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

-This search warrant mask is for a felony level three blood draw warrant.

-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.

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

Case No:

COUNTY OF LARIMER ) IN THE COMBINED COURT

 ) SS

STATE OF COLORADO )

 **AFFIDAVIT FOR SEARCH WARRANT**

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 in or upon the person of:

Name: SUSPECT’S NAME

Date of Birth: DATE OF BIRTH

Physical Description: PHYSICAL DESCRIPTION

There is now evidence believed to be in the defendant’s blood stream which would be revealed by a medical supervised blood draw and future laboratory analysis to be alcohol and or drugs. The results would be material evidence in any subsequent prosecution of the criminal offense of:

LIST C.R.S. OFFENSES

(NOTE: FOR THREE BLOOD DRAWS YOUR CHARGES SHOULD BE FELONY TRAFFIC OFFENSES)

For which a search warrant may be issued upon one or more of the grounds set forth in the Colorado Rules of Criminal Procedure and CRS § 16-3-301, namely that it would be material evidence in a subsequent criminal prosecution in this state, another state, or federal court, or the seizure of which is expressly required, authorized, or permitted by a statute of this state or the United States.

The facts establishing grounds for issuance of a search warrant and showing probable cause to believe that they exist are as follows:

BACKGROUND OF AFFIANT

STATEMENT OF PROBABLE CAUSE REGARDING CRIME BEING INVESTIGATED

Based on the above probable cause set forth in this affidavit, this affiant is requesting that three (3) blood draw, 60 minutes apart, be taken which would be material evidence in determining the amount of alcohol and/or drugs in the defendant’s blood stream at the time of driving.

***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.

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 in my presence this DATE day of MONTH 20\*\* at \_\_\_\_\_\_\_\_.

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

Judge / Magistrate

 Case No.

COUNTY OF LARIMER ) IN THE COMBINED COURT

 ) SS

STATE OF COLORADO )

**SEARCH WARRANT**

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

 JUDGE / MAGISTRATE

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

The Court, upon review of a sworn affidavit filed by YOUR NAME HERE, a commissioned police officer, in support of the issuance of this search warrant, hereby commands you to search the person of NAME DEFENDANT, DOB in the form of a series of three (3) medically supervised blood draws sixty (60) minutes apart and to seize the blood for future laboratory analysis for evidence of alcohol and/or drugs.

The court also herby finds probably cause to believe that the requested blood would be material evidence in a subsequent criminal prosecution in this state, another state, or federal court, or the seizure of which is expressly required, authorized, or permitted by a statute of this state of the United States.

The grounds for this search warrant are set forth in the accompanying Affidavit for search warrant, a true and correct copy of which is attached hereto and is incorporated herein by reference. The court be satisfied that the grounds for the issuance of this search warrant exist and that probable cause to believe that they exist.

Therefore, you are commanded to execute and serve this warrant as soon as practicable to search the above mentioned defendant’s person for blood and to seize the amount of blood reasonably necessary to conduct a future analysis for alcohol and/or drugs. The affiant or designee/agent is authorized to use and employ such force as may be reasonable and necessary in the performance of his/her duties hereunder, to obtain the blood from the above person. A copy of this search warrant, together with a receipt for the property taken will be placed in the possession of the defendant searched. The officer executing the search warrant will promptly return of this search warrant to the courts, accompanied by a written inventory of the property taken to the undersigned judge.

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.

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