

IN THE CIRCUIT/COUNTY COURT
OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY, FLORIDA

AFFIDAVIT FOR SEARCH WARRANT – STRUCTURE/RESIDENCE

State of Florida
County of Brevard

BEFORE ME, Carlos Figueras #1890a sworn law enforcement officer, personally came Agent Joshua Strait #1613, of the Brevard County Sheriff's Office, who being duly sworn deposes and says: that Affiant has reason to believe and does believe that certain **premises and curtilage** (hereinafter "Premises") located in Melbourne Beach, Brevard County, Florida, described as follows:

A residence located at 127 Delvalle Street, Melbourne Beach, Brevard County, Florida.

To arrive at **127 Delvalle Street, Melbourne Beach, Brevard County, Florida**, one would begin at the intersection of Medina Street and Highway A1A. One would travel north on Highway A1A for approximately 0.2 miles. One would then turn west onto Devalle Street from Highway A1A. One would then travel west on Devalle Street for approximately 0.2 miles to the target of this search warrant, **127 Delvalle Street, Melbourne Beach, Brevard County, Florida** on the [left] side of road and (south) of Devalle Street.

The residence/structure of **127 Delvalle Street, Melbourne Beach, Brevard County, Florida** is further described as a white in color two story house with green trim. The front door to the residence is green in color and faces north. The numbers "127" are affixed to the front of the residence just west of the front door. The Premises are occupied by or under the control of MICHAEL B. LOCKE, information which was verified through the Florida Department of Highway Safety and Motor Vehicles, Brevard County Property Appraisal Website (WWW.BCPAO.US), and personal contact with the Brevard County Sheriff's Office. This is the target of the search warrant.

(See Attached Photograph)

Brevard County Sheriff's Office CR# 2020-297471



There is now being kept in, on, at or within said premises or curtilage thereof, certain property, to wit: Any destructive devices, which means any bomb, grenade, mine, rocket, missile, pipe bomb, or similar device containing an explosive, incendiary, or poison gas and includes any frangible container filled with an explosive, incendiary, explosive gas, or expanding gas, which is designed or so constructed as to explode by such filler and is capable of causing bodily harm or property damage. Also the search will include any "Explosive compound, chemical compound or mixture that has the property of yielding readily to combustion or oxidation upon application of heat, flame, or shock, including but not limited to dynamite, nitroglycerin, trinitrotoluene, or ammonium nitrate when combined with other ingredients to form an explosive mixture, blasting caps, or any peroxide-based homemade explosives. It should also include any precursor materials used make explosive mixtures and/ or compounds. It should also include any firearms, firearm parts, and ammunition. It should also include any computers, tablets, storage devices, cellular phones, internet access points and bomb making research materials to include computer based files and materials and / or paper materials (hereinafter "Property"), which constitutes evidence relevant to proving the following crime(s): **Florida Statute F.S. 790.161(1) Making, Possessing, throwing, projecting, placing or discharging any destructive device or attempt so to do, Florida Statute F.S. 806.111 (1) Fire Bomb Florida Statute F.S. 790.233 Violation of Injunction.**

THE FACTS tending to establish the grounds for this application and the probable cause of Affiant believing that such facts exist are as follows:

Your Affiant, Agent Joshua Strait #1613 (hereinafter referred to as Your Affiant) is a sworn Law Enforcement Officer employed by The Brevard County Sheriff's Office since April 1, 2013. Prior to employment with the Brevard County Sheriff's Office your affiant was employed with the Deland Police Department from October 2009 to April 2013. During your affiant's time in law enforcement he has completed the Basic Law Enforcement Academy at the Daytona Beach State College. Your affiant has completed numerous advanced law enforcement courses to include Radar and Speed Measurements, Investigative Interviews, Methodology of Telephone Interviews, Hostage Negotiations, Field Training Officer, First Line Supervision, General Instructor Techniques, Detective Academy, Officer Involved Shooting Investigations, Search Warrants and Court Orders, Surveillance Techniques, Stress Management, Adult Sex Crimes Investigations, Children Sex Crimes Investigations, etc. Your affiant has successfully trained numerous recruits during his years on patrol as a Field Training Officer with the Brevard County Sheriff's Office, as well as had the opportunity to be in a Corporal position for approximately 1 ½ years. After serving as a Corporal, your affiant worked as an Agent in the General Crimes Unit for approximately 10 months and since has transferred to the Special Victims Unit as an agent. Since being with the General Crimes Unit and Special Victim's Unit, your affiant has successfully investigated numerous felony investigations to include, but not limited to robbery, battery, aggravated battery, residential and vehicle burglaries, dealing in stolen property, felony criminal mischief, sexual battery involving adults and children, lewd and lascivious, etc. Your affiant has made numerous arrests as a direct result of these investigations. Most recently your affiant has been chosen as a member of the Joint Terrorism Task Force (JTTF) with the Federal Bureau of Investigation and is currently waiting on a completed background investigation. Since being selected, your affiant has investigated several "Threat to Life" investigations involving school shootings and bomb threats.

