

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: PIKE



POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA
VS.

Magisterial District Number: 80-3-02
MDJ Name: Hon. SHANNON MUIR
Address: PO BOX 528
HAWLEY, PA 18428
Telephone: 570-226-9650

DEFENDANT: (NAME and ADDRESS):
ERIC MATTHEW FREIN
First Name Middle Name Last Name Gen.
308 SENECA LANE
CANADENSIS, PA 18325
570-242-1966

NCIC EXTRADITION CODE TYPE
 1-Felony Full 2-Felony Ltd. 3-Felony Surrounding States
 4-Felony No Exl. 5-Felony Pend. A-Misdemeanor Full
 B-Misdemeanor Limited C-Misdemeanor Surrounding States D-Misdemeanor No Extradition
 E-Misdemeanor Pending Distance:

DEFENDANT IDENTIFICATION INFORMATION
Docket Number: CR-207-2014 Date Filed: 09/16/14 OTN/ LiveScan Number: 1565737-4
Complaint/Incident Number: R04-942492 SID: Request Lab Services? YES NO

GENDER: Male Female
DOB: 05/03/83 POB: NEW JERSEY Add'l DOB: Co-Defendant(s)
AKA First Name: Middle Name: Last Name: Gen.

RACE: White Asian Black Native American Unknown

ETHNICITY: Hispanic Non-Hispanic Unknown

HAIR COLOR: GRY (Gray) RED (Red / Auburn) SDY (Sandy) BLU (Blue) PLE (Purple) BRO (Brown)
 BLK (Black) ONG (Orange) WHI (White) XXX (Unk. / Bald) GRN (Green) PNK (Pink)
 BLN (Blonde / Strawberry)

EYE COLOR: BLK (Black) BLU (Blue) BRO (Brown) GRN (Green) GRY (Gray)
 HAZ (Hazel) MAR (Maroon) PNK (Pink) MUL (Multicolored) XXX (Unknown)

Driver License: State PA License Number: 26535610 Expires: 05/04/15 WEIGHT (lbs.):

DNA: YES NO DNA Location: 165

FBI Number: MNU Number: Ft. HEIGHT In.

Defendant Fingerprinted: YES NO 6 1

Fingerprint Classification:

DEFENDANT VEHICLE INFORMATION

Plate #: DJV5220 State: PA Hazmat: Registration Sticker (MM/YY): 09/15 Comm'l Veh. Ind.: School Veh.: Oth. NCIC Veh. Code: Reg. same as Def.:
VIN: 1J4FF48S91L517734 Year: 01 Make: JEEP Model: CHEROKEE Style: SUV Color: GREEN

Office of the Attorney for the Commonwealth Approved Disapproved because:
(The attorney for the Commonwealth may require that the complaint, arrest warrant, affidavit, or both be approved by the attorney for the Commonwealth prior to filing, Pa. R. Cr. P. 507.)

Raymond J. Torkin (Name of Attorney for Commonwealth - Please Print or Type) [Signature] (Signature of Attorney for Commonwealth) 9/16/14 (Date)

WE, Cpl. Benjamin Clark, TFC. Michael MULVEY, TFC. Frank ORLANDO (Name of Affiant - Please Print or Type) 00475814/7927, 00492923/08250, 00502202/8486 (PAPSP/PDET/Assigned Affiant ID Number & Badge #)

of the Pennsylvania State Police, Troop R, Dunmore (Identify Department or Agency Represented and Political Subdivision) PAPSP1900 (Police Agency Org Number)

do hereby state: (check appropriate box)
1. We accuse the above named defendant who lives at the address set forth above
 I accuse the defendant whose name is unknown to me but who is described as
 I accuse the defendant whose name and popular designation or nickname is unknown to me and whom I have therefore designated as John Doe or Jane Doe.

with violating the penal laws of the Commonwealth of Pennsylvania at: 201 434 SR 402 BLOOMING GROVE TWP. (Subdivision Code) (Place/Political Subdivision)

In PIKE County (County Code) 52 on or about 09/12/14 AT APPROXIMATELY 2250 HOURS



POLICE CRIMINAL COMPLAINT

Docket Number CR-207-2014	Date Filed 9/16/2012	OTN/LiveScan Number TS65737-4	Complaint/Incident Number R04-0942492
Defendant Name	First: ERIC	Middle: MATTHEW	Last: FREIN

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 - 213.7.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
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<input type="checkbox"/> Lead?	1	2502	a	of the	Title 18 , PA Crimes Code	1	Murder 1		/
Offense #	Section	Subsection	PA Statute (Title)			Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (If applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):
Murder of the 1st Degree
 Acts of the accused associated with this Offense:
 IN THAT, on or about said date, The DEFENDANT did commit an intentional killing. TO WIT: The DEFENDANT did intentionally kill Corporal Bryon DICKSON of the Pennsylvania State Police when he shot him twice with a .308 rifle, which caused in his death.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
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<input type="checkbox"/> Lead?	2	901	a	of the	Title 18 , PA Crimes Code	2	Murder 1		/
Offense #	Section	Subsection	PA Statute (Title)			Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (If applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):
Criminal Attempt of Murder in the 1st Degree
 Acts of the accused associated with this Offense:
 IN THAT, on or about said date, THE DEFENDANT, with the intent to commit the crime of Murder in 1st Degree, did shoot a .308 rifle at Trooper Alex DOUGLASS of the Pennsylvania State Police and PCO Nicole PALMER, which constituted a substantial step toward the commission of said crime, in violation of Section 901(a) of the PA Crimes Code. TO WIT: The DEFENDANT did shoot a .308 rifle at Trooper DOUGLASS striking him in the pelvic region. The DEFENDANT also shot a .308 rifle at PCO Nicole PALMER as she attempted to render aid to Corporal Bryon DICKSON.



POLICE CRIMINAL COMPLAINT

Docket Number CR-207-14	Date Filed 9/16/2014	OTN/LiveScan Number T565737-4	Complaint/Incident Number R04-0942492
Defendant Name	First: ERIC	Middle: MATTHEW	Last: FREIN

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 - 213.7.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
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<input type="checkbox"/> Lead?	3	2507	(a)	of the	Title 18 , PA Crimes Code	1	Murder 1	04()/13A	
	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (If applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):
Criminal Homicide of a Law Enforcement Officer

Acts of the accused associated with this Offense:
IN THAT, on or about said date, THE DEFENDANT did intentionally kill a law enforcement officer while in the performance of duty and knowing the victim is a law enforcement officer. TO WIT: THE DEFENDANT did intentionally shoot and kill Cpl. Bryon DICKSON of the Pennsylvania State Police as he was exiting the PSP Blooming Grove staion in full uniform.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
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<input type="checkbox"/> Lead?	4	901	(a)	of the	Title 18 , PA Crimes Code	1	Murder 1	/90Z	
	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (If applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):
Criminal Attempt to Commit Criminal Homicide of a Law Enforcement Officer

Acts of the accused associated with this Offense:
IN THAT, on or about said date, THE DEFENDANT, with the intent to commit the crime of Criminal Homicide of a Law Enforcement Officer, did shoot Tpr. Alex DOUGLASS of the Pennsylvania State Police while he was in front of the PSP Blooming Grove Station in full uniform causing serious bodily injury, which constituted a substantial step toward the commission of said crime, in violation of Section 901(a) of the PA Crimes Code.



POLICE CRIMINAL COMPLAINT

Docket Number CR-207-14	Date Filed 9/16/2014	OTN/LiveScan Number TS65737-4	Complaint/Incident Number R04-0942492
Defendant Name	First: ERIC	Middle: MATTHEW	Last: FREIN

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA Code §§ 213.1 - 213.7.)

Inchoate Offense	<input type="checkbox"/>	Attempt 18 901 A	<input type="checkbox"/>	Solicitation 18 902 A	<input type="checkbox"/>	Conspiracy 18 903
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<input type="checkbox"/> Lead?	5	2702.1	a	of the	Title 18, PA Crimes Code	1	F1	/90Z	
Offense #	Section	Subsection	PA Statute (Title)			Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):
Assault of Law Enforcement Officer

Acts of the accused associated with this Offense:
A person commits a felony of the first degree who attempts to cause or intentionally causes or knowingly causes bodily injury to a law enforcement officer, while in the performance of duty and with knowledge that the victim is a law enforcement officer, by discharging a firearm. TO WIT: The DEFENDANT did shoot Trooper Alex DOUGLASS who was in the performance of his duties while coming to the aid of Corporal Bryon DICKSON who had been shot by the DEFENDANT.

