COUNTY OF LARIMER )

 ) SS IN THE COMBINED COURT

STATE OF COLORADO )

**SEALED**

**AFFIDAVIT FOR Search Warrant for production of records**

## Before the Honorable \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge/Magistrate

Affiant, LEO NAME, a commissioned law enforcement officer, being duly sworn, deposes and says that I have probable cause to believe that in the premises described and identified as:

**Cellco Partnership, LLP d/b/a Verizon Wireless**

**Attn: Legal Compliance**

**180 Washington Valley Road**

**Bedminster, NJ 07921**

**Via fax: (888) 667-0026**

There is now located within or upon said premises, or in the actual or constructive control of said business, certain records which would be material evidence in a subsequent criminal prosecution in this state or another, namely:

1. Subscriber information, including name, date of birth, mailing address, alternate phone number, other numbers on the same account, call features, account notes, credit information and billing records for phone number **TARGET NUMBER**.
2. All communication data for the wireless number **TARGET NUMBER** for the time period of DATE 1 through DATE 2 to include cellular calls, SMS messages and data communications, tower locations for the sectors accessed during the communication.
3. Identify the existence of any **Verizon Wireless** cloud services associated with the **TARGET NUMBER** and provide any data held within the cloud to include SMS, MMS, and e-mail communications for the time period of DATE 1 through DATE 2.
4. Provide GPS Locations, Handset Location Data, and Handset Triangulation Data for the time period of DATE 1 through DATE 2.
5. Provide any IP (Internet Protocol Addresses) assigned to the device for the time period of DATE 1 through DATE 2.
6. Provide all text message and picture message data, to include content, currently available for wireless number **TARGET NUMBER** for the time period of DATE 1 through Date 2**.**
7. Provide a detailed definitions page which identifies all information in the records provided.

Further, I have probable cause to believe that the requested material constitutes records which would be material evidence in a subsequent criminal prosecution in this state, another state or federal court.

And that such grounds and probable cause support the issuance of Search Warrant pursuant to C.R.S. §16-3-301 and C.R.S. §16-3-301.1.

That the facts establishing grounds for issuance of a Search Warrant and showing probable cause to believe that they exist are as follows:

**PROBABLE CAUSE STATEMENT**

Through experience and training, your Affiant knows **Verizon Wireless**, maintains records related to subscriber information, account registration, credit information, billing and airtime records, outbound and inbound call detail, connection time and dates, Internet routing information (Internet Protocol numbers), and message content, that may assist in the identification of person/s accessing and utilizing the account.

Through experience and training, your Affiant knows that **Verizon Wireless** maintains records that include cell site information and GPS (Global Positioning System) location. Cell site information shows which cell site a particular cellular telephone was within at the time of the cellular phone's usage. Some model cellular phones are GPS enabled which allows the provider and user to determine the exact geographic position of the phone. Further, the cellular service provider maintains cell site maps that show the geographical location of all cell sites within its service area. Using the cell site geographical information and GPS information, officers would be able to determine the physical location of the individual using the cell phone number **TARGET NUMBER**.

Your Affiant is aware that **Verizon Wireless** maintains historical text message and picture message content for a short period of time. On DATE, your Affiant provided **Verizon Wireless** with a preservation of records request to maintain the message content until a search warrant could be obtained. Your Affiant knows based on training and experience that subjects involved in the distribution of controlled substances often communicate through traditional telephone calls as well as text messages (SMS), picture messages (MMS).

Your Affiant is aware that cell phone companies often times disclose to the subscriber of the existence of a court order. The disclosure of this information to the subscriber, who may be a suspect or person of interest, would cause them to be aware of the criminal investigation against them or involving them and could compromise the investigation by tampering with or destroying the evidence this order seeks to obtain. Therefore, your Affiant requests the Court order the cell service provider to not disclose to the subscriber the existence of this search warrant for production of records.

Your Affiant believes the above facts to be true from official law enforcement records, conversations with fellow officers, personal observations and interviews. Your Affiant is a sworn law enforcement officer with the LEO AGENCY. Your Affiant has been trained at the state and local levels with regard to my duties. Your Affiant is authorized by law to execute search and arrest warrants in the State of Colorado.

