

FELONY



WAYNE **County Magistrate's Office**
Information/Probable Cause Form



Date: 5/5/26 Case #: 2026-01176
Officer: Det. Sgt. Santibañez Department: Wayne County S.O
eWarrants REQ #: 26 CR 299042-950

DEFENDANT: DANIEL SCOTT MCMILLAN DOB: 07/09/89
Address: Registered Address: 3871 STEVENS MILL RD GOLDSBORO NC 27534
Phone number: _____ Email: _____

VICTIM: STATE OF NORTH CAROLINA
Address: _____
Phone Number: _____ Email: _____

List all Offense(s) including Date, Statute and Class:
(List Additional Offenses on back of page)
SEX OFFENDER/ CHILD PREMISES 14-208.18(A) - (2 COUNTS)

DEFENDANT IS A VALIDATED GANG MEMBER? YES NO

Arrest Statement:

On or about 05/02/2026 Det. Sgt. Santibanez was contacted by PPO Custer. PPO Custer assigned to listed offender, advised me that McMillan had been found to be on the premises of "Sonic" located at 404 N Berkeley Blvd Goldsboro NC 27534 on 04/26/2026.

PPO Custer also Found McMillan to be on the Premises of the "Burger King/ Store" located at 2344 US-117, Goldsboro, NC 27530 on the same date.

These locations have a kids playarea and is are Prohibited locations per NCGS 14-208.18.

PPO Custer advised that McMillan is currently on SBM Monitoring.
Mr. McMillan has been advised of the "300ft Rule" multiple times by PPO Custer and Det. Sgt. Santibanez on previous occasions.



EFFECTIVE DECEMBER 01, 2017: ALL PROCESSES FOR LAW ENFORCEMENT SHALL BE ISSUED ON A CRIMINAL SUMMONS (TO POSSIBLY INCLUDE FELONIES) UNLESS ONE OF THE SUPPORTING FACTORS IS PRESENT:

Circumstances Supporting Issue of a Warrant for Arrest	
G.S. 15A-304(b) – through Nov.30, 2017	G.S. 15A-304(b)(1) – Effective Dec. 1.2017
“failure to appear when previously summoned [or] facts making it apparent that a person summoned will fail to appear”	a. The accused has a history of failure to appear before the court as required, or there is other evidence that the person is unlikely to appear in response to a summons for the current proceeding.
“danger that the person accused will escape”	b. There is evidence that the accused is likely to escape <i>or otherwise flee the State in order to avoid prosecution</i> for the offense alleged.
“danger that there <i>may</i> injury to person or property”	c. There is evidence of <i>imminent</i> danger of harm to persons or property if the accused is not taken into custody.
[no equivalent provision in current G.S. 15A-304(b)]	d. <i>The location of the accused is not readily discoverable, such that a criminal summons would be unlikely to be served before any court date assigned at the time of issue.</i>
[no equivalent provision in current G.S. 15A-304(b)]	e. <i>A relevant statute provides that arrest is mandatory for an offense charged.</i>
“the seriousness of the offense”	f. The seriousness of the offense. <i>However, the fact that the offense charged is a felony shall not, by itself, constitute grounds for the issuance of a warrant.</i>

NOTE TO OFFICIAL ADMINISTERTING OATH: For a multi-page affidavit, complete the oath/affirmation on the last page. If the Affidavit was transcribed by another person for an Affiant who understands English but cannot read, do not swear the scribe to the Affidavit. Only the Affiant is to be sworn to the Affidavit but read the Affidavit completely to the Affiant before administering the oath/affirmation. For an Affidavit translated into English from a statement in another language, record the oath/affirmation only on the English version, and swear the translator to the Affidavit on Side Two of the last page.

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME		Date 05/05/2026
Date 5/5/26	Name (type or print) C. Riley Wilkins	Signature Of Affiant
<input type="checkbox"/> Notary	Signature 	OCA # 2026-01176
SEAL	Date My Commission Expires	County Where Notarized
<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk of Superior Court <input checked="" type="checkbox"/> Magistrate <input type="checkbox"/> Superior Court Judge <input type="checkbox"/> District Court Judge		Det. Sgt. Santibañez / Wayne County S.O Investigating LEO / LEO Agency