Inchoate Offense	<input type="checkbox"/>	Attempt 18 901 A	<input type="checkbox"/>	Solicitation 18 902 A	<input type="checkbox"/>	Conspiracy 18 903
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<input type="checkbox"/> Lead?	6	2707.1	a	of the	Title 18, PA Crimes Code	1	F3	/	
Offense #	Section	Subsection	PA Statute (Title)			Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):
Discharge of a Firearm into an Occupied Structure

Acts of the accused associated with this Offense:
A person commits an offense if he knowingly, intentionally or recklessly discharged a firearm from any location into an occupied structure. TO WIT: The DEFENDANT did fire four shots from a .308 rifle into PSP Blooming Grove which was occupied by Troopers and Civilian personnel.



POLICE CRIMINAL COMPLAINT

Docket Number CR-207-14	Date Filed 9/16/2014	OTN/LiveScan Number T565737-4	Complaint/Incident Number R04-0942492
Defendant Name	First: ERIC	Middle: MATTHEW	Last: FREIN

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA. Code §§ 213.1 - 213.7.)

Inchoate Offense	<input type="checkbox"/>	Attempt 18 901 A	<input type="checkbox"/>	Solicitation 18 902 A	<input type="checkbox"/>	Conspiracy 18 903
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<input type="checkbox"/> Lead?	7	907	(a)	of the	Title 18 , PA Crimes Code	1	M1		260/90Z
	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):
Possessing Instruments of Crime

Acts of the accused associated with this Offense:
 IN THAT, on or about said date, THE DEFENDANT did possess an instrument of crime, namely a .308 rifle with intent to employ it criminally, in violation of Section 907(a) of the PA Crimes Code. TO WIT: The DEFENDANT did employ the .308 rifle to shoot and kill Corporal Bryon DICKSON and severely wound Trooper Alex DOUGLASS.

Inchoate Offense	<input type="checkbox"/>	Attempt 18 901 A	<input type="checkbox"/>	Solicitation 18 902 A	<input type="checkbox"/>	Conspiracy 18 903
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<input type="checkbox"/> Lead?	8	2705		of the	Title 18 , PA Crimes Code	1	M2		04E/90Z
	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):
Recklessly Endangering Another Person

Acts of the accused associated with this Offense:
 IN THAT, on or about said date, THE DEFENDANT did recklessly engage in conduct which placed or may have placed another in danger of death or serious bodily injury. TO WIT: THE DEFENDANT did fire a shot from a .308 rifle into PSP Blooming Grove lobby area while Pennsylvania State Police Police Communications Operator Nicole PALMER was standing in the front doorway of the lobby.



POLICE CRIMINAL COMPLAINT

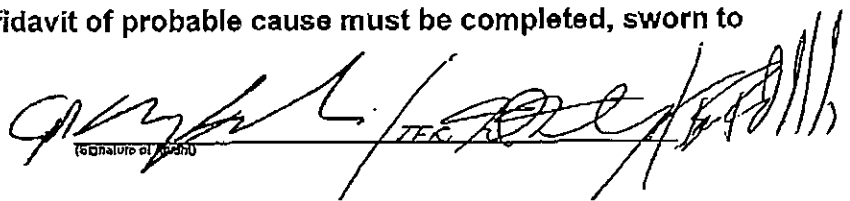
Docket Number CR-207-14	Date Filed 9/16/2014	OTN/LiveScan Number T565737-4	Complaint/Incident Number R04-0942492
Defendant Name	First: ERIC	Middle: MATTHEW	Last: FREIN

- I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S.§4904) relating to unsworn falsification to authorities.
- This complaint consists of the preceding page(s) numbered 1 through 5

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.

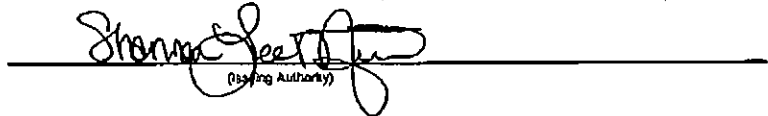
(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

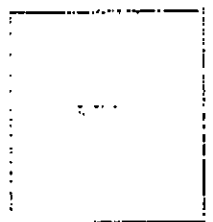
SEPTEMBER 16, 2014
(Date)


(Signature of Issuing Authority)

AND NOW, on this date, September 16, 2014 I certify that the complaint has been properly completed and verified. An affidavit of probable cause must be completed before a warrant can be issued.

60-3-02
(Magisterial District Court Number)


(Issuing Authority)



COMMONWEALTH OF PENNSYLVANIA

AFFIDAVIT OF

COUNTY OF PIKE

PROBABLE CAUSE

Docket Number CR-207-14 (Issuing Authority):	Police Incident Number: R04-0942492	Warrant Control Number:
TS65737-4		

PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

1. We, CPL. Benjamin CLARK, TFC. Michael MULVEY and TFC Frank ORLANDO, are law enforcement officers of the Commonwealth of Pennsylvania within the meaning of Section 5702 of Title 18, PA C.S.A., and as such, are empowered to make arrests for criminal offenses enumerated in Title 18, PA C.S.A. Affiant CLARK has been employed by The Pennsylvania State Police since 1996. CLARK became a Criminal Investigator in 2000 and served in that capacity until promotion to Corporal in 2005. CLARK has served as a Criminal Investigation Supervisor at several State Police Barracks in Troop R from 2005 to present. Affiant MULVEY has been employed by the Pennsylvania State Police since 1998. From 2006 to present, MULVEY has been assigned to the Criminal Investigation Unit at the Troop R, Blooming Grove station, in Pike County. Affiant ORLANDO has been employed by the Pennsylvania State Police since 1999. From 2005 to present, ORLANDO has been assigned to the Criminal Investigation Unit at the Troop R, Blooming Grove station, in Pike County. During their employment, your affiants have been involved with hundreds of criminal investigations including numerous violent crime and criminal homicide investigations and have also completed and executed dozens of search warrants. Many of these investigations have resulted in the arrest and successful prosecution of individuals for violations of various criminal statutes including criminal homicide.

2. On 09/12/14, Corporal Bryon DICKSON of the Pennsylvania State Police Troop R Blooming Grove Patrol Unit was working the 1500-2300 shift. Corporal DICKSON was working his shift in full uniform and was operating a marked patrol unit; car # R04-2. At approximately 2250 hours, Corporal DICKSON was exiting the front door of the Blooming Grove station towards his vehicle which was parked in front of the station. As Corporal DICKSON exited the front door, he immediately dropped to the ground in front of the door where he remained motionless. These actions were observed via the station surveillance system.

3. On 09/12/14 at approximately 2245 hours, PCO Nicole PALMER arrived at PSP Blooming Grove to work her 2300-0700 shift. PALMER entered the building through the front door. According to PALMER, she proceeded to the Communication Room. PALMER indicated that she observed Corporal DICKSON walk through the lobby towards the front door. PALMER states that she heard a noise which she related sounded like a firecracker. She stated that

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she looked out the window to the lobby towards the front door and she observed Corporal DICKSON on the ground. PALMER exited the Communication Room and walked into the lobby. She opened the exterior door and approached Corporal DICKSON who was motionless on the ground. PALMER asked Corporal DICKSON what happened and he informed her that he had been shot and needed help. While PALMER was attending to Cpl. DICKSON the DEFENDANT fired another shot in the direction of front entrance to PSP Blooming Grove and PALMER stated that she saw a cloud of white residue on the floor in the lobby. She then returned from outside to the lobby and attempted to use a telephone to call 911, which was unsuccessful. PALMER returned to Corporal DICKSON and he asked her to bring him inside but she was unable to. PALMER re-entered PSP Blooming Grove and called for assistance.

4. On 09/12/14, Trooper Alex DOUGLASS of the Pennsylvania State Police Troop R Blooming Grove Patrol Unit was working a 2300-0700 shift. Trooper DOUGLASS was in full uniform. Trooper DOUGLASS, at the time of the shooting of Corporal DICKSON, was in the lower parking lot of PSP Blooming Grove was observed on video surveillance approaching the front of the building walking towards Corporal DICKSON who was remained motionless on the ground. As Trooper DOUGLASS approached Corporal DICKSON, he looked into the lobby at which time he fell to the ground. Trooper DOUGLASS was then able to crawl into the lobby. As Trooper DOUGLASS lay on the lobby floor, Trooper William FELLEs of PSP Blooming Grove exited the secure door and entered the lobby where he retrieved Trooper DOUGLASS and brought him into the secured portion of the station.

5. According to video surveillance at the PSP Blooming Grove Station the duration of time between the first and fourth shot was approximately ninety (90) seconds and the Troop R, Forensic Services Unit recovered a total of four (4) projectiles from the front of the PSP Blooming Grove Station.

6. On 09/12/14, members of PSP Blooming Grove Patrol Unit executed a rescue attempt for Cpl. DICKSON. Members utilized a marked patrol SUV and drove to the front parking lot. The vehicle was used as a shield to protect members while they brought Cpl. DICKSON into PSP Blooming Grove. Members of the PSP Blooming Grove Patrol Unit began to render medical assistance immediately to Cpl. DICKSON and Trooper DOUGLASS. Trooper DOUGLASS was subsequently transported via Medi-Vac to Geisinger CMC Hospital in Scranton, PA where he underwent emergency surgery for a gunshot wound to the pelvic region. Corporal DICKSON was subsequently declared deceased at the scene by the Pike County Coroner's Office.

7. On 09/13/14, an autopsy was performed on Corporal DICKSON by Dr. Gary ROSS, Chief Medical Examiner of Lackawanna County. Dr. ROSS ruled the cause of death as multiple gunshot wounds and the manner of death as Homicide.

8. On 09/13/14 a line search was performed by members of various law enforcement agencies in the wooded area across from the PSP Blooming Grove Station. During the search Tpr. George MURPHY, of the PSP Dunmore Station, located four (4) spent .308 caliber cartridge casings marked AFF88. The casings were located in an area consistent with the area where the shooter would have positioned himself to shoot Cpl. DICKSON and Tpr. DOUGLASS. The Forensic Service Unit from PSP Dunmore recovered four (4) projectiles from the front section of PSP Blooming Grove, specifically the entrance.

9. On 09/15/14 the PSP Blooming Grove Station received a telephone call from James Leon NOVAK, who indicated that he was a resident of the Blue Heron Development, located in Blooming Grove Twp., Pike County. On 09/15/14 at approx. 0830 hours NOVAK reported that he was walking his dog through a wooded area in Blue Heron Estates. According to NOVAK as he was walking along a path in the woods of Blue Heron Estates he observed a vehicle slightly submerged in a retention pond. He related that he thought the vehicle may have been stuck. NOVAK related that he approached the vehicle, which he described as a green Jeep. He related that as he got closer to the vehicle he did not see anyone inside. NOVAK indicated that the Jeep was on private property and he was suspicious because the vehicle was abandoned with its windows open.. He subsequently called 911 and reported a suspicious vehicle.

10. Tpr. Jeremy CARROLL, of the PSP Blooming Grove Patrol Unit, responded to the Blue Heron Development on 09/15/14 and proceeded to the area and located the vehicle that was slightly submerged in the retention pond. CARROLL indicated that he observed a chain barrier covered with PVC piping that had been damaged. The vehicle appeared to have traveled from the area where the damage occurred. CARROLL proceeded to the vehicle, which was a green Jeep Cherokee Sport with a PA registration of DJV 5220, and observed in the pond.

11. A records check indicated that the green Jeep Cherokee was registered to E. Michael and Deborah FREIN, who had a Canadensis, PA mailing address, which is located in Monroe County. An NCIC check of the green Jeep Cherokee bearing PA registration DJV 5220 revealed that the vehicle had not been entered as stolen.

12. On 09/15/14 affiants TFC. MULVEY and TFC. ORLANDO applied for a Search Warrant for the green Jeep Cherokee registered to Michael and Deborah FREIN. The Search Warrant was approved by Pike County District Attorney Ray TONKIN and was subsequently issued by Court of Common Pleas Judge Gregory CHELAK.

13. On 09/15/14 your affiants and members of the PSP Troop R, Forensic Services Unit executed the Search Warrant on the green Jeep Cherokee Sport registered to E. Michael and Deborah FREIN at Rays Auto Repair in Milford, PA

at 1856 hours. During the search Tpr. James HITCHCOCK of the PSP FSU Unit located two spent .308 cartridge casings marked AFF88 under the passenger side rear seat. Also located during the Search Warrant was a valid PA driver's license for the DEFENDANT, a Social Security Card for the DEFENDANT, a PA Game Commission Range Permit for the DEFENDANT, camouflage face paint, flash lights, a black hooded sweatshirt, two empty rifle cases, military gear, and various information concerning foreign embassy's. The address on the DEFENDANT'S PA driver license was 308 Seneca Lane Canadensis, PA, which is located in Barrett Twp., Monroe County.

14. On 09/16/14 the .308 cartridge casings recovered from the woods across from the PSP Blooming Grove Station were compared to the .308 cartridge casings located in the Jeep Cherokee Sport at the PSP Wyoming Regional Laboratory by ballistics expert Cpl. Joseph GOBER. The conclusion was that the tool marks on all casings recovered from the scene were a match to the casings recovered in the Jeep Cherokee Sport. According to Corporal GOBER, the individual characteristics from the firing pin impression, ejector and extractor of the cartridge casings recovered in the woods across from PSP Blooming Grove were a match to the cartridge casings recovered within the DEFENDANT'S vehicle.

15. On 09/16/14, affiants TFC. MULVEY and TFC. ORLANDO received approval from Monroe County District Attorney Michael MANCUSSO for a Search Warrant for the DEFENDANT'S residence. The Search Warrant for the DEFENDANT'S residence was issued by District Justice Michael MUTH on 09/16/14.

16. On 09/16/14, members of the Pennsylvania State Police proceeded to the DEFENDANT'S residence which is listed on his valid Pennsylvania Driver's License and executed the Search Warrant. During the Search Warrant process, the DEFENDANT'S father, E. Michael FRIEN indicated that two firearms were missing from the residence. He described one weapon as an AK-47 and the other was a .308 rifle with a scope. During the Search Warrant process the DEFENDANT'S mother, Deborah FREIN, indicated that the green Jeep Cherokee bearing PA registration DJV-5220 registered in her and her husband's name was utilized by the DEFENDANT for the past two years as his personal vehicle. Also during the Search Warrant, members of the Pennsylvania State Police located fourteen (14) AFF88 spent cartridge casings in the garage, which were produced by the same manufacturer as the cartridge casings located at the scene and in the DEFENDANT'S Jeep. While searching the DEFENDANT'S bedroom members of the PSP located a book titled Sniper Training and Employment.

17. On 09/16/14 Tpr. Edward MCCARTHY and Tpr. Carl IVES, both of the PSP Blooming Grove Crime Unit, interviewed E. Michael FREIN and he related that he was a retired Major in the United States Army with twenty eight (28) years of service. FREIN related that he had trained the DEFENDANT in shooting skills,

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that the DEFENDANT was a member of the rifle team in high school, and that the DEFENDANT was a better shooter than he (E. Michael FREIN) was and the DEFENDANT "doesn't miss." Trooper IVES showed E. Michael FREIN a photo of the black rifle case that was located in the DEFENDANT'S vehicle and he related that the black rifle resembled a case that belonged to him or the DEFENDANT.

18. The information in this affidavit of probable cause is not all of the information known to your affiants and is only that which is necessary to establish probable cause.

I, TFC Michael MULVEY, TFC Frank ORLANDO and Cpl. Benjamin CLARK BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

TFC Mulvey
Cpl. Clark
Affiant Signature
TFC Orlando

9/14/2014
Date

Shannon Lee
Issuing Authority Signature (SEAL)
Date