Affiant\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_am/pm.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge/Magistrate

COUNTY OF LARIMER )

 ) SS IN THE COMBINED COURT

STATE OF COLORADO )

**SEALED**

**SEARCH WARRANT FOR PRODUCTION OF RECORDS**

## Before the Honorable \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge/Magistrate

**TO: ANY PEACE OFFICER AUTHORIZED BY LAW TO EXECUTE SEARCH WARRANTS IN THE COUNTY OF LARIMER AND STATE OF COLORADO.**

The court, upon review of a sworn affidavit filed by **LEO NAME,** a commissioned law enforcement officer, in support of the issuance of this Search Warrant, hereby orders the production of the following records, for which there is probable cause to believe are in the actual or constructive possession or control of:



1. Subscriber information, including name, date of birth, mailing address, alternate phone number, other numbers on the same account, call features, account notes, credit information and billing records for phone number **TARGET NUMBER**.
2. All communication data for the wireless number **TARGET NUMBER** for the time period of DATE 1 through DATE 2 to include cellular calls, SMS messages and data communications, tower locations for the sectors accessed during the communication.
3. Identify the existence of any **Verizon Wireless** cloud services associated with the **TARGET NUMBER** and provide any data held within the cloud to include SMS, MMS, and e-mail communications for the time period of DATE 1 through DATE 2.
4. Provide GPS Locations, Handset Location Data, and Handset Triangulation Data for the time period of DATE 1 through DATE 2.
5. Provide any IP (Internet Protocol Addresses) assigned to the device for the time period of DATE 1 through DATE 2.
6. Provide all text message and picture message data, to include content, currently available for wireless number **TARGET NUMBER** for the time period of DATE 1 through Date 2**.**
7. Provide a detailed definitions page which identifies all information in the records provided.

And, the Court orders **Verizon Wireless** to not disclose the existence of this Search Warrant Court Order to the subscriber or additional account holders or users.

The court also hereby finds probable cause to believe that the requested material constitutes records which would be material evidence in a subsequent criminal prosecution in this state, another state or federal court.

And that such grounds and probable cause support the issuance of Search Warrant pursuant to C.R.S. §16-3-301 and C.R.S. §16-3-301.1.

Pursuant to §16-3-301.1, C.R.S., the above-named business entity shall produce the above-described records within 35 days after the date this court order is served. The records shall be delivered to the Colorado criminal investigator or peace officer named in this order during normal business hours. The records shall be supplied in any form or format that is convenient for the business entity and that may be accessed by the named officer or the officer’s agency or department. The business entity shall also provide a notarized statement that the records produced represent complete and accurate copies of all records identified in this order that are in the actual or constructive control of the business entity. If the business entity does not produce all records identified in this order, it shall identify the records not produced. Failure to comply with this order shall support a finding of contempt of court.

Pursuant to §16-3-301.1, C.R.S., the peace officer named below is hereby authorized to serve this order during normal business hours of the above-named business entity, and to receive the records during normal business hours of the business entity. Service shall issue in the same manner as a summons under Colorado Rules of Civil Procedure, chapter 4, or by personal service on a manager or supervisor of the business entity. This order must be served within 14 days after the date it is issued. Upon receiving the records from the business entity, the criminal investigator or officer shall file a return and inventory with the court indicating the records that have been received, the total number of pages if supplied on paper, and the date upon which the records were received. The peace officer named herein shall also file the original of the attestation of authenticity and completeness with the court.

All records shall be produced, preferably by e-mail to:

LEO NAME

STREET ADDRESS

CITY, CO 80525

Phone: 970-

Fax: 970-221-6639

LEO EMAIL ADDRESS

Dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_am/pm.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge/Magistrate

COUNTY OF LARIMER )

 ) SS IN THE COMBINED COURT

STATE OF COLORADO )

**INVENTORY AND RETURN OF SEARCH WARRANT**

**FOR PRODUCTION OF RECORDS**

Pursuant to section C.R.S. § 16-3-301 and C.R.S. § 16-3-301.1, the undersigned peace officer has received from **Verizon Wireless** the following business records pursuant to an order issued by the Court and served on the business on DATE. The records were received on DATE. Attached to this Inventory and Return is the original Search Warrant.

The records received were:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

LEO OFFICER

Dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_am/pm.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public

Subscribed and sworn to before me this day of \_\_\_\_\_ ­­­\_\_\_\_\_, 20\_\_\_, at \_\_ .

My commission expires: