COUNTY OF LARIMER )

 ) SS IN THE COMBINED COURT

STATE OF COLORADO )

**SEALED**

 **AFFIDAVIT FOR SEARCH WARRANT FOR PREMISES**

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

 Judge/Magistrate

Affiant, LEO NAME, a commissioned law enforcement officer, being duly sworn, deposes and states that I have probable cause to believe that in, on, or upon the address,together with the yard and curtilage thereof, described and identified as:

**ADDRESS AND DESCRIPTION OF RESIDENCE**

**PHOTOGRAPH**

There is now located there within or upon:

Items which are evidence of violations of the Colorado Uniform Controlled Substances Act, section 18-18-405 et seq., C.R.S., to wit:

ONLY INCLUDE THOSE ITEMS BELOW THAT ARE SUPPORTED IN THE PROBABLE CAUSE NARRRATIVE OF YOUR AFFIDAVIT

1. Any and all substances listed as controlled substances, the possession of which is illegal, under Colorado Revised Statutes, including list specific drug(s) in investigation.
2. Any implements, vessels, containers, paraphernalia, equipment, chemicals, products, instruments, or devices that are commonly known to be associated with, or which would be evidence of the illegal use, distribution or possession of controlled substances;
3. Any implements, vessels, containers, paraphernalia, equipment, chemicals, products, instruments, or devices that are commonly known to be associated with, or which would be evidence of the illegal manufacturing or processing of controlled substances;
4. Any stand-alone or wall-mounted safe, which may or may not be fitted with a combination lock or a padlock, which may be utilized to store controlled substances or US currency generated from the distribution of controlled substances;
5. Letters, papers, clothing, personal effects and all items of material evidence which would serve to identify the person or persons at and in control of the residence to be searched which would be material evidence in a subsequent criminal prosecution;
6. All telecommunications devices capable of sending and receiving telephone calls, SMS (text message) communications, or electronic communications, which include: cellular telephones, Smart phones, iPhones, BlackBerry devices, iPads, electronic tablets, etc., which are used by distributors of controlled substances to arrange and facilitate the illegal distribution of controlled substances;
7. All electronic devices that are capable of analyzing, creating, displaying, converting, or transmitting electronic or magnetic computer impulses or data. These devices include, but are not limited to: desktop computers, laptop computers, personal data assistants and accessories, or other stationary or portable devices capable of storing electronic data, including iPads and tablets, etc., which are used by distributors of controlled substances to maintain names and records of illegal drug transactions and drug trafficking activity;
8. Any and all information and/or data stored in the form of magnetic or electronic coding on computer media or on media capable of being read by a computer or with the aid of computer related equipment. This media includes, but is not limited to: fixed hard discs, removable or external hard drives, thumb drives, flash drives, zip discs, compact disc (CD) storage devices, digital video disc (DVD) storage devices, tapes, laser discs, videocassettes, and any other media that is capable of storing magnetic coding, which are used by distributors of controlled substances to maintain names and records of illegal narcotics transactions;
9. Any and all written or printed material that provides instructions or examples concerning the operation of a computer system, computer software, and/or any related device. Any password, email address, account information, encryption information, internet service provider (ISP) information, in the form of paper, documents or any other readable material, whether generated by handwriting, typewriter, computer, or any other device;
10. US currency, cash or other monetary instruments and personal property believed to be proceeds from the distribution of controlled substances;
11. Any receipts, documents or records, including bank records, financial transactions records, wire transfer receipts, and money remitter receipts, which would be material evidence of the collection, maintenance or disbursement of proceeds from the illegal distribution of controlled substances;
12. Firearms, the possession of which, in conjunction with the possession or distribution of controlled substances is illegal.

Further, I have probable cause to believe that the requested items constitute property which has been stolen or embezzled, or which is designed or intended for use as a means of committing a criminal offense, or which is or had been used as a means of committing a criminal offense, or the possession of which is illegal, or which 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, 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.

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

PROBABLE CAUSE NARRATIVE

Based on my law enforcement training, education, and experience, your Affiant knows that persons involved in the distribution, possession, processing and manufacture of controlled substances keep on hand scales, packaging materials, equipment, chemicals, products, instruments, devices, and other paraphernalia, to aid them in the distribution, possession, processing and manufacture of controlled substances.

Your Affiant also knows, based on my law enforcement training, education, and experience, that it is common practice for persons involved in the distribution, possession, processing and manufacture of controlled substances to store those controlled substances or the proceeds generated in the form of US currency from the sale or distribution of controlled substances in stand-alone or wall-mounted safes that may or may not bear combination locks or padlocks.

Your Affiant further knows, based on my law enforcement training, education, and experience, that persons involved in the distribution, possession, processing and manufacture of controlled substances utilize multiple cellular telephones and telecommunications devices to aid and facilitate in the distribution of controlled substances and these cellular telephones and telecommunications devices are likely to contain material evidence pertaining to the distribution of controlled substances, including the names and telephone numbers of associates, co-conspirators, and sources of supply; and SMS (text) messages that contain information related to drug trafficking activities.

Moreover, your Affiant is aware that information and data that is stored on wireless telecommunication devices, including cellular telephone devices, may be accessed remotely by the owner or the possessor of the cellular telephone device and that data may be deleted, erased or otherwise removed from the cellular telephone device if this data contained on the cellular telephone device is not secured and downloaded in a timely fashion. Your Affiant is aware that law enforcement officers possess technology that enables officers to secure and download the information and data from a particular cellular telephone device in a timely fashion and will allow law enforcement officers to search the secured and downloaded data at a later time.

Your Affiant further knows, based on my law enforcement training, education, and experience, persons involved in the distribution of controlled substances may utilize a variety of methods to collect, store, and transport US currency which are the proceeds from the illegal distribution of controlled substances. These methods may include the use of bank accounts in the names of other persons, wire transfers of money, and other money remitter services. Moreover, persons involved in the distribution of controlled substances may possess receipts, documents or records, including bank records, financial transactions records, wire transfer receipts, and money remitter receipts, which would be evidence of these methods to collect, store, and transport US currency which are the proceeds from the illegal distribution of controlled substances.

Your Affiant believes that the facts described above demonstrate that SUSPECT is involved in the LIST CRIME and utilizes the residence at ADDRESS to either conduct or to facilitate their criminal activities. Consequently, your Affiant believes that there is evidence of this illegal activity located within ADDRESS.

Your Affiant is a sworn law enforcement officer with LEO AGENCY. Your Affiant has been trained at the state and local levels with regard to my duties and is authorized by law to execute search and arrest warrants in the state of Colorado.

Your Affiant believes the above facts to be true based upon official law enforcement records, law enforcement reports, conversations with fellow officers, personal observations and interviews.

**Authorization to Search Requested**

Your Affiant has read the above and foregoing application and affidavit and the statements therein contained are true to the best of my knowledge, information and belief.

Application is hereby made for issuance of a search warrant, directed to any officer authorized by law to execute warrants in the county wherein said property is located, commanding said officer to search forthwith the place named above for said property, and the said property and every part thereof to take, remove and seize, using such force as may reasonably be required in the execution of the warrant, and directing that return thereof be made to the judge issuing the warrant.

***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. Pursuant to CRS § 16-3-304(7)(a), Your Affiant requests that this Court authorizes the execution of this search warrant outside of the time requirements of between the hours of 7 A.M. and 7 P.M. Your Affiant requests authorization to execute this warrant between the hours of [AM TIME] and [PM TIME]. As good cause, [STATEMENT OF GOOD CAUSE].

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

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

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

Judge/Magistrate

COUNTY OF LARIMER )

 ) SS IN THE COMBINED COURT

STATE OF COLORADO )

**SEALED**

**SEARCH WARRANT FOR PREMISES**

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 LEO NAME, a commissioned police officer, in support of the issuance of this search warrant, hereby commands you to search:

**ADDRESS AND DESCRIPTION OF RESIDENCE**

**PHOTOGRAPH**

And to Seize:

Items which are evidence of violations of the Colorado Uniform Controlled Substances Act, section 18-18-405 et seq., C.R.S., to wit:

1. Any and all substances listed as controlled substances, the possession of which is illegal, under Colorado Revised Statutes, including list specific drug(s) in investigation.
2. Any implements, vessels, containers, paraphernalia, equipment, chemicals, products, instruments, or devices that are commonly known to be associated with, or which would be evidence of the illegal use, distribution or possession of controlled substances;
3. Any implements, vessels, containers, paraphernalia, equipment, chemicals, products, instruments, or devices that are commonly known to be associated with, or which would be evidence of the illegal manufacturing or processing of controlled substances;
4. Any stand-alone or wall-mounted safe, which may or may not be fitted with a combination lock or a padlock, which may be utilized to store controlled substances or US currency generated from the distribution of controlled substances;
5. Letters, papers, clothing, personal effects and all items of material evidence which would serve to identify the person or persons at and in control of the residence to be searched which would be material evidence in a subsequent criminal prosecution;
6. All telecommunications devices capable of sending and receiving telephone calls, SMS (text message) communications, or electronic communications, which include: cellular telephones, Smart phones, iPhones, BlackBerry devices, iPads, electronic tablets, etc., which are used by distributors of controlled substances to arrange and facilitate the illegal distribution of controlled substances;
7. All electronic devices that are capable of analyzing, creating, displaying, converting, or transmitting electronic or magnetic computer impulses or data. These devices include, but are not limited to: desktop computers, laptop computers, personal data assistants and accessories, or other stationary or portable devices capable of storing electronic data, including iPads and tablets, etc., which are used by distributors of controlled substances to maintain names and records of illegal drug transactions and drug trafficking activity;
8. Any and all information and/or data stored in the form of magnetic or electronic coding on computer media or on media capable of being read by a computer or with the aid of computer related equipment. This media includes, but is not limited to: fixed hard discs, removable or external hard drives, thumb drives, flash drives, zip discs, compact disc (CD) storage devices, digital video disc (DVD) storage devices, tapes, laser discs, videocassettes, and any other media that is capable of storing magnetic coding, which are used by distributors of controlled substances to maintain names and records of illegal narcotics transactions;
9. Any and all written or printed material that provides instructions or examples concerning the operation of a computer system, computer software, and/or any related device. Any password, email address, account information, encryption information, internet service provider (ISP) information, in the form of paper, documents or any other readable material, whether generated by handwriting, typewriter, computer, or any other device;
10. US currency, cash or other monetary instruments and personal property believed to be proceeds from the distribution of controlled substances;
11. Any receipts, documents or records, including bank records, financial transactions records, wire transfer receipts, and money remitter receipts, which would be material evidence of the collection, maintenance or disbursement of proceeds from the illegal distribution of controlled substances;
12. Firearms, the possession of which, in conjunction with the possession or distribution of controlled substances is illegal.
13. The Affiant expressly requests that the search warrant authorize law enforcement officers to access, review and examine the data stored on the devices referenced in Items #6 and #7.

The Court also hereby finds that there is probable cause to believe that there are grounds for the issuance of this search warrant pursuant to C.R.S. § 16-3-301(1) and (2). 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 further finds that there is probable cause to believe that in, on, or upon the address referenced above there are items: which are evidence of violations of the Colorado Uniform Controlled Substances Act, section 18-18-405 et seq., C.R.S.; which constitute property which has been stolen or embezzled; or which are designed or intended for use as a means of committing a criminal offense, or which are or have been used as a means of committing a criminal offense, or the possession of which is illegal, or which 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, 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.

Therefore you are commanded to execute and serve this search warrant at any time within fourteen days from the date hereof, to search there within, together with the yard and curtilage thereof, and any and all outbuildings and vehicles thereon for the said property set forth, and to seize the property, to use and employ such force as may reasonably be necessary in the performance of your duties hereunder, to give the person from whom, or from whose possession the property is taken, a copy of this search warrant, together with a receipt for the property taken, or leave copies at the place searched and make prompt return of this search warrant, 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.
2. Pursuant to CRS § 16-3-304(7)(a), this warrant must be executed between the times of 7 A.M. and 7 P.M. --- OR --- Pursuant to CRS § 16-3-304(2), the Court finds good cause and authorizes the execution of this warrant between the hours of [AM TIME] and [PM TIME].

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

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Judge/Magistrate