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IN THE THIRD DISTRICT COURT, WEST JORDAN DEPARTMENT

IN AND FOR THE COUNTY OF SALT LAKE, STATE OF UTAH

THE STATE OF UTAH  Plaintiff,  vs.  TERRY LEE BLACK DOB: 06/07/1971, AKA: 7140 South 2200 West #7 West Jordan, UT 84084 D.L.# 193346087 OTN SO# 300471 Defendant.	Screened by: ROBERT L. STOTT, PAUL B. PARKER, TYSON V. HAMILTON Assigned to: ROBERT L. STOTT, PAUL PARKER, TYSON V. HAMILTON  DAO # 12014011  ECR Status: NON-ECR Initial Appearance:  Bail: \$2,000,007 Warrant/Release: JAIL  INFORMATION  Case No.
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The undersigned James Bigelow - WEST JORDAN POLICE DEPARTMENT, Agency Case No. 12H008775, upon a written affidavit states on information and belief that the defendant, TERRY LEE BLACK, committed the crime of:

COUNT 1

CRIMINAL HOMICIDE, AGGRAVATED MURDER, 76-5-202 UCA, FIRST DEGREE FELONY, as follows: That on or about June 26, 2012, in Salt Lake County,

State of Utah, the defendant did intentionally or knowingly caused the death of Sierra Newbold under any of the following circumstances: the homicide was committed incident to an act, scheme, course of conduct, or criminal episode during which the actor committed or attempted to commit rape of a child, and/or object rape of a child, and/or child abuse as defined in Subsection 76-5-109(2)(a), and/or child kidnapping; and the victim was younger than 14 years of age.

#### COUNT 2

CHILD KIDNAPPING, 76-5-301.1 UCA, FIRST DEGREE FELONY, as follows: That on or about June 26, 2012 at 2383 West 7095 South, in Salt Lake County, State of Utah, the defendant did intentionally or knowingly, without authority of law, by any means and in any manner, seize, confine, detain, or transport a child under the age of 14 without the consent of the victim's parent or guardian, or the consent of a person acting in loco parentis.

#### COUNT 3

RAPE OF A CHILD, 76-5-402.1 UCA, FIRST DEGREE FELONY, as follows: That on or about June 26, 2012, in Salt Lake County, State of Utah, the defendant did have sexual intercourse with a child under the age of 14.

#### THIS INFORMATION IS BASED ON EVIDENCE OBTAINED FROM THE FOLLOWING WITNESSES:

James Bigelow, Officer M Andrus, Sgt D Benzon, Officer W Bockholt, Sgt K Bronson, Officer R Caughey, Officer A Daley, Det A Darelli, Chief D Diamond, Det K Fuller, Officer B Griffith, Det C Hahn, Det D Hoffman, Officer JC Holt, Officer P Houston, David Hunter, Det K Jenkins, Sgt J Jewkes, Det J Kangas, Det H Lang, Officer J Lang, Officer J Lorence, Officer T Magnuson, Officer M Patterson, Officer R Petersen, Officer J Pratt, Sgt T Rees, Officer J Richards, Det D Roberts, Det M Rossi, Det M Rossi, Sgt D Sanders, Det B Schaar, Lt. K Shepherd, Sgt B Shepherd, Lt J Stringer, Sgt B Sundquist, Officer R Thurgood, Det B Turner, Officer D Vincent, Officer T Wallace, Officer K Zierse

#### AFFIDAVIT OF PROBABLE CAUSE:

Your affiant is a West Jordan Police officer. Your affiant has read police reports concerning this matter, interviewed witnesses and gathered evidence and says upon information and belief as follows:

1. On June 26, 2012, Mrs. Kathleen Newbold called police and reported that her six-year old daughter, Sierra Newbold, was missing. Mrs. Newbold said that Sierra and her sister shared a bedroom in the family home located at 2383 West 7095 South, Salt Lake County. Mrs. Newbold last saw Sierra in her bed about 10:30 PM the evening before, June 25<sup>th</sup>. In the morning, Mrs. Newbold noticed that the sliding glass door was open. That door exits to the rear of the house off the dining room. About 7:10 AM, Mrs. Newbold went into the girls' bedroom and found that Sierra was not in her bed. Unable to find Sierra, she called the police.

2. Police reviewed the tape from a video camera mounted on the Newbold home. The camera showed the back of the home from the Southeast corner toward the sliding glass door. The video tape showed the form of an individual entering the home through the area of the sliding glass door at 3:05 AM and exiting, apparently carrying something, at 3:13 AM.

3. Police searched the area and found Sierra's pink pajama bottoms and her underpants in a burnt out field a short distance away from Sierra's home. The area where the clothing was found was blackened from a fire that burned vegetation in the field as well as some nearby structures. At 8:22 AM, Officer Russ Peterson, West Jordan Police Department, found Sierra's partially clothed body floating face down in a canal that borders the field. Sierra's body and clothing were darkened by debris consistent with debris existing in the field.

4. Dr. Julie Adams, Assistant Medical Examiner for the State of Utah, performed an autopsy on Sierra's body. Dr. Adams found contusions on the side of Sierra's face, under each eye, and on several areas on her back. Dr. Adams and Dr. Karen Hansen, Primary Children's Medical Center, examined Sierra's genitals and saw evidence of penetration into Sierra's vagina including a bruised and transected hymen.

5. Dr. Adams found marks on Sierra's neck and petechiae in her eyes and eyelids indicating that Sierra had been strangled. Dr. Adams also found evidence that Sierra's immediate cause of death was from drowning.

6. On June 29th, Terry Lee Black was arrested for theft of an automobile which had been taken from the Deseret Industries parking lot at 7166 South Redwood Road and robbery of the Wells Fargo Bank located at 7869 South Redwood Road.

7. Upon his arrest police noticed that Terry Lee Black lived in an apartment close by the canal where Sierra's body was found. Terry Lee Black also had debris on his clothing and knees consistent in appearance with debris existing in the blackened field where Sierra's clothing was found.

8. Swabs of the outside of Terry Lee Black's penis were obtained and compared to samples of DNA taken from Sierra's body. Examiners from the Utah State Crime Laboratory found Sierra's DNA profile on the swab taken from the outside of Terry Lee Black's penis.

Pursuant to Utah Code Annotated § 78B-5-705 (2008) I declare under criminal penalty of the State of Utah that the foregoing is true and correct to the best of my belief and knowledge.

Executed on: \_\_\_\_\_

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James Bigelow  
Declarant

Authorized for presentment and filing  
SIM GILL, District Attorney

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Deputy District Attorney  
10th day of July, 2012  
MAH // DAO # 12014011