IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT

IN AND FOR COUNTY COUNTY, FLORIDA

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

Plaintiff,

-vs-     

SUSPECT(S), **APPLICATION & AFFIDAVIT**

Defendant. **FOR SEARCH WARRANT**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/

**APPLICATION FOR SEARCH WARRANT**

**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 the YOUR AGENCY, who was first duly sworn, deposes and says that HE/SHE (YOU) believes and has good reason to believe the laws of the State of Florida have been violated and are now being violated, and there is now being kept on or in the below described premises, and/or the curtilage of the same, certain evidence, fruits, or instrumentalities of a crime, including one or more cellular telephones, to be found in or on the following premises located in COUNTY County, Florida:

DESCRIBE THE LOCATION OF THE STRUCTURE YOU WANT TO SEARCH AS SPECIFICALLY. INCLUDE A DESCRIPTION OF THE BUILDING, THE COLOR, THE CURTILAGE AND THE GENERAL APPEARANCE IN AS MUCH DETAIL AS YOU ARE ABLE. The premises to be searched are located at ADDRESS, CITY, COUNTY, Florida.

To reach ADDRESS/LOCATION, SPECIFIC DIRECTIONS ON HOW TO REACH THE LOCATION.

SAID PREMISES being located in the County of COUNTY, State of Florida, in the control of the WHO HAS CONTROL OVER THE BUILDING, and being the property of WHO OWNS THE BUILDING and having within said premises, the following items to be seized:

*Select the options that apply to your facts. Any that you select must be made relevant through your PC narrative. Those not relevant to your facts should be deleted.*

1. Record of communication between \_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_ (i.e. call logs).
2. Written/Text communications between \_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_, emails, SMS text messages, MMS messages, and other communications from third-party applications such as Kik, Whatsapp, Facebook, Instagram.
3. Written / Text communications from the days preceding \_\_\_\_\_\_\_\_\_\_, which relate to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
4. Photographs and videos taken by, received on, or stored on, the defendant’s phone or the phone’s removable memory (if present) between \_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_.
5. Contacts stored on the defendant’s phone or phone’s removable memory.
6. Location Information stored on the phone or removable memory between \_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_.
7. Location Information stored in any cloud accounts associated to the suspect/defendant between \_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_, if said account credentials can be obtained from the forensic image of the phone.
8. Internet History, Bookmarks, and Cookies stored on the defendant’s phone, removable memory, or associated cloud accounts (offsite memory accessible via the phone) between \_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_.
9. Calendar entries between \_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_.
10. Stored audio communications between \_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_.
11. Written and audio recorded notes stored to the device or any cloud account associated with the device.

ALL OF WHICH are being kept and/or 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 BASIS for Your Affiant's belief is:

Your Affiant, YOUR RANK YOUR NAME (hereinafter referred to as YA), is a duly sworn law enforcement officer employed by the AGENCY and has been since HIRE DATE. YA successfully completed Basic Law Enforcement Training at ACADEMY YOU ATTENDED in CITY WHERE YOU ATTENDED, COUNTY WHERE YOU ATTENDED 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 include, but not limited to, YOUR CASE LOAD since MONTH, YEAR YOUR CURRENT ASSIGNMENT BEGAN.

SUMMARIZE YOUR CASE HERE – YOUR NARRATIVE MUST SPECIFY HOW EACH OF THE OPTIONS SELECTED ABOVE IS RELEVANT TO YOUR FACTS.

Through training and experience, YA knows that cell phones can contain a substantial amount of information relevant to the investigation of a case. Criminals often use cellular phones to communicate with accomplices and will sometimes store accomplices’ contact information in address books, speed dial lists or in other areas of the phone. These communications can occur through typical telephone calls or through instant messaging or text messages. To the extent that criminals use services such as instant messaging or text messages, these messages can sometimes be found on the cellular phone itself. Criminals also use cellular phones to document criminal activities both by photographs, videos as well as digital memos. Your affiant knows that these images and memos are also stored on the handset itself. Also information can be located on the SIM (Subscriber Identity Module) which is a smart card located in the phone which also contains network information. Removable memories are also sometimes located in a cellular handset that allows the user to store vast amounts of electronic data.

Your affiant knows that devices such as these phones can store a large number of phone numbers and call history and some mobile phones can also contain contact information and calendar information and can be linked, either by wire or wireless, with computers. Camera phones can contain images. This information can be valuable evidence in determining other participants in a criminal enterprise.

Your affiant knows that those involved in criminal enterprises sometimes use multiple phones to separate contacts with different participants or to attempt to avoid detection and monitoring by law enforcement. They also sometimes possess multiple phones to have a backup means of communication in case a phone is lost or seized by law enforcement. Likewise, your affiant knows that images in a camera can contain evidence of where a subject has been and with whom the subject has associated.

