

STATE OF CALIFORNIA - COUNTY OF SANTA CLARA, SW NO. _____

SEARCH WARRANT

(Electronic Communications Service Provider)

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY PEACE OFFICER IN THE COUNTY OF SANTA CLARA:

Proof by affidavit and under penalty of perjury having been sworn by Investigator [REDACTED] that there is probable cause for believing that the property described below may be found at the location set forth below and is lawfully seizable pursuant to California Penal Code §1524 as indicated below by "x"(s) in that it:

- was stolen or embezzled
- was used as the means of committing a felony
- is possessed by a person with the intent to use it as means of committing a public offense or is possessed by another to whom he or she may have delivered it for the purpose of concealing it or preventing its discovery
- tends to show that a felony has been committed or that a particular person has committed a felony
- tends to show that sexual exploitation of a child, in violation of California Penal Code §311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years, in violation of §311.11, has occurred or is occurring
- there is a warrant to arrest the person
- is records or evidence, as specified in California Penal Code §1524.3 in the possession of a provider of electronic communication service or remote computing service, showing that
 - property was stolen or embezzled constituting a misdemeanor, or
 - that property or things are in the possession of any person with the intent to use them as a means of committing a misdemeanor public offense, or
 - in the possession of another to whom that person may have delivered them for the purpose of concealing them or preventing their discovery

YOU ARE THEREFORE COMMANDED TO SEARCH THE FOLLOWING SERVICE PROVIDER(S):

Signal Messenger, LLC

Attention: [REDACTED]

FOR THE FOLLOWING PROPERTY:

Service records described below for the following account: [REDACTED]

1. **Subscriber information** defined as the name, street address, telephone number, email address, or similar contact information provided by the subscriber to the provider to establish or maintain an account or communication channel, a subscriber or account number or identifier, the length of service, and the types of services used by the account holder.
2. **Electronic Communication Information** described below that was sent, received, created, deleted, modified or accessed between **March 1, 2019 and August 17, 2020**.
 - a) Billing records including method of payment.
 - b) Date of when the account was opened/registered, and any other phone numbers associated with the account.
 - c) All names, physical addresses, and email addresses associated with the account.
 - d) Outbound and Inbound call detail records including length of call, date, time, numbers dialed, or numbers received and any "key" or information that enables the investigator to interpret the data provided.
 - e) Stored communications including voice mail, video calls, email and text messages.
 - f) IP addresses along with dates and times for each login for login.
 - g) All dates and times of the user connectivity to the Signal service.
3. **Investigators shall examine** any records produced in response to #2, above for the following specific evidence:
 - a) Any data tending to identify a person who had custody or control of the account at the time any of the following items were sent, received, created, deleted, modified or accessed.
 - b) Communication data, including emails, text messages, instant messages, video calls, or voice mails and associated meta data referring to any of the following:
 1. Names of parties in the communication and their locations
 2. Any details or information about the homicide under investigation.
 3. Participation or involvement in the homicide under investigation.
 - c) Contact lists or other information tending to identify the parties to any communications identified under Item 3(a), above.
 - d) Images and video or audio clips and associated meta data showing any of the following:
 1. Personal identifying information such as names and locations.
 2. Any details or information about the homicide under investigation.
 3. Participation or involvement in the homicide under investigation.
 - e) Location data from March 1, 2019 to August 17, 2020

AND TO SEIZE IT/THEM IF FOUND and bring it/them forthwith before me, or this court, at the courthouse of this court.

Order for Delayed Notice

The Court finds that there is reason to believe that contemporaneous notification of the existence of this warrant may have an adverse result. Therefore,

IT IS HEREBY ORDERED, pursuant to California Penal Code §1546.2(b), that the Service Provider(s) receiving this warrant and the executing agency shall delay notification of the existence of this warrant, or the existence of the investigation, to the listed subscriber or to any other person, for a period of 90 days unless otherwise directed by the Court.

Order for Custodian's Declaration

IT IS HEREBY ORDERED, pursuant to Penal Code §1546.1(d)(3), that the Service Provider(s) receiving this warrant shall verify the authenticity of the records and information it produces by providing an affidavit that complies with the requirements set forth in California Evidence Code §1561.

Order for Productions of Records

IT IS HEREBY ORDERED that any records produced in response to this search warrant may be provided via email or digital storage media to:

Investigator [REDACTED]
Santa Clara County District Attorney Office
70 West Hedding ST, San Jose, Ca 95110
[REDACTED]@dao.sccgov.org [REDACTED]

Order for Timely Compliance with the Warrant

IT IS HEREBY ORDERED that the Service Provider(s) shall provide all records sought pursuant to this warrant within five (5) business days of having received this warrant.

Order for Content Unrelated to the Objective of the Warrant

IT IS HEREBY ORDERED, pursuant to California Penal Code §1546.1(d), that any electronic information obtained through the execution of this warrant that is unrelated to the objective of the warrant shall be sealed and shall not be subject to further review, use, or disclosure absent an order from the Court or to comply with discovery as required by California Penal Code §§1054.1 and 1054.7.

Order for Disposition of Evidence

IT IS HEREBY ORDERED that upon adjudication of the case(s) against all defendant(s) in this action, including the resolution of any and all appeals, or with the written concurrence of the Santa Clara County District Attorney's Office, the property be disposed of in accordance with the procedures set forth in California Penal Code §§1407 to 1413, without the necessity of a further Court Order issued pursuant to California Penal Code §1536.

Based on the incorporated Affidavit, I find probable cause for the issuance of this Search Warrant and do issue it on this date 8/18/2020, 2020 at 150PMpm.

NIGHT SEARCH APPROVED: [] Yes [] No
SEALING APPROVED: [x] Yes [] No

Javier Alcala

[Signature of Magistrate]
Judge of the Superior Court, County of Santa Clara

Judge Javier Alcala