**IN THE CIRCUIT COURT OF THE** **EIGHTH JUDICIAL CIRCUIT**

**IN AND FOR COUNTY COUNTY, FLORIDA**

**STATE OF FLORIDA, AGENCY CR#: 00-00-000000**

 **PLAINTIFF,**

**AFFIDAVIT AND APPLICATION FOR SEARCH WARRANT**

**VS. AUTHORIZING THE USE OF A DRONE UNDER F.S. 934.50**

**SUSPECT(S),**

 **DEFENDANT(S).**

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BEFORE ME, the undersigned Judge, State of Florida, came this sworn application and affidavit by Your Rank Your Name, a law enforcement officer employed by Your Agency, who was first duly Sworn, deposes and says that He/She has reason to believe the laws of the State of Florida have been violated and are now being violated, and there is now being kept in or on the below-described premises and/or the curtilage of the same, certain evidence, fruits, or instrumentalities of that crime to be found in or on the following described premises located in County County, Florida:

**The premises to be searched** DESCRIBE THE LOCATION OF THE RESIDENCE YOU INTEND TO SURVEIL/SEARCH AS SPECIFICALLY AS POSSIBLE. INCLUDE A DESCRIPTION OF THE BUILDING, THE COLOR, THE CURTILAGE AND THE GENERAL APPEARANCE IN AS MUCH DETAIL AS YOU ARE ABLE. INCLUDE A PHOTO OF THE LOCATION IF AVAILABLE. The premises to be searched are located at Address, City, County County, Florida. See photo below.

(insert photograph of location)

**To reach** ADDRESS/LOCATION, SPECIFIC DIRECTIONS ON HOW TO REACH THE LOCATION. PROVIDE DIRECTIONS FROM A STANDARDIZED INTERSECTION OR GEOGRAPHICAL MARKER.

SAID PREMISES being located in the County of County, State of Florida, in the control of, or occupied by (persons currently in control of location or items) and being the property of (persons in control AND owners).

Pursuant to Florida Statute § 934.50 (4)(b), your Affiant requests this court to authorize the remote use of a Drone to gather aerial video and/or aerial photographs of the above-described property or the area or premises and its curtilage where the property is located and all items, objects and individuals associated with the above-described property. Your Affiant further requests this court to authorize the remote use of a Drone to continue surveillance on/at (Suspect(s)/Address/Vehicle)in the event the (Suspect(s)/vehicle(s)) is picked up and transported to a secondary location.

A Drone is a powered, aerial vehicle that:

1. Does not carry a human operator;
2. Uses aerodynamic forces to provide vehicle lift;
3. Can fly autonomously or be piloted remotely

Affiant or any other person authorized to execute the search warrant or assist in the execution of the search warrant through the operation of the Drone, will operate the Drone and using the Drone will capture images of items and/or objects and/or actions of individuals which constitute evidence relevant to proving that Florida Statute 000.00 – OFFENSE NAME has been committed.

The items, objects, and/or individuals within or about said premises to be seized are particularly described as:

1. Observations of(Address)with sufficient visual clarity.
2. Observations of persons who are associated with (Address)with sufficient visual clarity to obtain information about their identity, habits, conduct, movements or whereabouts.
3. Observations of (Address)with sufficient visual clarity to be able to determine unique identifying features of the location.
4. Observations necessary for the safe operation or navigation of the drones.
5. Observations of (Address)and the surrounding curtilage as well as any secondary locations and surrounding curtilage should its occupants frequent them, with sufficient visual clarity.
6. Observations necessary for the safe entry onto and into the (Address) including any structures and vehicles on the premises for the proper operation and execution of companion warrants by members of law enforcement details.
7. List any additional items you may hope to locate

**ALL OF WHICH** are being kept and/or was used and/or obtained in and/or is evidence of a felony violation of the laws of the State of Florida, to-wit:

Florida Statute 000.00 – OFFENSE NAME

Florida Statute 000.00 – OFFENSE NAME

THE facts establishing the basis for Your Affiant’s belief are:

Your Affiant, Your Rank Your Name (hereinafter referred to as YA), is a duly sworn law enforcement officer employed by Your Agency and has been since Hire Date. YA successfully completed Basic Law Enforcement Training at Academy Attended in City Where You Attended, County County, Florida. YA served as SUMMARIZE YOUR LEO WORK EXPERIENCE. YA has attended SUMMARIZE SPECIAL TRAINING & LEO CLASSES INCLUDING APPROXIMATE DATES OF COMPLETION. By His/Her training and experience, SUMMARIZE SPECIAL QUALIFICIATIONS BASED ON ABOVE TRAINING – IE, FAMILIARITY WITH CONTROLLED SUBSTANCES, KNOWLEDGE OF CHILD PORNGRAPHY, ETC. YA is currently assigned to CURRENT ASSIGNMENT and has been assigned to investigate various criminal offenses to including, but not limited to, YOUR CASE LOAD since MONTH, YEAR YOUR CURRENT ASSIGNMENT BEGAN.

SUMMARIZE YOUR CASE HERE

SUMMARIZE DETAILS CONSIDERED THAT ASSISTED WITH DETERMINATION THAT DRONE DEPLOYMENT WAS NECESSARY (*DISCUSS ANY THREAT LEVEL MATRIX INFORMATION AVAILABLE*)

Your Affiant certifies that there is a clear connection between the location to be surveilled by the Drone, the criminal activity alleged, and the potential person or person(s) whose privacy would be invaded. It is further certified, as set forth in the search warrant attached hereto, and specifically incorporated herein as Exhibit A, that there is probable cause, based on specific and articulable facts, that the (Address) contains evidence relevant to a felony crime. The Court has either previously, or is contemporaneously, finding probable cause and has authorized the use of an associated search warrant (Exhibit A) at that the (Address).

 BASED ON THE FOREGOING, YA has reason to believe and does believe that the structure in question has contained in the past, and does contain now, certain instrumentalities and contraband which constitutes a violation of the laws of the State of Florida, or certain evidence which constitutes proof of a violation of the laws of the State of Florida, and based upon the foregoing, requests issuance of a search warrant for the above-described residence to allow seizure of the above-described items.

 BASED ON THE FOREGOING, YA has reason to believe, and does believe, that the (items, objects, and/or individuals within or about said premises) in question pose a danger to law enforcement. The utilization of Drone surveillance in advance of, and during the course of, an active criminal investigation will assist in more accurate and up to date safety information for law enforcement personnel at the scene of (Address) during the execution of the companion search warrant. Based upon the preceding assertions, YA requests issuance of a search warrant for the specific deployment of a Drone at the above-described residence.

WHEREFORE, Your Affiant prays that a search warrant be issued according to law commanding YA, and/or the Sheriff of County County, and/or the Sheriff’s deputies, and/or any police officer in County County within whose jurisdiction the aforesaid property to be searched is found, or the Commissioner of the Florida Department of Law Enforcement, or any of his duly constituted Agents with proper and necessary assistance, to utilize a Drone to capture images of items and/or objects and/or actions of individuals through aerial video, aerial photography, or live surveillance, which constitute evidence relevant to proving that a crime has been committed.

Your Affiant requests authorization for use of said Drone to search for all of the said items seized either in the daytime or in the nighttime, or on Sunday, as the exigencies of the occasion may demand, in order that the evidence may be procured to be used in the prosecution of such person or persons unlawfully possessing or using the same in violation of the laws of the State of Florida.

Your Affiant prays this Court to authorize your Affiant, or any other person authorized to execute the search warrant, or assist in the execution of the search warrant, be authorized to remotely and continuously operate and monitor the Drone and use the Drone to remotely capture images of items, objects and actions of individuals through aerial video and/or aerial photographs.

Your Affiant prays this court to authorize your Affiant, or any other person authorized to execute the search warrant or assist in the execution of the search warrant, to remotely and continuously operate and monitor the Drone and use the Drone to remotely capture images of items, objects and actions of individuals through aerial video and/or aerial photographs until the companion search warrant (see Exhibit A) (ensure submission of primary warrant is completed simultaneously) is executed by law enforcement, the investigation is completed, or for a period of no longer than (specify time frame):

beginning at (enter earliest time that Drone would be used)

until (enter time when it is anticipated that the residential SW will be executed)

Your Affiant requests that he/she or any other person authorized to execute the search warrant or assist in the execution of the search warrant, be authorized to monitor images from the drone, including those signals produced from inside any private area or other location not open to the public or to visual surveillance.

