model, SKS, Serial Number 10161131.
- Firearm, Make: Henry, Model: US Survival, Serial Number US197956B.
- Firearm, Make: Crickett, Model: 22 SL LR, Serial Number 908857.
- Firearm, Make: Savage, Model 22A Mag, Serial Number K221417.
- Firearm, Make: Ruger, Model: SR-22, Serial Number 280-43469.
- Firearm, Make: Colt, Model: The Colteer 4-22, No serial number.
- Firearm, Make: Remington, Model: 700, Serial Number C6354164.
- Firearm, Make: Savage, Model: 340 E, No serial number.
- Firearm, Make: Charles Daly, Model: Shotgun, Serial Number 350578.
- Firearm, Make: Marlin, Model: 1895CB, Serial Number MR81264F.
- Firearm, Make: Interarms, Model: 62SA, Serial Number G479990.
- Firearm, Make: Henry, Model: H004AB, Serial Number AB08545.
- One Magazine with ammunition.
- Lower Portion of firearm, Serial Number 062016.
- Lower portion of firearm with no markings.
- Box of miscellaneous ammunition.
- Black tote of Miscellaneous ammunition.
- Drug Paraphernalia, Pepsi can with Burnt residue suspected marijuana.
- Black container with raw residue suspected marijuana.
- Barrel to firearm, 6MM ARC.

Evidence collected not listed in the search warrant was found in plain view or with firearms being collected. Firearm parts (Upper, Lowers, Barrels) were collected due to the fact if put together they could possibly make a working firearm.

I, Sergeant KADE J HALL of Kane County Sheriff, by whom this warrant was executed, do swear that the above listed or below attached inventory contains a true and detailed account of all the property taken by me under the warrant, on the 11th day of December, 2022.

All of the property taken by virtue of said warrant will be retained in my custody subject to the order of this Court or of any other court in which the offense in respect to which the property, or things taken, is triable.

I declare under criminal penalty of the State of Utah that the foregoing is true and correct.

Executed on: 17th day of December, 2022 @ 11:23 AM by /s/ KADE J HALL