

1                   **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA,**  
2   **COUNTY OF SAN DIEGO**

3 **STATE OF CALIFORNIA,)**

**AFFIDAVIT FOR SEARCH WARRANT**

4   (ss.

**COUNTY OF SAN DIEGO)**

No. E2012-080

5                   I, J. Pearsley, do on oath make complaint, say and depose the following on this 27th day of  
6 March, 2012: that I have substantial probable cause to believe and I do believe that I have cause to  
7 seize, view, forensically examine and search:

8   **LOCATION, PROPERTY, AND/OR PERSON[S] TO BE SEARCHED**

- 9                   A.           The premises and all parts therein, including all rooms, safes, storage  
10   areas, containers, surrounding grounds, trash areas, garages and  
11   outbuildings assigned to or part of the residence located at 564 Skyview  
12   Street, El Cajon, California, County of San Diego; the residence is  
13   described as a two-story single family dwelling, located on the north  
14   side of Skyview Street, east of the intersection of Emerald Avenue. The  
15   house is primarily white stucco exterior with gray asphalt type roof  
16   shingles, blue trim, with the address numbers "564" in black lettering on  
17   white ceramic type backing surrounded by a black metal type frame  
18   located to the west of the front door, with a white in color garage door  
19   on the east side of the house facing to the south, a brick type chimney on  
20   the west side of the house, with no fencing or gates impeding access to  
21   the back yard on either side of the house from Skyview Street.
- 22                   B.           And the vehicle, a 2002 Ford Explorer, California License Plate  
23   6LZF760, white in color, registered to Shaima Alawadi at 1593 Rebecca  
24   Lane in El Cajon.
- 25                   C.           And the vehicle, a 1996 Nissan Quest, California License Plate  
26   5CZE569, red or maroon in color, registered to Kassim Irzoqi Kadhim  
27   Alhimidi at 564 Skyview Street in El Cajon.

1  
2 **ITEMS TO BE SEIZED**

3 For the following property, to wit:

- 4 1. Jewelry that may belong to the victim, specifically earrings that match the earring that  
5 was found at the location where the victim was found.
- 6 2. Any Handwritten or typed notes that may contain threats or hate-crime related  
7 content, paper stock, hand written samples, and torn paper that can be compared to the  
8 torn paper note collected from the residence on March 21<sup>st</sup> 2012.
- 9 3. Evidence related to the blunt force injuries to the victim, including impact weapons or  
10 items that could be used as a weapon to cause blunt force injuries, specifically items  
11 that are similar to a tire iron, that can be described as having a striking edge that is  
12 narrow in width and made of a hard material, clothing or objects bearing blood or  
13 blood stains, human hairs, tissue and secretions.
- 14 4. Any electronic data processing and storage devices, computers and computer systems  
15 including central processing units, internal and peripheral storage devices such as  
16 USB device, fixed disks, floppy disk drives and diskettes; tape drives and tapes,  
17 optical storage; software and hardware instruction manuals whether stored on paper or  
18 magnetic media such as tape, cassette, disk, diskette, or memory storage devices such  
19 as optical disks and to include any mobile handheld devices such as cell phones, mp3  
20 players, tablet style computers.
- 21 5. Documents and effects which tend to show dominion and control over said premises,  
22 including fingerprints, clothing, handwriting, documents and effects which bear a  
23 form of identification such as a person's name, photograph, Social Security number or  
24 Driver's license.
- 25  
26  
27  
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1 **AFFIANT'S QUALIFICATIONS**

2 I am a peace officer employed by the El Cajon Police Department (hereafter ECPD) and have  
3 been so employed for over approximately 15½ years. During this time, I have been assigned to  
4 Patrol, Gang Suppression Team, Felony Intervention Team, Psychiatric Emergency Response Team,  
5 Crisis Negotiation Team, and in the Traffic Division as a Hit and Run Investigator and Collision  
6 Reconstructionist, and am currently assigned to the Investigation Division, Family Protection Unit for  
7 approximately the past 6 years. I have over 800 hours in P.O.S.T. certified hours in Law  
8 Enforcement training, including I.C.I. training in the Core Course, Homicide Investigation, Child  
9 Abuse Investigation, Advance Child Abuse Investigation and Sexual Assault Investigation. I have  
10 received a basic P.O.S.T. certificate from the Southwestern Basic Academy and have since obtained  
11 an Intermediate and Advanced P.O.S.T. Certificate. During my career, I have investigated  
12 approximately over 300 cases involving child abuse/molest allegations. As a result, I have  
13 interviewed suspects and other persons related to the above-mentioned crimes and have become  
14 familiar with the methods in which these crimes are committed. I have received formal training and  
15 have investigated cases concerning child molestation, child pornography, sexual assault, and physical  
16 abuse.

17 **PROBABLE CAUSE**

18 On March 21<sup>st</sup> 2012 at approximately 11:11 A.M., the Heartland Fire and Rescue received  
19 a transfer call from California Highway Patrol reference a 911 call related to an incident at 564  
20 Skyview Street in El Cajon. March 21<sup>st</sup> 2012 at approximately 11:14 A.M., the El Cajon Police  
21 Department Communication Center received a call from Heartland Fire and Rescue requesting the  
22 police respond with the fire department to a medical aid call at 564 Skyview Street in El Cajon.  
23 The El Cajon Police officers at the scene obtained information that a neighbor living in the house  
24 to the west of the victim's house, 576 Skyview Street, had observed a dark skinned male, in late  
25 teens or early 20's, 5feet 7 inches in height, 150 lbs., skinny build, with a dark blue or black  
26 hoodie, carrying a brown donut shaped cardboard box run west from the area of the victim's house  
27 and was last seen northbound on Emerald Avenue.

1 The victim, Shaima Alawadi, and her juvenile daughter, Fatima Alhimidi, were the only  
2 known persons to be inside the house during the incident. Fatima Alhimidi told police she heard  
3 the victim squeal. After approximately ten second Fatima Alhimidi heard the sound of glass  
4 breaking. Fatima Alhimidi told police she thought the victim had dropped a plate. After hearing  
5 the noise, there was approximately 10 minutes delay before Fatima Alhimidi discovered the victim  
6 on the ground inside the house of 564 Skyview Street, in the area east of the kitchen, near a  
7 computer on a desk. The victim was bleeding from the nose and mouth. Fatima Alhimidi called  
8 911 using her cell phone [REDACTED]

9 On March 21<sup>st</sup> 2012 at approximately 7:22 P.M. a telephonic search warrant was obtained  
10 from Honorable Judge SO, San Diego Superior Court, Downtown San Diego. The warrant was  
11 executed on 03-21-12 at 7:40 P.M. for the address of 564 Skyview Street and the vehicle with  
12 California License Plate 6LZF760. Among the items obtained at the scene was one earring located  
13 in the area of the victim with what appeared to be blood on it. The matching earring was not  
14 located at the area were the victim was found and was not located with the victim at the hospital.  
15 Information obtained from interviewing family members was that the victim usually wore four  
16 earrings.

17 On March 24<sup>th</sup> 2012, the victim died as a result of her injuries. An autopsy was conducted  
18 on March 25<sup>th</sup> 2012 and more information was obtained regarding the cause of death. The injuries  
19 were possibly caused by an object similar to a tire iron which can be described as having a striking  
20 edge that is narrow in width and made of a hard material. The Medical Examiner stated that the  
21 victim had at least four fractures to the skull. There were at least six hits to the head and the  
22 assault was extremely violent. The Medical Examiner office listed the cause of death as homicidal  
23 violence, pending completion of the final examination.

