

STATE OF WEST VIRGINIA,

FILED
JUN 19 2009
HARDY COUNTY MAGISTRATE COURT

COUNTY OF Hardy, TO-WIT:

This day personally appeared before the undersigned, a Magistrate for said County,

Deputy B.C. Ward, who, after being first duly sworn, upon his oath says:

That on the 13th day of June, 2009,

and prior to the making of this Complaint, in the said County of Hardy, Justin Shane Slater did unlawfully *(and feloniously) Knowingly and willfully conceal or attempt to conceal a deceased human body. In violation of WV Code 61-2-5a
(State the Offense as fully set forth in warrant)

and that the affiant has cause to believe and does believe that property,

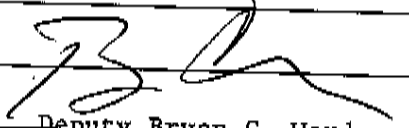
- *a) ~~(State the Offense as fully set forth in warrant)~~
- *b) (Designed and intended for use) (which is and has been used) as a means of committing such criminal offense
- *c) (Manufactured) (sold) (kept) (concealed) (possessed) (controlled) (designed and intended for use) (which is and has been used) in violation of the criminal laws of the state
- *d) (Evidence of a crime)

Namely, The remains of a deceased human body, firearms, human body parts and or tissue knives, rags, blankets which may or can be used to conceal a human corpse. Any other evidence of a crime. ALSO ANY CLOTHING THAT MAY HAVE BEEN WORN BY SLATER DURING THE COMMISSION AND/OR TRANSPORT OF A MURDERED PERSON.

is concealed in See Attachments B & C for descriptions of premises to be searched. To include the residence and all curtilage therein including outbuildings etc.


and that the facts for such belief are

See Attachment A
(State facts for belief)


Deputy Bryan C. Ward
Complainant

(Type name on the line; have Complainant sign above typed name)

Taken, subscribed and sworn to before me this the 13th day of June, 2009


Magistrate

*Strike out inapplicable words.

NOTE: W.Va. Code § 62-1A-4 provides specifically that a warrant may be executed and returned only within 10 days after its date.

(ORIGINAL - Court)

*Affidavit for search
warrant*

Attachment A

At approximately 1315 hours, on June 13, 2009, Hardy county OES issued an alert that Justin Slater was just leaving the 7-11 store in Wardensville, Hardy, WV. The alert indicated that he was wanted for murder in Frederick County Virginia. Slater was also a suspect in the kidnapping of his ex-girlfriend Kayleigh Marie Plamondon.

The BOLO indicated a small black 4-door car; unknown make or model with out-of-state registration plates.

Responding units on this BOLO included officers from the Hardy County Sheriff's office, West Virginia State Police, West Virginia DNR and US Forest Service. Hardy County Sheriff's deputy, David Warren, located and stopped the said vehicle on Trout Run Road just outside of Wardensville. It was occupied by Justin Slater and he was secured without incident. This said subject was driving a black, 1996 volkswagon GTI hatchback bearing PA registration GGF7685. The vehicle identification number is 3VVDA81HOTM092176

Other units arrived on scene and, after being advised of his rights, Slater was asked about Plamondon. He stated that she was at the residence on Timberline drive and was dead. Slater's demeanor was such that Plamondon's status needed to be confirmed.

Deputy B.C. Ward and WV troopers Hartman and Sherman responded to 111 Timberline Drive in Lost City, Hardy County, WV. DNR officer G.Cook met us on scene. EMS was called while enroute and asked to stand-by near the residence. Officers approached the residence and attempted to make contact with Plamondon by shouting from outside the house. There was no response and the doors were locked.

Ward breached the front door to gain access to Plamondon. Continued shouting yielded no response. A brief search of the residence to ascertain Plamondon's well-being was conducted. A pile of blood-stained bedding was found on the floor in the kitchen. A broomstick was used to lift away layers of the pile to ascertain if it contained a body. Though a body was not exposed, the contours of a body were apparent. Ward palpated the contours which further indicated a body with post-mortem rigor.

During the initial bolo, DNR officer G.Gook stated that he had observed the black GTI approximately one half mile from the residence at 111 Timberline Drive. He stated the vehicle was occupied by a person meeting the description of Slater and was traveling northbound on Thorne Bottom Road, away from the residence. Cook further advised that he did not pursue the vehicle as the original caller indicated a 4-door and this was a 2-door hatch-back.

Sgt Travis Sumption of the Clark County Sheriff's office accompanied Warren and Slater to the Potomac Highlands regional jail. Sumption stated that he had questioned Slater and that Slater indicated that he killed Plamondon in Clarke County Virginia on June 9, 2009 and transported her to the said residence in Lost City on the same day. It is believed that the said Volkswagen GTI was used to transport the body.

BLW 06/13/09

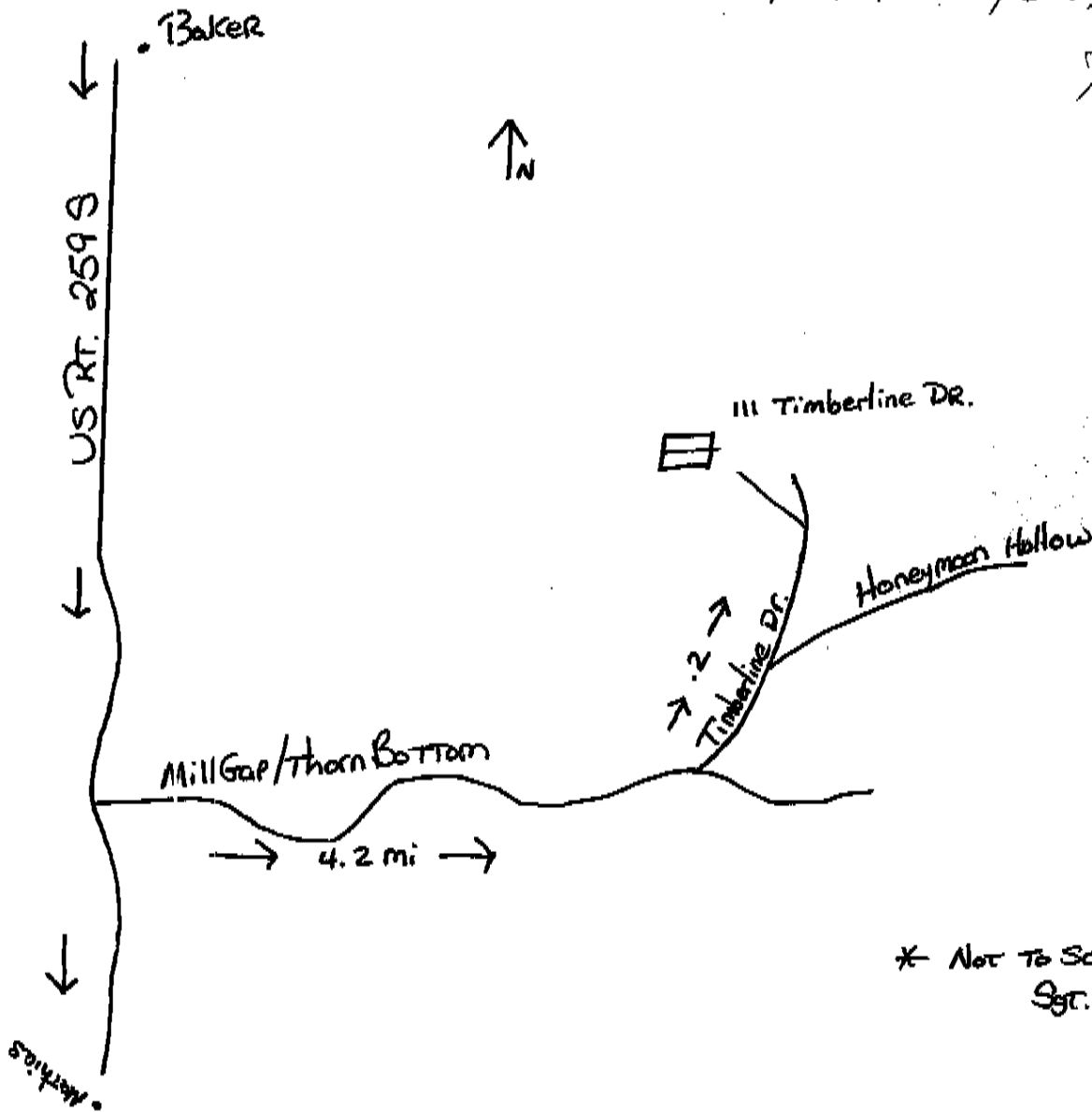
affidavit for search warrant

Attachment B:

The evidence in question is believed to be located in a 1.5 story off white in color style home with a gambrel style roof of grey shingles. The residence is located approx. 50yards to the north of Global Positioning Satellite (GPS) coordinates 38.58.04N 078.44.40 W, Latitude and Longitude, respectively. Which is further located 4.2 miles East of the Intersection of MillGap/Thorn Bottom Rd and US Rt. 259S, further .2 miles N/E on Timberline Drive from the intersection of MillGap/Thorn Bottom and further situated .1 N of HoneyMoon Hollow Rd. on the left side of the road. To be labeled as 111 Timberline Hollow Rd. A Roadway sketch and photographs of the residence follow and are attached:

PHOTOGRAPHS LABELED B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10

DB
06/13/09



* Not To Scale *
Sgt. D.N. Bishoff

*Affidavit for search
warrant*

Attachment C:

The evidence in question is believed to be located in a black in color 1996 Volkswagen GTI type coupe bearing Pennsylvania registration GGF7685 which is registered to James Kutz of Pine Grove, PA.

Further bearing VIN Number 3VWDA81H0TM092176. The vehicle in question was seized during a traffic stop and subsequent arrest of Justin Slater, a suspect in several homicides in the state of VA and possibly WV. Slater was apprehended by Dep. D.T Warren driving said vehicle after being spotted by WVDNR Cpl. G.L Cook.

VEHICLE CURRENTLY SECURED AT THE WEST VIRGINIA STATE POLICE BARRACKS IN MOOREFIELD, HANCOCK COUNTY, WV. ALONG US220 SOUTH.

[Signature] 06/13/09

FILED

JUN 18 2009

CAH

INDY COUNTY MAGISTRATE COURT

STATE OF WEST VIRGINIA,

COUNTY OF HARDY, TO-WIT:

TO THE SHERIFF OR ANY DEPUTY SHERIFF OF THE COUNTY, TO ANY MEMBER OF THE DEPARTMENT OF PUBLIC SAFETY, OR TO ANY POLICE OFFICER AUTHORIZED BY LAW TO EXECUTE SEARCH WARRANTS.

Whereas, DEPUTY BRYAN C. WARD has this day made complaint on oath before the undersigned, Magistrate of said County, that on the 13TH day of JUNE, 2009, and prior to the issuance of this warrant, in the said County of HARDY, JUSTIN SHANE SLATER did unlawfully *(and feloniously) KNOWINGLY AND WILLINGLY CONCEAL OR ATTEMPT TO CONCEAL A DECEASED HUMAN BODY IN VIOLATION OF THE WEST VIRGINIA CODE 61-2-5a.
(State the Offense)

and that the complainant has cause to believe and does believe that property,

*b) (Designed and intended for use) (which is and has been used) as a means of committing such criminal offense
*d) (Evidence of a crime)

Namely, THE REMAINS OF A DEAD OR DECEASED HUMAN BODY, FIREARMS, HUMAN BODY PARTS AND/OR TISSUE, KNIVES, RAGS, BLANKETS WHICH MAY BE USED TO CONCEAL A HUMAN CORPSE. ALSO, ANY OTHER
(State property to be seized)

EVIDENCE OF A CRIME. also, any clothing that may have been worn by Slater during the commission and/or transport of a murdered or deceased person

is concealed in SEE ATTACHMENTS B & C FOR DESCRIPTIONS OF PREMISES TO BE SEARCHED, INCLUDING THE RESIDENCE AND ALL CURTILAGES THEREIN AS WELL AS A VEHICLE MENTIONED HEREIN.
(Describe premises)

and that the grounds for probable cause for the issuance of this warrant are as follows: SEE ATTACHMENT A

(State facts for belief)

that the name of the person whose affidavit has been taken in support of the issuance of this warrant is

DEPUTY BRYAN C. WARD

(Type name on the line)

You are therefore, commanded in the name of the State of West Virginia to search forthwith the premises above described and all appurtenances appertaining thereto for the property above specified, to seize such property and bring the same before me to be dealt with according to law.

Given under my hand this the 13TH day of JUNE, 2009

*Strike out inapplicable words.

[Signature]
Magistrate

NOTE: W.Va. Code § 62-1A-4 provides specifically that a warrant may be executed and returned only within 10 days after its date.

SCA-M28

Returned Defendant

(ORIGINAL - Court)

Search Warrant
OK

Attachment A

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Sgt Travis Sumption of the Clark County Sheriff's office accompanied Warren and Slater to the Potomac Highlands regional jail. Sumption stated that he had questioned Slater and that Slater indicated that he killed Plamondon in Clarke County Virginia on June 9, 2009 and transported her to the said residence in Lost City on the same day. It is believed that the said Volkswagen GTI was used to transport the body.

I, the undersigned, did execute the within warrant, on the 15th day of June, 20 09,

time: 1545 A.M. (P.M.) by searching the premises therein described. 1994 Volkswagen GTI

The following is an inventory of the property seized, hereby received: VIN: 3VWDA81HOTM92174

- ITEM: 1. One 9mm magazine containing one unspent round (9mm Luger)
- 2. One Black wallet containing one drivers license (James Robert Kutz),
one PA pennsylvania master card (James Kutz), one Fulton Bank VISA
check card (James Kutz), one Fulton Bank Silver VISA card (James Kutz),
one BIK Tribal VISA card (James Kutz), one Key's Jewelers Card (James Kut
- 3. One EMS Receipt (Lancaster, PA) Total \$190.70
- 4. One Top Gun Military App. (Palmyra, PA) Total \$ 8.48
- 5. One Gooseberry Receipt Total \$19.00
- 6. One Pine Grove Yamaha (Pine Grove, PA) Total \$22.23
- 7. One Receipt (216 N. main st. Manheim, PA) Total \$20.16 (Fuel)
- 8. One First Aid Kit (zip Loc Bag)
- 9. One CD case containing 24 CD'S (BLACK Nylon)
- 10. One Pantech Cingular Cell Phone (Silver)
- 11. One AT&T Motorola Cell phone (Black)
- 12. One Kel TEC 9mm Box containing one 9mm Kel Tec Serial #
A6608
- 13. One Citation / Summons issued 6-8-09 to James Kutz
- 14. One Laptop case containing one Compaq Presario Laptop

Dated this 15th day of June, 20 09.

Dep. B. J. Lantry #6
(Officer)

Receipt of a copy of the within warrant is hereby acknowledged along with the inventory of the property taken as above listed.

Dated this the _____ day of _____, time: _____ A.M.-P.M.

SCA-M28 COWNER NOT PRESENT DP #6
(Person from whose premises the property was taken)

Returned Defendant

PROPERTY RECEIPT

I, the undersigned, did execute the within warrant, on the 13 day of June, 2009, time: 1:50 A.M.-P.M., by searching the premises therein described.

The following is an inventory of the property seized, hereby received:

- #1) One (1) pair bullshhead bloodstained blue jeans size 33x34
- #2) One (1) large long sleeve old navy pull over
- #3) One (1) white, orange striped pillow case, blood stained
- #4) One (1) tan bloodstained bedcover.
- 5) One (1) olive drab blood stained t-shirt
- 6) One (1) white bloodsoaked sheet
- 7) One (1) green bloodsoaked sheet
- 8) One (1) tan bloodstained pillow case
- 9) One (1) blood stained pillow case

Dated this 13 day of June, 2009.

TKC SB / [Signature]
(Officer)

Receipt of a copy of the within warrant is hereby acknowledged along with the inventory of the property taken as above listed.

Dated this the 13 day of June, time: A.M.-P.M.