On Sunday, August 30, 2020, Brevard County Sheriff's Office Fugitive Unit responded to 127 Delvalle Street, Melbourne Beach, Brevard County, Florida, in reference to an active felony arrest warrant for Mr. Michael Locke, in reference to Aggravated Stalking and Violation of Injunction.

Mr. Locke is known to the Sheriff's Office from previous cases involving other Stalking and Violation of Injunction cases. On August 04, 2020, Mr. Locke was served as the respondent in a Temporary Injunction for protection against Stalking against his ex-wife (Ref. Order #: 2020DR036701). Since being served with the injunction, Mr. Locke has violated it several times (Ref. BCSO CR#: 20-269710 and Melbourne PD CR#: MP200051575).

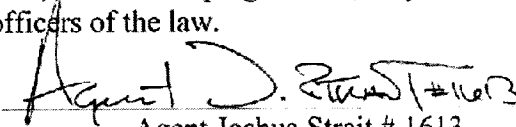
Additionally, and most notably, over the past several weeks, Mr. Locke has been sending several emails to Brevard County Judges, Attorney's and Court Staff raising a significant amount of concern and emotional distress (Ref. BCSO CR#: 20-297318). The emails have been perceived by all as threatening in nature, and have included themes of murder, guns and killing. Additionally, in the email correspondence, Mr. Locke sent a screen shot of an Amazon online shopping purchase order history of books, "U.S. Army Guide to Boobytraps" and "U.S. Army Improvised Munitions."

Upon observing Mr. Locke, BCSO Fugitive Agents observed Mr. Locke exit his residence with what appeared to be, based off of their training and experience, a shotgun or other long gun style firearm, which would be a violation of the injunction which is currently in place. Mr. Locke returned back inside the residence and discarded this suspected firearm and then came out where he was subsequently taken into custody.

After Mr. Locke was taken into custody, BCSO agents observed on the ground approximately five feet from the door, laying on the walkway to the house was what is described as a homemade Improvised Explosive Device, which was identified by Sergeant Jay Church of the Bomb squad, who is a 13 year member of the Brevard County Bomb Squad and a Certified FBI Bomb Technician. The Device was a cylinder with a red button, wrapped in duct tape. Attached to the bottom of this cylinder is a red and black wire approximately 2 inches long that attaches to what appears to be a 9 volt battery. This battery was also taped up with duct tape. Based on Sergeant Church's expertise, this is in fact a suspicious device meant to cause fear or possibly damage to persons or property.

THEREFORE, Your Affiant requests that a search be made of said premises, with such lawful assistance as may be necessary, in the daytime or nighttime, or on Sunday, as the exigencies of the circumstances may demand, to protect initial concealment of approaching law enforcement, to facilitate entry into the premises, and to prevent the concealment and/or the destruction of evidence by subjects within the premises. The search to include the residence/structure, outbuildings on the property, curtilage, any vehicles and persons located on the premises or curtilage thereof who are reasonably believed to be engaged in or connected to any criminal activity as described herein, as Your Affiant believes that said premises are being used or contain evidence relevant to proving a violation of **Florida Statute F.S. 790.161(1) Making, Possessing, throwing, projecting, placing or discharging any destructive device or attempt so to do, Florida Statute F.S. 806.111 (1) Fire Bomb, and Florida Statute F.S. 790.233 Violation of Injunction**. Your Affiant requests to seize property described above.

WHEREFORE, Your Affiant makes this Affidavit and prays for the issuance of a Search Warrant in due form of law for the search of the above-described Premises for said Property, and for the seizure, examination, and safe keeping thereof, subject to the order of this Honorable court, by the duly constituted officers of the law.



Agent Joshua Strait # 1613
Brevard County Sheriff's Office
Affiant

SWORN TO AND SUBSCRIBED BEFORE ME THIS 31 DAY OF August 2020
A.D. 2020 BY Agent (Affiant) WHO IS PERSONALLY KNOWN TO ME OR WHO
PRODUCED _____ AS IDENTIFICATION.



SWORN LAW ENFORCEMENT OFFICER
BREVARD COUNTY, FLORIDA