24 On March 26<sup>th</sup> 2012, I was informed that the San Diego Sheriff's Crime Laboratory had  
25 determined that the hand written note that was collected at the scene on March 21<sup>st</sup> 2012 was a  
26 copy and was not an original. I was informed by Det. Baldwin that a relative of the victim had said  
27 that the victim was planning on divorcing her husband and moving to the state of Texas. During a  
28

1 search of the victim's vehicle on March 21<sup>st</sup> 2012, there was Dissolution Packet and Request to  
2 Waive Court Fees paperwork. The Dissolution Packet was not filled out but the Request to Waive  
3 Court Fees had the victim's name, address and phone number hand written in the request form.

4 Records showed that on November 3<sup>rd</sup>, 2011, Fatima Alhimidi was contacted reference a  
5 call of two people possibly having sex in a car. Police contacted Fatima Alhimidi and a 21 year  
6 old male, Rawnaq Yacub, in a parked car. Fatima Alhimidi mother, Shaima Alawadi, was  
7 contacted by police and drove to the location. Shaima Alawadi drove Fatima Alhimidi to the 800  
8 block of North Mollison, when Fatima Alhimidi said "I love you mom", opened the vehicle door  
9 and jumped out while the vehicle was doing approximately 35 miles per hour. Police responded  
10 and Fatima Alhimidi was transported to the hospital with multiple injuries including a possible  
11 broken arm. Police were informed by paramedics and hospital staff that Fatima Alhimidi said she  
12 was being forced to marry her cousin and did not want to do so she jumped out of the vehicle.  
13 Police placed a 5150 W.I. hold on Fatima Alhimidi and she refused to talk to police at the hospital.

#### 14 15 **OPINIONS AND CONCLUSIONS**

16 It has been my training and experience with other homicide investigations that I have been  
17 a part of, that there can be trace evidence, weapons hidden or left at the scene.

18 The vehicle listed above as (B), a 2002 Ford Explorer, California License Plate 6LZF760,  
19 white in color, registered to Shaima Alawadi at 1593 Rebecca Lane in El Cajon, was located in the  
20 driveway on March 21<sup>st</sup> 2012. Since the incident, the victim's husband, Kassim Alhimidi, has  
21 been seen driving this vehicle.

22 The vehicle listed above as (C), a 1996 Nissan Quest, California License Plate 5CZE569,  
23 red or maroon in color, registered to Kassim Irzoqi Kadhim Alhimidi at 564 Skyview Street in El  
24 Cajon, was not at the house when police initially arrived. It has also been seen driven by victim's  
25 husband, Kassim Alhimidi, since the incident. Due to the whereabouts of the husband of the  
26 victim, Kassim Alhimidi, being unconfirmed at the time of the incident, it is requested that the  
27 vehicle registered to him be searched for the above items. Since Kassim Alhimidi has also been  
28

1 seen driving the vehicle registered to the victim, it is requested that the victim's vehicle be  
2 searched for the above items. Based on my training and experience, I have learned that suspects  
3 will often transport evidence in their vehicles to be disposed of at a location away from the crime  
4 scene. Suspects have also temporarily hidden evidence immediately after an incident of crime near  
5 or at the crime scene. Suspects may then recover the evidence later and transport the evidence  
6 away from the crime scene.

7  
8 Items listed above as (1) Jewelry that may belong to the victim, specifically earrings that  
9 match the earring that was found at the location where the victim was found; are because of the  
10 fact that a single earring was located in what appeared to be blood in the area where the victim  
11 was found inside the house. Information from family members included that the victim usually  
12 wore four earrings. It is requested that the locations (A), (B) and (C) be searched to attempt to  
13 locate the matching earring to the one located at the crime scene and also the other pair of earrings  
14 the victim usually wore.

15 Items listed above as (2) Any Handwritten or typed notes that may contain threats or hate-  
16 crime related content, paper stock, hand written samples, and torn paper that can be compared to  
17 the torn paper note collected from the residence on March 21<sup>st</sup> 2012; are because of the allegations  
18 that the family has received prior handwritten notes that suggest a possible hate crime offense.  
19 Also a handwritten note was located at the scene that the family denied seeing before. The note  
20 was not an original handwritten note, but a copy. The note found at the scene was torn. It is  
21 requested that a search be granted to attempt to locate the original note and the missing torn piece  
22 of paper that would match the note found at the crime scene. It is also requested to search for any  
23 paper stock that could match the type of paper that the note was on at the crime scene.

24 Items listed above as (3) Evidence related to the blunt force injuries to the victim,  
25 including impact weapons or items that could be used as a weapon to cause blunt force injuries,  
26 specifically items that are similar to a tire iron, that can be described as having a striking edge that  
27 is narrow in width and made of a hard material, clothing or objects bearing blood or blood stains,  
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1 human hairs, tissue and secretions; are because of additional information provided by the Medical  
2 Examiner's Office as a result of the autopsy of the victim done on March 25<sup>th</sup>, 2012, to include a  
3 more specific description of the possible object used to cause the injuries to the victim.

4 Items listed above as (4) Any electronic data processing, storage devices, computers and  
5 related electronic items; are because the note located at the crime scene was found to be a copy. It  
6 is possible that the victim or family members had received electronic threats through email, chat  
7 rooms, blogs, social networks or other electronic data processing and storage devices. During the  
8 initial investigation and telephonic search warrant executed on March 21<sup>st</sup>, 2012, a text message  
9 was discovered from the cell phone belonging to the daughter of the victim, Fatima Alhimidi, on  
10 March 21<sup>st</sup>, 2012 at approximately 2:53 P.M. The text was sent on Fatima Alhimidi's cell phone  
11 during the time frame that she was being interviewed by police. The text read "The detective will  
12 find out tell them cnt talk". Based on my training and experience, text messages are often typed  
13 with abbreviations or have typing errors due to the small keyboards or touch screen keyboards. In  
14 my opinion, it is possible that "cnt" is short for or is a typing error for "can't". To seize, view,  
15 forensically examine and search of the above electronic devices could provide more evidence and  
16 identification of the second unknown person that the daughter is communicating with. It is also  
17 requested that the above items be seized, viewed, forensically examined and searched to find  
18 evidence of the yet unknown suspect(s) and or any further evidence of threats made to the victim  
19 or the victim's family.

20 Pursuant to People v. Hobbs (1994) 7 Cal.4th 948, I respectfully request this affidavit and  
21 warrant, and the previous telephonic search warrant be sealed pending further order of court.  
22 Without sealing, this affidavit and warrant, and the previous telephonic search warrant become a  
23 matter of public record within ten days (Penal Code section 1534(a)). The sealing requested  
24 herein, however, is not based on denying discovery to the defendants when and if they are  
25 charged, but is being requested to merely prohibit public disclosure which could surely undermine  
26 the continuing investigation herein and could jeopardize individuals cooperating with law  
27 enforcement in this case. In addition, due to the sensitive nature of the matter and possible privacy  
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1 invasion of the defendants and witnesses herein, to include the juvenile daughter who admitted to  
2 being inside the house when the victim was located, I request the court order sealing of the warrant  
3 and documents in support thereof pending further order of court.  
4

5 Therefore, based on my training and experience and the above facts, I believe that I have  
6 substantial cause to believe the above described property, or a portion thereof, will be at the above  
7 described premises when the warrant is served.

8 Based on the aforementioned information and investigation, I believe that grounds for the  
9 issuance of a search warrant exist as set forth in Penal Code 1524.

10 I, the affiant, hereby pray that a search warrant be issued for the seizure of said property, or  
11 any part thereof, from said premise, good cause being shown therefore, and that the same be  
12 brought before this magistrate or retained subject to the order of this Court.  
13

14 This affidavit has been reviewed for legal sufficiency by Deputy District Attorney  
15 D.D.A. Gordon Davis

16 Given under my hand and dated this 27<sup>th</sup> of March 2012.



18 Subscribed and sworn to before me

19 this 27 day of March 2012,

20 at 0742 a.m. p.m.



