\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*INSTRUCTIONS\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

-This search warrant mask is specifically for the search of AT&T to ping the target vehicle and provide call detail records for the same number

-There is RED text below that needs to be changed based on the needs of your search warrant.

-There is BLUE text below which is provided for information to the reader about what is being requested and why. Make sure you read this information and understand it since you are putting it your search warrant. You may need to adjust some of the wording or content in these areas to the specifics of your case.

- After the warrant is finalized, highlight all of the text by selecting CTRL+A and then change all text to black

-It would be a good idea to delete this section before printing/sending your warrant to get signed.

AT&T - Includes Cricket

|  |
| --- |
| https://s3-us-west-2.amazonaws.com/trax-images/carrier-info-logo/att_logo.png |

11760 US Highway One, 6th Floor

North Palm Beach, FL 33408

Compliance Center - 800-635-6840

Compliance Fax - 888-938-4715

Call Detail Records (without cell site info) - 7 year retention
Call Detail Records (with cell site info) - July 2008 to present
Data Records (with cell site info) - 6 months
Tower Dumps - 60 Days
SMS Detail Records\* - 1 year
     \*AT&T does not provide text content
Historical GPS locations - 1 year
Real Time Locate - Every 15 minutes by email

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*PLEASE DELETE\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Case No:

COUNTY OF LARIMER ) IN THE COMBINED COURT

 ) SS

STATE OF COLORADO )

**AFFIDAVIT IN SUPPORT OF SEARCH WARRANT AND COURT ORDER FOR PRODUCTION OF RECORDS**

BEFORE THE HONORABLE \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 JUDGE / MAGISTRATE

Affiant, YOUR NAME HERE, a commissioned law enforcement officer, being duly sworn, deposes and states that I have probable cause to believe that the following facts support the need for the collection and use of geographical location information on the following cellular telephone(s):

**Vehicle Identification Number VIN**, **a AT&T cellular connected vehicle used by NAME OF TARGET**

For which a search warrant and court order for production of records may be issued upon one or more of the grounds set forth in 18 U.S.C. §2703, C.R.S. §16-3-301, §16-3-301.1, §16-3-303.5 and Crim. P. 41, that this property is stolen or embezzled, or is designed or intended for use as a means of committing a criminal offense, or is or has been used as a means of committing a criminal offense, or the possession of which is illegal, or would be material evidence in a subsequent criminal prosecution in this state or another state, or the seizure of which is expressly required, authorized or permitted by any statute of this state, or which is kept, stored, maintained, transported, sold, dispensed, or possessed in violation of a statute of this state, under circumstances involving a serious threat to public safety or order or to public health, or which would aid in the detection of the whereabouts of or in the apprehension of a person for whom a lawful arrest warrant is outstanding.

Your Affiant is a TITLE with the LAW ENFORCEMENT AGENCY and is currently assigned to the ASSIGNED UNIT. Your Affiant has been trained at the state and local levels with regard to my duties and I am authorized by law to execute search and arrest warrants in the state of Colorado.

Your Affiant knows that many newer model cars are equipped to communicate with the cellular networks of major providers. This communication occurs through a cellular device installed by the manufacturer at the time of manufacture and allows the vehicle to operate as a “Wi-Fi hotspot” and allows users to make/receive voice calls and send/receive SMS (text) message through the vehicle’s cellular connection. Data connections over the cellular network allow the manufacturer to send software updates to the vehicle and monitor vehicle performance. The cellular device, which operates like a cellular phone, is assigned an “International Mobile Equipment Identity” (IMEI), which is analogous to the serial number of a cellular phone. It is also assigned an “International Mobile Subscriber Identity” (IMSI), which, like a cellular phone, identifies a specific subscriber on a carrier’s network. It is also assigned a “Mobile Station Integrated Services Digital Network” (MSISDN), which is a phone number used to also identify the vehicle on the cellular network.

Because the device operates like a cellular phone on a provider’s network, the records, information and services sought by your Affiant for the aforementioned vehicle are maintained in the course of regular business by the cellular provider in the same fashion as they keep records for a cellular subscriber. Your Affiant has learned that various companies provide cellular access to connected cars, but AT&T is the primary provider for such vehicle systems. Your affiant has also learned that AT&T can “flip” a vehicle identification number on a supported vehicle to determine the IMEI, IMSI, and MSISDN assigned to the vehicle and locate any business records they maintain during the course of regular business for that account. Your Affiant also knows that a cellular provider can provide real-time location data based on a device’s IMEI.

Connected vehicles can provide the driver and/or passengers with enriched experiences. A connected vehicle may have its own connection to the internet that allows the vehicle to share internet access and data with other devices inside and outside the vehicle (Wi-Fi). A connected vehicle’s navigation system may have a traffic monitoring feature that can alert you if there is an accident on your route and offer alternative routes. A user may be able to use a smartphone app to start the vehicle’s engine, lock/unlock doors, and/or flash lights or honk the horn if the vehicle can’t be located in a parking lot for example. Some connected vehicles offer concierge services that allow for communication with a customer service representative of 3rd party companies like OnStar to get information and/or directions.

Furthermore, your Affiant has learned from training, experience, and consultation with other investigators that many manufacturers establish data plans with AT&T or other cellular providers as the vehicles roll off the assembly line and/or immediately after purchase in order to continually send updates to the vehicle. In many instances, the users of the vehicle may not even know data connectivity between the vehicle and AT&T exists. For the enriched user experiences referenced above, some users may establish data connectivity plans with AT&T or other cellular providers and pay for them on a monthly basis as well. Essentially, it is feasible that the vehicle in this matter is communicating with the AT&T network even if the vehicle’s user does not pay for a data usage plan.

Your Affiant has queried the AT&T website and confirmed the year, make, and model of the vehicle in this case does have data connection compatibility with AT&T. Your Affiant believes that the usage records related to the vehicle (as identified initially through its VIN and consequently through its IMEI) and current location information based on the IMEI/IMSI/MSISDNdetermined to be related to the vehicle’s VIN will assist in locating the subject vehicle. The information requested in this affidavit is necessary and relevant to the investigation and will also assist in locating the subjects.

In the experience of your Affiant, usage records and/or real-time location information has yielded information that is relevant and material to criminal investigations. Such information included leads relating to the general location of the subject vehicle, and the names of family members, associates and other individuals who can assist in the location of the vehicle and/or suspects.

Your Affiant further advises the Court that the general geographic location of the subject vehicle derived from E911 location information, GPS location information, and/or cell sites accessed by the subject vehicle can be used to locate the vehicle as well as corroborate the observations of surveillance agents. More specifically, surveillance agents can compare observations of the general area in which the subject vehicle is located to determine if the suspect(s) are in the area.

Because this Affidavit is being submitted for the limited purpose of securing an order authorizing the collection and use of geographical location information and call detail records, I have not included details of every aspect of this investigation to date. Facts not set forth herein are not being relied on in reaching my conclusion that an order should be issued.

I believe the below-described facts to be true based upon official law enforcement records, conversations with fellow officers, personal observations and interviews:

BACKGROUND OF AFFIANT

STATEMENT OF PROBABLE CAUSE REGARDING CRIME BEING INVESTIGATED – OR IF FOR FUGITIVE PURPOSES, EXISTENCE OF OUTSTANDING WARRANT – AND PC TO BELIEVE THE ACCOUNT LISTED IS AN ACCOUNT THAT COULD LEAD TO MATERIAL EVIDENCE OR A FUGITIVE MIXED WITH THE BELOW PARAGRAPHS

Additionally, Your Affiant believes that historical Call Detail Records from the vehicle bearing the Vehicle Identification Number **VIN** are needed to establish patterns of behavior and addresses where NAME OF TARGET could be located. Often, the geographical location information provided by cellular providers in real-time lacks specificity and it is not uncommon for law enforcement to receive “real-time pings” that cover thousands of square meters. Without the historical information contained in the requested Call Detail Records, which is in nearly every case more accurate, it can be impossible for investigators to make use of the “real-time pings.” The Call Detail Records assist in identifying specific addresses that are frequented by the user of a mobile device so that investigators know where to respond when they receive broad “real-time” geographic location information.

Based on these facts, Your Affiant believes there exists probable cause to believe that there is material evidence now located in the above described **AT&T Mobility** account that is crucial to the investigation of this case and the offenses described above, and a search warrant is requested pursuant to 18 U.S.C. §2703, C.R.S. §16-3-301, §16-3-301.1, §16-3-303.5 and Crim. P. 41.

That the Affiant has certified that the information that is likely to be obtained by the collection and use of geographical location information as well as Call Detail Records, on the target cellular telephone device(s):

**Vehicle Identification Number VIN**, **a AT&T cellular connected vehicle used by NAME OF TARGET**

is related to an ongoing investigation into the whereabouts and criminal actions of NAME OF TRAGET. Because there is reason to believe the subject(s) have been and/or will be driving or traveling in the vehicle and that the action/information requested by this affidavit is relevant and material to the ongoing investigation, Your Affiant requests:

1. That the wireless carrier (**AT&T Inc.**) provide the IMEI (“International Mobile Equipment Identity”), International Mobile Subscriber Identity” (IMSI), and Mobile Station Integrated Services Digital Network (MSISDN or simply the assigned phone number) associated with the vehicle identification number VIN **(hereinafter Target IMEI/IMSI/MSISDN)**.
2. That the wireless carrier provide all records for the account associated with the above **Target IMEI/IMSI/MSISDN**, **from** START DATE **to the present,** to include all numbers that communicated with the **Target IMEI/IMSI/MSISDN** relating to all delivered and undelivered inbound and outbound calls, text messages and text message content, all voice mail, all data connections/sessions including cell-site and sector, date, time, direction, duration, number called or texted to and/or received from, and bytes up/down, information related to each call, text or data connection, as well as Call to Destination/Dialed Digits searches.  Please preserve all cell-site and sector information related to each call, text or data connections.
3. That the wireless carrier provide **Specialized Location Records, for the period of** START DATE **to present,** including all call, voice, text (SMS & MMS), and data connection sessions, location information, and transactions (registration of network events) related to all specialized carrier records that may be referred to as NELOS (Network Event Location System) or Location Database of Record (“LocDbor”); RTT (Round Trip Time/Return Trip Time/Real Time Tool); PCMD (Per Call Measurement Data); TDOA (Time Difference of Arrival) or Timing Advance Information; Mediation Records; E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (longitude and latitude) and cell-site and sector of the device in relationship to the network when connected to the network for the above referenced **Target** **IMEI/IMSI/MSISDN**.
4. That the wireless carrier provide all records for the account associated to the **Target IMEI/IMSI/MSISDN**, **from** START DATE **to the present,** to include all stored communication or files, including voice mail, text messages, including numbers texted to and received from and all message content, e-mail, digital images (e.g. pictures), contact lists, video calling, web activity (name of web site or application visited or accessed), domain accessed, data connections (to include Internet Service Providers (ISPs), Internet protocol (IP) addresses, (IP) Session data, (IP) Destination Data, bookmarks, data sessions, name of web sites and/or applications accessed), date and time when all web sites, applications, and/or third party applications were accessed and the duration of each web site, application, and/or third party application was accessed, and any other files including all cell site and sector information associated with each connection and/or record associated with the account associated to the **Target IMEI/IMSI/MSISDN**.
5. That the wireless carrier shall initiate a signal to determine the location of the **Target** **IMEI/IMSI/MSISDN** subject vehicle on the service provider’s network or with such other reference points as may be reasonable to include **Real Time** **Global Positioning System** (GPS) **locations**, if available, and at such intervals and times as directed by the law enforcement agent serving this order, for a period of thirty days to begin upon execution of this Order (here on known as the “thirty (30) day time period”)
6. That a pen register be installed, to register numbers dialed or otherwise transmitted from the **Target** **IMEI/IMSI/MSISDN**, to record the date and time of such dialings or transmissions for incoming or outgoing calls as well as data sessions for the thirty-day period, or until such time as the investigation is completed, whichever comes first.
7. That a trap and trace device, including the “caller identification feature” be installed, on the **Target** **IMEI/IMSI/MSISDN**, to capture and record the incoming electronic or other impulses which identify the originating numbers of wire or electronic communications, and to record the date, time, and duration of calls created by such incoming impulses, to include data sessions, for the thirty (30) day time period, or until such time as the investigation is completed, whichever comes first, and that tracing operations including the use of the “caller identification feature” be without geographical limits within the United States.
8. Pursuant to Crim. P. 41, 18 USC 2703(c)(1)(B)( ii ), 2703(c)(1)(c) and 2703(d), that the wireless carrier shall supply the subscriber name and address along with outbound and inbound Call Detail Records (CDRs), billing and payment records, account comments, and all connection logs and record of user activity for the **Target** **IMEI/IMSI/MSISDN** through the thirty (30) day time period, or ending at the time the pen register and trap and trace device is deactivated and the investigation is completed or whichever comes first, to include cell site/sectors (physical address) and periods of telephone activation for numbers dialed or otherwise transmitted to and from the **Target IMEI/IMSI/MSISDN** upon oral or written request by Law Enforcement, or their designee.
9. That the services associated with the Target **IMEI/IMSI/MSISDN** remain active and in service, and if the Target **IMEI/IMSI/MSISDN** has been targeted for deactivation due to non-payment or breach of contract, Law Enforcement will incur the future billing costs at the point of deactivation and compensate the wireless carrier for such additional billing costs beginning from the date of deactivation and continuing through the time authorized by this Order or until law enforcement notifies the wireless carrier to discontinue service, whichever comes first.
10. That, if the services associated with the Target **IMEI/IMSI/MSISDN** are not currently activated, the wireless carrier will activate such services as needed to implement the requests included in this application, and that Law Enforcement will incur the future billing costs at the point of deactivation and compensate the wireless carrier for such additional billing costs beginning from the date of activation and continuing through the time authorized by this Order or until law enforcement notifies the wireless carrier to discontinue service, whichever comes first.
11. That the court authorize law enforcement to use an investigative device or devices capable of both sending signals that will be received by the target vehicle and receiving signals from nearby cellular devices, including the target vehicle. Law enforcement may monitor the signals broadcast by the target vehicle and use that information to determine the target vehicle’s location. The investigative device described above may interrupt cellular service of phones or other cellular devices within its immediate vicinity. Any service disruption to non-target devices will be brief and temporary, and all operations will attempt to limit interference with such non-target devices. The device will not complete a connection with cellular devices determined not to be the target vehicle, and law enforcement will limit collection of information from devices other than the target vehicle. To the extent that any information from a cellular device other than the target vehicle is collected, that information will be deleted, and no investigative use will be made of that information, apart from distinguishing the target vehicle from all other devices.

**AT&T Mobility** is a provider of electronic communication services subject to the Stored Communication Act (SCA), 18 U.S.C. §2703, et seq. The SCA permits a state court with jurisdiction over an offense to issue an extraterritorial warrant for production of electronic communication content and electronic communication records. 18 U.S.C. §2703(g) authorizes service of the warrant via methods other than in-person service by a law enforcement officer. It is the intent of this affiant, consistent with the SCA and the procedures established by **AT&T Mobility** for compliance with the SCA, to serve this warrant via fax and/or email or law enforcement portal.

***Further requests:***

1. Pursuant to Crim. P. 41 and §16-3-304(2), Your Affiant requests that this Court seal the affidavit and search warrant and court order for production of records until the filing of charges based on this law enforcement criminal investigation. The affidavit establishes grounds to believe that disclosure at this time of the affidavit and search warrant and court order for production of records would be contrary to the public interest. Such order for sealing does not apply to representatives of law enforcement agencies, and District Attorney’s Offices.
2. So as not to disrupt this ongoing investigation, Your Affiant also requests that this Court order **AT&T Mobility** NOT to take adverse action against the subject account, such as disabling or terminating the account, because of this warrant.
3. Pursuant to 18 U.S.C. §2705(b) and 18 U.S.C. §2705(b)(1)-(5), and Crim. P. 41 and §16-3-304(2), Your Affiant requests that **AT&T Mobility** be ordered NOT to disclose the existence of this search warrant and court order to the subscriber for a period of one year from receipt of the requested documents, unless otherwise ordered by a court of competent jurisdiction. Based on the information set forth in this affidavit, notification of the warrant may have an adverse result, as defined in 18 USC §2705(b)(1)-(5), i.e., disclosure may endanger the life or physical safety of an individual; allow flight from prosecution; allow destruction of or tampering with evidence; allow intimidation of potential witnesses; and/or would otherwise seriously jeopardize an investigation or unduly delay a trial.

I believe the above facts to be true from official LAW ENFORCEMENT AGENGY records, conversations with fellow officers, personal observations and interviews. I am a YOUR TITLE with the LAW ENFORCEMENT AGENGY. I have been trained at the State, and local levels with regard to my duties. I am authorized by law to execute search warrants in the State of Colorado.

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

AFFIANT

This affidavit was sworn to and subscribed by telephone this DATE day of MONTH 20\*\* at \_\_\_\_\_\_\_\_.

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

JUDGE / MAGISTRATE

Case No.

COUNTY OF LARIMER ) IN THE COMBINED COURT

 ) SS

STATE OF COLORADO )

**SEARCH WARRANT AND COURT ORDER FOR PRODUCTION OF RECORDS**

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

 Judge / Magistrate

The Court, upon review of an affidavit filed by YOUR NAME HERE which is incorporated by reference, in support of the issuance of this order, 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 the business entity known or described as:

**AT&T Mobility**

**11760 US Highway One, 6th Floor,**

**North Palm Beach, FL 33408**

**Via fax: (888) 938-4715**

This Court also finds that there is probable cause to issue this Search Warrant pursuant to the provisions of 18 U.S.C. §2703, C.R.S. §16-3-301, §16-3-301.1, §16-3-303.5 and Crim. P. 41, namely that this property is stolen or embezzled, or is designed or intended for use as a means of committing a criminal offense, or is or has been used as a means of committing a criminal offense, or the possession of which is illegal, or would be material evidence in a subsequent criminal prosecution in this state or another state or federal court, or the seizure of which is expressly required, authorized or permitted by any statute of this state or the United States, or which is kept, stored, maintained, transported, sold, dispensed, or possessed in violation of a statute of this state, under circumstances involving a serious threat to public safety or order or to public health, or which would aid in the detection of the whereabouts of or in the apprehension of a person for whom a lawful arrest warrant is outstanding.

That the Affiant has certified that the information that is likely to be obtained by the collection and use of geographical location information as well as Call Detail Records, on the target cellular telephone device(s):

**Vehicle Identification Number VIN**, **a AT&T cellular connected vehicle used by NAME OF TARGET**

is related to an ongoing investigation into the whereabouts and criminal actions of NAME OF TARGET.

Finding probable cause exists for such an order, IT IS ORDERED:

1. That the wireless carrier provide the IMEI (“International Mobile Equipment Identity”), International Mobile Subscriber Identity” (IMSI), and Mobile Station Integrated Services Digital Network (MSISDN or simply the assigned phone number) associated with the listed vehicle identification number **(hereinafter Target IMEI/IMSI/MSISDN)**.
2. That the wireless carrier shall initiate a signal to determine the location of the **Target** **IMEI/IMSI/MSISDN** subject vehicle on the service provider’s network or with such other reference points as may be reasonable to include **Real Time** **Global Positioning System** (GPS) **locations**, if available, and at such intervals and times as directed by the law enforcement agent serving this order, for a period of thirty days to begin upon execution of this Order (here on known as the “thirty (30) day time period”).
3. That the wireless carrier provide **Specialized Location Records, for the period of** START DATE **to present,** including all call, voice, text (SMS & MMS), and data connection sessions, location information, and transactions (registration of network events) related to all specialized carrier records that may be referred to as NELOS (Network Event Location System) or Location Database of Record (“LocDbor”); RTT (Round Trip Time/Return Trip Time/Real Time Tool); PCMD (Per Call Measurement Data); TDOA (Time Difference of Arrival) or Timing Advance Information; Mediation Records; E9-1-1, and/or Historical GPS/Mobile Locate Information which shows GPS location (longitude and latitude) and cell-site and sector of the device in relationship to the network when connected to the network for the above referenced **Target** **IMEI/IMSI/MSISDN**.
4. That the wireless carrier provide all records for the account associated with the above **Target IMEI/IMSI/MSISDN**, **from** START DATE **to the present,** to include all numbers that communicated with the **Target IMEI/IMSI/MSISDN** relating to all delivered and undelivered inbound and outbound calls, text messages and text message content, all voice mail, all data connections/sessions including cell-site and sector, date, time, direction, duration, number called or texted to and/or received from, and bytes up/down, information related to each call, text or data connection, as well as Call to Destination/Dialed Digits searches.  Please preserve all cell-site and sector information related to each call, text or data connections.
5. That the wireless carrier provide all records for the account associated to the **Target IMEI/IMSI/MSISDN**, **from** START DATE **to the present,** to include all stored communication or files, including voice mail, text messages, including numbers texted to and received from and all message content, e-mail, digital images (e.g. pictures), contact lists, video calling, web activity (name of web site or application visited or accessed), domain accessed, data connections (to include Internet Service Providers (ISPs), Internet protocol (IP) addresses, (IP) Session data, (IP) Destination Data, bookmarks, data sessions, name of web sites and/or applications accessed), date and time when all web sites, applications, and/or third party applications were accessed and the duration of each web site, application, and/or third party application was accessed, and any other files including all cell site and sector information associated with each connection and/or record associated with the account associated to the **Target IMEI/IMSI/MSISDN**.
6. That a pen register be installed, to register numbers dialed or otherwise transmitted from the **Target** **IMEI/IMSI/MSISDN**, to record the date and time of such dialings or transmissions for incoming or outgoing calls as well as data sessions for the thirty-day period, or until such time as the investigation is completed, whichever comes first.
7. That a trap and trace device, including the “caller identification feature” be installed, on the **Target** **IMEI/IMSI/MSISDN**, to capture and record the incoming electronic or other impulses which identify the originating numbers of wire or electronic communications, and to record the date, time, and duration of calls created by such incoming impulses, to include data sessions, for the thirty (30) day time period, or until such time as the investigation is completed, whichever comes first, and that tracing operations including the use of the “caller identification feature” be without geographical limits within the United States.
8. Pursuant to Crim. P. 41, 18 USC 2703(c)(1)(B)( ii ), 2703(c)(1)(c) and 2703(d), that the wireless carrier shall supply the subscriber name and address along with outbound and inbound Call Detail Records (CDRs), billing and payment records, account comments, and all connection logs and record of user activity for the **Target** **IMEI/IMSI/MSISDN** through the thirty (30) day time period, or ending at the time the pen register and trap and trace device is deactivated and the investigation is completed or whichever comes first, to include cell site/sectors (physical address) and periods of telephone activation for numbers dialed or otherwise transmitted to and from the **Target IMEI/IMSI/MSISDN** upon oral or written request by Law Enforcement, or their designee.
9. That the services associated with the Target **IMEI/IMSI/MSISDN** remain active and in service, and if the Target **IMEI/IMSI/MSISDN** has been targeted for deactivation due to non-payment or breach of contract, Law Enforcement will incur the future billing costs at the point of deactivation and compensate the wireless carrier for such additional billing costs beginning from the date of deactivation and continuing through the time authorized by this Order or until law enforcement notifies the wireless carrier to discontinue service, whichever comes first.
10. That, if the services associated with the Target **IMEI/IMSI/MSISDN** are not currently activated, the wireless carrier will activate such services as needed to implement the requests included in this application, and that Law Enforcement will incur the future billing costs at the point of deactivation and compensate the wireless carrier for such additional billing costs beginning from the date of activation and continuing through the time authorized by this Order or until law enforcement notifies the wireless carrier to discontinue service, whichever comes first.
11. That law enforcement is authorized to use an investigative device or devices capable of both sending signals that will be received by the target vehicle and receiving signals from nearby cellular devices, including the target vehicle. Law enforcement may monitor the signals broadcast by the target vehicle and use that information to determine the target vehicle’s location. The investigative device described above may interrupt cellular service of phones or other cellular devices within its immediate vicinity. Any service disruption to non-target devices will be brief and temporary, and all operations will attempt to limit interference with such non-target devices. The device will not complete a connection with cellular devices determined not to be the target vehicle, and law enforcement will limit collection of information from devices other than the target vehicle. To the extent that any information from a cellular device other than the target vehicle is collected, that information will be deleted, and no investigative use will be made of that information, apart from distinguishing the target vehicle from all other devices.

Pursuant to §16-3-301.1, C.R.S., a criminal investigator or peace officer 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 in a civil action or by personal service on a manager or supervisor of the business entity or through any electronic or other means established and utilized by the business to receive service of process. This order must be served within 14 days after the date it is issued.

The business entity is ORDERED to produce the above described records to the affiant or his/her designee within thirty-five (35) days of service.

The records should be provided to:

YOUR NAME, BADGE NUMBER

LAW ENFORCEMENT AGENGY

YOUR ADDRESS

YOUR PHONE NUMBER

EMAIL

The business entity shall also provide a notarized attestation of accuracy 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.

When this Order is terminated, the peace officer named herein shall file a return and inventory with the court indicating the records that have been received and the date and time upon which the records were received. The peace officer named herein may also file the original of the attestation of accuracy with the court.

IT IS FURTHER ORDERED:

1. That this Search Warrant and Order and application be **SEALED** until the filing of charges based on this law enforcement criminal investigation, that the identity of any target(s) of the underlying criminal investigation may be redacted from any copy of this Order to be served on any service provider or other person. After charges are filed, disclosure of this Search Warrant and Order and application is governed by Crim. P. 55.1.
2. That **AT&T Mobility** NOT take adverse action against the subject accounts, such as disabling or terminating the accounts, because of this warrant.
3. Pursuant to 18 U.S.C. §2705(b) and 18 U.S.C. §2705(b)(1)-(5), and Crim. P. 41 and §16-3-304(2), that **AT&T Mobility**, **NOT disclose the existence of this search warrant and court order to the subscriber for a period of one year**, unless otherwise ordered by a court of competent jurisdiction, as notification of the warrant may have an adverse result, as defined in 18 USC §2705(b)(1)-(5), i.e., disclosure may endanger the life or physical safety of an individual; allow flight from prosecution; allow destruction of or tampering with evidence; allow intimidation of potential witnesses; and/or would otherwise seriously jeopardize an investigation or unduly delay a trial.

THE INFORMATION SO ORDERED is related to the active and ongoing criminal investigation by YOUR AGENCY and in accordance with 18 U.S.C. §2703, C.R.S. §16-3-301, §16-3-301.1, §16-3-303.5 and Crim. P. 41, the records and information requested are or have been used as a means of committing a criminal offense or would be material evidence in a subsequent criminal prosecution in this state, another state, or federal court; the seizure of which is expressly required, authorized, or permitted by statute; or that would aid in the detection of the whereabouts of or in the apprehension of a person for whom a lawful arrest order is outstanding.

Based upon the affidavit of the above-named Affiant, which is incorporated by reference, I am satisfied that there is probable cause to believe there is a legal basis and also legal authority for the issuance of this Search Warrant. You are therefore authorized to execute this Search Warrant according to these terms and as otherwise permitted by law.

Dated this **\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_ 20\_\_**, at \_\_\_\_\_\_\_.

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

JUDGE / MAGISTRATE