YA knows from training and experience that individuals use telephones, specifically cellular telephones, to communicate and arrange meetings, provide directions, and forward information related to the planning and committing of criminal acts, and that the cell phone will be carried by a person committing a criminal act.

**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, including one or more cellular telephones, 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 premises to allow seizure of the above-described items.

**ALL OF WHICH WHEREFORE**, YA prays that a search warrant be issued according to law commanding the Sheriff and/or duly constituted Deputy Sheriffs of COUNTY County, Florida, and/or Detectives and/or Law enforcement officers of the LIST ALL LOCAL LAW ENFORCEMENT AGENCIES THAT COULD POTENTIALLY HELP SERVE WARRANT, and/or Special Agents of 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, with proper and necessary assistance, to search the above-described premises for the above-described items, and for the seizure and safekeeping thereof, and for **authorization to search 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 RANK YOUR NAME, Affiant

SWORN TO AND SUBSCRIBED before me this \_\_ day of MONTH, 20\_\_.

    SWORN TO AND

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

                                                                          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.

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

                                                                         JUDGE

 S.A. review: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ATTORNEY NAME

Assistant State Attorney

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT

IN AND FOR COUNTY COUNTY, FLORIDA

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

Plaintiff,

-vs- SEARCH WARRANT

SUSPECT(S),

Defendant.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/

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

TO: ALL AND SINGULAR THE SHERIFF 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 (BASED ON YOU) 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, including one or more cellular telephones, of that crime to be found in or on the following described premises located in COUNTY County, Florida:

EXACT SAME DESCRIPTION USED IN YOUR APPLICATION (PAGE 1)

EXACT SAME DIRECTIONS TO PHONE USED IN YOUR APPLICATION (PAGE 1).

SAID PREMISES being located in the County of COUNTY, State of Florida, in the control of the WHO HAS CONTROL OF STRUCTURE, and being the property of WHO OWNS STRUCTURE, and Affiant having stated probable cause to believe that the following described items are upon/within said premises, the following are to be seized:

*THIS SHOULD BE IDENTICAL TO THE OPTIONS SELECTED ON PAGE 1-2 ABOVE.*

1. Record of communication between \_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_ (i.e. call logs).
2. Written/Text communications between \_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_, emails, SMS text messages, MMS messages, and other communications from third-party applications such as Kik, Whatsapp, Facebook, Instagram.
3. Written / Text communications from the days preceding \_\_\_\_\_\_\_\_\_\_, which relate to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
4. Photographs and videos taken by, received on, or stored on, the defendant’s phone or the phone’s removable memory (if present) between \_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_.
5. Contacts stored on the defendant’s phone or phone’s removable memory.
6. Location Information stored on the phone or removable memory between \_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_.
7. Location Information stored in any cloud accounts associated to the suspect/defendant between \_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_, if said account credentials can be obtained from the forensic image of the phone.
8. Internet History, Bookmarks, and Cookies stored on the defendant’s phone, removable memory, or associated cloud accounts (offsite memory accessible via the phone) between \_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_.
9. Calendar entries between \_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_.
10. Stored audio communications between \_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_.
11. Written and audio recorded notes stored to the device or any cloud account associated with the device.

ALL OF WHICH are being kept and/or 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, with such lawful assistance as may be necessary, are hereby commanded, in the daytime or in the nighttime, or on Sunday, or as the exigencies of the occasion may demand, to enter the said premises and the curtilage thereof, and then and there to search diligently for said property described in this warrant, and if the same or any part thereof be found on said premises, you are hereby authorized to seize, search, and secure the same, **and to conduct a further search, on-site and/or off-site, of any item seized**, and to make return of your doings under this warrant to a court with jurisdiction within ten days from the date hereof, and you are likewise commanded in the event you seize or take property or materials mentioned in the warrant to safely keep the same until otherwise ordered by a court having jurisdiction thereof, and that you give proper receipt for said property and deliver a copy of this warrant to the person from whom taken or those in whose possession it is found or in the absence of any such person to leave said copy in the place where said property or material is found, and you are further directed to bring said property so found and any person arrested in connection therewith before the court having jurisdiction of this offense to be disposed of according to law. You, or either of you, with such lawful assistance as may be necessary, are also authorized and commanded to search those vehicles and structures which you may encounter on the premises or curtilage thereof pursuant to the execution of this warrant.

WITNESS, my hand and official seal this \_\_\_ day of MONTH, 20\_\_.

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

JUDGE