24 Judge of the Superior Court  
25  
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1                   **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA,**

2                                   **COUNTY OF SAN DIEGO**

3                                   **SEARCH WARRANT**

COPY

4                   No. EJDI2-086

5 The People of the State of California, to any peace officer in the County of San Diego:

6                   Proof, by affidavit, having been this day made before my by 27th day of March, 2012, a  
7 peace officer employed by the El Cajon Police Department, that there is substantial probable cause  
8 pursuant to Penal Code section 1524 for the issuance of the search warrant, as set forth in the  
9 affidavit attached hereto and made a part hereof as is fully set forth herein, you are, therefore,  
10 commanded to make search at any time of the day or night, good cause being shown therefore;

11                   **LOCATION, PROPERTY, AND/OR PERSON[S] TO BE SEARCHED**

12                   A.           The premises and all parts therein, including all rooms, safes, storage  
13 areas, containers, surrounding grounds, trash areas, garages and  
14 outbuildings assigned to or part of the residence located at [REDACTED]  
15 [REDACTED]t, El Cajon, California, County of San Diego; the residence is  
16 described as a two-story single family dwelling, located on the north side  
17 of Skyview Street, east of the intersection of Emerald Avenue. The house  
18 is primarily white stucco exterior with gray asphalt type roof shingles,  
19 blue trim, with the address numbers '[REDACTED]' in black lettering on white  
20 ceramic type backing surrounded by a black metal type frame located to  
21 the west of the front door, with a white in color garage door on the east  
22 side of the house facing to the south, a brick type chimney on the west  
23 side of the house, with no fencing or gates impeding access to the back  
24 yard on either side of the house from Skyview Street.

25                   B.           And the vehicle, a 2002 Ford Explorer, California License Plate  
26 [REDACTED], white in color, registered to Shaima Alawadi at [REDACTED]  
[REDACTED] in El Cajon.

1 C. And the vehicle, a 1996 Nissan Quest, California License Plate [REDACTED],  
2 red or maroon in color, registered to Kassim Irzoqi Kadhim Alhimidi at  
3 [REDACTED] in El Cajon.  
4

5 **ITEMS TO BE SEIZED**

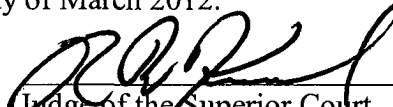
6 For the following property, to wit:

- 7 1. Jewelry that may belong to the victim, specifically earrings that match the earring that  
8 was found at the location where the victim was found.
- 9 2. Any Handwritten or typed notes that may contain threats or hate-crime related content,  
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18 including central processing units, internal and peripheral storage devices such as USB  
19 device, fixed disks, floppy disk drives and diskettes; tape drives and tapes, optical  
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21 magnetic media such as tape, cassette, disk, diskette, or memory storage devices such as  
22 optical disks and to include any mobile handheld devices such as cell phones, mp3  
23 players, tablet style computers.
- 24 5. Documents and effects which tend to show dominion and control over said premises,  
25 including fingerprints, clothing, handwriting, documents and effects which bear a form  
26 of identification such as a person's name, photograph, Social Security number or  
27 Driver's license.

1 With respect to computer systems and any items listed above, the peace officers are authorized to  
2 transfer the evidence to a Law Enforcement Agency location prior to commencing the search of  
3 items. Furthermore, said search may continue beyond the ten-day period beginning upon the  
4 issuance of this Search Warrant, to the extent necessary to complete the search on the computer  
5 system and any items listed above.

6  
7 and if you find the same, or any part thereof, to bring it forthwith before me at the Superior Court of  
8 the State of California for the County of San Diego, or to any other court in which the offense in  
9 respect to which the property or things is triable, or retain such property in your custody, subject to  
10 the order of this Court, pursuant to section 1536 of the Penal Code.

11 Given under my hand and dated this 31<sup>st</sup> day of March 2012.

12   
13 \_\_\_\_\_  
14 Judge of the Superior Court