

**IN THE MAGISTRATE COURT OF COBB COUNTY, GEORGIA**

**Search Warrant Number #:** 25-SW-000552

**Docket Number #:** E033062

**AFFIDAVIT & APPLICATION FOR A SEARCH WARRANT**

The undersigned **James Evan Wallace**, being duly sworn, deposes and says: I am a duly sworn, POST certified law enforcement officer in the state of Georgia charged with the duty to investigate criminal activity and enforce the criminal laws of this state. This is an application for a search warrant and my affidavit in support hereof. Pursuant to O.C.G.A. 17-5-20, et. seq., I am making this sworn affidavit setting forth that there exists probable cause to believe that:

- A. specific offense(s) is/are being committed/have been committed; and
- B. specifically described property and items and/or persons are to be searched for and seized and constitute evidence of these specific offenses; and
- C. the property and items and/or persons constituting evidence to be searched for and seized are located at the particular place to be searched.

**There is probable cause to believe that the following crime(s) (is being/has been/have been) committed. (List all applicable offenses and code sections.)**

<b>Offense(s)</b>	<b>Code Section(s)</b>
<b>SIMPLE BATTERY HARM SIMPLE ASSAULT FEAR ATTEMPT KIDNAP</b>	<b>16-5-23(a)(2) 16-5-20 16-5-40</b>

**The information of person to be searched**

**The list of certain property, items, articles, instruments, to be searched for and seized are located in COBB County, Georgia and are specifically described as follows:**

Your affiant asks to search a metallic light blue in color Apple iPhone with IMEI number 359984982741086 belonging to the suspect, Mahendra Patel. Your affiant asks to search all areas within the phone such as temp files, photographs, SMS, MMS, Call history, applications, GPS data, and any other area within the phone that could contain evidence directly related to this case. The focus would include GPS information to show the suspect's location on the day of the incident or any other evidence directly related to this case.

**The foregoing described property, items, articles, instruments and person(s) to be searched for and seized constitute evidence connected with the foregoing listed crime(s) and is/are: (O.C.G.A. 17-5-21):**

- designed for use in the commission of the crime(s) herein described.
- intended for use in the commission of the crime(s) herein described.
- has/have been used in the commission of the crime(s) herein described.
- stolen property     embezzled property
- contraband, the possession of which is unlawful.
- tangible evidence of the commission of the crime(s) set forth above.
- a person who has been kidnapped in violation of the laws of this state or who has been kidnapped in another jurisdiction and is now concealed within this state.
- a human fetus;     a human corpse.
- a person for whom an arrest/fugitive warrant has been issued. (Brown v. State, 240 Ga.
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Other:

The facts establishing probable cause in searching for and seizing the foregoing specifically described person(s), property, items, articles, instruments connected with the foregoing crime(s) at the location described herein are: (Set forth facts connecting all crimes, all items to searched for & seized, at the location to be searched.)

Your affiant is a Detective Lieutenant with the Acworth Police Department and has been Post Certified with the State of Georgia since 2013. I have been assigned to our Criminal Investigations Division since 2018. I was promoted to Detective Lieutenant in 2023. I was previously a Corporal on Patrol for several years supervising a shift of Patrol Officers. Since becoming a Police Officer, I have made numerous felony and misdemeanor arrests. I have assisted in the application and execution of numerous search warrants. I have attended and successfully completed over one thousand hours of specialized or technical Law Enforcement training, some of which includes: FBI LE Executive Development Training, Basic Investigations Training, Search Warrants and Affidavits Training, Management Certification, Supervision Certification, and Field Training Certification. I also hold a Bachelor of Science in Criminal Justice.

On Tuesday, March 18, 2025, Acworth Police Officers responded to the Walmart located at 3105 Cobb Pkwy, Kennesaw GA, 30152 in reference to an attempted kidnapping. Officers met with the victim, Caroline Miller, and her two children inside the store. Caroline Miller explained that while she was in Walmart, she was sitting on the handicap drivable shopping carts with her 4-year-old juvenile daughter (Juvenile 2) between her feet and holding her 2-year-old juvenile son (Juvenile 1) in her lap. Caroline explained that an Indian male approached her and asked about where the Tylenol was. Caroline then explained that the male grabbed Juvenile 1 and started pulling Juvenile 1 away from her. Caroline explained that she did not lose grasp of Juvenile 1, and that she pulled Juvenile 1 back. Caroline explained that when she did this the male backed off.

My investigation revealed that the male then asked a Walmart employee to direct him to the Tylenol, which he eventually purchased at self-checkout using a credit card.

Flock, stationary license plate reading cameras, were used to locate the suspect's vehicle, which was found to be a 2015 black Toyota Camry bearing tag number PVM4471.

Crime Analyst Macey Williams was able to locate a gentleman connected to the vehicle, Mahendra Patel, and his driver's license picture matched the suspect seen on surveillance footage.

An Hispanic male can be seen on surveillance footage witnessing the incident who was later identified as Milson Leiva Ramos. He was interviewed over the phone by Sergeant Guevara and advised he had witnessed the male attempting to remove Juvenile 1 from Caroline Miller's hands.

Walmart was able to provide card transaction information from when the suspect purchased the Tylenol, and the card came back to Mahendra Patel.

On 03/21/2025 warrants were taken for Mahendra Patel for kidnapping, simple assault, and simple battery with warrant number 25-W-2367. The cellphone was taken off of Mr. Patel's person when he was taken into custody.

The geographic location of the above listed specifically described person(s), property, items, articles, instruments to be searched for and seized is within COBB County, Georgia, and is more particularly described as follows:

4400 Acworth Industrial Dr Acworth, GA, 30101

The phone is a metallic light blue in color Apple iPhone with IMEI number 359984982741086. The phone is in a clear case and is currently located in evidence at the Acworth Police Department located at 4440 Acworth Industrial Dr. Acworth GA, 30101.

- NO KNOCK PROVISION SOUGHT:** I am seeking a "No Knock" provision so that entry can be made without knocking and without giving verbal notice of the lawful authority and purpose in execution of this search warrant. There are reasonable grounds to believe that the giving of verbal notice would: (check applicable)
- greatly increase the peril to officer(s) executing this warrant;
- lead to the immediate destruction of the evidence sought.

In support, thereof, I state the following facts:

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I swear or affirm that all of the information contained in this Affidavit and all other testimony given by me is true and correct to the best of my knowledge and belief.

	<div style="border: 2px solid red; border-radius: 50%; padding: 2px; display: inline-block;">4/24/2025 11:36:11 AM</div> <b>Agency Acworth PD</b>
<b>Prosecutor: James Evan Wallace</b>	Badge No AC1112

Sworn to and subscribed before me, This 4/24/2025 11:36:36 AM

- ORAL TESTIMONY, GIVEN UNDER RECEIVED AND RECORDED**
- ORAL TESTIMONY NOT CONSIDERED**

	<b>COBB MAGISTRATE COURT</b>
<b>Magistrate : Quinn M. Kasper</b>	<b>STATE OF GEORGIA</b>