 Your Affiant certifies that pursuant to F.S. 119.071(2)(c)1, that this is an active and ongoing criminal investigation whose documentation is not subject to disclosure at this time, and that dissemination of this Search Warrant, Affidavit and Application in support thereof may subject law enforcement to risk of injury and/or subject the evidence sought to a potential risk of tampering.

Your Rank Your Name, Affiant

Your Agency

SWORN TO AND SUBSCRIBED before me this day of April 2024.

Notary or Assistant State Attorney

The above Application for Search Warrant coming on to be heard and having examined the application made under oath and the above sworn affidavit set forth and other facts and thereupon being satisfied that there is probable cause to believe that the grounds set forth in said Application and the facts do exist and that the law is being violated, I so find, and a search warrant is hereby allowed and issued.

FURTHER, the Court now finds that pursuant to F.S. 119.071(2)(c)1, that this is an active and ongoing criminal investigation and this Search Warrant, Affidavit and Application in support thereof as well as the Inventory and Return, are to be sealed and exempt from public inspection.

FURTHER, the Court directs that the Affidavit and Application for the search warrant to be kept in the custody of the executing agency until further order of the court or until release by the executing agency. This will maintain the integrity of the ongoing investigation, pursuant to F.S. 119.071(2)(c)1 and *Wooling v. Lamar*, 764 So. 2d 765, 768 (Fla. 5th DCA 2000).

FUTHER, any Property seized or taken shall be impounded for use as evidence at any trial of any criminal or penal cause growing out of the having or possession of said Property.

CIRCUIT COURT JUDGE

S.A. review:

 ATTORNEY NAME

Assistant State Attorney

**IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT**

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**STATE OF FLORIDA, AGENCY CR#: 00-00-000000**

 **PLAINTIFF,**

**SEARCH WARRANT**

**VS. AUTHORIZING THE USE OF A DRONE UNDER F.S. 934.50**

**SUSPECT(S),**

 **DEFENDANT(S).**

 **/**

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA,

 TO: ALL AND SINGULAR THE SHERIFF OF COUNTY COUNTY, AND/OR DULY CONSTITUTED DEPUTY SHERIFFS OF COUNTY COUNTY, FLORIDA, AND/OR DETECTIVES AND/OR LAW ENFORCEMENT OFFICERS OF LIST ALL LOCAL LE AGENCIES THAT MAY ASSIST WITH SERVICE, THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT, AND/OR SPECIAL AGENTS OF THE UNITED STATES DRUG ENFORCEMENT ADMINISTRATION, AND/OR SPECIAL AGENTS OF THE UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES, AND/OR ANY OF THEIR DULY CONSTITUTED AGENTS.

WHEREAS, complaint on oath and in writing, supported by affidavit has been made to me, the undersigned Judge of County County, Florida, by Your Rank Your Name, a law enforcement officer employed by the Your Agency, who was first duly Sworn, deposes and says that He/She has reason to believe the laws of the State of Florida have been violated and are now being violated and there is now being kept in or on the below-described premises certain evidence, fruits, or instrumentalities of that crime to be found in or on the following described premises located in County County, Florida:

**The premises to be searched** EXACT SAME DESCRIPTION USED IN YOUR APPLICATION (PAGE 1) *[copy / paste from above, include photo]*

**To reach** EXACT SAME DIRECTIONS TO RESIDENCE USED IN YOUR APPLICATION (PAGE 1) *[copy / paste from above]*

**SAID PREMISES** being located in the County of County, State of Florida, in the control of, or occupied by (persons currently in control of location or items) and being the property of (persons in control AND owners).