Incorated in PART
(Person from whose premises the property was taken)

STATE OF WEST VIRGINIA, HARDY COUNTY, to-wit: 096-1

This day, DEPUTY DAVID T. WARREN, upon oath before me, CRAIG HOSE
a County Magistrate in said County, complains that JUSTIN SHANE SLATER
on the 11 day of JUNE, 20 2009, and prior to the making of this complaint, in the County of
FREDERICK, and State of VIRGINIA, did unlawfully and feloniously

FIRST DEGREE MURDER/POSSESSION OF FIREARM DURING COMMISSION OF A CRIME

and for which he stands indicted or for which a warrant has been lawfully issued for his arrest in the said County of FREDERICK
State of VIRGINIA; and that said JUSTIN SHANE SLATER is now in said County of
HARDY, in said State of West Virginia, a fugitive, having fled from Justice in said County of FREDERICK
and state of VIRGINIA

The said DEPUTY DAVID T. WARREN therefore prays that the said JUSTIN SHANE SLATER
may be apprehended and held to answer the said complaint and be dealt with in relation thereto as the law may require.

Subscribed and sworn to before me, this 13th day of June, 20 09
J. R. Hase CRAIG HOSE County Magistrate
Dep. David T. Warren *How*
Hardy

WARRANT FOR ARREST - For Fugitive From Justice

STATE OF WEST VIRGINIA, HARDY COUNTY, to-wit:

To the Sheriff of Said County, or Any Member of The Department of public Safety:

Whereas, DEPUTY DAVID T. WARREN has, this day made complaint and information on Oath before me,
CRAIG HOSE, a County Magistrate in said County, that JUSTIN SHANE SLATER
did commit a felony, in this that HE, the said JUSTIN SHANE SLATER
on the 11 day of JUNE, 20 2009 and prior to the issuance of this warrant, in the county of
FREDERICK, and the state of VIRGINIA, did unlawfully and feloniously

FIRST DEGREE MURDER/POSSESSION OF A FIREARM DURING THE COMMISSION OF A CRIME

and for which he stands indicted or for which a warrant has been lawfully issued for his arrest in the said County of FREDERICK
State of VIRGINIA; and that said JUSTIN SHANE SLATER is now in said County of
HARDY, in said State of West Virginia, a fugitive, having fled from Justice in said County of FREDERICK
and state of VIRGINIA

Therefore we command you in the name of the State of West Virginia, forthwith to apprehend the said
JUSTIN SHANE SLATER and bring HIM before me, at my office
in said County, or before some other County Magistrate in said County, to answer said complaint, and to be further dealt with in relation
thereto according to law.

Given under my hand this 13th day of June, 20 09
J. R. Hase Magistrate

Executed by: DEPUTY DAVID T. WARREN 13-Jun-09 In Hardy County

WARRANT OF ARREST - FELONY
 COMMONWEALTH OF VIRGINIA Va. Code § 19.2-11, 22

Frederick/Winechester General District Court Criminal Traffic
 CITY OR COUNTY Juvenile and Domestic Relations District Court

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth of Virginia forthwith to arrest and bring the Accused before this Court to answer the charge that the Accused, within this city or county, on or about 06/09/2009 to 06/12/2009 did unlawfully and feloniously in violation of Section 18.2-32 Code of Virginia, unlawfully, deliberately, and with premeditation kill and murder Gregory Scott Sabin, brother of accused, in the first degree.

FCSO
 W# 42468
 RECD 6-12-09

I, the undersigned, have found probable cause to believe that the Accused committed the offense charged, based on the sworn statements of

Investigator Stanger, R. D. Frederick County Sheriff Office, Complaint

06/11/2009 06:38 PM

DATE AND TIME ISSUED

S. D. District

CLERK MAGISTRATE JUDGE

COURT IN RECEIPT TAKE PHYSICAL SAMPLE IF LIDS SHOWS NO DNA SAMPLE IN DATA MARK FOR M.D.C. 312 (MAGISTER, PAGE ONE OF TWO) 12/08

Check if sample previously taken:

Check if sample taken for this arrest:

CASE NO.

ACCUSED:

Slater, Justin Shane

117 Buffalo Trail

Winechester, VA 22602

DATE	SEX	BORN	HT.	WT.	POB.	ETHNIC GROUP
05/08/1985	M		6' 01"	170	USA	

228-43-5983

CLASS 2 FELONY

EXECUTED by arresting the Accused named above on this day:

DATE AND TIME OF SERVICE

Arresting Officer

NAME AND AGENCY AND JURISDICTION

Attorney for the Accused:

Short Offense Description (and a legal definition):
 MURDER 1ST DEGREE

Offense Tracking Number:

068M5700001767

FOR ALTERNATIVE USE ONLY
 Virginia Crime Code:

MUR-0925-F2

FELONY

F

07/13/2009
 09:00 AM

Escorted Det/Tru

WARRANT OF ARREST - FELONY

COMMONWEALTH OF VIRGINIA VA Code §19.2-11, -72

Frederick/Winchester General District Court Criminal Traffic
 CITY OR COUNTY Juvenile and Domestic Relations District Court

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth of Virginia forthwith to arrest and bring the Accused before this Court to answer the charge that the Accused, within this city or county, on or about 05/08/2009 to 05/10/2009 did unlawfully and feloniously in violation of Section 18.2-53.1 Code of Virginia, use, attempt to use, or display in a threatening manner a firearm while committing or attempting to commit MURDER.

FCSSO
 W# 429169
 RECD 6-12-09

I, the undersigned, have found probable cause to believe that the Accused committed the offense charged, based on the sworn statements of

Investigator Blaine, R. D. Frederick County Sheriff Office, Complaint

06/11/2009 06:39 PM

DATA AND TAGS

S. O. Books

CLERK MAGISTRATE JUDGE

Handwritten signature

CGSSE in Requested
 FORM DC-A12 (REASTER, PAGE ONE OF TWO) 12/06

CASE NO.

ACCUSED:

Slaker, Justin Shaide

LAST KNOWN WEST VA. LOCAL ID#

117 Buffalo Trail

APPROXIMATE

Winchester, VA 22602

DATE	SEX	DOB	HT	WT	HAIR	EYES	MARKS
W	M	05/08/1985	6' 01"	170	GRN	BRO	

228-43-5283

STATE

CLASS U FELONY

EXECUTED by arresting the Accused named above on this day:

DATE AND TIME OF SERVICE

Arresting Officer

AGENCY AND JURISDICTION

Attorney for the Accused:

SIGNATURE

Short Offense Description (not a legal definition):
 PLEASE USE IN COMMISSION OF FELONY, 1ST OFF

Offense Tracking Number:

069JMS700901768

FOR ADMINISTRATIVE USE ONLY
 Virginia Crime Code

ASL-1319-F9

F

07/13/2009
 09:00 AM

Issuing District

FELONY

IN THE MAGISTRATE COURT OF Hardy COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA

Case No(s) 09E-7

Charge(s): Fugitive from Justice

v. Justin Stone Slater

117 Buffalo Trail
Winchester, VA 22602

Felony

Misdemeanor

Frederick Co. VIRGINIA for 1ST Degree Murder AND possession of a firearm during Commission of a crime

JAIL COMMITMENT ORDER

The court hereby ORDERS commitment of the above-named defendant to the custody of the county/regional jail

Until \$ _____ bail is posted.

ORDERED HELD WITHOUT BOND!

To await court action. Hearing date: to be further notified

For a period of _____ as sentence upon conviction.

6/13/09

11:15 p.m.

[Signature]
Magistrate

Received and executed by _____ (N/A) _____ m.
Officer Taking Custody Date Time

and/or _____ _____ m.
Jail Officer Date Time

JAIL RELEASE ORDER

The court hereby ORDERS release of the above-named defendant from the custody of the county/regional jail for the following reason:

Bail has been posted. Hearing date: _____

Charge has been dismissed.

Time served as of the date of judgment has satisfied the sentence imposed.

Date Time _____ m. Magistrate

Received and executed by _____ _____ m.
Jail Officer Date Time

White - return
Green - defendant
Yellow - file
Pink - Jail
Goldenrod - Officer

IN THE MAGISTRATE COURT OF Hardy COUNTY, WEST VIRGINIA

State of West Virginia

09E-7

v.

Case Number(s):

Justin Shane Slater
Defendant (Full Name)

operators # 763-165380 VIRGINIA
Driver's License No.

228 - 43 - 5983
Social Security No.

Warrant Date: 6/13/09

5-8-85
Date of Birth

(540) 877-2647
phone #

**INITIAL APPEARANCE: FUGITIVE FROM JUSTICE
RIGHTS STATEMENTS**

1. The magistrate has informed me that I am charged with the offense(s) of being a **FUGITIVE FROM JUSTICE**, from Frederick county, the State of VIRGINIA, the possible penalty is extradition to the State of Virginia (hereinafter referred to as the demanding state).

2. The magistrate has informed me that, pursuant to the Uniform Criminal Extradition Act §§ 5-1-7 through 5-1-13, I may be detained pending an extradition hearing, and that I have the right to be represented by an attorney at every further proceeding and that, if I qualify as being unable to afford to hire an attorney, one will be appointed to represent me. I understand that if I decide to represent myself, I cannot later claim that I was denied my right to be represented by an attorney.

DEFENDANT MUST INITIAL ONE OF THE FOLLOWING THREE CHOICES IF A JAIL PENALTY IS POSSIBLE

- (a) I give up my right to have an attorney represent me.
- (b) I want to hire an attorney to represent me.
- (c) I want an attorney appointed to represent me.

3. The magistrate has informed me that, pursuant to the Uniform Criminal Extradition Act §§ 5-1-7 through 5-1-13, unless the charge of the demanding state is punishable by death or life imprisonment, the magistrate may, in his or her discretion, release me from custody on bond while I am waiting for further proceeding on the charge(s) stated above.

4. The magistrate has given me reasonable time and opportunity to talk with an attorney or with one relative or other person for the purpose of obtaining counsel or of arranging bail.

5. The magistrate has informed me that I do not have to make any statement to anyone other than the statements in this document and that any statement I do make may be used against me.

6. The magistrate has informed me that pursuant to the Uniform Criminal Extradition Act §§ 5-1-7 through 5-1-13, I have a right to request that the demanding state exercise it's authority to extradite me formally.

Date: 6/13/09

Defendant's Signature [Signature]

INITIAL APPEARANCE: FUGITIVE FROM JUSTICE RIGHTS STATEMENT, page 2 of 2

7. The magistrate has informed me that I have the right to challenge any attempt by the demanding state to extradite me in circuit court.

8. The magistrate has informed me that if it appears to the court that I am the same said Justin SHAVE SLATER identified in the complaint, and that I fled from justice, I will, unless admitted to bond, be committed to the Potomac Highlands Regional Jail jail for a time not to exceed thirty (30) days to enable the State of West Virginia to obtain a Governor's warrant.

9. The magistrate has further informed me that if I am not arrested under Governor's warrant by the expiration of the thirty (30) day time specified in the warrant or bond, the magistrate may discharge me or may recommit me for a further period not to exceed sixty (60) days.

10. The magistrate has informed me that I have the right to challenge the lawfulness of my arrest and detention in the State of West Virginia by applying for or making application for a writ of habeas corpus.

DEFENDANT MUST INITIAL ONE OF THE FOLLOWING:

- (a) I demand an extradition hearing in the circuit court. I do understand that if I choose to demand an extradition hearing then my case will immediately be transferred to the circuit court.
- (b) I wish to proceed to circuit court where I may waive my right to an extradition hearing. I do understand that if I choose this option then my case will immediately be transferred to the circuit court.
- (c) I do not wish to demand an extradition hearing or desire to proceed to circuit court to waive my right to an extradition hearing at this time. I do understand that choosing this option my case will not be transferred immediately to circuit court. Instead, the magistrate court will exercise its limited jurisdiction under W.Va. Code § 5-1-9 and the State of West Virginia will be given up to thirty (30) days, with the possibility of a sixty (60) day extension, to initiate extradition proceedings by means of obtaining a Governor's warrant.

Date: 6/13/09 Defendant's Signature: X

I have informed the defendant personally of the applicable matters set out above. I find that any waiver of rights herein is made knowingly and voluntarily by the defendant. (Initial IF APPLICABLE) I certify that the defendant refused to initial and/or sign this document at the appropriate places.

Date: 6/13/09 Magistrate's Signature: [Signature]

Defendant IS ordered to be held without bond !!
(NO Bond SET because the charge of "1st degree murder" is one of the charges alleged in the fugitive warrant - and thus is a capital offense - under WV Code 5-1-2 (g) - bond is not permitted to be entertained)