Therefore, the remote use of a Drone is authorized to gather aerial video and/or aerial photographs of the above-described property or the area or premises and its curtilage where the property is located and all items, objects and individuals associated with the above-described property. Further, the remote use of a Drone is authorized to continue surveillance on (Address)in the event the occupants are picked up and transported to a secondary location.

Further, those authorized to execute this search warrant or assist in the execution of this search warrant, are authorized to conduct remote monitoring of the Drone and to capture aerial video and/or aerial photographs of the above-described property or the area or premises where the property is located and all items, objects and individuals associated with the above-described property for the purpose of obtaining evidence relevant to proving that a crime has been committed.

Said complaint on oath having been supplied, I am satisfied that the Affiant has established probable cause exists to believe that the items, objects, and/or individuals within or about said premises to be seized are particularly described as *[copy / paste from above]*:

1. Observations of(Address)with sufficient visual clarity.
2. Observations of persons who are associated with (Address)with sufficient visual clarity to obtain information about their identity, habits, conduct, movements or whereabouts.
3. Observations of (Address)with sufficient visual clarity to be able to determine unique identifying features of the location.
4. Observations necessary for the safe operation or navigation of the drones.
5. Observations of (Address)and the surrounding curtilage as well as any secondary locations and surrounding curtilage should its occupants frequent them, with sufficient visual clarity.
6. Observations necessary for the safe entry onto and into the (Address) including any structures and vehicles on the premises for the proper operation and execution of companion warrants by members of law enforcement details.
7. List any additional items you may hope to locate

**ALL OF WHICH** are being kept and/or was used and/or obtained in and/or is evidence of a felony violation of the laws of the State of Florida, to-wit:

Florida Statute 000.00 – OFFENSE NAME

Florida Statute 000.00 – OFFENSE NAME

NOW THEREFORE, you or either of you, Your Rank Your Name and officers with the above agencies, and/or any law enforcement officer within whose jurisdiction the aforesaid property is found, with such lawful assistance as may be necessary, are hereby commanded,

To observe the propertydescribed above, for the purpose of capturing images of items, objects and actions of individuals through aerial video and/or aerial photographs and to do so surreptitiously to avoid detection.

AND that good cause has been shown that use of said Drone may be made in the daytime or in the nighttime, or on Sunday, or as the exigencies of the occasion may demand. You are hereby commanded to remotely and continuously operate and monitor the Drone and use the Drone to remotely capture images of items, objects and actions of individuals through aerial video and/or aerial photographs until the search warrant is executed by law enforcement or the investigation is completed.

AND that the Affiant or any other person authorized to execute or assist in the execution of this search warrant are authorized to remotely and continuously operate and monitor the Drone and use the Drone to remotely capture images of items, objects and actions of individuals through aerial video and/or aerial photographs consisting of *[copy / paste from above]*:

1. Observations of(Address)with sufficient visual clarity.
2. Observations of persons who are associated with (Address)with sufficient visual clarity to obtain information about their identity, habits, conduct, movements or whereabouts.
3. Observations of (Address)with sufficient visual clarity to be able to determine unique identifying features of the location.
4. Observations necessary for the safe operation or navigation of the drones.
5. Observations of (Address)and the surrounding curtilage as well as any secondary locations and surrounding curtilage should its occupants frequent them, with sufficient visual clarity.
6. Observations necessary for the safe entry onto and into the (Address) including any structures and vehicles on the premises for the proper operation and execution of companion warrants by members of law enforcement details.
7. List any additional items you may hope to locate

FURTHER, the Court directs that the Affidavit and Application for the search warrant to be kept in the custody of the executing agency until further order of the court or until release by the executing agency. This will maintain the integrity of the ongoing investigation, pursuant to F.S. 119.071(2)(c)1 and *Wooling v. Lamar*, 764 So. 2d 765, 768 (Fla. 5th DCA 2000).

The original of the warrant, together with the original inventory, shall be returned and filed with the Clerk of the Court as stated above within ten (10) days of the issuance of this warrant.  Further, any Property seized or taken shall be impounded for use as evidence at any trial of any criminal or penal cause growing out of the having or possession of said Property.

WITNESS, my hand and official seal this day of April 2024.

 CIRCUIT COURT JUDGE